

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

Index #
Date filed: July 28, 2020

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ANGELA AIELLO,

Plaintiff,

SUMMONS

- against -

Plaintiff's Address:
153 President Street, #3
Brooklyn, New York 11231

EVAN BRETH,

Defendant.

Basis of venue:
Parties' residence/business

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To the above named Defendant:

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 designated below 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.

Yours, etc.,

LAWRENCE M. KARAM, P.C.
Attorney for Plaintiff(s)
41 West 72nd Street, Suite 1-F
New York, New York 10023
Phone: 212-712-0008

Evan Breth: (Progressive Podiatry)
702-8th Ave, Brooklyn, NY
2352 Ralph Ave., Brooklyn, NY
6010 Bay Parkway, Brooklyn, NY

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS-----X
ANGELA AIELLO,

Plaintiff,

Index #

- against -

VERIFIED COMPLAINT

EVAN BRETH,

Defendant.
-----X

The following is based upon information and belief:

FIRST CAUSE OF ACTION

1. All references to the defendant include the defendant's partners, agents, servants, and/or employees.
2. At all times hereinafter mentioned the defendant was a physician duly licensed by the State of New York.
3. Defendant rendered treatment, diagnosis, and/or evaluation to and/or on behalf of plaintiff from approximately May 29, 2019 through approximately December 30, 2019.
4. Defendant was negligent in the treatment rendered; negligently caused injury to plaintiff, failed to timely and accurately diagnose and properly treat, and deviated from accepted practice.
5. Plaintiff has been injured.
6. Plaintiff has been seriously injured.
7. As a result of the foregoing plaintiff has been injured, permanently injured, disabled, and has experienced pain and injuries, has incurred expenses and will continue to be injured and

respects has been damaged.

8. Plaintiff has been damaged in a sum which exceeds the jurisdictional limits of all lower Courts which would otherwise have jurisdiction.

SECOND CAUSE OF ACTION

9. Each and every preceding allegation is repeated, reiterated and incorporated here by way of reference.
10. Defendant failed to advise of the risks, hazards and dangers inherent in the treatment rendered, failed to advise of the alternatives thereto and failed to obtain an informed consent.
11. Defendant failed to disclose such alternatives to the treatment and the reasonably foreseeable risks and benefits involved as a reasonable medical practitioner, under similar circumstances, would have disclosed in a manner permitting a knowledgeable evaluation.
12. A reasonably prudent person would not have undergone the treatment had they been fully informed.
13. The lack of informed consent is a proximate cause of the injuries, conditions and damages for which relief is sought here.
14. As a result of the foregoing plaintiff has been rendered permanently injured and disabled, has experienced pain and injury, has incurred expenses and will continue to be injured and disabled, continue to experience pain and injury, continue to incur expenses and in other respects has been damaged.
15. As a result of the foregoing, plaintiff has been damaged in a sum which exceeds the jurisdictional limits of all lower Courts which otherwise have jurisdiction.

WHEREFORE, plaintiff demands judgement against defendant on all causes of action

plus costs, disbursements and interest.

Dated: New York, New York
July 28, 2020



Yours, etc.,

LAWRENCE M. KARAM, P.C.
Attorney for Plaintiff(s)
41 West 72nd Street, Suite 1-F
New York, New York 10023
Phone: 212-712-0008

ATTORNEY'S VERIFICATION

The undersigned, an attorney admitted to practice in the Courts of the State of New York, hereby affirms the following to be true under the penalties of perjury:

I, LAWRENCE M. KARAM, attorney for the plaintiff(s) in the within action have read the foregoing **COMPLAINT** and know the contents thereof; that the same is true to my own knowledge, except as to those matters therein stated to be alleged upon information and belief, and that as to those matters, your affirmant believes it to be true. The grounds of your affirmant's knowledge are investigations received by your affirmant.

The reason that this verification is made by your affirmant and not by the plaintiff is that the plaintiff is not within the County wherein your affirmant's offices are located.

Dated: New York, New York
July 28, 2020



LAWRENCE M. KARAM

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