

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS**

THE ESTATE OF VINCENT RAMOTAR, by his Personal Representative, CHRISTOPHER RAMOTAR,

Plaintiff(s),

-against-

MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM d/b/a MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM; ABC CORPORATION; ABC PARTNERSHIP,

Defendant(s),

**SUMMONS**

Index No.:

Date Purchased:

Plaintiff designates **KINGS** County as the place of trial

The basis of venue is defendant **MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM's** address:

1516 Oriental Boulevard  
Brooklyn, NY 11235

To the above-named Defendants:

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this Summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Melville, New York  
January 18, 2023

**NAPOLI SHKOLNIK, PLLC**  
*Attorneys for Plaintiff*



By: \_\_\_\_\_  
**Joseph Ciaccio, Esq.**  
400 Broadhollow Road, Suite 305  
Melville, New York 11747

Defendant's Address:

**MENORAH HOME & HOSPITAL FOR AGED & INFIRM d/b/a MENORAH HOME & HOSPITAL FOR AGED & INFIRM**

- 871 Bushwick Avenue, Brooklyn, NY 11221
- 1516 Oriental Boulevard, Brooklyn, NY 11235

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS**

THE ESTATE OF VINCENT RAMOTAR, by his  
Personal Representative, CHRISTOPHER RAMOTAR,

**Index No:**

Plaintiff(s),

**VERIFIED  
COMPLAINT**

-against-

MENORAH HOME AND HOSPITAL FOR AGED  
AND INFIRM d/b/a MENORAH HOME AND  
HOSPITAL FOR AGED AND INFIRM; ABC  
CORPORATION; ABC PARTNERSHIP,

Plaintiff demands  
a Jury Trial

Defendant(s)

Plaintiff, by his attorneys, NAPOLI SHKOLNIK PLLC, complaining of the defendants, respectfully alleges upon information and belief:

**I. THE PARTIES**

**a. Plaintiff**

1. That at all times hereinafter mentioned, plaintiff CHRISTOPHER RAMOTAR, is the son of the decedent, VINCENT RAMOTAR, and is a resident of the State of New York, County of Kings.

2. That at all times hereinafter mentioned, plaintiff's decedent, VINCENT RAMOTAR, was a resident of the County of Kings, State of New York.

3. That on January 24, 2021, plaintiff's decedent, VINCENT RAMOTAR, died at The Mount Sinai Hospital, State of New York.

4. That at all times hereinafter mentioned, VINCENT RAMOTAR and his next of kin are represented in this action by his son, CHRISTOPHER RAMOTAR, as Personal Representative of his Estate.

5. This action falls within one or more exceptions as set forth in N.Y. Civil Practice Laws and Rules ("C.P.L.R.") Article 16.

**b. Defendant Menorah Home and Hospital for Aged and Infirm d/b/a Menorah Home and Hospital for Aged and Infirm**

6. According to the New York Department of Health, defendant MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM is the owner and operator of MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM, which is located at 1516 Oriental Boulevard, Brooklyn, NY 11235.

7. That at all times relevant hereto, the term “nursing home” shall refer to and include defendants MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM d/b/a MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM, ABC CORPORATION and/or ABC PARTNERSHIP, the owner(s) and operator(s) of same, as well as any agents, representatives, employees, care givers, nurses, directors, doctors, physician’s assistants, or staff members of said facility or corporations.

8. Defendant MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM d/b/a MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM is located at 1516 Oriental Boulevard, Brooklyn, NY 11235.

9. That at all times hereinafter mentioned, upon information and belief, defendant MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM was and still is a domestic corporation, duly organized under and existing by virtue of the laws of the State of New York.

10. That at all times hereinafter mentioned, upon information and belief, the defendant, MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM, was and still is a business entity doing business within the State of New York.

11. That at all times hereinafter mentioned, upon information and belief, defendant MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM maintained its principal place of business in the County of Kings, State of New York.

12. Prior to and at all times hereinafter mentioned, defendant MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM was authorized to do business and to operate a nursing home

facility located at 1516 Oriental Boulevard, Brooklyn, NY 11235, County of Kings, State of New York, known as MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM.

13. Prior to and at all times hereinafter mentioned, defendant MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM was and is the owner of a certain nursing home facility located at 1516 Oriental Boulevard, Brooklyn, NY 11235, County of Kings, State of New York, known as MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM.

14. That at all times hereinafter mentioned, upon information and belief, defendant MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM was the lessor of the aforesaid nursing home facility.

15. That at all times hereinafter mentioned, upon information and belief, defendant MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM was the lessee of the aforesaid nursing home facility.

16. That at all times hereinafter mentioned, upon information and belief, defendant MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM maintained, managed, operated, controlled, supervised, and inspected the aforesaid nursing home facility.

17. Prior to and at all times hereinafter mentioned, defendant MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM had possession and control of the building and facilities where the aforesaid nursing home facility is located.

18. That at all times relevant hereto, upon information and belief, defendant MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM owned the premises and appurtenances and fixtures thereto, located at 1516 Oriental Boulevard, Brooklyn, NY 11235, County of Kings, State of New York.

19. Prior to and at all times hereinafter mentioned, the defendant, MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM, was and still remains engaged in conducting and operating a nursing home facility known as MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM, located at 1516 Oriental Boulevard, Brooklyn, NY 11235, County of Kings, State of New York, and holds

itself out to the general public as a facility providing such care and accommodations where patients can be treated by competent and skilled physicians and nursing staff to care for those who are ill.

20. Prior to and at all times hereinafter mentioned, the defendant, MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM, was and still remains engaged in conducting and operating a nursing home facility for nursing care known as MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM, located at 1516 Oriental Boulevard, Brooklyn, NY 11235, County of Kings, State of New York, and holds itself out to the general public as a facility providing such care and accommodations where patients can be treated by competent and skilled physicians and nursing staff to care for those who are ill.

21. Prior to and at all times hereinafter mentioned, the defendant, MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM, was and still remains engaged in conducting and operating a nursing home facility for the rehabilitation care of ill and injured persons known as MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM, located at 1516 Oriental Boulevard, Brooklyn, NY 11235, County of Kings, State of New York, and holds itself out to the general public as a facility providing such care and accommodations where patients can be treated by competent and skilled physicians and nursing staff.

22. That at all times relevant hereto, defendant MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM claimed to provide for the proper care and safety of the residents at their nursing home facility, claimed to provide personnel, including doctors, nurses, attendants, assistance and others for the proper, safety and good treatment of its patients and residents, and held itself out to the general public as furnishing treatment facilities where patients and residents, including plaintiff's decedent, VINCENT RAMOTAR, could be provided with proper care and safety.

23. That at all times hereinafter mentioned, defendant MENORAH HOME AND HOSPITAL FOR AGED AND INFIRM represented that its nursing home, located at 1516 Oriental Boulevard, Brooklyn, NY 11235, County of Kings, State of New York, was competent to perform and render all the

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