



SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

-----X  
MICHELLE GRAY,

Plaintiff,

-against-

TRI-STATE CONSUMER INSURANCE COMPANY,  
Defendant.  
-----X

Index No.: 705510/2013

SUPPLEMENTAL  
DEMAND FOR  
DISCOVERY AND  
INSPECTION

PLEASE TAKE NOTICE that pursuant to §3101, §3102, and §3120 of the Civil Practice Law and Rules, Plaintiff's attorneys GREENELATT & AGULNICK, P.C., hereby demands that Defendant TRI-STATE CONSUMER INSURANCE COMPANY, respond to the following Supplemental Demands for Discovery and Inspection within twenty (20) days from the date of service of these Demands:

1. Provide and identify with specificity the language within the insurance policy that states, "replacement cost is equal to four times the actual cash value," as testified to by Penny Hart.
2. Provide any documentations, emails, memorandum, notes, or anything which references the Tri-State policy that "replacement cost is equal to four times the actual cash value," as testified to by Penny Hart.
3. Provide a sworn verification page for Defendant's Response to Plaintiff's Demand for Interrogatories.
4. Provide true and complete copies of Defendant's claim records for all fire claims for the last three years, redacting only those items which are the subject of 22 NYCRR 202.5(e), in addition to medical information governed by the

Health Insurance Portability and Accountability Act.

5. Provide true and complete copies of Defendant's records of fire claim estimates for the last year, redacting only those items which are the subject of 22 NYCRR 202.5(e), in addition to medical information governed by the Health Insurance Portability and Accountability Act.
6. Provide true and complete copies of any and all documents referencing or memorializing Defendant's policy of paying eighty percent (80%) of the depreciated value of the claim, as testified to by Penny Hart.
7. All notes, timesheets, payment records, photographs, handwritten notes, charts, or any other documentation related to AAS's inspection and alleged inventory of the contents.

PLEASE TAKE FURTHER NOTICE, that this Demand shall be deemed to be a continuing demand during the pendency of the instant action, including the trial thereof. In the event of your failure and/or refusal to comply with the Demands herein, the Plaintiff shall seek to strike the Defendant's pleadings and/or preclude the testimony and/or evidence of any subject matter relating to the Demands herein.

Dated: Great Neck, New York  
April 17, 2015

Yours, etc.

GREENBLATT & AGULNICK, P.C.

By: 

Scott E. Agulnick, Esq.

Attorney for Plaintiff  
MICHELLE GRAY

55 Northern Blvd., Suite 302  
Great Neck, NY 11021  
Tel: (718) 352-4800  
Fax: (718) 732-2110

TO:

Eric Stern, Esq.  
KAUFMAN DOLOWICH & VOLUCK LLP  
Attorneys for Defendant  
TRI-STATE CONSUMER INSURANCE COMPANY  
135 Crossways Park Drive, Suite 201  
Woodbury, NY 11797

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK, COUNTY OF NASSAU SS.:

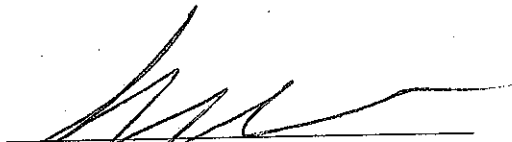
SARA O'HERN being duly sworn, deposes and says:

I am over 18 years of age, I am not a party to the action, and I reside in Suffolk County, in the State of New York.

I served a true copy of the annexed SUPPLEMENTAL DEMAND FOR DISCOVERY AND INSPECTION

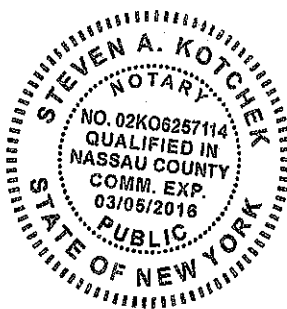
On **April 17, 2015** by mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee as indicated below:

Eric B. Stern, Esq.  
KAUFMAN DOLOWICH & VOLUCK LLP  
135 Crossways Park Drive South, Suite 201  
Woodbury, New York 11797

  
SARA O'HERN

Sworn to before me this 17 day of  
April, 2015

  
NOTARY PUBLIC



Index No: 705510/2013  
SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

MICHELLE GRAY,

Plaintiff,

against

TRI-STATE CONSUMER INSURANCE COMPANY,

Defendant.

SUPPLEMENTAL DEMAND FOR DISCOVERY AND INSPECTION

GREENBLATT & AGULNICK, P.C.

Attorneys for PLAINEIFF(s)

Office and Post Office Address, Telephone

55 Northern Boulevard, Suite 302

Great Neck, NY 11021

Tel: (718) 352-4800

Fax: (718) 732-2110

"WE DO NOT ACCEPT SERVICE BY ELECTRONIC TRANSMISSION (FAX)"

To:

Attorney(s) for DEFENDANT(S)

Certification pursuant to 22 NYCRR 130-1.1(a)

It is hereby certified that, to the best of the undersigned's knowledge, information and belief, formed after an inquiry reasonable under the circumstances, the presentation of the paper and/or the contentions herein are not frivolous as defined in section 130-1.1(c).

4/17/15  
Dated

  
SCOTT E. AGULNICK, ESQ.

Service of a copy of the within

is hereby admitted

Attorney(s) for