

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

-----X
GULIAKHON ASROROVA, as Parent and Natural
Guardian of ABDULAZIZ RAKHIMJONOV, an infant,

Plaintiff,

-against-

PETITION

Index No.: 713291/2017

ALI MALEKI and AVA AMBULETTE CORP.,

Defendants.
-----X

The undersigned petitioner respectfully shows to this Court:

My name is Guliakhon Asrorova and I am the mother and natural guardian of the infant herein, who resides with me at 63-09 108th Street, Apartment 2T, Forest Hills, NY 11375. My son, Abdulaziz Rakhimjonov, was born on January 15, 2014 and is currently four (4) years of age.

The incident involving my son occurred on August 1, 2017 at approximately 6:00 p.m. At that time, my son's right leg was injured while he was crossing the street in the crosswalk at the intersection of 62nd Road and Yellowstone Boulevard, Queens, New York. While crossing that intersection in the crosswalk, my son was struck by a motor vehicle that ran the stop sign.

As a result of the collision my son lost consciousness for approximately 30 seconds. He was then taken from the scene, via ambulance, to Elmhurst Hospital. He was treated at that hospital where a pediatrician examined my son and found he had swelling of the lip and gums, puncture wounds on the right ankle and a large wound on the right ankle. He was admitted to Elmhurst Hospital where a plastic surgeon recommended he be transferred to the burn center for third degree tire burns on his right foot and ankle. On August 3, 2017, he underwent blunt

debridement of his foot and ankle under conscious sedation. While a patient at Elmhurst Hospital, a trauma surgeon changed the dressing on his wound daily. I was also taught to change the dressing of the wound so I could change it at home after his discharge. My son was hospitalized for eight days. He was discharged on August 9, 2017. He presented to Elmhurst Hospital for a follow-up visit with the general surgeon on August 18, 2017. See hospital records annexed hereto as Exhibit A. Presently, he has no residual physical deficits as a result of the injuries sustained in this collision. At the present time, my son has fully recovered from the injuries he sustained in the collision of August 1, 2017 and suffers no functional disability. He is free of pain and other symptoms.

I have been advised that the defendant maintains insurance coverage with American Country Insurance Company with a policy limit of \$100,000.00 and that the full \$100,000.00 has been offered to settle this claim. See attached offer letter annexed hereto as Exhibit B. My attorney has advised me that this settlement offer is reasonable, given the fact that this is the total amount of the insurance coverage. Aside from the scar, my son has no lasting effects from this collision. I understand that the court must review all infant settlements to guarantee that the best outcome has been obtained. I am asking the court to review this situation and approve the settlement offer.

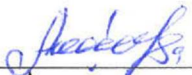
Your petitioner hereby waives the cause of action for loss of services against the defendant's who are offering the settlement amount. Neither I nor anyone else within my son's family has made a claim for personal injuries arising out of this collision. No other action or proceeding has been commenced on behalf of my son or myself as a result of the collision in which he was injured.

Pursuant to the terms of the retainer agreement with my attorneys, I agree to pay them one-third of the gross recovery plus disbursements. The legal fee is one-third of the gross settlement, or \$33,333.33 which I agree to pay to my son's attorneys. The disbursements expended in connection with this matter are \$1,463.75 which were expended as follows: Index No. \$210.00, RJJ \$95.00, Elmhurst Hospital records \$22.55, home therapy records \$33.75,

Ambulance Report \$2.25, Federal Express \$20.57, Process Servers \$150.00, DMV search \$63.00, postage \$15.63, parking \$1.00, \$100.00 for the services of a private investigator, \$750.00 for Dr. Rafik Khaimov to examine Abdulaziz, prepare and sign the Affidavit.

I have no connection directly or indirectly with the defendants and I am acting solely for the benefit of my son.

No previous application for the relief sought has been made to any Court or Judge.

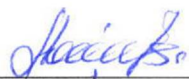


Guliakhon Asrorova as mother and
natural guardian of Abdulaziz Rakhimjonov

STATE OF NEW YORK)
)ss.:
COUNTY OF QUEENS)

Guliakhon Asrorova, being duly sworn, deposes and says:

That I am the petitioner in the within action and have read the foregoing Petition and knows the contents thereof; that the same is true to my own knowledge except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe to be true.



Guliakhon Asrorova as mother and natural
guardian of Abdulaziz Rakhimjonov

State of New York, County of Queens

On August 14, 2018, before me came GULIAKHON ASROROVA, to me known and known to be the individual described herein and who executed the foregoing Petition and duly acknowledged that she executed the same.



Notary Public

NANCY M. McGEE
Notary Public, State of New York
No. 01MC6048310
Qualified in Westchester County
Commission Expires September 25, 2018

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

-----X
GULIAKHON ASROROVA, as Parent and Natural
Guardian of ABDULAZIZ RAKHIMJONOV, an infant,

Plaintiff,

-against-

**ATTORNEY'S
AFFIRMATION**

Index No.: 713291/2017

ALI MALEKI and AVA AMBULETTE CORP.,

Defendants.
-----X

NANCY M. McGEE, an attorney duly admitted to practice law in the
State of New York hereby affirms:

That I am the attorney for the plaintiff herein. I am fully familiar with all the
pleadings and proceedings had herein.

On August 5, 2017, I was retained by Guliakhon Asrorova as the attorney for her
son, Abdulaziz Rakhimjonov, the infant plaintiff herein. See retainer agreement annexed hereto
as Exhibit C. The cause of action arose on August 1, 2017. At that time, the infant plaintiff was
crossing the street in the crosswalk at the intersection of 62nd Road and Yellowstone Boulevard in
Queens, New York. This intersection is controlled by stop signs posted at all four directions. As
he was walking alongside his mother and his siblings, a van ran through a stop sign and struck
the infant plaintiff. The van ran over the infant plaintiff's right leg. The infant plaintiff lost
consciousness for approximately 30 seconds. He was then transported via ambulance to Elmhurst
Hospital. At the hospital, a pediatrician examined the infant plaintiff and found he had swelling
of the lip and gums, puncture wounds on the right ankle and a large wound on the right ankle. He
was admitted to Elmhurst Hospital where a plastic surgeon recommended he be transferred to the
burn center for third degree tire burns located on his right foot, ankle and lateral lower leg. While
a patient at Elmhurst Hospital, a trauma surgeon changed the dressing on his wound daily. His

mother was taught to change his dressing so she could do it after he was discharged home. The residual from the laceration is a scar in the area of the infant plaintiffs right leg and ankle. I have been informed that he possesses no functional disability from this incident.

My firm was retained by Guliakhon Asrorova, the mother of the infant plaintiff, to prosecute a personal injury claim on behalf of her son. The retainer agreement signed by her is attached herewith as Exhibit C and provides that my firm receive one-third of any sum recovered with the client to receive two-thirds. My firm is also to be reimbursed our disbursements. I filed a Retainer Statement with the Office of Court Administration and was assigned Index Number 713291/2017. A copy of same is annexed hereto as Exhibit D.

I have advised the infant plaintiff's mother that the defendant maintains insurance coverage with American Country Insurance Company with a policy limit of \$100,000.00 and that the full \$100,000.00 has been offered to settle this claim. (See offer letter and affidavit of no excess annexed hereto as Exhibit B and E, respectively). Given the fact that this is the total available insurance coverage, I believe the settlement offer is reasonable.

To my knowledge, there are no outstanding medical bill or liens. The infant plaintiff was not employed at the time of the collision and there is no claim for lost earnings.

Your affirgant requests that the legal fee of \$33,333.33 be approved by the court based on the final settlement offer. Your affiant also asks that my firm is reimbursed the \$1,463.75 for disbursements expended in connection with this matter. The disbursements expended in connection with this matter are \$1,463.75 which were expended as follows: Index No. \$210.00, RJI \$95.00, Elmhurst Hospital records \$22.55, home therapy records \$33.75, Ambulance Report \$2.25, Federal Express \$20.57, Process Servers \$150.00, DMV search \$63.00, postage \$15.63, parking \$1.00, \$100.00 for the services of a private investigator, \$750.00 for Dr. Rafik Khaimov to examine Abdulaziz, prepare and sign the Affidavit.

My firm has legitimately earned this legal fee based on the legal work we performed in this matter. Initially, I met with the mother of the infant plaintiff at the hospital and reviewed with her how the incident occurred and the injury sustained by her son. I requested and

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.