

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

**FILED**

FEB 25 2008

RICHARD OTTINGER and JUNE OTTINGER,

Plaintiffs,

TIMOTHY C. IDONI  
COUNTY CLERK  
COUNTY OF WESTCHESTER

**SUMMONS**

- against -

JOHN DOE 1-100 and JANE DOE 1-100,

Defendants.

INDEX NO: 08/3892

DATE PURCHASED:

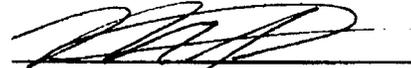
-----X  
**TO THE ABOVE NAMED DEFENDANTS ,**

***YOU ARE HEREBY SUMMONED*** and required to serve upon Plaintiffs an answer to the Complaint in this action within 20 days after the service of this summons, exclusive of the day of service, or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York.

***IF YOU FAIL TO ANSWER***, judgment will be taken against you by *default* for the relief demanded in the complaint.

**THE BASIS OF THE VENUE DESIGNATED** is the Plaintiffs' place of residence.

Dated: Tarrytown, New York  
February 25, 2008



RUSSELL J. IPPOLITO  
Attorney for Plaintiffs  
150 White Plains Road  
Tarrytown, New York 10591  
(914) 631-9090

To:  
John Doe 1-100

Jane Doe 1-100

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

RICHARD OTTINGER and JUNE OTTINGER,

FILED

FEB 25 2008

Plaintiffs,

TIMOTHY C. IDONI

COMPLAINT

COUNTY CLERK

COUNTY OF WESTCHESTER

INDEX NO:

3892/08

- against -

JOHN DOE 1-100 and JANE DOE 1-100,

Defendants.

-X

Plaintiffs, RICHARD OTTINGER and JUNE OTTINGER, by their attorney, RUSSELL J. IPPOLITO, complain of defendants, and allege as follows:

1. At all times relevant to this action, Richard Ottinger and June Ottinger were residents of Westchester County.
2. Upon information and belief, at all times relevant to this action, defendants were residents of New York State.

**Background Facts:**

3. At all times relevant to this action, Richard Ottinger and June Ottinger (herein after "the Ottingers") were renovating their home located at 818 The Crescent in the Village of Mamaroneck, New York.
4. During the process of the renovation, the Ottingers sought building approvals and permits from the Building Department, Zoning Board of Appeals, Coastal Zone Management Commission, Architectural Review Board, and other requisite boards in the Village of Mamaroneck. They were also required to resolve outstanding issues at the Zoning Board of Appeals.

5. While the Ottingers were in the process of constructing their home pursuant to a building permit issued by the Village Building Department, John Doe 1-100 and Jane Doe 1-100 discussed the matter on "LoHUD," which is a "blog" hosted by the New York Journal News on "lohud.com."

6. On that blog, John Doe 1-100 and Jane Doe 1-100 made numerous defamatory statements including, but not limited to the following:

- a. "It now appears that it has been proven, that the Ottinger's, . . . have presented a FRAUDULENT deed in order to claim that they own land under water. . . . We are talking about the Ottingers LYING to the State, the Building Department, the ZBA and necessarily either bribing or coercing other people to do the same." (Posted September 11, 2007 by SAVE10543.)
- b. "Equally outrageous, was that as Ms. McCrory was informing the dumbstruck BOT of the Ottingers criminal behavior . . . and advocated for the Ottinger's position in order to further their illegal scam." (Posted September 15, 2007 by hadenough.)
- c. "He [the mayor of Mamaroneck] took the juice from Richard and June Ottinger to the tune of \$25,000 so they could build their starter Taj Mahal on a substandard lot. Their money bought a compliant ZBA and Building Inspector. . ." (Posted September 19, 2007 by aoxomoxoa.)
- d. **THEY PAID THE RIGHT PEOPLE OFF!** They started with taking care of the Mayor, everybody knows that. I would guess the Building Inspector and Zoning Board were not forgotten in their largesse. The Ottingers have been very generous in greasing the wheels of corruption. With the news of the fraudulent deed they submitted it becomes quite clear that they also must have taken care of the surveyor and the prior owner of the property, unless they are two of the dumbest people on earth! (Posted September 23, 2007 by SAVE10543.)

See Exhibit A.

7. The LoHUD blog website states as a condition of accepting entries that it will not publish any defamatory statements.

AS AND FOR A CAUSE OF ACTION

8. Plaintiffs reallege all of the preceding paragraphs *supra* with the same force and effect as if repeated at length herein.
9. The statements made by John Doe 1-100 and Jane Doe 1-100 on the blog concerned plaintiffs, were defamatory per se, and had the tendency to expose the plaintiffs to public hatred, contempt, ridicule or disgrace.
10. The statements made by John Doe 1-100 and Jane Doe 1-100 on the blog referred to the plaintiffs by name and anyone reading the defamatory statements would reasonably understand that the statements referred to the Ottingers.
11. The statements made by John Doe 1-100 and Jane Doe 1-100 on the blog were published on the New York Journal News LoHud blog website, which statements were viewable by anyone throughout the world on the web and certainly to anyone that viewed the LoHUD blog.
12. The statements made by John Doe 1-100 and Jane Doe 1-100 on the blog were false and the Ottingers categorically deny bribing or coercing other people to obtain a building certificate, paying the mayor \$25,000, submitting a fraudulent deed, or engaging in any of the other criminal behavior alleged on the LoHUD blog.
13. The defendants published the statements and knew that the statements were false or acted in reckless disregard of the truth or falsity of the statements and such statements were wonton in nature and made with specific intent to damage the Ottingers' good name.
14. Prior to these statements, the Ottingers were known to be persons of good name, honesty, and credit in the community. Throughout the years the Ottingers were both very involved in serving their community on numerous boards and committees. The statements made by the

defendants on the blog caused the Ottingers to suffer damages including plaintiffs' reputation and standing in the community.

15. By reason of the forgoing, plaintiffs have been defamed per se and have been damaged in the amount of \$500,000.00.

*Wherefore*, plaintiffs demand a Judgement against the defendants as follows:

- a. On the first cause of action for defamation per se, the amount of five hundred thousand dollars (\$500,000.00);
- b. For punitive damages in the amount of one million dollars (\$1,000,000.00)
- c. For a public apology on LoHud;
- d. For costs and disbursements of this action; and
- e. For such other and further relief as this Court deems just and proper.

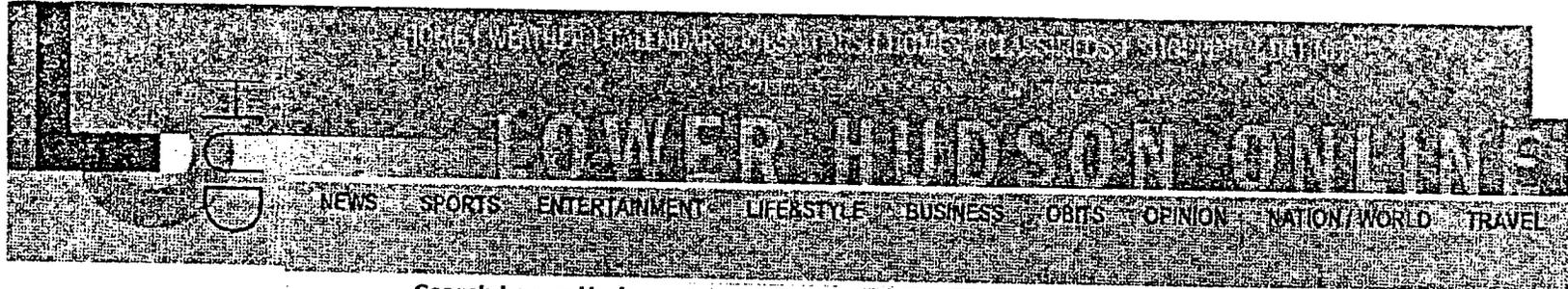
Dated: Tarrytown, New York  
February 25, 2008

  
RUSSELL J. IPPOLITO  
Attorney for Plaintiffs  
150 White Plains Road  
Tarrytown, New York 10591  
(914) 631-9090

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## The Sounds of Silence

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Author

**SAVE10543**

Joined: 01 Apr 2007  
Posts: 32

Message

Posted: Tue Sep 11, 2007 8:37 pm Post subject: The Sounds of Silence

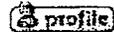
At last night's BOT meeting, Susan McCrory came to the podium in the public comment session with a update on Richard and June Ottinger's McMansion project. She said that she had received a letter from The State of New York informing her that the Ottinger's property was 20% smaller than the Ottingers had been claiming. I have to assume that Ms. McCrory's information was correct since she seems to always choose her words very carefully. It now appears that it has been proven, that the Ottinger's, through incredible effort and machinations , have presented a

0d.

FRAUDULENT deed in order to claim that they own land under water. I was blown away by this news, but what came next was even more amazing, DEAD SILENCE. The entire Board of Trustees just sat there, not a word, DEAD SILENCE. Not a word from the Republicans, which was to be expected, since the Ottingers have been very generous patrons of Phil Trifiletti and his dishonorable gang. But most amazingly, DEAD SILENCE from the Democrats who want to hold themselves out as the anti irresponsible development crowd, but seem to have lost their spine when it comes to standing up for what they preach.

What is this all about, are the Democrats claims of being the guardians of Village's character just political posturing? We are talking about the Ottingers LYING to the State, the Building Department, the ZBA and necessarily either bribing or coercing other people to do the same. I would have thought this would have caused a uproar on the Board, but nothing but DEAD SILENCE.

It is hard to express how disappointing this insight into Village politics is. Is our Village so corrupted that FRAUD is just another matter for our Village officials to shake their heads about and move on. THE SILENCE IS DEAFENING.



Posted: Thu Sep 13, 2007 9:01 pm Post subject:

Way to go SAVE! Thanks for the update and information, which is (a) shocking! and (b) altogether not surprising!. Fact is, for about FOUR years, there have been some people around here (very few, sadly) who have been saying that the entire Ottinger scam was nothing more than the stuffing of 8 pounds of crap into a 5 pound bag. Few, if any, listened. Miss McCrory has been singing that tune from day one. Guess what: she's been right all along. And that incredible Godzilla of a house was allowed to be built because of Mayor Trif and his pathetic dance-to-his-tune building inspector. There is no other reason. The entire affair was wired from the beginning, and some knew this. Many others totally refused to accept this fact, so your outrage is fully understandable. But be realistic here. You will continue to hear absolutely nothing from the BOT - especially from Mayor, who is heavily supported by those Ottingers. Fact is, the BOT can't really do anything at this point. The real thing to watch for is when this oversized, illegal absurdity receives a Certificate of Occupancy from none other than that pathetic excuse for a building inspector at the full direction of Mayor Trif. Remember, the fool building inspector leaves at the end of September. So the big push is now in play by the Ottingers to get their C of O BEFORE he leaves. That's the game right now. Wanna bet the piece of paper is issued some time BEFORE the

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**R.Dangerfield**

Joined: 03 Aug 2006  
Posts: 45

Searching for that Dream House?



Century 21

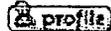
Haviland Realty Corp.  
Westchester County



PQ

29th? Wanna bet Mayor Trif says there's nothing he can do about it? Wanna bet the scam continues, in full public view? The other place to watch this play out is at that utterly dysfunctional Zoning Board. Fact is, it is highly probable that with this new earth-shattering information stating in absolute terms that the Ottingers DO NOT own New York State land as they've claimed for over four years now, this entire screwed up matter will very likely go back to the Zoning Board, who completely screwed up THEIR recent decision on this matter. And wouldn't you just know it, that big fat guy, the one who kept disrespecting Miss McCrory and challenging her knowledge and expertise, and asking her if she was a lawyer, or some sort of an expert, and who is totally biased against a pro se applicants, will now have to eat crow - in public, and on Tom Murphy's LMC-TV. What on earth do you think the idiotic Zoning Board will do now? Well, with the past as a guide, by their standard 4 to 1 vote, the geniuses up there will find that no, the State of New York does NOT own their very own land. Brilliant. Of course, this being Mamaroneck, legal action will ensue, costing hundreds of thousands of dollars in MORE legal fees, and consequently raising the taxes of EVERY property owner in the village. Why? Because Mayor Trif promised to deliver for the Ottingers. And this outrageous scam continues because WE - collectively - allow it. Shame on US!!!!

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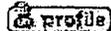
**crybaby**

Posted: Thu Sep 13, 2007 10:35 pm Post subject:

Joined: 30 Mar 2007  
Posts: 19

It would seem that the only solution is via the ballot box. Giggles has been in charge for 6 years while nepotism, cronyism, racism and incompetence have been the official policy of the Village of Mamaroneck government. He will go down in history as the worst mayor of all time. And how does he react to an incompetent building inspector that he put in place? "Heck of a job Richie" Does anyone think it is a coincidence that now that the Dems are in the majority the worlds most incompetent building inspector is finally being forced out? Giggles has put up with his incompetence for 6 years, wonder why?

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**johng**

Posted: Fri Sep 14, 2007 7:40 am Post subject:

Joined: 21 Jul 2006  
Posts: 47

What lesson are we teaching the young citizens of this community?

If the Ottingers get away with this, our kids will learn that some folks reap big rewards from lying and stealing, even when they are found out.

PQ

If the Ottingers are stopped, then our kids will learn the lesson that good parents try to teach, that lying and stealing are wrong...you might get away with it in the short-term but in the long-term, it will come back to haunt you.

The Ottinger house can't possibly meet flood zone rules. New houses on the water need to be on pilings with open areas for the flood waters to go underneath. The Ottinger house is a fortress...nowhere for flood waters to go.

How will the Village secure any grant money from the State or County for flood mitigation when those folks can come here, point to the Ottinger house and say to the Village of Mamaroneck, "Look, you guys are doing nothing to make sure structures in the community are safe...you're going to be penalized and get no grant money until you clean up your act."

The Ottinger fiasco hurts us all.

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[hadenough](#)

Posted: Sat Sep 15, 2007 8:13 am Post subject:

Joined: 05 Aug 2006  
Posts: 249

John Q is absolutely right. If somehow the Ottingers are able to secure a Certificate of Occupancy through their continued deceit and influence peddling the citizens of the Village should be outraged. I also agree with Save 10543's disappointment that the Democrats on the BOT could not muster one word of either outrage at the Ottinger's illegal actions or support for Ms. McCrory tireless work at exposing their lies. One can only hope that there are things going on behind the scenes to finally bring some integrity to the process.

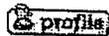
Equally outrageous, was that as Ms. McCrory was informing the dumbstruck BOT of the Ottingers criminal behavior, the venal Joe Messina was there sitting in as BOT attorney. Messina was the ZBA's attorney through most of the two years of hearings about the Ottinger home, he consistently used his position to undercut Ms. McCrory and advocate for the Ottinger's position in order to further their illegal scam.

Equally unfortunate for Village taxpayers is that, with the exception of Clark Neuringer and perhaps Peter Jackson, the ZBA is still contaminated with Vittorio Society appointed toadies. These three political operatives for Paul Noto, the puppet master for the Republican hierarchy, have consistently done his bidding by voting against the interests of the taxpayers in order to hand out favors for the chosen few in the Village.

PQ

I support Tom Murphy in his courageous efforts to reform village government, but nobody should think that this is a easy task. With that being said, much of the credit for exposing the corrupt ZBA has to go to Ms. McCrory and the "Brook Street Brigades" who have been relentless in their pursuit of justice. The corruption in our Village is so entrenched that it will take years to ferret it out and crush it. If the Democrats win in the upcoming election we can only hope that they will not be blinded by their new found majority and continue difficult, unglamorous work of bringing good government to our Village.

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aoxomoxoa

Posted: Wed Sep 19, 2007 5:53 pm Post subject:

Joined: 13 Jan 2007  
Posts: 120

Sane people damn well better support the democrats in this election. The choice has never been clearer!!!!!!!!!!!!!!

You either vote for the democrats and the hope and promise of good government or you vote for the proven corrupt, lying, incompetent leadership to "Giggles" Trifiletti. The track record of Giggles and and his racist running mate Tony Fava is there for everybody to see if they just want to open their eyes.

Trifiletti came into office with a two prong plan five years ago. Stack the Village land use boards with loyal Vittorio Society members, in order to hand out favors to his Republican cronies, in exchange for campaign contributions. Who can forget Larry "You Can All Go To Hell" Fraoli who's crowning achievement, before he resigned in disgrace, was to change a 50 year old Village law in order to give Mauro "What's An Ethic Anyway?" Gabriel a million dollar windfall on his own development project. And who can forget Gabriel's own disgraceful behavior, as Chair of the ZBA ,as he bullied other members in order to hand the President of the Vittorio Society, his pal Benny "The Bungler" Salanitro, a half million dollar windfall of his own. Thankfully, the fabled "Brook Street Brigades" have been able to stop this outrage and Gabriel will be off the ZBA soon.

The other prong of Giggles' plan is that he would take money from almost anybody who needed favorable decisions from his bought and paid for boards. He took the juice from Orienta residents to shut down a reasonable expansion by the Day School. This led to the Village being laughed out of court and the taxpayers being on the hook for millions of dollars of the Day School legal fees, which have yet to be determined. He took the juice from Richard and June Ottinger to the tune of \$25,000 so they could build their starter Taj Mahal on a substandard lot. Their money bought a

PQ

compliant ZBA and Building Inspector, who despite "local legend" Sue McCrory's exhaustive documentation of the deficient lot, gave the Ottinger's everything they wanted.

This November, it is time to turn out the crooks and liars, and stop our Village government from being the laughing stock of Westchester County.

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**concernedresident**

Posted: Thu Sep 20, 2007 5:49 pm Post subject:

Joined: 23 Mar 2006  
Posts: 11  
Location: Lower Westchester

May the people of the proud place where the freshwater hits the fan more often than not consider my humble suggestion to change the name of their proud place of abode to MAMORONICK. The "friendly village" tagline could also be replaced by "the laughing stock village".

Vote NO to higher taxes

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**johnq**

Posted: Sat Sep 22, 2007 6:36 am Post subject: Newest Twist

Joined: 21 Jul 2006  
Posts: 47

Rumor is that the Ottinger house was built without breakaway walls. It doesn't meet flood zone rules.

How did that happen? Will there be a certificate of occupancy issued anyway?

Will the citizens of this village again be met with DEAD SILENCE to these important questions?

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**SAVE10543**

Posted: Sun Sep 23, 2007 6:10 pm Post subject:

Joined: 01 Apr 2007  
Posts: 32

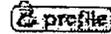
Johnq, Come on, I have read your posts, you are a smart guy - you know exactly how the Ottingers were able to build this house without the required breakaway walls. THEY PAID THE RIGHT PEOPLE OFF! They started with taking care of the Mayor, everybody knows that. I would guess the Building Inspector and Zoning Board were not forgotten in their largesse.

The Ottingers have been very generous in greasing the wheels of corruption. With the news of the fraudulent deed they submitted it becomes quite clear that they also must have taken care of the surveyor and the prior owner of the property, unless they are two of the dumbest people on

PQ

earth!

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**R.Dangerfield**

Posted: Mon Sep 24, 2007 8:19 am Post subject:

Joined: 03 Aug 2006  
Posts: 45

Mr. Q: You cannot be serious.

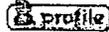
Your spurious allegation – rumor as you call it – that the upstanding Ottingers have built a house without breakaway walls as required by CODE? Come on! Are you totally naïve? Do you not know and understand the rigorous and vigorous process existing here in Mamaroneck to get ANY building project done? Those of us who had to go through the permitting system for even a little wooden deck understand quite well that the BUILDING process here in Mamaroneck absolutely requires and involves:

- (1) The creation of fully detailed construction drawings signed by a straight shooting licensed professional – like Benny Salanitro, or if you can't get HIM to sign you off, then maybe some dude from Alabama to sign your drawings. The Southerner will insure that he is totally knowledgeable about local laws, customs, requirements, ZONING and of course, CODES!
  - (2) The submission of this material to our great and widely known "building department" for "processing". This usually takes at least a month. If you're lucky. Of course, if you're not, they'll do it for you in about a day. Depends on who you know (giggle giggle) or how much you gonna pay.
  - (3) The exquisitely careful and meticulous review of the submitted documents by that ace "building inspector", Richard "I know this s\*\*t" Carroll. Upon completion of HIS reviews, assuming that documents can still be found somewhere, you will receive back a completely redlined set of plans with his notes, comments, and corrections on them. Or not, depending on who you know (giggle giggle) or how much you gonna pay.
  - (4) Construction of the project EXACTLY as shown on the APPROVED plans that were carefully reviewed and approved by you-know-who.
  - (5) INSPECTION of the project by Richard "I know this s\*\*t" Carroll to certify that what has been built conforms exactly to what he previously approved. Or not (giggle giggle; moola, moola)
- In order for us to believe that the Ottinger residence - a project that is NOT a renovation, alteration, conversion, or re-use of anything existing, but rather a BRAND NEW building from the foundations up – was not built in conformance with each and every CODE requirement, and ZONING requirement, especially after the thorough reviews, and inspections, and careful oversight given to the project by the "building inspector" (who was hired by giggle giggle), you would have to convince us that (a) either someone was obviously and clearly and intentionally looking the other way, or (b) was dumb and stupid and incompetent and negligent all at once. Are

PQ

you Mr. Q, suggesting ONE of those two took place? Or BOTH? Come on now; fess up. How can this possibly be? Here? in Mamaroneck??? Someone getting SPECIAL TREATMENT????? Because of who they know? (giggle giggle) Or how much they gonna pay??? No way I say. Cannot be. Or can it???

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**not4nuthin**

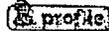
Posted: Mon Sep 24, 2007 2:05 pm Post subject:

Joined: 01 Sep 2007  
Posts: 3

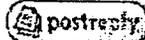
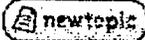
You people should be careful about what you are saying, you are verging on criminal speach here. There is no proof that the Ottingers bribed anybody, especially Mayor Trifiletti. This is DISGUSTING! I have known the Mayor for years and he is not the kind of man who would take money from people who want to do illegal things. Besides why in the world should the Ottingers build a house with a breakaway wall, that is the most ridiculous thing I ever heard. I have seen their house and it is magnificent, it is stone,how the hell do you build a stone house that have walls that breakaway, you should get your facts straight before you start writing lies.

The people of Mamaroneck are waking up and they know that the future is in developement, and that that is not going to happen with the democrats. Mayor Trifiletti got this Village moving 5 years ago and the people know that he is the one that will keep developement going.

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Index No. \_\_\_\_\_ Year 20 \_\_\_\_\_

**SUPREME COURT, STATE OF NEW YORK  
COUNTY OF WESTCHESTER**

**RICHARD OTTINGER AND JUNE OTTINGER,**  
**Plaintiffs,**

**- against -**

**JOHN DOE 1-100 AND JANE DOE 1-100,**  
**Defendants.**

**SUMMONS AND COMPLAINT**

Attorney(s) for **RUSSELL J. IPPOLITO**  
**Plaintiffs**

Office Address & Tel. No.:  
**150 WHITE PLAINS ROAD  
SUITE 300  
TARRYTOWN, NY 10591  
(914) 631-9090**

*Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.*

Dated: \_\_\_\_\_ Signature.....  
Print Signer's Name..... **Russell J. Ippolito, Esq.**

Service of a copy of the within \_\_\_\_\_ is hereby admitted.

Dated: \_\_\_\_\_

Attorney(s) for \_\_\_\_\_

**PLEASE TAKE NOTICE**

Check Applicable Box

**NOTICE OF ENTRY** that the within is a (certified) true copy of a \_\_\_\_\_  
entered in the office of the clerk of the within named Court on \_\_\_\_\_ 20 \_\_\_\_\_

**NOTICE OF SETTLEMENT** that an Order of which the within is a true copy will be presented for settlement to the  
Hon. \_\_\_\_\_ one of the judges of the within named Court,  
at \_\_\_\_\_ 20 \_\_\_\_\_, at \_\_\_\_\_ M.

Dated: \_\_\_\_\_

Attorney(s) for \_\_\_\_\_

To: \_\_\_\_\_ Office Address & Tel. No.: \_\_\_\_\_

Attorney(s) for \_\_\_\_\_

STATE OF NEW YORK, COUNTY OF

ss:

I, the undersigned, am an attorney admitted to practice in the courts of New York, and

certify that the annexed has been compared by me with the original and found to be a true and complete copy thereof.

Check Applicable Box

Attorney's Certification

say that: I am the attorney of record, or of counsel with the attorney(s) of record, for . I have read the annexed

Attorney's Verification By Affirmation

know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon the following.

The reason I make this affirmation instead of is

I affirm that the foregoing statements are true under penalties of perjury.

Dated: \_\_\_\_\_ (Print signer's name below signature)

STATE OF NEW YORK, COUNTY OF

ss:

being sworn says: I am

Check Applicable Box

Individual Verification

in the action herein; I have read the annexed know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true.

Corporate Verification

the of a corporation, one of the parties to the action; I have read the annexed know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true.

My belief, as to those matters therein not stated upon knowledge, is based upon the following:

Sworn to before me on \_\_\_\_\_, 20 \_\_\_\_\_ (Print signer's name below signature)

STATE OF NEW YORK, COUNTY OF

ss:

being sworn says: I am not a party to the action, am over 18 years of

age and reside at

On \_\_\_\_\_, 20 \_\_\_\_\_, I served a true copy of the annexed in the following manner:

Check Applicable Box

Service by Mail

by mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the last-known address of the addressee(s) as indicated below:

Personal Service

by delivering the same personally to the persons at the address indicated below:

Service by Electronic Means

by transmitting the same to the attorney by electronic means to the telephone number or other station or other limitation designated by the attorney for that purpose. In doing so I received a signal from the equipment of the attorney indicating that the transmission was received, and mailed a copy of same to that attorney, in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last-known address of the addressee(s) as indicated below:

Overnight Delivery Service

by depositing the same with an overnight delivery service in a wrapper properly addressed. Said delivery was made prior to the latest time designated by the overnight delivery service for overnight delivery. The address and delivery service are indicated below:

Sworn to before me on \_\_\_\_\_, 20 \_\_\_\_\_ (Print signer's name below signature)

County Clerk, Westchester

Application for INDEX NUMBER pursuant to  
Section 8018 of C.P.L.R.

Fee \$210

Spaces Below to be Typed or Printed by Applicant

**Supreme Court: Westchester County**

Index Number

30

*J*

00-03892

THIRD PARTY ACTION

TITLE OF ACTION OR PROCEEDING

**RICHARD OTTINGER and JUNE OTTINGER**

v.

**JOHN DOE 1-100 and JANE DOE 1-100**

TO BE COMPLETED BY APPLICANT

**FILED**

FEB 25 2008

TIMOTHY C. IDONI  
COUNTY CLERK  
COUNTY OF WESTCHESTER

TYPE OF ACTION-RECORDS RETENTION

FORECLOSURE

MATRIMONIAL

NAME CHANGE

OTHER

CERTIORARI

CONTRACT

SCAR

TORT

DOC TYPE: I-1 02/25/2008 12:05  
P W070 Cash/Check/CCard: \$210.00CK

**RUSSELL J. IPPOLITO, 150 White Plains Road, Tarrytown, NY 10591**

Name and address of Attorney for Plaintiff or Petitioner

Name and address of Attorney for Defendant or Respondent

**RUSSELL J. IPPOLITO, ESQ.**

Name of Payer