

CIVIL COURT OF THE CITY OF NEW YORK
 COUNTY OF BRONX, SMALL CLAIMS PART

CORNER FURNITURE

Plaintiff(s),

-against-

KENTREL INC.

Defendant(s).

Index No. SCB 60347/10

INFORMATION SUBPOENA

with Restraining Notice

Re: Kentrel Inc.

Judgment Debtor

ENVIRONMENTAL PROTECTION
 GENERAL COUNSEL'S OFFICE
 RECEIVED

2012 FEB -8 PM 2:01

Address: 1261 Seabury Avenue
 Bronx, NY 10462

THE PEOPLE OF THE STATE OF NEW YORK To: Department of Environmental Protection GREETING:

Address: 59-17 Junction Blvd.

Flushing, NY 11373

WHEREAS, in an action in the Civil Court of the City of New York, County of Bronx, Small Claims Part, between

Corner Furniture

as Plaintiff(s) and

Kentrel Inc.

as Defendant(s)

who are all the parties named in the action, as Judgment was entered on February 08, 2011, in favor of

Corner Furniture

Judgment Creditors(s) and against

Kentrel Inc.

Judgment Debtor in the amount of

\$2,530.98 of which \$2,530.98 together with interest from February 08, 2011, remains due and unpaid; and

WHEREAS, the witness has an office for the regular transaction of business in person in Bronx County;

NOW, THEREFORE, WE COMMAND YOU, that you answer in writing under oath, separately and fully, each question in the questionnaire accompanying this subpoena, each answer referring to the question to which it responds; and that you return the answers together with the original questions within 7 days after your receipt of the questions and this subpoena.

TAKE NOTICE that false swearing or failure to comply with this subpoena is punishable as a contempt of court.

I HEREBY CERTIFY that this information subpoena complies with CPLR §5224 and that I have a reasonable belief that the party receiving this subpoena has in their possession information about the debtor that will assist the creditor in collecting the judgment.

RESTRAINING NOTICE

WHEREAS, it appears that you owe a debt to the Judgment Debtor or are in possession or in custody of property in which the Judgment Debtor has an interest;

JUDGMENT DEBTOR F.E.I.N.: 23-2590370

TAKE NOTICE that pursuant to CPLR §5222(b), which is set forth in full herein, you are hereby forbidden to make or suffer any sale, assignment or transfer of, or any interference with any property in which you have an interest, except as therein provided.

TAKE FURTHER NOTICE that this notice also covers all property in which the Judgment Debtor has an interest hereafter coming into your possession or custody, and all debts hereafter coming due from you to the Judgment Debtor.

Section 5222(b) Effect of restraint; prohibition of transfer; duration. A judgment debtor or obligor served with a restraining notice is forbidden to make or suffer any sale, assignment, transfer or interference with any property in which he or she has an interest, except as set forth in subdivisions (h) and (i) of this section, and except upon direction of the sheriff or pursuant to an order of the court, until the judgment or order is satisfied or vacated. A restraining notice served upon a person other than the judgment debtor or obligor is effective only if, at the time of service, he or she owes a debt to the judgment debtor or obligor or he or she is in possession or custody of property in which he or she knows or has reason to believe the judgment debtor or obligor has an interest, or if the judgment creditor or support collection unit has stated in the notice that a specified debt is owed by the person served to the judgment debtor or obligor or that the judgment debtor or obligor has an interest in specified property in the possession or custody of the person served. All property in which the judgment debtor or obligor is known or believed to have an interest then in and thereafter coming into the possession or custody of such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming due to the judgment debtor or obligor, shall be subject to the notice except as set forth in subdivisions (h) and (i) of this section. Such a person is forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff or the support collection unit, except as set forth in subdivisions (h) and (i) of this section, and except upon direction of the sheriff or pursuant to an order of the court, until the expiration of one year after the notice is served upon him or her, or until the judgment or order is satisfied or vacated, whichever event first occurs. A judgment creditor or support collection unit which has specified personal property or debt in a restraining notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor or obligor, for any damages sustained by reason of the restraint. If a garnishee served with a restraining notice withholds the payment of money belonging or owed to the judgment debtor or obligor in an amount equal to twice the amount due on the judgment or order, the restraining notice is not effective as to other property or money.

TAKE FURTHER NOTICE that disobedience of this Restraining notice is punishable as a contempt of court.

Dated: White Plains, New York

January 31, 2012

Office and Post Office Address

Howard Stern, Esq.

Attorney for Judgment Creditor

3 Barker Avenue, Suite 290

White Plains, NY 10601 (914) 683-0505



NOTICE TO JUDGMENT DEBTOR OR OBLIGOR

Money or property belonging to you may have been taken or held in order to satisfy a judgment or order which has been entered against you. Read this carefully.

YOU MAY BE ABLE TO GET YOUR MONEY BACK

State and federal laws prevent certain money or property from being taken to satisfy judgments or orders. Such money or property is said to be "exempt". The following is a partial list of money which may be exempt:

1. Supplemental security income (SSI);
2. Social security;
3. Public assistance (welfare);
4. Spousal support, maintenance (alimony) or child support;
5. Unemployment benefits;
6. Disability benefits;
7. Workers' compensation benefits;
8. Public or private pensions;
9. Veterans benefits;
10. Ninety percent of your wages or salary earned in the last sixty days;
11. Twenty-five hundred dollars of any bank account containing statutorily exempt payments that were deposited electronically or by direct deposit within the last forty-five days, including, but not limited to, your social security, supplemental security income, veterans benefits, public assistance, workers' compensation, unemployment insurance, public or private pensions, railroad retirement benefits, black lung benefits, or child support payments;
12. Railroad retirement; and
13. Black lung benefits.

If you think that any of your money that has been taken or held is exempt, you must act promptly because the money may be applied to the judgment or order. If you claim that any of your money that has been taken or held is exempt, you may contact the person sending this notice.

Also, YOU MAY CONSULT AN ATTORNEY, INCLUDING ANY FREE/LEGAL SERVICES ORGANIZATION IF YOU QUALIFY. You can also go to court without an attorney to get your money back. Bring this notice with you when you go. You are allowed to try to prove to a judge that your money is exempt from collection under New York CPLR sections 5222(a), 5239 and 5240. If you do not have a lawyer, the clerk of the court may give you forms to help you prove your account contains exempt money that the creditor cannot collect. The law (New York CPLR Art. 4 and sections 5239 and 5240) provides a procedure for determination of a claim to an exemption.

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF BRONX, SMALL CLAIMS PART

Index No. SCB 60347/10
EXAMINATION OF
THIRD PARTY OR WITNESS

CORNER FURNITURE

Plaintiff(s),

-against-

KENTREL INC.

Defendant(s).

TO: Department of Environmental Protection
59-17 Junction Blvd.
Flushing, NY 11373

QUESTIONS AND ANSWERS

STATE OF NEW YORK: COUNTY OF

, SS:

, being duly sworn, deposes and says; that he is (officer; employer; landlord; tenant; relative) recipient of an Information Subpoena and the original and copy of the questions thereon, and makes the following answers thereto, from information and records of the recipient.

1. Q. Are you holding any property of the judgment debtor(s), or in which the judgment debtor(s) has an interest, in his own name, or with others, including but not limited to bank accounts, collateral, safe deposit box, debt, contract, lien application, financial statement, security or record of same stock certificates, trusts or membership interests in LLCs, within one (1) year prior to the date hereof? A.
- If yes, describe as indicated below.

<u>Exact title of a/c</u>	<u>amount held</u>	<u>date closed</u>	<u>value</u>	<u>collateral</u>
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2. Q. Is judgment debtor(s) indebted to you? A.
- Amount date incurred amount repaid date repaid
- If yes, describe as indicated below.

3. Q. What is judgment debtor(s) present home address and phone number? A.

4. Q. If judgment debtor's present address is unknown, give last know home address and phone number. A.

5. Q. Is judgment debtor now employed by you? A.
- If yes give full details as to capacity; title; earnings; social security number. A.

6. Q. Was judgment debtor previously employed by you? A.
- If yes, give same details as above.

7. Q. Are there any garnishees outstanding against the judgment debtor(s)? A.
- If yes, give names of judgment creditors, names or Marshal or Sheriff, and balance. A.

8. Q. Is judgment debtor(s) a stockholder, member or partner in your firm? A.
- If yes, give details. A.

9. Q. Was judgment debtor(s) paid by check or cash? A.
- If by check place where cashed. A.

10. Q. Do you maintain or contribute to a vacation fund, welfare fund or severance fund for your employee, in which judgment debtor(s) is included? A.
- If yes, give full details. A.

11. Q. Is judgment debtor(s) a member of a union? A. If yes, give name and address of union, union number, status of membership and social security number. A.
12. Q. State the name and address of judgment debtor(s) present employer. A.
13. Q. State the name and address of judgment debtor(s) last known employer. A.
14. Q. What is the name of judgment debtor(s) children, their ages and the schools they attend? A.
15. Q. Does the judgment debtor(s) own or rent a home? A. If rented, the name and address of the landlord. A.
16. Q. Are you the owner or managing agent of premises located at A.
17. Q. Are either of the judgment debtor(s) cooperative tenants of said premises? A. If yes, give apartment number, number of shares held, by whom, in whose name, purchase price and present value. A.
18. Q. What is the monthly rental or carrying charges paid by judgment debtor(s)? A. If paid by check, state date of last payment due and upon which bank and branch said check was drawn. A.
19. Q. Prior to the judgment debtor(s) taking possession and occupancy of said premises did they make application to you for said apartment? A. If yes, attaché a true copy of said application.
20. Q. Are you related to judgment debtor(s) either by blood ties or through marriage? A. If yes, state said relationship. A.
21. Q. Is the judgment debtor(s) your landlord? A. If no, give name and address of landlord. A.
22. Q. How many rooms do you occupy and how much rent do you pay? A. State the date of last payment and if paid by check where was same deposited? A.
23. Q. Are you a tenant under a lease and do you have any security on a deposit with landlord? A. If yes, name the bank and branch in which the money is deposited. A.
24. Q. Do you represent this judgment debtor in any capacity? If so, state details in full as to the representation. Where, against whom, and who represents the opposition. A.
25. Q. Do you or any member of your company or firm maintain an escrow account with any assets, stocks, bonds, promissory notes or funds including but not limited to monies due to or containing monies deposited by or put up by or in judgment debtor's favor or name? A. If so, provide the name and address of the bank or escrow agent, the account number and balance thereof. A.
26. Q. Do you or any member of your company or firm know of the existence of any escrow accounts containing any assets, stocks, bonds, promissory notes or funds including but not limited to monies due to or containing monies deposited by or put up by or in judgment debtor's favor or name? A. If so, provide the name and address of the bank or escrow agent, the account number and balance thereof. A.

The name signed must be printed beneath

Sworn to before me this

_____ day of _____, 20_____

Notary Public

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF BRONX, SMALL CLAIMS PART

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-against-

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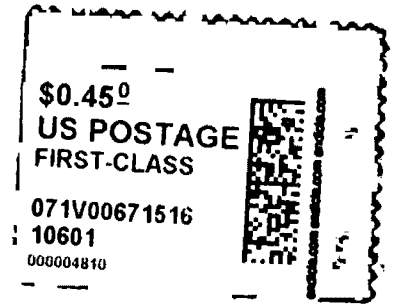
The name signed must be printed beneath

Sworn to before me this

_____ day of _____, 20_____

Notary Public

Howard Stern, Esq.
3 Barker Avenue, Suite 290
White Plains, NY 10601



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corner furniture v. Kentrel Inc.

Corner Furniture v. Kentzel Inc.