

**COMMERCIAL FORECLOSURE**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

INDEX NO.

- - - - -X

NEW YORK COMMUNITY BANK,

Plaintiff,

Plaintiff  
designates SUFFOLK  
County as the place  
of trial. The basis  
of venue is the  
situs of the real  
property.

-against-

SUMMONS

163-165 BRIDGE ROAD, LLC, DONNA MIGLIORE BROWN,  
UNITED STATES OF AMERICA (EASTERN DISTRICT),  
CLERK OF THE SUFFOLK COUNTY TRAFFIC & PARKING  
VIOLATIONS AGENCY, CLERK OF THE SUFFOLK COUNTY  
DISTRICT COURT, NORTH SHORE LIJ MEDICAL GROUP  
DEPARTMENT OF EMERGENCY MEDICINE, COMMISSIONER  
OF THE STATE INSURANCE FUND, NEW YORK STATE  
DEPARTMENT OF TAXATION AND FINANCE , A & N  
TRADING a/k/a A & N TRADING CORP. a/k/a A & N  
TRADING-SRL CORP., AMSTONE PREMIUM SURFACES,  
BIG APPLE VISUAL GROUP, ELITE MANUFACTURING  
GROUP a/k/a ELITE MANUFACTURING GROUP NORTH  
EAST DIV. INC., HAUPPAUGE TILE & MARBLE, INC.,  
"JOHN DOE #1" through "JOHN DOE #20," the last  
twenty names being fictitious and unknown to  
plaintiff, the persons or parties intended  
being the tenants, occupants, persons or  
corporations, if any, having or claiming an  
interest in or lien upon the premises,  
described in the complaint,

Defendants.

- - - - -X

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) in the event the United States of America is made a party defendant, the time to answer for the said United States of America shall not expire until (60) days after service of the summons; 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: August 1, 2017

STAGG, TERENCE, CONFUSIONE & WABNIK, LLP  
Attorneys for Plaintiff

BY: 

Jacqueline M. Della Chiesa  
401 Franklin Avenue, Suite 300  
Garden City, NY 11530  
(516) 812-4500

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

- - - - -X  
NEW YORK COMMUNITY BANK,

Plaintiff,

-against-

INDEX NO.

VERIFIED COMPLAINT

163-165 BRIDGE ROAD, LLC, DONNA MIGLIORE BROWN,  
UNITED STATES OF AMERICA (EASTERN DISTRICT),  
CLERK OF THE SUFFOLK COUNTY TRAFFIC & PARKING  
VIOLATIONS AGENCY, CLERK OF THE SUFFOLK COUNTY  
DISTRICT COURT, NORTH SHORE LIJ MEDICAL GROUP  
DEPARTMENT OF EMERGENCY MEDICINE, COMMISSIONER  
OF THE STATE INSURANCE FUND, NEW YORK STATE  
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TRADING-SRL CORP., AMSTONE PREMIUM SURFACES,  
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EAST DIV. INC., HAUPPAUGE TILE & MARBLE, INC.,  
"JOHN DOE #1" through "JOHN DOE #20," the last  
twenty names being fictitious and unknown to  
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interest in or lien upon the premises,  
described in the complaint,

Defendants.

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The complaint of the above-named plaintiff, by STAGG, TERENCE,  
CONFUSIONE & WABNIK, LLP, its attorneys, alleges:

**THE PARTIES**

1. That at all times hereinafter mentioned, plaintiff, New  
York Community Bank (the "Plaintiff") was and still is a New York  
State chartered savings bank, having its principal place of business  
at 615 Merrick Ave., Westbury, NY 11590.

2. At all times relevant herein, Plaintiff was and is the owner and holder of the mortgage note and mortgage executed by 163-165 Bridge Road, LLC (the "Borrower") more particularly described below affecting the real property which is the subject of this foreclosure action.

3. At all times relevant herein, the Borrower (i) was and still is a domestic corporation organized and existing pursuant to the laws of the State of New York; (ii) was and still is transacting or doing business within the State of New York; and (iii) was and still is the obligor on the mortgage note and mortgage on the property known as 163 Bridge Road, Hauppauge, NY 11788 a/k/a 163-165 Bridge Road, Hauppauge, NY 11788 a/k/a 163 Bridge Road, Islandia, NY 11749 a/k/a 163-165 Bridge Road, Islandia, NY 11749 and located within the County of Suffolk, State of New York (the "Premises") and more particularly described on Schedule A annexed hereto.

4. Defendant Donna Migliore Brown (the "Guarantor") is named as a defendant herein by virtue of a certain Hazardous Material Guaranty and Indemnification Agreement executed and delivered to Plaintiff on October 9, 2007 (the "Guarantee") whereby, inter alia, Guarantor absolutely and unconditionally guaranteed to Plaintiff that Borrower will fully comply with all the terms, covenants and provisions of paragraph 10 of the subject mortgage and that if Borrower fails to comply, Guarantor

shall reimburse Plaintiff upon demand for all costs and expenses incurred by Plaintiff to the extent not otherwise reimbursed to Plaintiff by Borrower in connection with Plaintiff performing Borrower's obligations as set forth in paragraph 10 of the mortgage.

5. Additionally, Guarantor is named as a defendant herein by virtue of a certain Springing Lease ("Springing Lease") executed and delivered to Plaintiff on October 9, 2007 whereby Guarantor acknowledged that the Springing Lease serves as additional collateral for the Mortgage as a guarantee of performance in payment of the mortgage loan and under the Assignment of Rents and Leases.

6. Defendant United States of America (Eastern District) is named as a defendant herein by virtue of the fact that in May 2012 it docketed a lien against Donna Migliore a/k/a Donna Brown, a copy of which is annexed hereto and which is subordinate to the lien of Plaintiff's mortgage sought to be foreclosed herein.

7. Defendant Clerk of the Suffolk County Traffic & Parking Violations Agency is named as a defendant herein by virtue of the fact that in March 2017 it docketed a judgment against Donna M. Brown, a copy of which is annexed hereto and which is subordinate to the lien of Plaintiff's mortgage sought to be foreclosed herein.

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