

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

YONKERS CONTRACTING COMPANY INC.

Index No.: 61442/2014

Plaintiff,

-against-

K.J.C. WATERPROOFING INC. and SUPERIOR
GUNITE, ZURICH AMERICAN INSURANCE
COMPANY, NICHOLSON CONSTRUCTION CO.,
NATIONAL WELDING AND FABRICATION.,
KENSEAL CONSTRUCTION, BARKER STEEL LLC,
STRUCTURE TECH NEW YORK INC., CITI
STRUCTURE LLC,

**VERIFIED REPLY OF
DEFENDANT K.J.C., INC.,
SUED HEREIN AS K.J.C.
WATERPROOFING, INC.
TO CROSS-CLAIM OF
DEFENDANT SUPERIOR
GUNITE**

Defendants.

Defendant, K.J.C. Inc., sued herein as K.J.C. Waterproofing, Inc. (hereinafter "KJC") by
its attorneys, BahnMulter LLP, as and for its Reply to the cross-claim of defendant Superior
Gunitite states as follows:

1. In Reply to paragraph 138 of the cross-claim of defendant Superior Gunitite,
defendant KJC states that the allegations contained in paragraphs 1 through 137 of the
Answer and Counterclaims of Superior Gunitite and repeated and realleged in paragraph
138, are not brought against Defendant KJC and therefore no response is required.
2. Defendant KJC denies the allegations contained in paragraph 139 of the cross-
claim.
3. Defendant KJC denies the allegations contained in paragraph 140 of the cross-
claim.

WHEREFORE, KJC demands judgment as follows:

- A) Dismissing the cross-claim of defendant Superior Gunitite together with the costs and disbursements of this action;
- B) Together with such other, further and different relief as this court deems proper in the premises

Dated: New York, NY
October 9, 2014

BAHN MULTER, LLP
Attorneys for
Defendant/Counterplaintiff KJC
Waterproofing, Inc.

/s/ _____
By: Martin I. Gold, Esq.
555 Fifth Avenue, 14th fl.
New York, New York 10017
212-447-4700
917-886-9572 Direct

VERIFICATION

STATE OF NEW YORK
COUNTY OF NEW YORK

Martin I. Gold, an attorney duly admitted to practice law before the Courts of New York, affirms the following under the penalty of perjury:

I am the attorney for defendant K.J.C., Inc. sued herein as K.J.C. Waterproofing, Inc. I have read the Reply to cross-claim and know the contents thereof and the same is true upon information and belief, and as to those matters I believe it to be true. The source of my information are interviews with the clients and documents supplied to me by the clients. This verification is made by me and not by defendant because defendant does not reside in the same county where your affiant's office is located.

/s/
Martin I. Gold

Dated: NY,NY
October 9, 2014