

INSTRUCTIONS:
Place only **ONE** letter or number in each space
and leave a blank space between words.

**CIVIL COURT OF THE CITY OF NEW YORK
SMALL CLAIMS PART
STATEMENT OF CLAIM**

I. CLAIMANT'S INFORMATION

(Your)

LAST NAME SASSOWER

FIRST NAME ELENA MIDDLE INITIAL R

ADDRESS (NO P.O. BOX) 10 Stewart Place, Apt. 2D-E

BOROUGH, CITY, TOWN OR VILL. White Plains STATE NY ZIP 10603

OTHER INFO

[Doing Business As] [In Care Of] PHONE NO. 914-455-4373

[Attention To] **Circle One**

II. DEFENDANT'S INFORMATION*

(Their)

LAST NAME CAPELLEN (or Full Business Name)

FIRST NAME ANNA MIDDLE INITIAL

ADDRESS (NO P.O. BOX) 285 Lafayette Street, Apt. 2B

BOROUGH CITY, TOWN OR VILL. New York STATE N Y ZIP 10012

OTHER INFO

[Doing Business As] [In Care Of] PHONE NO. 917-855-4277

[Attention To] **Circle One**

III. CLAIM

Amount Claimed: \$ 5,000.00 (Maximum \$5,000) Date of Occurrence or Transaction: May 27, 2013

Place of occurrence, if Auto Accident

PRIMARY REASON FOR CLAIM (Check One):

- | | | | | |
|----------------------------|---|---|---|---|
| Damage caused to: | automobile | <input checked="" type="checkbox"/> other personal property | <input checked="" type="checkbox"/> real property | person |
| Failure to provide: | proper repairs | proper services | proper merchandise | goods paid for |
| Failure to return: | security | property | deposit | money loaned |
| Failure to pay: | salary | <input checked="" type="checkbox"/> for services rendered | insurance claim | |
| | rent | commissions | for goods sold and delivered | |
| Breach of. | <input checked="" type="checkbox"/> contract | <input checked="" type="checkbox"/> lease | warranty | agreement |
| Loss of: | luggage | <input checked="" type="checkbox"/> property | time from work | <input checked="" type="checkbox"/> use of property |
| Returned: | check (bounced) | check (stopped) | | |
| Other: (Be brief) | May 17, 2013 letter stating claim + giving notice * | | | |

IDENTIFYING NUMBER(S) - (Receipt #, Claim #, Account #, Policy #, Ticket #, License #, Plate #'(s)) Feb2012-LeaseAgreen

January 6, 2014 January 17, 2014 *Elena Sassower*

Today's Date Signature of Claimant or Agent

CERT'D #

COA CODE

CLAIM AMT. \$

FEE

STANDARD FEE

CLAIMANT V. DEFENDANT

NO FEE

DEFENDANT V. THIRD PARTY

CLAIMANT V. ADD'L DEFENDANT

POSTAGE ONLY

WAGE CLAIM TO \$300

LANGUAGE

DATE DATA ENTERED

DATE NOTICES MAILED

CASE TYPE:

MULTI DFT CTR/CLM

3 PARTY CRS/CMPLT

FIRST DATE

DAY COURT

STATUTORY OTHER

business name should be obtained from the **FREE CIVIL COURT FORM**

No fee may be charged to fill in this form.

Form can be found at

* Defendant's failure to pay with dates as specified in lease + damage to owner's property

* DEFENDANT'S NAME: The **legal** name will be required in order to obtain an enforceable judgment. If the Defendant is a **business**, its full and correct Office of the County Clerk in the county in which the business is located or check on the following website: www.dos.state.ny.us.

DEFENDANT'S ADDRESS: YOU must indicate the proper street address of the Defendant. A Post Office Box is not acceptable.

Civil Court of the City of New York
Small Claims/ Commercial Claims Part – County of New York
111 Centre Street (75 Lafayette St. entrance)
New York, New York 10013

Today's Date: 01-22-2014
Index No.:
157 N5C 2014
FEE: 20.00 Paid
SASSOMER vs. CAPELLEN
Your Case is Scheduled for:
Thursday,
April 3, 2014

TIME OF HEARING: 6:10 PM PLACE: Above address, Room 353
Postponements: Do not call the clerk to request a postponement.
Any request for adjournment will be decided at the time of the hearing
by the presiding Judge.

INSTRUCTIONS TO CLAIMANT

HEARING

You must be present, with any witness(es) and/or other proof of your claim, at the time and place indicated above. If your claim is for property damage, in order to prove your claim you must produce at the time of trial, either:

- (1) An Expert Witness (for example, a Mechanic)
- (2) A Paid Receipt (Itemized, marked "Paid," and signed), or
- (3) Two Estimates for services or repairs (itemized and signed)

Once service of the Notice of Claim is complete, you may request the Clerk to issue a Subpoena for Records and/or a Subpoena to Testify, to compel someone to appear. Such Subpoenas are issued by the Court without any fee, but you will be required to pay a fee to the person on whom the Subpoena is served. Your request for such Subpoena must be made of the Clerk before the date of the Hearing.

If you have not received a copy of the booklet "A Guide to Small Claims" or "A Guide to Commercial Claims," please request one.

JUDGES AND ARBITRATORS

The Judge can only hear a limited number of cases at each session of Court. Most Hearings are held before volunteer Arbitrators who are attorneys with at least five years of experience and thoroughly knowledgeable in the law.

The decision of a Judge is subject to appeal but no appeal of an Arbitrator's decision is permitted since there is no official court transcript of Hearings held before Arbitrators.

Either party may choose to have the case heard only by the Judge, by responding, "by the Court," at the time of the calendar call. If you request your case "by the Court" it is quite possible that you will have to return for trial at another time.

INSTRUCTIONS FOR ANSWERING THE CALENDAR CALL

If you are ready for trial and you are willing to have your case heard by an Arbitrator...	Answer: (Your Name/Claimant), Ready
If you wish: to request a postponement of your case, to change the amount of the claim, or to add an additional party...	Answer: Your Name, Application
If you are ready for trial but you are not willing to have your case heard by an Arbitrator and you are requesting that the case be heard only by the Judge ...	Answer: Your Name, Ready By the Court

RESULT OF NON-APPEARANCE (DEFAULT)

If the Defendant (the person you are suing) fails to answer or appear for trial an Inquest may be held. In an Inquest, you (the Claimant) must prove your case to the satisfaction of the Arbitrator even though the Defendant is not present. In almost all instances the Inquest will result in a **Judgment** in favor of the Claimant.

If you (the Claimant who is suing) fail to appear, the case will generally be **Dismissed**.

SETTLEMENT

If you and the Defendant are able to work out a settlement, the written agreement (Stipulation of Settlement) should be filed with the Court. This should be done on or before the date set for the Hearing. The document provided to the Court must include the SC Number of your case and the year.

If the Defendant admits the claim but desires more time to pay, and you are not willing to accept the plan for payment, you must both appear personally on the date set for the Hearing. At that time, with the aid of the Court, you may be able to reach agreement on the terms of payment.

AVISO: ESTA INFORMACIÓN ESTÁ DISPONIBLE EN ESPAÑOL BAJO PEDIDO.
→ BRING THIS SHEET WITH YOU AT ALL TIMES ←

EX B-2