

# Exhibit A

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

-----  
RUBI VARGAS,

Plaintiff,

-against-

A.I.C, APPLE COMPACTOR CORP., BIG APPLE  
COMPACTOR COMPANY, INC., BIG APPLE  
COMPACTOR REPAIRER INC., "JOHN DOES,"  
persons intended to be manufacturers,  
distributors, repairers, assemblers  
of garbage compactor model number  
AP-100,

Defendants.  
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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, of, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiffs' Attorney 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.

Dated: New York, New York  
October 2, 2013

Filed on:  
Index No:

Plaintiff designates  
QUEENS COUNTY  
as place of trial

**SUMMONS**

Basis of Venue:  
Defendant's address

Plaintiff's residence  
570 156<sup>th</sup> Street  
New York, New York 10031

**GEORGE N. STATFELD, P.C.**  
Attorney for Plaintiffs  
3 West 35th Street  
New York, New York 10001  
(212) 947 - 9166

**DEFENDANT'S ADDRESS:**

A.I.C, APPLE COMPACTOR CORP./BIG APPLE COMPACTOR COMPANY, INC., 64-20  
Laurel Hill Boulevard, Woodside, NY 11377

BIG APPLE COMPACTOR REPAIRER INC., 4271 Hunter Street, Long Island  
City, NY 11101

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

-----X  
RUBI VARGAS,

Filed On:  
Index No.:

Plaintiff(s),

-against-

PLAINTIFF'S VERIFIED  
COMPLAINT

A.I.C, APPLE COMPACTOR CORP., BIG APPLE  
COMPACTOR COMPANY, INC., BIG APPLE  
COMPACTOR REPAIRER INC., "JOHN DOES,"  
persons intended to be manufacturers,  
distributors, repairers, assemblers  
of garbage compactor model number  
AP-100,

Defendant(s),

-----X

Plaintiff, by his attorney, GEORGE N. STATFELD, ESQ., upon  
information and belief, alleges:

**FIRST CAUSE OF ACTION**

1. Plaintiff resides in the County of New York, City and  
State of New York.

2. Defendant is a duly organized domestic and foreign  
corporation, and does business in New York State.

3. At all times herein mentioned the defendant was engaged  
in the business of manufacturing and repairing, maintaining,  
assembling, distributing a compactor model # AP-100 and serial #  
unknown, photo annexed forming part of this Summons and  
Complaint.

4. That on or about September 17, 2012, the plaintiff was  
employed by PARKOF GROUP, located at 98 Cuttermell Street, Suite  
444, Great Neck, NY 11021.

5. That on or about the 17<sup>th</sup> day of September 2012, the

plaintiff was working with the said machine, and was injured solely due to the negligence, carelessness and recklessness of the defendant herein, all to his damage in the sum TWO (\$2,000,000.00) DOLLARS.

**AS AND FOR A SECOND CAUSE OF ACTION**

6. The defendant herein each in connection with their business activities aforementioned warranted and represented expressly and implied that their product was fit, capable and suitable for the use and purposes intended and that same was of merchantable quality and the same was safe, not dangerous and improper.

7. Plaintiff was entitled to rely upon the warranty of merchantability and fitness for use.

8. Defendant was in breach of express warranty.

9. By reason of the foregoing, plaintiff has been damaged in the sum of TWO (\$2,000,000.00) MILLION DOLLARS.

**AS AND FOR A THIRD CAUSE OF ACTION**

10. By reason of the foregoing, the defendant was in breach of implied warranty.

11. By reason of the foregoing, the plaintiff has been damaged in the sum of TWO (\$2,000,000.00) MILLION DOLLARS.

**AS AND FOR A FOURTH CAUSE OF ACTION**

12. Said product/machine was in a defective, unsafe and hazardous condition and was defectively designed in a manner which was unnecessarily unsafe and dangerous to users and/or

consumers.

13. Said defects and dangerous conditions were of a substantial factor in bringing about the plaintiff's injuries and were known or in the exercise of reasonable care should have been known to the defendants.

14. The product/machine was defective at the time of manufacture and/or distribution.

15. By reason of the foregoing, defendant has become strictly liable in tort to the plaintiff, and has been damaged in the amount of TWO (\$2,000,000.00) MILLION DOLLARS.

**WHEREFORE**, the plaintiff(s) demand judgment against the defendants as follows:

As and for all causes of Action - TWO (\$2,000,000.00) MILLION DOLLARS; together with interests, costs and disbursements.

Dated: New York, New York

October 2, 2013

Yours, etc.,

\_\_\_\_\_  
GEORGE N. STATFELD, ESQ.  
Attorney for Plaintiff  
3 West 35th Street  
New York, New York 10001  
(212) 947 - 9166



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