

NOTE OF ISSUE

Calendar No. (if any) _____
 Index No. 54272/2013

Supreme Court, Westchester County
 Name of assigned judge Hon. Alan D. Scheinkman, J.S.C.

: For use of clerk
 :
 :

SUPERIOR GUNITE

Plaintiff(s)

-against-

YONKERS CONTRACTING COMPANY, INC. and
ZURICH AMERICAN INSURANCE COMPANY,

Defendant(s)

Special Preference claimed under _____

on the ground that _____

Attorney(s) for Plaintiff(s) Duane Morris LLP

Office and P.O. Address

1540 Broadway

New York, New York 10036

Telephone No.: (212) 692-1000

Attorney(s) for Defendant(s) Lewis & McKenna

Office and P.O. Address

82 East Allendale Road, Suite 6

Saddle River, NJ 07458

Telephone No.: (201) 934-9800

NOTICE FOR TRIAL

Trial by jury demanded ☐

☐ of all issues

☐ of issues specified below

☐ or attached hereto

Trial without jury ☒

Filed by attorney(s) for Plaintiff Superior Gunite

Date summons served March 25, 2013

Date service completed April 18, 2013

Date issue joined May 20, 2013

Nature of Action or Special Proceeding

Tort:

Motor Vehicle Negligence ☐

Medical Malpractice ☐

Other tort ☐

Contract ☒

Contested matrimonial ☐

Uncontested matrimonial ☐

Tax certiorari ☐

Condemnation ☐

Other (not itemized above) ☐

(specify) _____

Indicate if this action is brought
 as a class action ☐

Amount demanded \$ 3,199,239.00 plus other relief
 interest, costs, disbursements

Other relief and attorneys' fees.

Insurance carrier(s), if known: None

NOTE: The clerk will not accept this Note of Issue unless accompanied by a Certificate of Readiness.

CERTIFICATE OF READINESS FOR TRIAL

(Items 1-7 must be checked)

For Clerk's Use

N. I. served on

	Complete	Waived	Not Required
1. All pleadings served	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Bill of Particulars served	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Physical examinations completed.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Medical reports exchanged.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Appraisal reports exchanged	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Compliance with section 202.16 of the Rules of the Chief Administrator (22 NYCRR 202.16) in matrimonial actions.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Discovery proceedings now known to be necessary completed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 section 202.12 of the Rules of the Chief Administrator (22 NYCRR 202.12).			
11. If a medical malpractice action, there has been compliance with any order issued pursuant to section 202.56 of the Rules of the Chief Administrator (22 NYCRR 202.56).			
12. The case is ready for trial.			

Dated: New York, New York
February 7, 2014

/S/ Mark Canizio
(Attorney must sign above and type name below)
Mark Canizio
Attorney(s) for: Plaintiff Superior Gunite
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