| LED: WESTCHESTER COUNTY CLERK   | 03/30/2022 01:44 P  | INDEX NO. 54190/201                                 |  |
|---|---|---|--|
| SCEF DOC. NO. 44  | NOTE OF ISSUE   | RECEIVEPONNSSGFEier(03/30/202                       |  |
| Calendar No. (if any)   |   |   |  |
| CITY OF NEW ROCHELLE  | Name of Judge assigned<br>Hon. William J. Giacomo   |   |  |
| Plaintiff, -against-  | NOTICE FOR TRIAL  Trial by jury demanded  |   |  |
| FLAVIO LA ROCCA, MARIA LA ROCCA, FLAVIO   | ☐ Of all issues ☐ Of issues specified below   |   |  |
| LA ROCCA & SONS, INC. aka F. LAROCCA & SONS, INC. and FMLR REALY MANAGEMENT LLC,  | ☐ Or attached hereto ☐ Trial without jury   |   |  |
| Defendants.   | Filed by Attorney for Plaintiff   |   |  |
|   | Date summons served April 5, 2016   |   |  |
|   | \(\frac{1}{2}\)   | 16  |  |
|   | Date issue joined April 30, 2019  | 10  |  |
|   | NATURE OF ACTION OF   | R SPECIAL PROCEEDING                                |  |
|   | ⊠ Tort  | <ul><li></li></ul>                                  |  |
|   | Contact   | _ outer tert  |  |
|   | Contested matrimonial   |   |  |
|   | Uncontested matrimonial   |   |  |
|   | Tax certiorari  |   |  |
|   | Condemnation  |   |  |
|   | ☐ Other (not itemized above) specify☐ This action is brought as a class ac                  |   |  |
|   | Amount demanded \$150,000   |   |  |
|   | Other relief Permanent injunction, punitive damages, attorn and costs, prejudgment interest |   |  |
| Special preference claimed under NA   | Insurance carrier(s), if known:   |   |  |
| Attorney for Plaintiff Wilson Elser Moskowitz Edelman & Dicker, LLP, Peter A. Meisels, Esq. 1133 Westchester Avenue White Plains, New York 10604 (914) 323-7000 |   | note of issue unless accompanied by<br>of readiness |  |
| Attorneys for Defendants Silverberg Zalantis LLC  |   |   |  |
| Katherine H. Zalantis, Esq.   |   |   |  |
| 120 White Plains Roade Suite 305  |   |   |  |
|   |   |   |  |
| Tarrytown, NY 10591   |   |   |  |
| (914) 682-0707  |   |   |  |

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## CERTIFICATE OF READINESS FOR TRIAL

(Items 1-7 must be checked)

| ] | For Cle | rk's Us | se |  |
|---|---------|---------|----|--|
|   |         |         |    |  |
|   |         |         |    |  |

INDEX NO. 54190/2016

|    |  | Completed | Waived | Not required |
|----|--|-----------|--------|--------------|
| 1. | All pleadings served   | X         |        |              |
| 2. | Bill of particulars served   |           |        | X            |
| 3. | Physical examinations completed                                    |           |        | X            |
| 4. | Medical reports exchanged  |           |        | X            |
| 5. | Appraisal reports exchanged  |           |        | X            |
| 6. | Compliance with the Rules in matrimonial actions (22 NYCRR 202.16) |           |        | X            |
| 7. | Discovery proceedings now known to be necessary completed          | X         |        |              |

- 8. There are no outstanding requests for discovery.
- 9. There has been a reasonable opportunity to complete the foregoing proceedings
- 10. There has been compliance with any order issued pursuant to the Precalendar Rules (22 NYCRR 202.12)
- 11. If a medical malpractice action, there has been compliance with any order issued pursuant to 22 NYCRR 202.56.
- 12. The case is ready for trial.

Dated: New York, New York March 30, 2022

Yours, etc.

WILSON ELSER MOSKOWITZ EDELMAN & DICKER LLP

By: /s/ Peter A. Meisels

Peter A. Meisels

Attorneys for Plaintiff
City of New Rochelle
1133 Westchester Avenue
White Plains, New York 10604
(914) 323-7000
File No.07367.00101

Email: peter.meisels@wilsonelser.com

To:

Silverberg Zalantis LLC Attn: Katherine H. Zalantis, Esq. Attorneys for Defendants 120 White Plains Roade Suite 305 Tarrytown, NY 10591 (914) 682-0707 FILED: WESTCHESTER COUNTY CLERK 04/14/2022 12:48 PM INDEX NO. 54190/2016

NYSCEF DOC. NO. 45

RECEIVED NYSCEF: 04/14/2022

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF WESTCHESTER

-----X

CITY OF NEW ROCHELLE,

Index No. 54190/2016

Plaintiff,

-against-

DEMAND FOR JURY TRIAL

FLAVIO LA ROCCA, MARIA LA ROCCA, FLAVIO LA ROCCA & SONS, INC. a.k.a F. LAROCCA & SONS, INC. and FMLR REALTY MANAGEMENT LLC,

Defendants.

PLEASE TAKE NOTICE, that Defendants Flavio La Rocca, Maria La Rocca, Flavio La Rocca & Sons, Inc. a.k.a F. Larocca & Sons, Inc. and FMLR Realty Management LLC (collectively "Defendants") hereby demand trial by jury pursuant to CPLR §§ 410 and 4102 of the issues of fact and all claims and counterclaims raised in the above entitled action.

Dated: April 14, 2022

SILVERBERG ZALANTIS LLC Attorneys for Defendants

Katherine Zalantis

120 White Plains Rd, Suite 305

Tarrytown, NY 10591

914-682-0707

zalantis@szlawfirm.net

TO: VIA NYSCEF

Peter A. Meisels Wilson Elser Moskowitz Edelman & Dicker LLP Attorneys for Plaintiff 1133 Westchester Avenue White Plains, NY 10604