

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

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WANDA ALEXANDER, as Administratrix of the Estate
of CLARICE ALEXANDER and WANDA
ALEXANDER, Individually,

Index No.: 534407/2022

Plaintiff(s),

-against-

**VERIFIED ANSWER TO
AMENDED VERIFIED
COMPLAINT**

DITMAS PARK REHABILITATION & CARE
CENTER LLC d/b/a DITMAS PARK CARE CENTER,
MOUNT SINAI BROOKLYN, MAIMONIDES
MEDICAL CENTER, ATLANTIS OPERATING LLC
d/b/a THE PHOENIX REHABILITATION AND
NURSING CENTER, CALVARY HOSPITAL, INC., and
THE BROOKLYN HOSPITAL CENTER.

Defendant(s),

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C O U N S E L O R S :

The defendant(s), **CALVARY HOSPITAL, INC.**, by its attorneys, VIGORITO, BARKER, PATTERSON, NICHOLS & PORTER, LLP, answering the Complaint of the plaintiff(s), upon information and belief, respectfully shows to this Court and alleges:

1. Denies having knowledge or information sufficient to form a belief as to the allegations contained within paragraphs “1”, “2”, and “3”.

2. Denies each and every allegation contained in paragraph “4”.

ANSWERING THE FIRST CAUSE OF ACTION:

3. In response to paragraph “5”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “4” as though same were more fully set forth herein at length.

4. Denies having knowledge or information sufficient to form a belief as to the

allegations contained within paragraphs “6”, “7”, “8”, “9”, “10”, “11”, “12”, “13”, “14”, “15”, “16”, “17”, “18”, “20”, “21”, “22”, “23” and “24”.

5. Denies each and every allegation in paragraph “19” in the form alleged and refer questions of fact to the trier of fact and questions of law to the Court.

ANSWERING THE SECOND CAUSE OF ACTION:

6. In response to paragraph “25”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “24” as though same were more fully set forth herein at length.

7. Denies having knowledge or information sufficient to form a belief as to the allegations contained within paragraphs “26”, “27”, “28”, “29”, “30”, “31”, “32”, “33”, “34”, “35”, “36”, “37”, “38” and “39”.

ANSWERING THE THIRD CAUSE OF ACTION:

8. In response to paragraph “40”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “39” as though same were more fully set forth herein at length.

9. Denies having knowledge or information sufficient to form a belief as to the allegations contained within paragraphs “41”, “42”, “43”, “44” and “45”.

ANSWERING THE FOURTH CAUSE OF ACTION:

10. In response to paragraph “46”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “45” as though same were more fully set forth herein at length.

11. Denies having knowledge or information sufficient to form a belief as to the allegations contained within paragraphs “47”, “48”, “49”, “50”, “51”, “52”, “53”, “54”, “55”, “56”,

“57”, “58”, “59” and “60”.

ANSWERING THE FIFTH CAUSE OF ACTION:

12. In response to paragraph “61”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “60” as though same were more fully set forth herein at length.

13. Denies having knowledge or information sufficient to form a belief as to the allegations contained within paragraph “62”, “63”, “64”, “65” and “66”.

ANSWERING THE SIXTH CAUSE OF ACTION:

14. In response to paragraph “67”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “66” as though same were more fully set forth herein at length.

15. Denies having knowledge or information sufficient to form a belief as to the allegations contained within paragraph “68”, “69”, “70”, “71”, “72”, “73”, “74”, “75”, “76”, “77”, “78”, “79”, “80” and “81”.

ANSWERING THE SEVENTH CAUSE OF ACTION:

16. In response to paragraph “82”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “81” as though same were more fully set forth herein at length.

17. Denies having knowledge or information sufficient to form a belief as to the allegations contained within paragraphs “83”, “84”, “85”, “86” and “87”.

ANSWERING THE EIGHTH CAUSE OF ACTION:

18. In response to paragraph “88”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “87” as though same

were more fully set forth herein at length.

19. Denies having knowledge or information sufficient to form a belief as to the allegations contained within paragraphs “89”, “90”, “91”, “92”, “93”, “94”, “95”, “96”, “97”, “98”, “99”, “100”, “101”, “103”, “104”, “105”, “106” and “107”.

20. Denies each and every allegation in paragraph “102” in the form alleged and refer questions of fact to the trier of fact and questions of law to the Court.

ANSWERING THE NINTH CAUSE OF ACTION:

21. In response to paragraph “108”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “107” as though same were more fully set forth herein at length.

22. Denies having knowledge or information sufficient to form a belief as to the allegations contained within paragraphs “109”, “110”, “111”, “112”, “113”, “114”, “115”, “116”, “117”, “118”, “119” and “120”.

ANSWERING THE TENTH CAUSE OF ACTION:

23. In response to paragraph “121”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “120” as though same were more fully set forth herein at length.

24. Denies having knowledge or information sufficient to form a belief as to the allegations contained within paragraphs “122”, “123”, “124”, “125”, “126”, “127”, “128” and “129”.

ANSWERING THE ELEVENTH CAUSE OF ACTION:

25. In response to paragraph “130”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “129” as though

same were more fully set forth herein at length.

26. Denies each and every allegation in paragraph “131”, “132”, “133”, “134” and “135” in the form alleged and refer questions of fact to the trier of fact and questions of law to the Court.

27. Denies each and every allegation contained in paragraphs “136”, “137”, “138”, “139”, “140”, “141”, “142”, “143” and “144”.

ANSWERING THE TWELFTH CAUSE OF ACTION:

28. In response to paragraph “145”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “144” as though same were more fully set forth herein at length.

29. Denies each and every allegation contained in paragraphs “146”, “147”, “148”, “149” and “150”.

ANSWERING THE THIRTEENTH CAUSE OF ACTION:

30. In response to paragraph “151”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “150” as though same were more fully set forth herein at length.

31. Denies having knowledge or information sufficient to form a belief as to the allegations contained within paragraphs “152”, “153”, “154”, “155”, “156”, “157”, “158”, “159”, “160”, “161”, “162”, “163”, “164” and “165”.

ANSWERING THE FOURTEENTH CAUSE OF ACTION:

32. In response to paragraph “166”, repeats and realleges each admission or denial made herein with the same force and effect herein as to paragraphs “1” through “165” as though same were more fully set forth herein at length.

33. Denies having knowledge or information sufficient to form a belief as to the

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