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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

RAMON ALMONTE,

Index No.510922/2020

Plaintiff,

**COVID-19 MEDICAL
DEMAND**

-against-

MARCH ASSOCIATES CONSTRUCTION INC.,
KING FREEZE MECHANICAL CORP. AND
BROOKLYN LOGISTICS CENTER LLC,

Defendants.

C O U N S E L O R S :

PLEASE TAKE NOTICE, that pursuant to CPLR Article 31 of the Civil Practice Law and Rules, Defendants, MARCH ASSOCIATES CONSTRUCTION INC. and BROOKLYN LOGISTICS CENTER LLC, by their attorneys, BARRY McTIERNAN & MOORE LLC, hereby demand that the plaintiff, RAMON ALMONTE, produce and permit the discovery of the following documents within twenty (20) days of the date hereof, at which time that will be inspected, copies and then returned:

1. Records from any video conference/telemedicine appointments, contact and any record that plaintiff has from any treating clinician during the COVID-19 lockdown or since the outbreak of the coronavirus for the injuries sustained in the case at issue.
2. If such video conference/telemedicine appointments were held, identify the doctor, health care provider and/or facility and provide duly executed authorizations for the records.

PLEASE TAKE FURTHER NOTICE, that said demands are to be produced within twenty (20) days of the date of this demand at the offices of the undersigned or at any other date, time and location mutually agreed upon in advance of said date by the attorneys for the parties

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herein. At which time said demand will be physically inspected, copied and mechanically reproduced and returned.

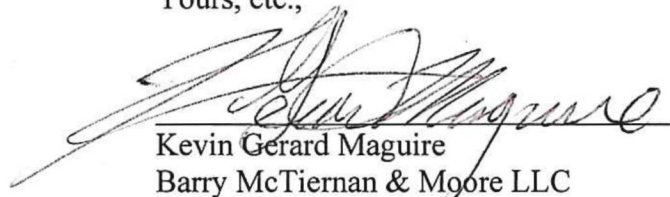
PLEASE TAKE FURTHER NOTICE, that if any such items herein do not exist or have been destroyed, a sworn statement by a person acknowledged as to the non-existence of said item must be provided on or before the return date hereof in lieu of production of this demanded item.

PLEASE TAKE FURTHER NOTICE, the demand and notice is a continuing demand and that if you obtain any of the information demanded herein subsequent to the service of this notice, said information is to be furnished to the undersigned within twenty (20) days of whenever obtained, or same will be objected to at the time of trial to any party offering it to evidence of any of the information which has been demanded herein and not produced.

PLEASE TAKE FURTHER NOTICE, that said information is to be produced to BARRY, McTIERNAN & MOORE LLC at 55 Church Street, White Plains, New York within twenty (20) days of the date hereof.

Dated: White Plains, New York
September 15, 2020

Yours, etc.,



Kevin Gerard Maguire
Barry McTiernan & Moore LLC
Attorneys for Defendants
MARCH ASSOCIATES CONSTRUCTION
INC. and BROOKLYN LOGISTICS
CENTER LLC.
55 Church Street
White Plains, NY 10601
(914) 946-1030

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To:

John Nonnenmacher, Esq.
Oresky & Associates, PLLC
Attorneys for Plaintiff
RAMON ALMONTE
149 East 149th Street
Bronx, NY 10451
(718) 993-9999

Sander N. Rothchild, Esq.
Fabiani Cohen & Hall LLP
Attorneys for Defendant
KING FREEZE MECHANICAL CORP.
570 Lexington Avenue, 4th Floor
New York, NY 10022
(212) 644-4420

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AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

ELIZABETH NIECIECKI, being duly sworn, deposes and says: I am not a party to this action, am over 18 years of age and reside in Elmsford, New York.

That on September 15, 2020 a true copy of the annexed COVID-19 MEDICAL DEMAND was served in the following manner:

By mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:

John Nonnenmacher, Esq.
Oresky & Associates, PLLC
Attorneys for Plaintiff
RAMON ALMONTE
149 East 149th Street
Bronx, NY 10451
(718) 993-9999

Sander N. Rothchild, Esq.
Fabiani Cohen & Hall LLP
Attorneys for Defendant
KING FREEZE MECHANICAL CORP.
570 Lexington Avenue, 4th Floor
New York, NY 10022
(212) 644-4420


Elizabeth Niececki

Sworn to before me this
15th day of September, 2020


Kevin Gerard Maguire
Notary Public, State of New York
No. 4942810
Qualified in Westchester County
Commission Expires: October 11, 2022