

**NOTE OF ISSUE**

Calendar No. (if any) \_\_\_\_\_  
Index No. 54272/2013

For use of clerk

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

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  
 Office and Post Office Address  
Duane Morris, LLP  
1540 Broadway  
New York, New York 10036  
 Telephone No.: 212-692-1000