

STATE OF NEW YORK
SUPREME COURT
COUNTY OF ONONDAGA

IROQUOIS NURSING HOME, INC.

4600 Southwood Heights Drive
Jamesville, NY 13078

Plaintiff,

Vs.

**JAMES MONTO, III a/k/a JAMES
MONTO, Individually and as
Executor of the ESTATE OF ANNA
POPLAWSKI**

164 Forest Hill Drive
Syracuse, NY 13206

DAVID FALCI and
THOMAS FALCI

Defendants.

**AFFIDAVIT OF CONFESSION
OF JUDGMENT AGAINST JAMES
MONTO, III a/k/a JAMES MONTO,
Individually and as Executor of the
ESTATE OF ANNA POPLAWSKI**

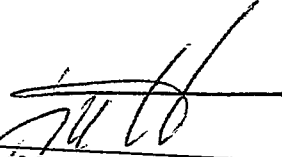
Index No.: 2012-6444

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

JAMES MONTO, III a/k/a James Monto, Individually and as Executor of the Estate of Anna Poplawski (hereafter "James Monto"), being duly sworn, deposes and says he is one of the Defendants herein. The Defendant, James Monto, hereby confesses judgment and authorizes entry thereof against Defendant, James Monto, in the sum of Twenty Eight Thousand Seven Hundred Four and 10/100 Dollars (\$28,704.10) with interest from January 9, 2012 at nine percent (9%) per year, plus statutory costs and disbursements of the action.

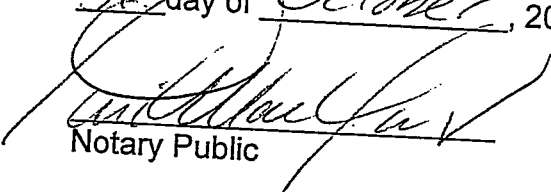
Defendant, James Monto, resides at the address stated above, in the County of Onondaga , State of New York. Defendant, James Monto, authorizes entry of judgment in Onondaga County, New York.

This Confession of Judgment is for a debt justly due to the Plaintiff arising from the following facts: Defendant, James Monto, is indebted to Plaintiff by pursuant to the Plaintiff's Complaint filed in this action in the Onondaga County Clerk's office on December 6, 2012 under Index No.: 2012-6444.



James Monto, III a/k/a James Monto,
Individually and as Executor of the
Estate of Anna Poplawski

Sworn to before me this
31st day of October, 2013.



Notary Public

LISA MAE YURTSEVER
Lic. #01YU6142444
Notary Public-State of New York
Qualified in Onondaga County
My Commission Expires 03/20/2014

STATE OF NEW YORK
SUPREME COURT
COUNTY OF ONONDAGA
IROQUOIS NURSING HOME, INC.,

Plaintiff,

Vs.

**STIPULATION DISCONTINUING THE
ACTION, WITH PREJUDICE
AGAINST DAVID FALCI AND
THOMAS FALCI**

JAMES MONTO, III a/k/a JAMES
MONTO, Individually and as Executor
of the ESTATE OF ANNA
POPLAWSKI,

Index No.: 2012-6444

DAVID FALCI and

THOMAS FALCI,

Defendants.

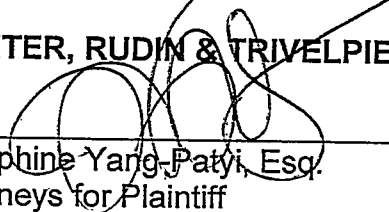
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above-entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued AS AGAINST DAVID FALCI AND THOMAS FALCI, as to both claim and any counterclaim, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

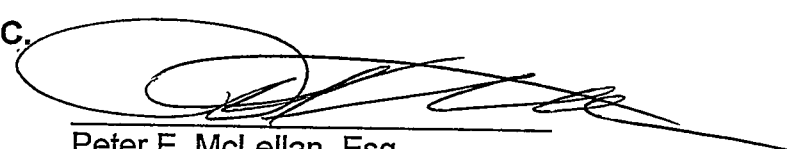
This discontinuance is with prejudice.

Dated: ^{November} ~~October~~ 2, 2013.

Dated: ^{NOVEMBER} ~~October~~ 4, 2013.

MENTER, RUDIN & TRIVELPIECE, P.C.

By: 
Josephine Yang-Patyi, Esq.
Attorneys for Plaintiff
Office and P.O. Address
308 Maltbie Street, Ste. 200
Syracuse, NY 13204
Tel: 315/474-7541


Peter E. McLellan, Esq.
Attorney for Defendants
Office and P.O. Address
1117 East Genesee Street
Syracuse, NY 13210
Tel: 315/425-6161

STATE OF NEW YORK
SUPREME COURT
COUNTY OF ONONDAGA

File No.: VI929

IROQUOIS NURSING HOME, INC.

Plaintiff,

-vs-

**JUDGMENT BY CONFESSION (by
James Monto, III a/k/a James Monto,
Individually and as Executor of the
Estate of Anna Poplawski only)**

**JAMES MONTO, III a/k/a JAMES
MONTO, Individually and as
Executor of the ESTATE OF ANNA
POPLAWSKI**

Index No.: 2012-6444
RJI No.: 33-13-1355

DAVID FALCI

Address of Plaintiff: 4600 Southwood
Heights Drive, Jamesville, NY 13078

THOMAS FALCI,


Defendants.

Amount Confessed: \$28,704.10
Interest at the rate of 9% per annum
from January 9, 2012: \$ 4,713.76

Total Principal & Interest: \$33,417.86

COSTS BY STATUTE: \$ 15.00
TRANSCRIPTS & DOCKETING: \$ 00.00
SHERIFF'S FEES ON EXECUTION: \$ 45.00
INDEX NUMBER: \$210.00
MOTION FEE: \$ 45.00
RJI FEE: \$ 95.00

COSTS TAXED AT: 410



CLERK

Total Costs & Disbursements: \$ 410.00

TOTAL JUDGMENT: \$33,827.86

331F0070

Handwritten mark

Attorneys Affirmation

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

The undersigned, attorney at law of the State of New York who is associated with the firm of MENTER, RUDIN & TRIVELPIECE, P.C., the attorneys for Plaintiff herein, states that the disbursements above specified are correct and true and have been or will necessarily be made or incurred herein and are reasonable in amount. The undersigned affirms this statement to be true under the penalties of perjury.

DATED: November 5, 2013.



Josephine Yang-Patyi

JUDGMENT entered the 6 day of November, 2013.

On filing the foregoing Affidavit of Confession of Judgment made by the Defendant, JAMES MONTO, III a/k/a JAMES MONTO, Individually and as EXECUTOR OF THE ESTATE OF ANNA POPLAWSKI , herein, sworn to on October 31,2013,

NOW, ON MOTION OF MENTER, RUDIN & TRIVELPIECE, P.C., attorneys for Plaintiff, it is

ADJUDGED, that **IROQUOIS NURSING HOME, INC.**, Plaintiff, residing at 4600 Southwood Heights Drive, Jamesville, NY 13078, recover of **JAMES MONTO, III a/k/a JAMES MONTO, Individually and as EXECUTOR OF THE ESTATE OF ANNA POPLAWSKI**, Defendant, residing at 164 Forest Hill Drive, Syracuse, NY 13206, the sum of \$33,417.86 with interest, and \$410.00 as costs and disbursements, amounting in all to \$33,827.86, and that Plaintiff have execution therefor.



Clerk

Menter, Rudin & Trivelpiece, P.C.
Attorneys for Plaintiff
Office and Post Office Address
308 Maltbie Street, Suite 200
Syracuse, New York 13204-1498
Telephone: (315) 474-7541

MALCOLM M. MERRILL
DEPUTY COUNTY CLERK

331F0071

STATE OF NEW YORK
SUPREME COURT COUNTY OF ONONDAGA

IROQUOIS NURSING HOME, INC.,

Plaintiff,

vs.

CONSENT TO CHANGE
ATTORNEY

JAMES MONTO, III a/k/a JAMES
MONTO, Individually and as
Executor of the ESTATE OF ANNA
POPLAWSKI,

Index No.: 2012-6444

DAVID FALCI

THOMAS FALCI,

Defendants.

PLEASE TAKE NOTICE:

IT IS HEREBY CONSENTED, that the Yang-Patyi Law Firm, PLLC, with offices at 2700 Court Street, Suite 8, Syracuse, New York 13208, be substituted as attorneys of record for the undersigned party in the above-entitled proceeding in place and stead of Menter, Rudin & Trivelpiece, P.C., 308 Maltbie Street, Suite 200, Syracuse, New York 13204, as of the final date below.

IROQUOIS NURSING HOME, INC.

Dated: March 4, 2016



SONYA M. MOSHIER
PRESIDENT AND CHIEF EXECUTIVE OFFICER

Dated: March 15, 2016

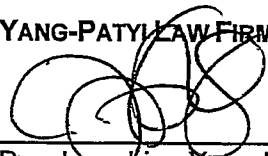
MENTER, RUDIN & TRIVELPIECE, P.C.



By: Mitchell J. Katz, Esq.

Dated: 3/22, 2016

YANG-PATYI LAW FIRM, PLLC



By: Josephine Yang-Patyi, Esq.