

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

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DANIEL KRAMER,

Index No.: 157527/2013

Plaintiff,

-against-

**VERIFIED ANSWER TO
SECOND AMENDED
VERIFIED COMPLAINT**

ARA HOVNANIAN, RACHEL LEE HOVNANIAN,
AUTUN CONTRACTORS, WILLIAM F. O'NEILL
ARCHITECTS, GILSANZ MURRAY STEFICEK LLP,
PILLORI ASSOCIATES, PA, and SIGNATURE
INTERIOR DEMOLITION, INC.,

Defendants.

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Defendant, SIGNATURE INTERIOR DEMOLITION, INC. ("Signature"), by its attorneys, MIRANDA SAMBURSKY SLONE SKLARIN VERVENIOTIS LLP, hereby answers the Second Second Amended Verified Complaint, dated November 17, 2015, upon information and belief as follows:

1. Denies the allegations contained in paragraph "1" of the Second Amended Verified Complaint.
2. Denies the allegations contained in paragraph "2" of the Second Amended Verified Complaint.
3. Denies the allegations contained in paragraph "3" of the Second Amended Verified Complaint.

PARTIES

4. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "4" of the Second Amended Verified Complaint.

5. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “5” of the Second Amended Verified Complaint.
6. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “6” of the Second Amended Verified Complaint.
7. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “7” of the Second Amended Verified Complaint.
8. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “8” of the Second Amended Verified Complaint.
9. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “9” of the Second Amended Verified Complaint.
10. Admits the allegations contained in paragraph “10” of the Second Amended Verified Complaint.
11. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “11” of the Second Amended Verified Complaint.
12. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “12” of the Second Amended Verified Complaint.
13. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “13” of the Second Amended Verified Complaint.

JURISDICTION AND VENUE

14. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “14” of the Second Amended Verified Complaint and respectfully refers all questions of law to the Court.

15. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "15" of the Second Amended Verified Complaint and respectfully refers all questions of law to the Court.
16. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "16" of the Second Amended Verified Complaint and respectfully refers all questions of law to the Court.
17. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "17" of the Second Amended Verified Complaint and respectfully refers all questions of law to the Court.

FACTS

18. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "18" of the Second Amended Verified Complaint.
19. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "19" of the Second Amended Verified Complaint.
20. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "20" of the Second Amended Verified Complaint.
21. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "21" of the Second Amended Verified Complaint.
22. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "22" of the Second Amended Verified Complaint.
23. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "23" of the Second Amended Verified Complaint.

24. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "24" of the Second Amended Verified Complaint.
25. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "25" of the Second Amended Verified Complaint.
26. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "26" of the Second Amended Verified Complaint.
27. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "27" of the Second Amended Verified Complaint.
28. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "28" of the Second Amended Verified Complaint.
29. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "29" of the Second Amended Verified Complaint.
30. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "30" of the Second Amended Verified Complaint.
31. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "31" of the Second Amended Verified Complaint.
32. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "32" of the Second Amended Verified Complaint.
33. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "33" of the Second Amended Verified Complaint.
34. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "34" of the Second Amended Verified Complaint.

35. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "35" of the Second Amended Verified Complaint.
36. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "36" of the Second Amended Verified Complaint.
37. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "37" of the Second Amended Verified Complaint.
38. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "38" of the Second Amended Verified Complaint.
39. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "39" of the Second Amended Verified Complaint.
40. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "40" of the Second Amended Verified Complaint.
41. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "41" of the Second Amended Verified Complaint.
42. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "42" of the Second Amended Verified Complaint.
43. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "43" of the Second Amended Verified Complaint.
44. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "44" of the Second Amended Verified Complaint.
45. Denies the allegations contained in paragraph "45" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information

sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

46. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "46" of the Second Amended Verified Complaint.
47. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "47" of the Second Amended Verified Complaint.
48. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "48" of the Second Amended Verified Complaint.
49. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "49" of the Second Amended Verified Complaint.
50. Denies the allegations contained in paragraph "50" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
51. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "51" of the Second Amended Verified Complaint.
52. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "52" of the Second Amended Verified Complaint.
53. Denies the allegations contained in paragraph "53" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

54. Denies the allegations contained in paragraph "54" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
55. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "55" of the Second Amended Verified Complaint.
56. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "56" of the Second Amended Verified Complaint.
57. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "57" of the Second Amended Verified Complaint.
58. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "58" of the Second Amended Verified Complaint.
59. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "59" of the Second Amended Verified Complaint.
60. Denies the allegations contained in paragraph "60" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
61. Denies the allegations contained in paragraph "61" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

62. Denies the allegations contained in paragraph "62" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
63. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "63" of the Second Amended Verified Complaint.
64. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "64" of the Second Amended Verified Complaint.
65. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "65" of the Second Amended Verified Complaint.
66. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "66" of the Second Amended Verified Complaint.
67. Denies the allegations contained in paragraph "67" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
68. Denies the allegations contained in paragraph "68" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
69. Denies the allegations contained in paragraph "69" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information

sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

70. Denies the allegations contained in paragraph "70" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
71. Denies the allegations contained in paragraph "71" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
72. Denies the allegations contained in paragraph "72" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
73. Denies the allegations contained in paragraph "73" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
74. Denies the allegations contained in paragraph "74" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

75. Denies the allegations contained in paragraph "75" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
76. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "76" of the Second Amended Verified Complaint.
77. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "77" of the Second Amended Verified Complaint.
78. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "78" of the Second Amended Verified Complaint.
79. Denies the allegations contained in paragraph "79" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
80. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "80" of the Second Amended Verified Complaint.
81. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "81" of the Second Amended Verified Complaint.
82. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "82" of the Second Amended Verified Complaint.
83. Denies the allegations contained in paragraph "83" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information

sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

84. Denies the allegations contained in paragraph "84" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
85. Denies the allegations contained in paragraph "85" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
86. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "86" of the Second Amended Verified Complaint.
87. Denies the allegations contained in paragraph "87" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
88. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "88" of the Second Amended Verified Complaint.
89. Denies the allegations contained in paragraph "89" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

90. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "90" of the Second Amended Verified Complaint.
91. Denies the allegations contained in paragraph "91" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
92. Denies the allegations contained in paragraph "92" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
93. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "93" of the Second Amended Verified Complaint.
94. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "94" of the Second Amended Verified Complaint.
95. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "95" of the Second Amended Verified Complaint.
96. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "96" of the Second Amended Verified Complaint.
97. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "97" of the Second Amended Verified Complaint.
98. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "98" of the Second Amended Verified Complaint.

99. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "99" of the Second Amended Verified Complaint.
100. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "100" of the Second Amended Verified Complaint.
101. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "101" of the Second Amended Verified Complaint.
102. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "102" of the Second Amended Verified Complaint.
103. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "103" of the Second Amended Verified Complaint.
104. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "104" of the Second Amended Verified Complaint.
105. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "105" of the Second Amended Verified Complaint.
106. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "106" of the Second Amended Verified Complaint.

ANSWERING THE FIRST CAUSE OF ACTION AGAINST DEFENDANTS ARA HOVNANIAN AND RACHEL LEE HOVNANIAN FOR BREACH OF CONTRACT

107. As and for a response to paragraph "107" in plaintiff's Second Amended Verified Complaint, defendant repeats and realleges each and every allegation contained in paragraphs "1" through "106" of this Verified Answer with the same force and effect as if fully set forth at length herein.

108. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "108" of the Second Amended Verified Complaint.
109. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "109" of the Second Amended Verified Complaint.
110. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "110" of the Second Amended Verified Complaint.
111. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "111" of the Second Amended Verified Complaint.
112. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "112" of the Second Amended Verified Complaint.
113. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "113" of the Second Amended Verified Complaint.
114. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "114" of the Second Amended Verified Complaint.
115. Denies the allegations contained in paragraph "115" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
116. Denies the allegations contained in paragraph "116" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

117. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "117" of the Second Amended Verified Complaint.
118. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "118" of the Second Amended Verified Complaint.
119. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "119" of the Second Amended Verified Complaint.
120. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "120" of the Second Amended Verified Complaint.
121. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "121" of the Second Amended Verified Complaint.
122. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "122" of the Second Amended Verified Complaint.
123. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "123" of the Second Amended Verified Complaint.
124. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "124" of the Second Amended Verified Complaint.
125. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "125" of the Second Amended Verified Complaint.
126. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "126" of the Second Amended Verified Complaint.
127. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "127" of the Second Amended Verified Complaint.

128. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "128" of the Second Amended Verified Complaint.
129. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "129" of the Second Amended Verified Complaint.
130. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "130" of the Second Amended Verified Complaint.
131. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "131" of the Second Amended Verified Complaint.
132. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "132" of the Second Amended Verified Complaint.
133. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "133" of the Second Amended Verified Complaint.
134. Denies the allegations contained in paragraph "134" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
135. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "135" of the Second Amended Verified Complaint.
136. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "136" of the Second Amended Verified Complaint.
137. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "137" of the Second Amended Verified Complaint.

138. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "138" of the Second Amended Verified Complaint.
139. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "139" of the Second Amended Verified Complaint.
140. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "140" of the Second Amended Verified Complaint.
141. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "141" of the Second Amended Verified Complaint.
142. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "142" of the Second Amended Verified Complaint.
143. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "143" of the Second Amended Verified Complaint.
144. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "144" of the Second Amended Verified Complaint.

ANSWERING THE SECOND CAUSE OF ACTION AGAINST DEFENDANTS ARA HOVNANIAN, RACHEL LEE HOVNANIAN, AUTUN CONTRACTORS, SIGNATURE DEMOLITION, INC., JG CONSTRUCTION OF QUEENS INC., SUPER JC CONSTRUCTION CORPORATION AND MITCHELL IRON WORKS FOR NEGLIGENCE

145. As and for a response to paragraph "145" in plaintiff's Second Amended Verified Complaint, defendant repeats and realleges each and every allegation contained in paragraphs "1" through "144" of this Verified Answer with the same force and effect as if fully set forth at length herein.

146. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "146" of the Second Amended Verified Complaint and respectfully refers all questions of law to the Court.
147. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "147" of the Second Amended Verified Complaint and respectfully refers all questions of law to the Court.
148. Denies the allegations contained in paragraph "148" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
149. Denies the allegations contained in paragraph "149" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
150. Denies the allegations contained in paragraph "150" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
151. Denies the allegations contained in paragraph "151" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

152. Denies the allegations contained in paragraph “152” of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
153. Denies the allegations contained in paragraph “153” of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
154. Denies the allegations contained in paragraph “154” of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
155. Denies the allegations contained in paragraph “155” of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

ANSWERING THE THIRD CAUSE OF ACTION AGAINST DEFENDANTS ARA HOVNANIAN, RACHEL LEE HOVNANIAN, O’NEILL ARCHITECTS, GILSANZ MURRAY STEFICEK LLP, AND PILLORI ASSOCIATES, PA FOR NEGLIGENCE

156. As and for a response to paragraph “156” in plaintiff’s Second Amended Verified Complaint, defendant repeats and realleges each and every allegation contained in paragraphs “1” through “155” of this Verified Answer with the same force and effect as if fully set forth at length herein.

157. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "157" of the Second Amended Verified Complaint.
158. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "158" of the Second Amended Verified Complaint.
159. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "159" of the Second Amended Verified Complaint.
160. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "160" of the Second Amended Verified Complaint.
161. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "161" of the Second Amended Verified Complaint.
162. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "162" of the Second Amended Verified Complaint.
163. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "163" of the Second Amended Verified Complaint.
164. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "164" of the Second Amended Verified Complaint.
165. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "165" of the Second Amended Verified Complaint.
166. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "166" of the Second Amended Verified Complaint.
167. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "167" of the Second Amended Verified Complaint.

168. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "168" of the Second Amended Verified Complaint.

ANSWERING THE FOURTH CAUSE OF ACTION AGAINST DEFENDANTS ARA HOVNANIAN, RACHEL LEE HOVNANIAN, AUTUN CONTRACTING, SIGNATURE DEMOLITION, INC., JG CONSTRUCTION OF QUEENS INC., SUPER JC CONSTRUCTION CORPORATION AND MITCHELL IRON WORKS FOR STRICT LIABILITY PURSUANT TO BUILDING CODE §3309.4

169. As and for a response to paragraph "169" in plaintiff's Second Amended Verified Complaint, defendant repeats and realleges each and every allegation contained in paragraphs "1" through "168" of this Verified Answer with the same force and effect as if fully set forth at length herein.

170. Denies the allegations contained in paragraph "170" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

171. Denies the allegations contained in paragraph "171" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

172. Denies the allegations contained in paragraph "172" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

173. Denies the allegations contained in paragraph "173" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information

sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

**ANSWERING THE FIFTH CAUSE OF ACTION AGAINST
ALL DEFENDANTS FOR PERMANENT INJUNCTION**

174. As and for a response to paragraph “174” in plaintiff’s Second Amended Verified Complaint, defendant repeats and realleges each and every allegation contained in paragraphs “1” through “173” of this Verified Answer with the same force and effect as if fully set forth at length herein.
175. Denies the allegations contained in paragraph “175” of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
176. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “176” of the Second Amended Verified Complaint.
177. Denies the allegations contained in paragraph “177” of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
178. Denies the allegations contained in paragraph “178” of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

179. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "179" of the Second Amended Verified Complaint.
180. Denies the allegations contained in paragraph "180" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
181. Denies the allegations contained in paragraph "181" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
182. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "182" of the Second Amended Verified Complaint.
183. Denies the allegations contained in paragraph "183" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.
184. Denies the allegations contained in paragraph "184" of the Second Amended Verified Complaint as they relate to Signature and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations as they relate to the other defendants.

**ANSWERING THE SIXTH CAUSE OF ACTION AGAINST DEFENDANTS
ARA HOVNANIAN AND RACHEL LEE HOVNANIAN FOR PRIVATE NUISANCE**

185. As and for a response to paragraph “185” in plaintiff’s Second Amended Verified Complaint, defendant repeats and realleges each and every allegation contained in paragraphs “1” through “184” of this Verified Answer with the same force and effect as if fully set forth at length herein.
186. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “186” of the Second Amended Verified Complaint.
187. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “187” of the Second Amended Verified Complaint.
188. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “188” of the Second Amended Verified Complaint.
189. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “189” of the Second Amended Verified Complaint.
190. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “190” of the Second Amended Verified Complaint.
191. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “191” of the Second Amended Verified Complaint.
192. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “192” of the Second Amended Verified Complaint.
193. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “193” of the Second Amended Verified Complaint.

194. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "194" of the Second Amended Verified Complaint.
195. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "195" of the Second Amended Verified Complaint.
196. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "196" of the Second Amended Verified Complaint.
197. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "197" of the Second Amended Verified Complaint.
198. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "198" of the Second Amended Verified Complaint.
199. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "199" of the Second Amended Verified Complaint.
200. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "200" of the Second Amended Verified Complaint.
201. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "201" of the Second Amended Verified Complaint.
202. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "202" of the Second Amended Verified Complaint.
203. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "203" of the Second Amended Verified Complaint.
204. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "204" of the Second Amended Verified Complaint.

205. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph "205" of the Second Amended Verified Complaint.

AFFIRMATIVE DEFENSES

AS AND FOR A FIRST AFFIRMATIVE DEFENSE:

Any injuries or damages suffered by plaintiff were caused solely by his own negligence or culpable conduct and not by any negligence of the answering defendants.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

Any injuries or damages suffered by plaintiff were caused solely, or in part, by his own negligence and any recovery by plaintiff must be diminished in proportion to that part of its injuries or damages attributable to its own negligence.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE:

Any injuries or damages suffered by plaintiff were not caused by a negligent act or omission of the answering defendant or any individual or entity acting under their direction or control.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE:

The Second Amended Verified Complaint fails to state a cause of action upon which relief may be granted against the answering defendant.

AS AND FOR A FIFTH AFFIRMATIVE DEFENSE:

Any verdict or judgment must be reduced pursuant to CPLR §4545(c) by those amounts which have or will, with reasonable certainty, replace or indemnify plaintiff in whole or in part, for any past or future claimed economic loss, from any collateral source.

AS AND FOR A SIXTH AFFIRMATIVE DEFENSE:

The legal action falls within the limited liability provisions of CPLR §1601, and the liability of the answering defendants, if any, shall be limited to their equitable share of the total liability.

AS AND FOR A SEVENTH AFFIRMATIVE DEFENSE:

Plaintiff, at all relevant times, failed to take reasonable action to mitigate the injuries and damages alleged in the Second Amended Verified Complaint.

AS AND FOR AN EIGHTH AFFIRMATIVE DEFENSE:

The injuries, losses, damages and occurrences alleged in the Second Amended Verified Complaint were the result of an independent and intervening cause or causes over which the answering defendant had no control or right to control and in no way participated.

AS AND FOR A NINTH AFFIRMATIVE DEFENSE:

Any damages or injuries sustained by the plaintiff came about as a result of plaintiff's culpable conduct as defined in CPLR 1411, Article 14-A, and any recovery on the part of the plaintiff shall be diminished in accordance with guideline therein.

AS AND FOR A TENTH AFFIRMATIVE DEFENSE:

The claims in the Second Amended Verified Complaint are barred by the doctrine of waiver, laches, estoppel and unclean hands.

AS AND FOR AN ELEVENTH AFFIRMATIVE DEFENSE:

The claims in the Second Amended Verified Complaint are barred by the statute of limitations.

AS AND FOR A TWELFTH AFFIRMATIVE DEFENSE:

There is no privity between the plaintiff and answering defendant.

AS AND FOR A THIRTEENTH AFFIRMATIVE DEFENSE:

The answering defendant has defenses based upon documentary evidence.

AS AND FOR A FIRST CROSS-CLAIM AGAINST THE CO-DEFENDANTS

If plaintiff sustained any injuries as alleged, other than through its negligence, and if the answering defendants are found liable to plaintiff for any portion of those damages, then such liability shall derive from the carelessness, recklessness, negligence or intentional acts commissions or omissions on the part of the co-defendants, without any carelessness, recklessness, negligence and/or acts or commission or omission on the part of the answering defendants, and accordingly, the answering defendants are entitled to common-law and/or contractual indemnification over and against co-defendants, for the amount of any such award.

AS AND FOR A SECOND CROSS-CLAIM AGAINST THE CO-DEFENDANTS

If the plaintiff sustained the damages in the manner and at the time and place alleged through any carelessness, recklessness, negligence or intentional acts or commissions or omissions other than plaintiff's own, then said damages were sustained in whole or in part by reason of the carelessness, recklessness, negligence or intentional acts or commission or omissions on the part of co-defendants, and if any judgment is recovered herein against the answering defendants, then the answering defendants would be damaged thereby and would be entitled to contribution on the basis of apportionment of responsibility for the alleged occurrence and entitled to judgment over and against co-defendants, for all or part of any verdict or judgment that plaintiff may recover against the answering defendants, together with costs, disbursements and attorney fees for the action.

WHEREFORE, Defendant, SIGNATURE INTERIOR DEMOLITION, INC., demands judgment dismissing the Second Second Amended Verified Complaint, together with judgment

over and against the co-defendants, ARA HOVNANIAN, RACHEL LEE, HOVNANIAN, AUTUN CONTRACTORS, WILLIAM F. O'NEILL ARCHITECTS, GILSANZ MURRAY STEFICEK, LLP, PILLORI ASSOCIATES, PA, JG CONSTRUCTION OF QUEENS INC., SUPER JC CONSTRUCTION CORPORATION AND MITCHELL IRON WORKS on the cross-claims herein, together with the costs and disbursements of this action, and any other relief that this Court may deem appropriate.

Dated: January 12, 2016

MIRANDA SAMBURSKY SLONE
SKLARIN VERVENIOTIS LLP
Attorneys for Defendant
SIGNATURE INTERIOR DEMOLITION, INC.

By: 

Neil L. Sambursky
240 Mineola Boulevard
Mineola, New York 11501
(516) 741-7676
Our File No.: 13-484

TO: All Parties By NYSCEF

ATTORNEY'S VERIFICATION

The undersigned, an attorney admitted to practice in the Courts of the State of New York, hereby affirms:


That Affirmant is a member of the firm MIRANDA SAMBURSKY SLONE SKLARIN VERVENIOTIS LLP, the attorneys of record for the answering defendant in the within action; that Affirmant has read the foregoing **VERIFIED ANSWER TO SECOND AMENDED VERIFIED COMPLAINT** and knows the contents thereof; that the same is true to Affirmant's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters, Affirmant believes same to be true. Affirmant further states that the reason this Verification is made by Affirmant and not by defendant is that said defendant does not reside or have an office in Nassau County wherein Affirmant maintains offices.

The grounds of Affirmant's belief as to all matters not stated upon Affirmant's knowledge are as follows:

1. Records and correspondence in Affirmant's possession.

The undersigned affirms that the foregoing statements are true under the penalties of perjury.

Dated: January 12, 2016



NEIL L. SAMBURSKY