

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

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3660 BROADWAY BCR, LLC, 3750 BROADWAY
BCR, LLC, 2363 ACP PINEAPPLE, LLC, 145
PINEAPPLE LLC, 3440 BROADWAY BCR LLC,
3427 BROADWAY BCR, LLC, 605 WEST 151 BCR,
LLC, 633 WEST 152 BCR, LLC, 603-607 WEST 139
BCR, LLC, MGJ REALTY Corp., 559 WEST 156 BCR
LLC, 535-539 WEST 155 BCR, LLC, 510-512 YELLOW
APPLE, LLC, 513 YELLOW APPLE, LLC, 408-412
PINEAPPLE, LLC, 106-108 CONVENT BCR, LLC, 110
CONVENT BCR, LLC and 580 ST. NICHOLAS BCR,
LLC,

Plaintiffs,

-against-

GATEGUARD INC. and ARI TEMAN,

Defendants.

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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 Plaintiffs' Attorney(s) within 20 days after 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 relief demanded in the complaint.

Dated: New York, New York
July 18, 2019



Simcha D. Schonfeld, Esq.
KOSS & SCHONFELD, LLP
Attorneys for Plaintiffs
90 John Street, Suite 503
New York, NY 10038
(212) 796-8916

TO:

GATEGUARD INC.
106 West 32nd Street
Suite 2D15
New York, New York 10001

ARI TEMAN
349 5th Avenue
Suite 420
New York, New York 10016

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LLC,

Index No.:

VERIFIED COMPLAINT

The basis of venue is
Plaintiffs' principal place
of business

Plaintiffs,

-against-

GATEGUARD INC. and ARI TEMAN,

Defendants.

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1. Plaintiffs 3660 BROADWAY BCR, LLC, 3750 BROADWAY BCR, LLC, 2363 ACP PINEAPPLE, LLC, 145 PINEAPPLE LLC, 3440 BROADWAY BCR LLC, 3427 BROADWAY BCR, LLC, 605 WEST 151 BCR, LLC, 633 WEST 152 BCR, LLC, 603-607 WEST 139 BCR, LLC, MGJ REALTY Corp., 559 WEST 156 BCR LLC, 535-539 WEST 155 BCR, LLC, 510-512 YELLOW APPLE, LLC, 513 YELLOW APPLE, LLC, 408-412 PINEAPPLE, LLC, 106-108 CONVENT BCR, LLC, 110 CONVENT BCR, LLC and 580 ST. NICHOLAS BCR, LLC ("Plaintiffs"), by and through their undersigned attorneys, KOSS & SCHONFELD, LLP, complaining of the above-named defendants GATEGUARD INC. and ARI TEMAN ("Defendants"), allege, upon information and belief, as follows:

THE PARTIES

2. At all times hereinafter mentioned, Plaintiffs 3660 BROADWAY BCR, LLC, 3750 BROADWAY BCR, LLC, 2363 ACP PINEAPPLE, LLC, 145 PINEAPPLE LLC, 3440 BROADWAY BCR LLC, 3427 BROADWAY BCR, LLC, 605 WEST 151 BCR, LLC, 633 WEST 152 BCR, LLC, 603-607 WEST 139 BCR, LLC, MGJ REALTY Corp., 559 WEST 156 BCR LLC, 535-539 WEST 155 BCR, LLC, 510-512 YELLOW APPLE, LLC, 513 YELLOW APPLE, LLC, 408-412 PINEAPPLE, LLC, 106-108 CONVENT BCR, LLC, 110 CONVENT BCR, LLC and 580 ST. NICHOLAS BCR, LLC (“Plaintiffs”) are domestic limited liability companies, organized and existing under the laws of the State of New York, each with its principal place of business in the County of New York.

3. At all times hereinafter mentioned, Defendant GATEGUARD INC. (“Gateguard”) was and is a foreign business corporation incorporated, organized and existing by virtue of the laws of the State of Delaware, maintaining a principal place of business located at 106 West 32nd Street, Suite 2D15, New York, New York 10001.

4. At all times hereinafter mentioned, Defendant ARI TEMAN (“Teman”) was and is a natural person residing in the State of New York.

5. Upon information and belief, Defendant Teman resides at 349 5th Avenue, Suite 420, New York, New York 10016.

6. Upon information and belief, Defendant Teman is the owner of Defendant Gateguard.

FACTUAL BACKGROUND

7. At all relevant times herein, Plaintiffs were and are the owners of certain real properties located at various addresses in New York, New York (hereinafter referred to

collectively as the “Properties”).¹

8. At all relevant times herein, Defendant Teman owns and operates a certain company, Defendant Gateguard, providing for the installation of AI intercom systems.

9. On or about February 8, 2019, Justin Graniero, a property manager employed by non-party Big City Realty (“BCR”), requested a quote for the installation of AI intercom systems from the Defendant Gateguard.

10. Instead, Defendants sent Plaintiffs a purported receipt for an order along with terms and conditions for the anticipated contract.

11. On or about April 23, 2019, Defendant Teman emailed Mr. Graniero asking “[a]ny update?” effectively waiting for confirmation from Plaintiffs to go ahead with the transaction pursuant to the quote.

12. Sometime in early July 2019, Defendants wrongfully and without authorization installed an intercom system at 408 West 129th Street (“408 W 129”) despite Plaintiffs’ direct instructions to desist from installation.

13. On July 3, 2019, Mr. Graniero emailed Defendants, as follows: “Please remove intercom from 408 W 129. Landlords have decided not to go with service and not to install other units on the building. Thank you.”

14. Defendant Teman categorically refused, claiming that Plaintiffs had purportedly entered into a “binding contract for which you [Mr. Graniero] personally guarantee.” Defendant Teman further threatened: “We will lien the buildings and collect if payment isn’t made on the

¹ The Properties include: 555 West 151st Street, 3750 Broadway, 2363 Adam Clayton Powell Jr. Boulevard, 145 West 138th Street, 3440 Broadway, 600 West 140th Street, 605 West 151st Street, 633 West 152nd Street, 603 West 139th Street, 607 West 139th Street, 545 Edgecombe Avenue, 559 West 156th Street, 535 West 155th Street, 539 West 155th Street, 510 West 134th Street, 513 West 134th Street, 512 West 124th Street, 408 West 129th Street, 412 West 129th Street, 106 Convent Avenue, 110 Convent Avenue and 580 St. Nicholas.

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