Exhibit B

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS
----------X
ARKADY ZELDIN,

Plaintiff,

-against-

PIER ASSOCIATES AND SHEEPSHEAD APPLE, LLC D/B/A APPLEBEE'S,

Defendants.
----------X

Index No.: 514518/2017

VERIFIED ANSWER TO VERIFIED COMPLAINT

Defendant, PIER ASSOCIATES, answering the verified complaint by its attorneys, MALAPERO & PRISCO LLP, respectfully sets forth:

1. Denies having knowledge or information sufficient to form a belief as to the allegations contained in the paragraphs designated as "1", "2", "7", "8" and "9" of the verified complaint and respectfully refers all questions of law to the Court at the time of trial.

2. Denies each and every allegation contained in the paragraphs designated as "3", "4", "5", "6", "10", "11", "the second number 12 (misnumbered by plaintiff's attorney)", "13", "14", "15", "16", "17", "18", "the second '18' (misnumbered by plaintiff's attorney)", "20", "21", "23 (misnumbered by plaintiff's attorney [as there is no number '22'])", "24", "25", "26", and "27" of the verified complaint and respectfully refers all questions of law to the Court at the time of trial.

3. Denies each and every allegation contained in the first paragraph of the two paragraphs designated as "12" of the verified complaint and respectfully refers the Court to the subject written agreement, if any, for its content, meaning and interpretation at the time of trial.

4. Denies each and every allegation contained in the paragraph designated as "28", "29", "30", "31", "32" and "33" of the verified complaint.

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AS AND FOR A FIRST, SEPARATE
AND DISTINCT AFFIRMATIVE DEFENSE:

1. That the plaintiff has failed to state a cause of action.

AS AND FOR A SECOND, SEPARATE
AND DISTINCT AFFIRMATIVE DEFENSE:

1. That the answering defendant, pursuant to CPLR Section 1412, alleges upon information and belief, that if the plaintiff sustained any injuries or damages at the time and place alleged in its complaint, such injuries or damages were as a result of the culpable conduct of the plaintiff and/or because of the plaintiff's assumption of risk.

2. Should it be found, however, that the answering defendant is liable to plaintiff herein, any liability being specifically denied, then the answering defendant alleges that if any damages are found, they are to be apportioned among the plaintiff and answering defendant according to the degree of responsibility that each is found to have for the occurrence, in proportion to the entire measure of responsibility for the occurrence.

AS AND FOR A THIRD, SEPARATE
AND DISTINCT AFFIRMATIVE DEFENSE:

3. Any past or future costs or expenses incurred, or to be incurred, by the plaintiff for medical care, dental care, custodial care or rehabilitative services, loss of earnings or other economic loss that has been or may be replaced or indemnified, in whole or in part, from a collateral source as defined in CPLR Section 4545(c) shall not be recoverable from the answering defendant and the amount of such damages will be diminished by the amount of the funds which plaintiff has or may receive from such collateral source.

AS AND FOR A FOURTH, SEPARATE
AND DISTINCT AFFIRMATIVE DEFENSE:

4. That plaintiff has failed to mitigate its damages.

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AS AND FOR A FIFTH, SEPARATE
AND DISTINCT AFFIRMATIVE DEFENSE:

5. While the answering defendant denies the plaintiff's allegation of negligence and liability, any injury and damages, if proven, were the result of intervening and/or interceding acts of superseding negligence and liability on the part of parties over which this answering defendant neither has control nor had the right to control, and for which acts or omissions these answering defendant is not legally responsible.

AS AND FOR A SIXTH, SEPARATE
AND DISTINCT AFFIRMATIVE DEFENSE:

6. This answering defendant has no statutory or common-law duty to the plaintiff.

AS AND FOR A SEVENTH, SEPARATE
AND DISTINCT AFFIRMATIVE DEFENSE:

7. That the plaintiff has failed to join all necessary parties.

AS AND FOR AN EIGHTH, SEPARATE
AND DISTINCT AFFIRMATIVE DEFENSE:

8. That the condition which allegedly gave rise to plaintiff's claimed injuries was "open and obvious" and not actionable as a matter of law.

AS AND FOR A NINTH, SEPARATE
AND DISTINCT AFFIRMATIVE DEFENSE:

9. That the injuries or damages complained of were caused in whole or part by plaintiff's own culpable conduct or the culpable conduct of others for whom the answering defendant has no legal responsibility.

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AS AND FOR A TENTH, SEPARATE AND DISTINCT AFFIRMATIVE DEFENSE:

10. That if the plaintiff has received sums of money in settlement of the claims asserted herein, by reason thereof, the answering defendant is entitled to the protection, provisions and limitations of Section 15-108 of the General Obligations Law of the State of New York in reducing the claim of the plaintiff against the answering defendant, by the amount stipulated in any release, the amount of consideration paid for it or the amount of the equitable share of the damages of any released entities, whichever is the greatest.

AS AND FOR AN ELEVENTH, SEPARATE AND DISTINCT AFFIRMATIVE DEFENSE:

11. That the liability of the defendant, if any, does not exceed fifty percent (50%) of the liability assigned to all persons, if any, and that the liability of the defendant, if any, for non-economic loss is limited pursuant to CPLR Article 16.

AS AND FOR A TWELFTH, SEPARATE AND DISTINCT AFFIRMATIVE DEFENSE:

12. That this Court lacks jurisdiction over answering defendant.

AS AND FOR A THIRTEENTH, SEPARATE AND DISTINCT AFFIRMATIVE DEFENSE:

13. That the plaintiff lacks standing to maintain this action.

AS AND FOR A FOURTEENTH, SEPARATE AND DISTINCT AFFIRMATIVE DEFENSE:

14. That this action is frivolous as against answering defendant, and as such, answering defendant is entitled to an award of sanctions not to exceed $10,000 pursuant to CPLR §8303-a.

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