SHORT FORM ORDER

SUPREME COURT OF THE STATE OF NEW YORK
PRESENT: HON. DENISE L. SHER
Acting Supreme Court Justice

TRIAL/IAS PART 33
NASSAU COUNTY

PATRICIA EVERING as Executor of the Estate of JEMMA CUFFY,

Plaintiff,

-against-

THE BROOKLYN UNION GAS COMPANY d/b/a NATIONAL GRID NY, NATIONAL GRID CORPORATE SERVICE COMPANY, INC. SUCCESSOR BY MERGER OF NATIONAL GRID CORPORATE SERVICES, LLC, NATIONAL GRID USA SERVICE COMPANY, INC., PASHA REALTY GROUP INC., 783 HOLDING CORP., JACKSON HEWITT TAX SERVICES, INC., SUNRISE TAX SERVICES, INC. d/b/a JACKSON HEWITT TAX SERVICES, NETWORK INFRASTRUCTURE, INC, MBY EMPIRE, INC., THE COUNTY OF NASSAU, TOWN OF HEMPSTEAD and THE INCORPORATED VILLAGE OF VALLEY STREAM,

Defendants.

Index No.: 613759/17
Motion Seq. No.: 03
Motion Date: 11/21/19

The following papers have been read on this motion:

	Papers Numbered
Notice of Motion, Affirmations and Exhibits	1
Affirmation in Opposition, Affidavit and Exhibits	2
Reply Affirmation	3

Upon the foregoing papers, it is ordered that the motion is decided as follows:

Defendants move, pursuant to CPLR § 3212, for an order granting summary judgment dismissing plaintiff's Amended Complaint. Plaintiff opposes the motion.

In support of the motion, counsel for plaintiff submits, in pertinent part, that, "[p]laintiff (*sic*) estate claims that defendants are liable for damages caused to decedent Jemma Cuffy when she tripped over an unsafe condition on a sidewalk in Valley Stream.... All defendants seek summary judgment dismissing the amended complaint, though on different grounds. The Village alone moves on the ground that it did not receive prior written notice of the

specific condition identified in the notice of claim, as the Village Code required. The other defendants are National Grid, which obtained a permit from the Village to open the sidewalks, and Network, which opened the sidewalk for National Grid and placed a temporary asphalt patch there without fully restoring the sidewalk to its original condition. Both National Grid and Network move on the ground that the admissible evidence proves that, no matter how dangerous the sidewalk condition and no matter how careless the defendants, Ms. Cuffy did not fall because of the sidewalk condition, as plaintiff alleges. To the contrary, the evidence submitted with this motion proves that Ms. Cuffy admitted that her fall occurred, not on the sidewalk, but in the street some distance from the condition identified on the sidewalk. These admissions (*sic*) – that the sidewalk condition created by Network did not cause Ms. Cuffy to fall – stand undisputed by any admissible evidence. [citation omitted]. Before she died, Ms. Curry (*sic*) did testify at a 50-h examination that an asphalt patch on the sidewalk caused her fall. But Ms. Cuffy's testimony is inadmissible hearsay when offered against National Grid and Network, who had no notice of and did not attend the 50-h exam. [citation omitted]. The Village – which knew at the 50-h exam that it was immune from liability for lack of prior written notice – certainly did not have 'the same motive to expose falsehood and inaccuracy' as National Grid (and Network) have in this lawsuit. [citation omitted]. Moreover, discovery has revealed that there is no other admissible evidence that could conceivably prove at trial that Ms. Cuffy tripped over the asphalt patch on the sidewalk. [citation omitted]. No party can identify a witness who can give testimony that would prove that Ms. Cuffy tripped over that patch. In sum, based on the admissible testimony, none of the defendants are liable, and there is no material issue of fact that requires a trial of the allegation that National Grid or Network's negligence caused Ms. Cuffy's injuries."

See Defendants' Affirmation in Support Exhibits B, C and G.

Counsel for defendants further asserts, in pertinent part, that, "National Grid and Network's motion is addressed only to the element of causation: the admissible evidence proves that Ms. Cuffy fell – not on the sidewalk as claimed – but in the street, getting into or out of a car, and there is no contrary admissible evidence sufficient to create an issue of fact for trial. To focus on this element of causation, National Grid and Network assume the following *only* for the purposes of this motion: (1) National Grid obtained a permit to open the sidewalk in October 2014 from the Village to open the sidewalk (*sic*) on the north side of West Merrick Road 75 feet east of Carroll Avenue to provide gas service to the building at 783 West Merrick Road; (2) National Grid contracted with Network to perform the work described in the permit, and Network did open the sidewalk so that the gas service could be provided to 783 West Merrick Road; (3) Network completed its work, backfilled its excavation and applied the temporary asphalt patch in or about December of 2014; (4) the temporary asphalt patch remained in place through November 16, 2016, and the sidewalk was not fully restored to the condition it was in before Network's work until after November 22, 2016; (5) Network and National Grid failed to use reasonable care to make the sidewalk reasonably safe on November 22, 2016; and (6) Ms. Cuffy suffered injury in a fall on November 22, 2016. On or for years before November 22, 2016, the Village code included sections 19-1 and 19-2.... In substance, those two sections bar any negligence action against the Village for personal injury for an unsafe condition, including a sidewalk condition, unless the Village Clerk has actually received prior written notice of that condition.... That written notice must be actually received by the Village Clerk in the manner prescribed in section 19-2 and that notice 'must identify, with particularity, the specific nature and location' of the condition.... On November 22, 2106 (*sic*) at approximately noon, Anthony LoCicero, a trained and experienced emergency medical technician ('EMT'), in

response to a call, found Ms., Cuffy sitting in the street on West Merrick Road in Valley Stream.... Mr. LoCicero was the only EMT who cared for Ms. Cuffy; a police car met him (in his ambulance), of the police officers drove the ambulance to Franklin General Hospital, with Mr. LoCicero accompanying Ms. Cuffy inside the ambulance.... While Mr. LoCicero was with Ms. Cuffy, she told him that she 'was getting into her car and her leg gave out.'... On December 6, 2016, Dr. Patrick Corcoran, a physician, board-certified in physical medicine and rehabilitation, spoke with and examined Ms. Cuffy at the Orzac Center for Rehabilitation in Valley Stream.... Dr. Corcoran asked Ms. Cuffy how she fell, a fact that was important to his evaluation of her.... Ms. Cuffy responded that she fell while getting out of a car, stating she 'tripped over my own feet.'... Ms. Cuffy served a notice of claim dated February 14, 2017.... The Village's William Grace conducted a notice-of-claim search and found that the Village had not received prior written notice of the condition identified in Ms. Cuffy's notice of claim.... Mr. Grace wrote a report about his notice-of-claim search and his visit to the location identified in the notice of claim." *See* Defendants' Affirmation in Support Exhibits A-C and H-K.

Counsel for defendants argues, in pertinent part, that, "Chapter 19 of the Village Code bars plaintiff's action, because the Village had not received prior written notice of the condition identified in the amended complaint and bill of particulars.... The evidence shows that the Village did not itself create the sidewalk condition, but, instead, issued a permit to National Grid, which authorized National Grid to open the sidewalk to provide gas service to a building located at 783 West Merrick Road in Valley Stream.... On the proof submitted, the Village is entitled to summary judgment dismissing the complaint insofar as it is addressed to the Village." *See* Defendants' Affirmation in Support Exhibits C, D and G.

In further support of the motion, defendants submit the Affirmation of William Grace, the director of Public Health and Safety of defendant Incorporated Village of Valley Stream ("Valley Stream"), and the Affirmation of Nicholas F. Miraglia, Esq., prior counsel for defendant Valley Stream. *See* Defendants' Grace's Affirmation in Support; Defendants' Miraglia Affirmation in Support.

In opposition to the motion, counsel for plaintiff submits, in pertinent part, that, "[p]laintiff's abundant proof in admissible form, coupled with the controlling law will demonstrate that contrary to defendants' assertions, Plaintiff has a sustainable claim against the defendants. In addition, there are triable issues of material fact as to whether defendants' admitted failure to use reasonable care to make the sidewalk reasonably safe, which caused and created a dangerous condition was the proximate cause of deceased plaintiff, Jemma Cuffy's trip and fall.... In short, the Estate of Jemma Cuffy vigorously disputes defendants' contention that, 'no matter how dangerous the sidewalk condition' was when they left it for almost 2 years prior to Ms. Cuffy's accident, or 'no matter how careless the defendants' were, 'Ms. Cuffy fell – not on the sidewalk as claimed but in the street, getting into or out of a car, and there is no contrary or admissible evidence sufficient to create an issue or fact for trial'.... [I]n addition to Jemma Cuffy's sworn 50-H testimony, Plaintiff has produced both direct and circumstantial evidence from Mr. Anthony Porter who was the only witness present at the time of CUFFY's accident. Mr. Porter's sworn deposition testimony and his sworn affidavit both refute defendants' claims that Ms. Cuffy was found sitting in the street and fell getting into or out of a car. Based upon the supported evidence, triable material issues of facts exist as to whether the foregoing admitted negligent act of defendants NATIONAL GRID AND NETWORK INFRASTRUCTURE was the proximate cause of CUFFY's trip and fall accident."

Counsel for plaintiff asserts, in pertinent part, that, "[a]t the time of the accident, Ms. Cuffy was a passenger in Mr. Anthony Porter's vehicle that had stopped at a convenience store on Merrick Road in Valley Stream. Mr. Porter pulled up to the area and double parked and watched Ms. Cuffy get out of the front passenger side. Mr. Porter was still seated behind the driver's wheel, as he watched Ms. Cuffy get out of the car, walk towards the back of the car, step up onto the sidewalk, and that's when he lost sight of her. Mr. Porter intentionally watched Ms. Cuffy to make sure she safely got to the sidewalk. Mr. Porter immediately parked the car, walked around the front of the car, unto (*sic*) the sidewalk, and that's when he saw Ms. Cuffy on the ground laying on the black top asphalt square on the sidewalk where she had tripped and fell. She was laying in the same area that Mr. Porter had watched her got up (*sic*) on the sidewalk, and seconds later lost sight of her[.] Mr. Porter was the first one to get to her, and noticed that Ms. Cuffy has not moved. In addition to an abundance of admissible and credible direct evidence demonstrating that Ms. Cuffy tripped and fell as a result of the defect caused and created by the defendants; Plaintiff proffers equally credible and admissible circumstantial evidence of sufficient probative force to permit a jury to infer that Ms. Cuffy fell on the blacktop area of the sidewalk. Mr. Port watched as Ms. Cuffy got out (*sic*) the car and walked onto the sidewalk, lost sight of her, then seconds later saw her laying on the sidewalk in the area where he last saw her standing and she later identified in a photograph as the location where she fell." *See* Plaintiff's Affirmation in Opposition Exhibit C; Plaintiff's Porter Affidavit in Opposition.

In support of the opposition, counsel for plaintiff submits the transcripts from the Examination Before Trial ("EBT") testimony of decedent Jemma Cuffy, witness Anthony Porter, Walter Stone, who testified on behalf of defendants The Brooklyn Union Gas Company d/b/a

National Grid NY, National Grid Corporate Service Company, Inc. Successor By Merger of National Grid Corporate Services, LLC and National Grid USA Service Company, Inc. ("National Grid"), Kevin McEvaddy, who testified on behalf of defendant Network Infrastructure, Inc. ("Network"), and William Grace who testified on behalf of defendant Valley Stream. *See* Plaintiff's Affirmation in Opposition Exhibits B-F.

Counsel for plaintiff contends, in pertinent part, that, "[d]efendants admitted that, 'Network and National Grid failed to use reasonable care to make the sidewalk reasonably safe on November 22, 2016', and that Ms. Cuffy suffered injury in a fall on November 22, 2016.... However, defendants now seek to dismiss Plaintiff's Complaint on their overreaching argument that, 'no matter how dangerous the sidewalk condition,', was when they abandoned it for almost 2 years prior to Ms. Cuffy's accident, or 'no matter how careless the defendants' were, 'Ms. Cuffy fell – not on the sidewalk as claimed but in the street, getting into or out of a car, and there is no contrary admissible evidence sufficient to create an issue of fact for trial'.... Defendants' motion is premise (*sic*) upon the testimony and entries made by EMT, Officer Anthony LoCicero in his Pre-Hospital Care Report; and the testimony and a December 6, 2016, entry made by Dr. Patrick Corcoran in the medical records from Orzac Center for Rehabilitation. According to Defendants, 'Each man's testimony alone would suffice to prove that neither defendant is liable, because Ms. Cuffy fell in the street and did not trip over the temporary sidewalk patch'.... It should first be noted that neither of these men, whose testimonies Defendants rest their motion upon, either witnessed or investigated Ms. Cuffy's accident. Officer LoCicero, is an emergency medical technician, and Dr. Corcoran is an on-staff physician. Both men made unrecalled medical entries in their report and chart, with little or no context or reliable frame of references. Their testimonies and entries on Ms. Cuffy's medical records are

inconclusive as to where she fell, and at best creates (*sic*) a material issue of fact for a jury to decide."

In reply to the opposition, counsel for defendants asserts, in pertinent part, that, "National Grid and Network have assumed only for the purposes of this motion that they both failed to use reasonable care to make the sidewalk reasonably safe.' … There has been no assumption, never mind admission, that any defendant created a dangerous condition or that a dangerous condition even existed. The opposition does not specifically address the merits of the Village's motion – that the complaint insofar as it is addressed to the Village must be dismissed because the Village did not receive the requisite prior written notice.... Therefore, there is no reason why the Village should not be awarded summary judgment.

It is well settled that the proponent of a motion for summary judgment must make a *prima facie* showing of entitlement to judgment as a matter of law by providing sufficient evidence to demonstrate the absence of material issues of fact. *See Sillman v. Twentieth Century-Fox Film Corp.*, 3 N.Y.2d 395, 165 N.Y.S.2d 498 (1957); *Alvarez v. Prospect Hospital*, 68 N.Y.2d 320, 508 N.Y.S.2d 923 (1986); *Zuckerman v. City of New York*, 49 N.Y.2d 557, 427 N.Y.S.2d 595 (1980); *Bhatti v. Roche*, 140 A.D.2d 660, 528 N.Y.S.2d 1020 (2d Dept. 1988). To obtain summary judgment, the moving party must establish its claim or defense by tendering sufficient evidentiary proof, in admissible form, sufficient to warrant the court, as a matter of law, to direct judgment in the movant's favor. *See Friends of Animals, Inc. v. Associated Fur Mfrs., Inc.*, 46 N.Y.2d 1065, 416 N.Y.S.2d 790 (1979). Such evidence may include deposition transcripts, as well as other proof annexed to an attorney's affirmation. *See* CPLR § 3212 (b); *Olan v. Farrell Lines Inc.*, 64 N.Y.2d 1092, 489 N.Y.S.2d 884 (1985).

If a sufficient *prima facie* showing is demonstrated, the burden then shifts to the

non-moving party to come forward with competent evidence to demonstrate the existence of a material issue of fact, the existence of which necessarily precludes the granting of summary judgment and necessitates a trial. *See Zuckerman v. City of New York*, *supra*. When considering a motion for summary judgment, the function of the court is not to resolve issues but rather to determine if any such material issues of fact exist. *See Sillman v. Twentieth Century-Fox Film Corp.*, *supra*. Mere conclusions or unsubstantiated allegations are insufficient to raise a triable issue. *See Gilbert Frank Corp. v. Federal Ins. Co.*, 70 N.Y.2d 966, 525 N.Y.S.2d 793 (1988).

Further, to grant summary judgment, it must clearly appear that no material triable issue of fact is presented. The burden on the court in deciding this type of motion is not to resolve issues of fact or determine matters of credibility, but merely to determine whether such issues exist. *See Barr v. Albany County,* 50 N.Y.2d 247, 428 N.Y.S.2d 665 (1980); *Daliendo v.Johnson*, 147 A.D.2d 312, 543 N.Y.S.2d 987 (2d Dept. 1989).

Summary judgment is a drastic remedy which should not be granted when there is any doubt about the existence of a triable issue of fact. *See Sillman v. Twentieth Century-Fox Film Corp.*, *supra*. It is nevertheless an appropriate tool to weed out meritless claims. S*ee Lewis v. Desmond*, 187 A.D.2d 797, 589 N.Y.S.2d 678 (3d Dept. 1992); *Gray v. Bankers Trust Co. of Albany, N.A.*, 82 A.D.2d 168, 442 N.Y.S.2d 610 (3d Dept. 1981).

Issue finding, rather than issue determination, is the key to summary judgment. *See In re Cuttitto Family Trust*, 10 A.D.3d 656, 781 N.Y.S.2d 696 (2d Dept. 2004); *Greco v. Posillico*, 290 A.D.2d 532, 736 N.Y.S.2d 418 (2d Dept. 2002); *Gniewek v. Consolidated Edison Co.*, 271 A.D.2d 643, 707 N.Y.S.2d 871 (2d Dept. 2000); *Judice v. DeAngelo*, 272 A.D.2d 583, 709 N.Y.S.2d 427 (2d Dept. 2000). The court should refrain from making credibility determinations (*see S.J. Capelin Assoc. v. Globe Mfg. Corp.*, 34 N.Y.2d 338, 357 N.Y.S.2d 478 (1974); *Surdo v.*

Albany Collision Supply, Inc., 8 A.D.3d 655, 779 N.Y.S.2d 544 (2d Dept. 2004); *Greco v. Posillico*, *supra*; *Petri v. Half Off Cards, Inc.*, 284 A.D.2d 444, 727 N.Y.S.2d 455 (2d Dept. 2001)), and the papers should be scrutinized carefully in the light most favorable to the party opposing the motion. *See Glover v. City of New York*, 298 A.D.2d 428, 748 N.Y.S.2d 393 (2d Dept. 2002); *Perez v. Exel Logistics, Inc.*, 278 A.D.2d 213, 717 N.Y.S.2d 278 (2d Dept. 2000).

In order for plaintiff to make a *prima facie* case of negligence, he or she must establish the existence of a dangerous or defective condition in the first instance. *See Pillato v. Diamond*, 209 A.D.2d 393, 618 N.Y.S.2d 446 (2d Dept. 1994). Plaintiff must also demonstrate that the defendant's negligence was a substantial cause of the incident. *See Howard v. Poseidon Pools, Inc.*, 72 N.Y.2d 972, 534 N.Y.S.2d 360 (1988).

"To impose liability upon a defendant in a trip-and-fall action, there must be evidence that a dangerous or defective condition existed, and that the defendant either created the condition or had actual or constructive notice of it." *See Leary v. Leisure Glen Home Owners Ass'n, Inc.*, 82 A.D.3d 1169, 920 N.Y.S.2d 193 (2d Dept. 2011); *Williams v. SNS Realty of Long Island, Inc.*, 70 A.D.3d 1034, 895 N.Y.S.2d 528 (2d Dept. 2010); *Dennehy-Murphy v. Nor-Topia Serv. Center, Inc.*, 61 A.D.3d 629, 876 N.Y.S.2d 512 (2d Dept. 2009). *See also Denker v. Century 21 Dept. Stores, LLC*, 55 A.D.3d 527, 866 N.Y.S.2d 681 (2d Dept. 2008); *Rubin v. Cryder House*, 39 A.D.3d 840, 834 N.Y.S.2d 316 (2d Dept. 2007). "A defendant has constructive notice of a defect when the defect is visible and apparent, and has existed for a sufficient length of time before the accident that it could have been discovered and corrected." *Dennehy-Murphy v. Nor-Topia Serv. Center, Inc.*, *supra*; *Gordon v. American Museum of Natural History*, 67 N.Y.2d 836, 501 N.Y.S.2d 646 (1986); *Nelson v. Cunningham*

Associates, L.P., 77 A.D.3d 638, 908 N.Y.S.2d 713 (2d Dept. 2010); *Cusack v. Peter Luger, Inc.*, 77 A.D.3d 785, 909 N.Y.S.2d 532 (2d Dept. 2010).

Whether a dangerous or defective condition exists on the property so as to give rise to liability depends on the circumstances of each case and is generally a question of fact for the jury. *See Surujnaraine v. Valley Stream Cent. High School Dist.*, 88 A.D.3d 866, 931 N.Y.S.2d 119 (2d Dept. 2011); *Katz v. Westchester County Healthcare Corp.*, 82 A.D.3d 712, 917 N.Y.S.2d 896 (2d Dept. 2011); *Perez v. 655 Montauk, LLC*, 81 A.D.3d 619, 916 N.Y.S.2d 137 (2d Dept. 2011); *Sabino v. 745 64th Realty Associates, LLC*, 77 A.D.3d 722, 909 N.Y.S.2d 482 (2d Dept. 2010); *Trincere v. County of Suffolk*, 90 N.Y.2d 976, 665 N.Y.S.2d 615 (1997).

The credibility of witnesses, the reconciliation of conflicting statements, a determination of which should be accepted and which should be rejected, the truthfulness and accuracy of the testimony, whether contradictory or not, are issues for the trier of the facts. *See Lelekakis v. Kamamis*, 41 A.D.3d 662, 839 N.Y.S.2d 773 (2d Dept. 2007); *Pedone v. B&B Equipment Co., Inc.*, 239 A.D.2d 397, 662 N.Y.S.2d 766 (2d Dept.1997).

Viewing the evidence in the light most favorable to plaintiff (*see Taylor v. Rochdale Village Inc.*, 60 A.D.3d 930, 875 N.Y.S.2d 561 (2d Dept. 2009); *Judice v. DeAngelo*, 272 A.D.2d 583, 709 N.Y.S.2d 427 (2d Dept. 2000); *Robinson v. Strong Memorial Hosp.*, 98 A.D.2d 976, 470 N.Y.S.2d 2398 (4th Dept. 1983)), the Court finds that there are material triable issues of fact which preclude the granting of summary judgment as to defendants National Grid and Network.

Therefore, the branch of plaintiff's motion, pursuant to CPLR § 3212, for an order granting summary judgment dismissing plaintiff's Amended Complaint as against defendants National Grid and Network, is hereby **DENIED**.

With respect to defendant Valley Stream, in derogation of the common law, a municipality may avoid liability for injuries sustained as a result of defects or hazardous conditions on its public property by means of prior written notification laws. *See Amabile v. City of Buffalo*, 93 N.Y.2d 471, 693 N.Y.S.2d 77 (1999). An exception to the prior written notice laws exists where the municipality creates the defective condition through an affirmative act of negligence. *See id.* Actual or constructive notice of a condition are insufficient to satisfy the requirement of prior written notice under the subject code. *See id.*; *Magee v. Town of Brookhaven*, 95 A.D.3d 1179, 945 N.Y.S.2d 177 (2d Dept. 2012).

Where, as here, a municipality has enacted a prior written notice statute, it may not be subject to liability for personal injuries caused by a defective street or sidewalk condition unless it has received prior written notice of the defect or an exception to the notice requirement applies. *See Despositio v. City of New York*, 55 A.D.3d 659, 866 N.Y.S.2d 248 (2d Dept. 2008); *Sollowen v. Town of Brookhaven*, 43 A.D.3d 816, 841 N.Y.S.2d 351 (2d Dept. 2007); *Katsoudas v. City of New York*, 29 A.D.3d 740, 815 N.Y.S.2d 243 (2d Dept. 2006); *Borgorova v. Incorporated Village of Atlantic Beach*, 51 A.D.3d 840, 858 N.Y.S.2d 359 (2d Dept. 2007). *See also Poirier v. City of Schenectady*, 85 N.Y.2d 310, 624 N.Y.S.2d 555 (1995).

There are two recognized exceptions to this rule, "namely, where the locality created the defect or hazard through an affirmative act of negligence [and] where a 'special use' confers a special benefit upon the locality." *See Amabile v. City of Buffalo*, *supra*. *See also Lopez v. G & J Randolph Inc.*, 20 A.D.3d 511, 799 N.Y.S.2d 254 (2d Dept. 2005); *Filaski-Fitzgerald v. Town of Huntington*, 18 A.D.3d 603, 795 N.Y.S.2d 614 (2d Dept. 2005).

The Court holds that Sections 19-1 and 19-2 60-1(A) of the Village Code apply to the instant action. Therefore, since said statutes apply, no civil action based on the alleged defective condition of the subject sidewalk may be maintained against defendant Valley Stream unless said defendant had written notice of the subject condition prior to the accrual of the claim. Through the Grace EBT testimony and Affidavit, defendant Valley Stream has demonstrated that no such written notice was received in this matter pertaining to the subject area of the alleged defect that caused plaintiff's injuries.

Furthermore, defendant Valley Stream has shown that no affirmative act of negligence on its part created the alleged defective condition, nor was there a "special use" conveyed upon the subject property.

Accordingly, the branch of plaintiff's motion, pursuant to CPLR § 3212, for an order granting summary judgment dismissing plaintiff's Amended Complaint as against defendant Valley Stream, is hereby **GRANTED**.

This constitutes the Decision and Order of this Court.

ENTER:

_____/S/_____
DENISE L. SHER, A.J.S.C.

Dated: Mineola, New York
April 15, 2020

ENTERED
Apr 20 2020
NASSAU COUNTY
COUNTY CLERK'S OFFICE