

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

THE ESTATE OF BELINDA THOMAS, by her
Administratrix, SANDRA THOMAS-WATSON,

Plaintiff(s),

-against-

CLOVE LAKES HEALTH CARE AND
REHABILITATION CENTER, INC., ABC
CORPORATION, ABC PARTNERSHIP,

Defendant(s),

SUMMONS

Index No.:

Date Purchased:

Plaintiff designates **RICHMOND**
County as the place of trial

The basis of venue is defendant
**CLOVE LAKES HEALTH CARE
AND REHABILITATION
CENTER INC.'s** address:
25 Fanning Street
Staten Island, New York 10314

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 Plaintiff's 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: Melville, New York
May 15, 2023

NAPOLI SHKOLNIK, PLLC
Attorneys for Plaintiff



By: _____
Joseph L. Ciaccio
400 Broadhollow Road, Suite 305
Melville, New York 11747
(212) 397-1000

Defendant's Address:

CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC.
25 Fanning Street, Staten Island, New York 10314

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CLOVE LAKES HEALTH CARE AND REHABILITATION
CENTER, INC., ABC CORPORATION, ABC
PARTNERSHIP,

Defendant(s)

Index No:

**VERIFIED
COMPLAINT**

Plaintiff demands
a Jury Trial

Plaintiff, by her attorneys, NAPOLI SHKOLNIK PLLC, complaining of the defendants,
respectfully alleges upon information and belief:

I. THE PARTIES

a. Plaintiff

1. That at all times hereinafter mentioned, plaintiff SANDRA THOMAS-WATSON, is the daughter of the decedent, BELINDA THOMAS, and is a resident of the State of New York, County of Richmond.

2. That at all times hereinafter mentioned, plaintiff's decedent, BELINDA THOMAS, was a resident of the County of Richmond, State of New York.

3. That on May 1, 2020, plaintiff's decedent, BELINDA THOMAS, died in the County of Richmond, State of New York.

4. That on April 24, 2023, Letters of Administration were granted by the Richmond County Surrogate's Court to plaintiff SANDRA THOMAS-WATSON, appointing her Administratrix of the Estate of BELINDA THOMAS.

5. That at all times hereinafter mentioned, BELINDA THOMAS and her next of kin are represented in this action by her daughter, SANDRA THOMAS-WATSON, as Administratrix of her Estate.

6. This action falls within one or more exceptions as set forth in N.Y. Civil Practice Laws and Rules ("C.P.L.R.") Article 16.

7. This action is filed pursuant to C.P.L.R. §205-a.

b. Defendant CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC.

8. According to the New York Department of Health, defendant CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC. is the owner and operator of the nursing home facility located at 25 Fanning Street, Staten Island, New York 10314, County of Richmond.

9. That at all times relevant hereto, the term “nursing home” shall refer to and include defendants CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC., ABC CORPORATION and/or ABC PARTNERSHIP, the owner(s) and operator(s) of same, as well as any agents, representatives, employees, care givers, nurses, directors, doctors, physician’s assistants, or staff members of said facility or corporations.

10. Defendant CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC. is located at 25 Fanning Street, Staten Island, New York 10314.

11. That at all times hereinafter mentioned, upon information and belief, defendant CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC. was and still is a domestic corporation, duly organized under and existing by virtue of the laws of the State of New York.

12. That at all times hereinafter mentioned, upon information and belief, the defendant, CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC., was and still is a business entity doing business within the State of New York.

13. That at all times hereinafter mentioned, upon information and belief, defendant CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC., maintained its principal place of business in the County of Richmond, State of New York.

14. Prior to and at all times hereinafter mentioned, defendant CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC. was authorized to do business and to operate a nursing home facility located at 25 Fanning Street, Staten Island, New York 10314, County of Richmond, State of New York.

15. Prior to and at all times hereinafter mentioned, defendant CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC., INC was and is the owner of a certain nursing home facility located at 25 Fanning Street, Staten Island, New York 10314, County of Richmond, State of New York.

16. That at all times hereinafter mentioned, upon information and belief, defendant CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC. was the lessor of the aforesaid nursing home facility.

17. That at all times hereinafter mentioned, upon information and belief, defendant CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC. was the lessee of the aforesaid nursing home facility.

18. That at all times hereinafter mentioned, upon information and belief, defendant CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC. maintained, managed, operated, controlled, supervised, and inspected the aforesaid nursing home facility.

19. Prior to and at all times hereinafter mentioned, defendant CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC. had possession and control of the building and facilities where the aforesaid nursing home facility is located.

20. That at all times relevant hereto, upon information and belief, defendant CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC. owned the premises and appurtenances and fixtures thereto, located at 25 Fanning Street, Staten Island, New York 10314, County of Richmond, State of New York.

21. Prior to and at all times hereinafter mentioned, the defendant, CLOVE LAKES HEALTH CARE AND REHABILITATION CENTER INC. INC., was and still remains engaged in conducting and operating a nursing home facility located at 25 Fanning Street, Staten Island, New York 10314, County of Richmond, State of New York, and holds itself out to the general public as a facility providing such care and accommodations where patients can be treated by competent and skilled physicians and nursing staff to care for those who are ill.

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