

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

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LIBERTY MUTUAL INSURANCE COMPANY and  
LIBERTY MUTUAL PERSONAL INSURANCE COMPANY,  
Plaintiffs,

-against-

SERGIO TOLENTINO,  
Individual Defendant,

and

ATLANTIC MEDICAL & DIAGNOSTIC PC  
BRIDGEVIEW SUPPLY CORP  
CITIMED COMPLETE MEDICAL CARE PC  
DIANA BEYNIN, DC  
INTEGRATED MEDICAL REHABILITATION AND  
DIAGNOSTICS PC  
LANG EQUIPMENT, INC  
ORTHO & PAIN CENTER OF NJ  
QUICK HEALTH PHARMACY CORP  
TANIYN LEASING CORP  
UNITY CARE PHYSICAL THERAPY PC,  
Medical Provider Defendants,  
Collectively, The Defendants.

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**SUMMONS**

Index #:

Plaintiffs designate New York  
County as the place of trial

**TO THE ABOVE NAMED DEFENDANTS:**

**YOU ARE HEREBY SUMMONED** to answer the Complaint of the Plaintiffs, a copy of which is hereby served upon you, and to serve copies of your answers upon the undersigned within twenty (20) days after service upon you of the Summons and Complaint, exclusive of the day of service (or within 30 days after the service is complete if this summons and complaint is not personally delivered to you within the State of New York). In the event you fail to answer the Plaintiffs' Complaint, judgment will be taken against you by default for the relief demanded in the Complaint.

**Dated: White Plains, New York  
September 27, 2023**

Yours etc.,

By:



Nicole Duke, Esq.

**CORREIA, CONWAY & STIEFELD**

Attorneys for Plaintiffs

**LIBERTY MUTUAL INSURANCE  
COMPANY, et al.**

10 Bank Street, Suite 1200

White Plains, NY 10606

**(914) 997-8100****TO:**

SERGIO TOLENTINO

305 W. 28th Street, Apt. 19F

New York, NY 10001

&amp;

1562 Townsend Avenue, Apt. 4B

Bronx, NY 10452

&amp;

402 Larkspur Loop

Lancaster, PA 17602

ATLANTIC MEDICAL &amp; DIAGNOSTIC PC

c/o Registered Agents Inc.

418 Broadway, Ste. R

Albany, NY 12207

BRIDGEVIEW SUPPLY CORP

c/o The Corporation

218 Sunrise Hwy.

Rockville Centre, NY 11570

CITIMED COMPLETE MEDICAL CARE PC

c/o Regina Moshe

32 Farmstead Ln.

Glen Head, NY 11545

DIANA BEYNIN, DC

210 Finley Ave.

Staten Island, NY 10306

INTEGRATED MEDICAL REHABILITATION  
AND DIAGNOSTICS PC

18 Green Lawn Road

Huntington, NY 11743

LANG EQUIPMENT, INC  
189 Sunrise Highway, Suite 301  
Rockville Centre, NY 11570

ORTHO & PAIN CENTER OF NJ  
903 Sheridan Ave.  
Bronx, NY 10451  
&  
P.O. Box 110055  
Nutley, NJ 07110

QUICK HEALTH PHARMACY CORP  
104-12 Metropolitan Ave.  
Forest Hills, NY 11375

TANIYN LEASING CORP  
c/o The Corporation  
918 Rockaway Ave.  
Valley Stream, NY 11581

UNITY CARE PHYSICAL THERAPY PC  
c/o The Corporation  
1711 Benson Ave., #1F  
Brooklyn, NY 11214

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

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**VERIFIED COMPLAINT**

LIBERTY MUTUAL INSURANCE COMPANY and  
LIBERTY MUTUAL PERSONAL INSURANCE COMPANY,  
Plaintiffs,

Index No.:

-against-

SERGIO TOLENTINO,  
Individual Defendant,

and

ATLANTIC MEDICAL & DIAGNOSTIC PC  
BRIDGEVIEW SUPPLY CORP  
CITIMED COMPLETE MEDICAL CARE PC  
DIANA BEYNIN, DC  
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UNITY CARE PHYSICAL THERAPY PC,  
Medical Provider Defendants,  
Collectively, The Defendants.

-----X

Plaintiffs, LIBERTY MUTUAL INSURANCE COMPANY and LIBERTY MUTUAL PERSONAL INSURANCE COMPANY (hereinafter “Plaintiffs” or “Liberty Mutual”) by and through their attorneys, The Law Offices of Correia, Conway & Stiefeld, as set forth in their Verified Complaint in this action, hereby allege, upon information and belief, as follows:

**INTRODUCTION**

This is an action for a declaratory judgment pursuant to CPLR § 3017(b) defining and declaring the rights, duties, obligations and legal relationships by and between the Plaintiffs and the above-named Defendant.

1. This action stems from claims by the Medical Provider Defendants seeking reimbursement for bills submitted to the Plaintiffs for reimbursement under New York’s No-Fault laws. This action seeks a Preliminary Injunction barring the Defendants from seeking any No-Fault reimbursement in connection with all claims brought out of the alleged motor vehicle accident

involving the Individual Defendant as detailed hereinafter; a Stay of all pending litigation and/or arbitrations now brought by the Medical Provider Defendants involving this claim that exist in the Civil Courts of the City of New York or elsewhere; a prohibition of the Defendants from further submitting bills to Plaintiffs for No-Fault reimbursement connected with this claim, and an overall Declaration from the Court affirming that the denials of all claims for No-Fault benefits by the Plaintiffs were proper.

### **JURISDICTION AND VENUE**

2. This court has personal jurisdiction over this matter under CPLR §§301, 302(a)(1), and 302(a)(3).

3. Venue is proper in New York County based on Plaintiffs transacting business in New York County by virtue of selling policies of automobile insurance to residents of New York County. Moreover, Plaintiffs maintain several office locations in New York County, including an office at 28 Liberty St., 5th Floor, New York, NY 10005.

### **PARTIES**

#### **PLAINTIFFS**

4. Collectively, the Plaintiffs are insurance companies under the Liberty Mutual umbrella that are authorized to write insurance policies in New York State.

5. Plaintiff LIBERTY MUTUAL PERSONAL INSURANCE COMPANY is a Liberty Mutual Insurance Company, a Massachusetts corporation with a principal place of business at 175 Berkeley Street, Boston, Massachusetts 02116.

6. Liberty Mutual is authorized to write insurance policies in New York State and Liberty Mutual transacts business in all counties of the State of New York.

7. Plaintiffs wrote an insurance policy issued to Individual Defendant SERGIO TOLENTINO.

#### **INDIVIDUAL DEFENDANT**

8. Upon information and belief, Defendant SERGIO TOLENTINO (hereinafter,

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