

# EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF RICHMOND

Index No.:

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LONA PALMIERI, as Proposed Administratrix of the  
Estate of AARON BLOCK, Deceased,

Date Purchased:

*Plaintiff(s),*Plaintiff designates  
RICHMOND County as the  
place of trial.

-against-

SUMMONSSUNHARBOR ACQUISITION I, LLC D/B/A  
SUNHARBOR MANOR,The basis of venue is  
Plaintiff's Residence:  
91 Kell Avenue  
Staten Island, New York*Defendant(s),*

Date Filed:

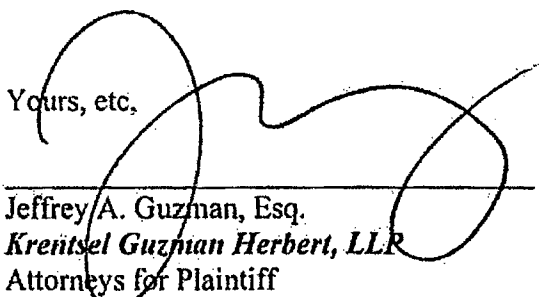
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To the above-named Defendants:

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 within twenty (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 the relief demanded in the complaint.

## JURY TRIAL DEMANDED

DATED: New York, New York  
April 26, 2023

Yours, etc.

  
\_\_\_\_\_  
Jeffrey A. Guzman, Esq.  
*Krentzel Guzman Herbert, LLP*  
Attorneys for Plaintiff  
17 Battery Place, Suite #604.  
New York, New York 10004  
(212) 227-2900

**FILED: RICHMOND COUNTY CLERK 05/25/2023 02:34 PM**

**FILED: RICHMOND COUNTY CLERK 04/26/2023 02:27 PM**

NYSCEF DOC. NO. 1

INDEX NO. 150778/2023

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RECEIVED NYSCEF: 05/25/2023

RECEIVED NYSCEF: 04/26/2023

**Defendant's Address:**

SUNHARBOR ACQUISITION I, LLC D/B/A SUNHARBOR MANOR  
255 Warner Avenue  
Roselyn Heights, New York 11577

SUPREME COURT OF THE STATE OF  
NEW YORK COUNTY OF RICHMOND-----X  
LONA PALMIERI, as Proposed Administratrix of the  
Estate of AARON BLOCK, Deceased,

VERIFIED COMPLAINT

Plaintiff(s),

Index No.:

-against-

SUNHARBOR ACQUISITION I, LLC D/B/A  
SUNHARBOR MANOR,

Defendant(s).

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Plaintiff(s), by their attorneys, KRENTSEL GUZMAN HERBERT, LLP., complaining of the Defendants, SUNHARBOR ACQUISITION I, LLC D/B/A SUNHARBOR MANOR, (collectively "Defendants"), upon information and belief respectfully alleges as follows:

**INTRODUCTION**

1. This action is being commenced due to Defendants' abject and longstanding failure to maintain a system for preventing, identifying, reporting, investigating, and controlling infections and communicable diseases for all residents, staff, volunteers, visitors, and other individuals, and Defendants' failure to adequately care for and protect its elderly and vulnerable residents, which led to the death of the decedent, AARON BLOCK, from COVID-19 (known colloquially as the "coronavirus") infection on July 9, 2020.

2. Between July 6, 2018 and May 25, 2022, SUNHARBOR ACQUISITION I, LLC D/B/A SUNHARBOR MANOR was cited by government inspectors and regulators 18 times

including for failing to ensure that an infection prevention and control program was maintained to help prevent the development and transmission of communicable diseases and infections.

3. In addition, prior to the coronavirus emergency in New York, on February 6, 2020, SUNHARBOR ACQUISITION I, LLC D/B/A SUNHARBOR MANOR was placed on notice by Centers for Medicare and Medicaid Services that coronavirus infections can rapidly appear and spread, and that it was critical that the nursing home be prepared by planning for infectious and diseases response, including having sufficient personal protective equipment (PPE) available.

4. However, SUNHARBOR ACQUISITION I, LLC D/B/A SUNHARBOR MANOR failed to take proper precautions to help prevent the development of infections prior to and leading up to the COVID-19 pandemic. As a direct and foreseeable consequence of the Defendants' failure, as of September 20, 2022, there was a confirmed COVID-related death count of 33 residents who died inside SUNHARBOR ACQUISITION I, LLC D/B/A SUNHARBOR MANOR due to COVID-19 and 20 resident deaths outside of the facility.

5. The claims against Defendants asserted herein are premised on violation of resident's rights laws pursuant to Public Health Law sec.2801-d, negligence and gross negligence, and wrongful death. Plaintiff also seeks recovery for punitive damages from the Defendants based upon its longstanding grossly negligent and reckless actions in failing to protect residents from harm.

**PARTIES TO THIS ACTION:**

6. That at all times hereinafter mentioned, the Plaintiff, LONA PALMIERI, is the niece of the decedent, AARON BLOCK, and is resident of the County of RICHMOND, State of New York.



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