

NEW YORK STATE SUPREME COURT
COUNTY OF KINGS

-----X

Brett Wynkoop

Petitioner,

-against-

Judge Marcia J. Sikowitz, Judge David Alan Harris,

Respondents

All other Judges of the Civil Court - County of Kings
who may succeed Harris or Sikowitz, Kathleen Keske,
Eric Richmond, Marshall Justin P. Grossman,
622A President Street Owners Corporation

Nominal Respondents

-----X

Index No. 2714-18

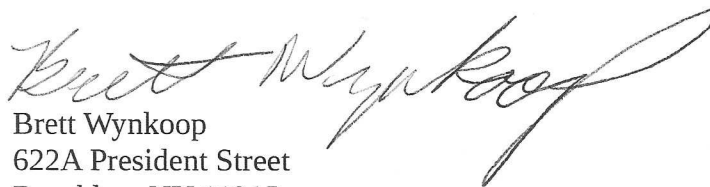
NOTICE OF CROSS MOTION

ORAL ARGUMENT DEMANDED

COURT REPORTER DEMANDED

PLEASE TAKE NOTICE that upon the accompanying affidavit of Brett Wynkoop, dated 28 January 2019, with appended exhibits; the memorandum of law in support of the cross-motion for default, sanctions, Transfer, Subpoena, to disqualify Counsel, the Amended Petition, dated December 3, 2018, and all prior pleadings and proceedings herein, the undersigned will move this Court at the Courthouse located at 360 Adams Street, Brooklyn, New York, 11201, Part 64, Room 296, on the 30th day of January, 2019, at 9:30.a.m., or as soon thereafter as counsel may be heard for an order finding Respondents in default under CPLR article 78, sanctioning attorneys Monica Hanna and Donald P. Sodroski for violations of Part 103.1 and Judicial Law 487, and other relief as outlined in Petitioners Papers and as the court may deem just and proper.

Dated: Brooklyn, New York
28 January 2019



Brett Wynkoop
622A President Street
Brooklyn, NY 11215
917-642-6925
wynkoop@wynn.com

NEW YORK STATE SUPREME COURT COUNTY OF KINGS -----X Brett Wynkoop Petitioner, -against- Judge Marcia J. Sikowitz, Judge David Alan Harris, Respondents All other Judges of the Civil Court - County of Kings who may succeed Harris or Sikowitz, Kathleen Keske, Eric Richmond, Marshall Justin P. Grossman, 622A President Street Owners Corporation Nominal Respondents -----X	Index No. 2714-18 CROSS MOTION FOR DEFAULT JUDGEMENT TRANSFER TO APPELLATE DIVISION SECOND DEPARTMENT SANCTIONS SUBPOENA LOWER COURT RECORDS DISQUALIFY COUNSEL ORAL ARGUMENT DEMANDED COURT REPORTER DEMANDED
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No Respondent Papers Properly Before The Court

1. Respondents' papers claiming to be "**IN SUPPORT OF MOTION TO DISMISS PETITION AND IN OPPOSITION TO ORDER TO SHOW CAUSE**" are not properly before this court. They were timely rejected under CPLR 3022.(EX-1).
2. Respondents served the same papers again by mail rather than personal service and did not correct their defects. This second service was timely rejected under CPLR 3022. (EX-2)
3. Both of the above sets of papers were rejected for improper verification. Petitioner does not waive the right to a properly verified response. As the court can see from EX-1 and EX-2 respondents were notified of the defects in their papers, yet chose to not correct their papers and never served corrected papers on Petitioner.

New York Consolidated Laws, Civil Practice Law and Rules - CVP - CVPNY CPLR Rule 3022 Rule 3022. Remedy for defective verification:

A defectively verified pleading shall be treated as an unverified pleading. Where a pleading is served without a sufficient verification in a case where the adverse party is entitled to a verified pleading, he may treat it as a nullity, provided he gives notice with due diligence to the attorney of the adverse party that he elects so to do.

4. On 2018-12-03 Petitioner served an amended petition (EX-3) on respondents. Respondents have made no response to the amended petition.

Two Wrongs Do Not Invalidate Petitioner's Rights

5. In the cases below under index numbers LT-081708-18 & LT-081709-18 attorneys claiming to act on behalf of 622A President Street Owners Corp (COOP) failed to commence the actions with properly verified petitions. The verifications were invalid rendering the petitions a nullity. The so-called notary, who attested to the signature of COOP minority shareholder Taylor, is not licensed as a notary in the state of New York, and the jurat claims the document was notarized in the county of New York, in the State of New York. Exhibit 4 is instructive on this defect in initiating documents.
6. Further the "verification" offered does not comport with CPLR 3020 and even if properly notarized would amount to a nullity.
7. Because these defects were clear and plain on the face of the original documents submitted to the clerk, they should have never been accepted to initiate a case.
8. When the defects in the initiating documents were brought to the attention of the court, the court had a duty to dismiss, thereby self correcting for the clerk's mistake.
9. Non-verified initiating papers, if challenged under CPLR 3022, do not invoke the jurisdiction of the court. To invoke the power of the court it was necessary that the verification be corrected and the

corrected initiating documents served on Wynkoop. There is agreement by all parties that this did not happen.

10. When the court failed to follow the law and threatened further action without authority, Petitioner brought the instant petition for mandamus and prohibition.

Respondents Fail To Verify

11. In a metaphoric third strike, Respondents' papers in this action are unverified and were therefore rejected. Monica Hanna attached a document to Respondents' answer claiming to be a verification. It is no such thing. Just like the false instruments filed in the cases below which are styled as "verifications", Ms. Hanna's document is facially defective. The so-called notary who verified her signature is no notary in the state of New York and Ms. Hanna swears "The statements made therein are true to the best of my knowledge". This statement does not comport with CPLR 3020 and does not comport with sample verifications on the court's own web site. The purpose of a verification is to put the person making the verification at risk of being punished for perjury should they lie by either commission or omission in the documents submitted to the court. Hanna did no such thing and neither did her clients, so respondent's papers are not properly before this court.

CPLR 3020(a) Generally. A verification is a statement under oath that the pleading is true to the knowledge of the deponent, except as to matters alleged on information and belief, and that as to those matters he believes it to be true. Unless otherwise specified by law, where a pleading is verified, each subsequent pleading shall also be verified, except the answer of an infant and except as to matter in the pleading concerning which the party would be privileged from testifying as a witness. Where the complaint is not verified, a counterclaim, cross-claim or third-party claim in the answer may be separately verified in the same manner and with the same effect as if it were a separate pleading.

Default is Appropriate

12. Respondents' answer was properly rejected under CPLR 3022 and as such Respondents have made no answer to the Petition in this matter. CPLR 7804(c) says in pertinent part "An answer and supporting affidavits, if any, shall be served at least five days before such time. " The instant Article 78 hearing is scheduled for 30 January. Respondents had until 25 January 2019 to serve a verified answer. They failed to do so.

13. Respondents failed to file a certified copy of the record below. The exhibits attached to Respondents' rejected papers were incomplete and not certified. Missing from the exhibits were the transcripts, or official recordings of the proceedings before the Judges below. This is grounds for default under CPLR 7804(c).

14. Failure to answer is grounds for default under Article 78.

15. ***Respondents are in Default and Petitioner moves this court for a Judgement of Default and to issue the requested Writs of Prohibition and Mandamus.***

Transfer to the Appellate Division, Second Department

16. Should this court somehow come to the conclusion that CPLR 7804, CPLR 3020 and CPLR 3022 are laws that Respondents and their Counsel are above, then this court must follow CPLR 7804(g) and transfer this matter to the Appellate Division, Second Department. It is obvious from the papers already submitted by Petitioner that there are substantial evidence issues, as defined under CPLR 7803 section four.

- Initiating Petitions and verifications in the files of the Housing Court must be examined.

This is substantial evidence.

- Orders of the Supreme court must be examined. This is substantial evidence.

- Documents concerning the authority of Taylor and Subramanyam to bind the COOP in a housing court matter must be examined. This is substantial evidence.
- Evidence must be examined to determine if there is a valid Certificate of Occupancy for the COOP.
- Evidence must be examined to determine if the COOP made different representations in Housing Court than Supreme Court.

17. Any one of the issues that require evidence to be examined are enough to demonstrate that the court lacks jurisdiction. These are only a small sampling of issues that by evidence can show the court below lacks jurisdiction.

18. *Inasmuch as there are issues of substantial evidence if this court does not grant default in favor of Petitioner, it is incumbent on this court that an order be made and entered transferring this matter to the Appellate Division, Second Department.*

Respondents' Papers Are Frivolous and Misleading

Part 103.1(c) For purposes of this Part, conduct is frivolous if:

- (1) it is completely without merit in law and cannot be supported by a reasonable argument for an extension, modification or reversal of existing law
- (2) it is undertaken primarily to delay or prolong the resolution of the litigation, or to harass or maliciously injure another; or
- (3) it asserts material factual statements that are false.

19. In the instant matter Respondents' papers meet all three points above.

20. The underlying cases that triggered the instant Petition for Mandamus and Prohibition are beyond the jurisdiction of the court below, because their initiating papers were not properly verified. There is no argument given in Respondents' papers to describe any reason for reversal or modification

of existing law, that requires Petitions for Eviction in Housing Court to be properly verified as described in the CPLR.

21. The lack of any argument that Housing Court Judges should be allowed to ignore the very clear CPLR with respect to verification aligns with part 103(c)(2). At no point does the Attorney General on behalf of her Clients make any arguments that they should be allowed to ignore the law, and in fact to avoid having to make that very argument, AAG Hanna lies to this court meeting the requirements for Part 103(c)(3).

Hanna (rejected) Memorandum of Law – page 2

On September 4, 2018, the Chief Clerk of Kings County Civil Court endorsed notices of petition submitted By 622A President Street Owners Corp., together with a verified petition to the Housing Part of the Civil Court of the City of New York in Kings County, commencing the Underlying Actions against Petitioner and others.

22. Inasmuch as the petitions in both Housing Court cases were not properly verified, and the documentation that they were properly rejected as unverified was spread upon the record of the lower court, a record which Hanna claims she reviewed, leaves only one conclusion, AAG Hanna has lied to this court making her papers in addition to a nullity under CPLR 3022 also frivolous under Part 103.1(c).

Respondents Memorandum of Law – Page 4

Petitioner further seeks a filing injunction by way of writ of prohibition that would “prohibit[] the Housing Court [from] accepting any more actions against [Petitioner and Petitioner’s wife],” during the pendency of an unrelated action through appellate proceedings.

23. Here again Hanna has attempted to deceive this court. She states that Supreme Court Case 507156-2013 is unrelated to the Housing Court Cases for eviction, but nothing could be further from

the truth. In fact, Kings County Supreme Court case 507156-2013 has an existing order with respect to the payment of rent, that puts any housing court case against any shareholders in the COOP beyond the jurisdiction of the Housing Court with respect to rent payments. Ex-5

24. Having no facts or law to support her position Hanna violated Part 103.1 and Judicial Law 487.

New York Consolidated Laws, Judiciary Law - JUD § 487. Misconduct by attorneys

An attorney or counselor who:

1. Is guilty of any deceit or collusion, or consents to any deceit or collusion, with intent to deceive the court or any party; or,
2. Wilfully delays his client's suit with a view to his own gain; or, wilfully receives any money or allowance for or on account of any money which he has not laid out, or becomes answerable for,

Is guilty of a misdemeanor, and in addition to the punishment prescribed therefor by the penal law, he forfeits to the party injured treble damages, to be recovered in a civil action.

25. Attempts to mislead the court or any party are so infamous and so damaging to the public trust placed in our courts and the officers of the courts, that the state legislature has set forth stiff punishment for attorneys that attempt to deceive. In the instant matter, Hanna lied two times that are easy to discover. In the first, she claimed the actions below were initiated by verified petitions, they were not. An examination of the original raised seal on the signature of the Notary easily shows that the seal is not that of a New York State Notary. Further, under the rules of professional conduct Hanna had a duty to the court to determine the truth of her statement before making it to the court. She had a duty to examine the so called verification and determine if it was indeed a valid verification.

26. *FLOWERS v. THE STATE OF NEW YORK*, #2007-028-578, Claim No. 111128, Motion No. M-72108 teaches us that verification must be correct for a paper required to be verified, to have effect and not be a nullity. This point is relevant both to Hanna's lack of proper verification of her papers and with respect to the false representations she made in those papers. It must be noted in *Flowers v. NY*, the attorney general took the position that Flowers papers could be rejected for improper verification. The Attorney General can not here argue the opposite.

27. "Consequently, where a litigant in this Court serves on the Attorney General an unverified claim that is then properly rejected by the Attorney General pursuant to CPLR 3022, and fails to correct that defect by serving a verified claim within the applicable time period contained in section 10 of the Court of Claims Act, the action has not been commenced in a timely fashion. This is true even where a properly verified claim was filed with the Court" - **Carl C. NEWMAN, Claimant, v. STATE of New York, Defendant, Court of Claims of New York No. 109088 Decided: September 21, 2004** teaches us that CPLR 3022 rejections are proper, the rejected party needs to correct the defect and reserve, and that the Attorney General understands verification of pleadings and has no excuse for failing to serve/submit verified pleadings. In *Newman*, we see above, the Attorney General rejected under CPLR 3022.

28. Representing to this court that the actions below were begun with a verified petitions, and representing to this court that Respondents' answer was verified, are both grounds to sanction Hanna. Petitioner moves this court to sanction Hanna a sum of money to be determined at inquest, and to preclude Respondents introducing any evidence against the instant petition, and to strike Respondents papers if the court decides that Hanna and her clients are above the law and need not comply with CPLR 3020, CPLR 3022, and JUD 487.

29. Petitioner further moves this court to issue the Writ of Mandamus and Writs of Prohibition requested in the Amended Petition.

Sanctions Against Attorney for Nominal Respondent

30. We are before this court largely because Daniel P. Sodroski of Ganfer, Shore, Leeds and Zauderer (G&S) misled both judge Sikowitz and Judge Harris. He represented to both Judges below that Wynkoop had to vacate a default judgement before he could move to dismiss on jurisdictional grounds. (Wynkoop Affidavit). This was a totally false statement designed to deceive the court below and it was instrumental in the court below rejecting without consideration Wynkoop's motion to dismiss. It is this single act that has lead to hundreds of hours of time being spent on litigation that could have been avoided. It is wasteful of Petitioner's time, the time of the court and the time of the other parties both here and below.

31. Petitioner moves for sanctions in an amount to be determined at inquest against Daniel P. Sodroski Esquire for his violation of Part 130.1 and JUD 487.

Subpoena Lower Court Record

32. The evidence for the instant petition is contained, in part, in the records of the Kings County Civil Court, Housing Division for cases LT-081708-18 & LT-081709-18. These records are material and contain evidence that directly impacts on Petitioner's claim that the court below is proceeding without authority or is about to proceed without authority, and that the court below had a ministerial duty to dismiss for lack of jurisdiction.

33. Respondent's council has not provided a complete and true copy of the record below to either Petitioner or this court (Wynkoop Affidavit). Additionally, photocopies of the record below assembled into a single big bundle hide from this court evidence that goes to Jurisdiction. The raised seal of the so-called verification is not visible in a copy. The way papers were grouped and attached to each other

when filed, does not show in a book of page copies all bound together. This hides problems with the affidavits of service that also rob the court below of jurisdiction.

34. For the evidence to be properly examined, this court must subpoena the record below to this court and pass the same to the Appellate Division Second Department when the case is transferred for evidentiary issues.

35. Petitioner moves this court to subpoena the complete record below.

Counsel For Nominal Respondent 622A President Street Owners Corp Must Be Disqualified

36. Ganfer, Shore, Leeds and Zauderer (G&S), who claim to represent the Nominal Respondent, must be disqualified. They have a conflict of interest in that they represented minority shareholders Rajeev Subramanyam and Kyle Taylor in Kings County Supreme Court Case 507156/2013. This is the case that has an order in effect that prevents Housing Court from having jurisdiction over rent payments. For them to then claim to any court that they represent the COOP, is a violation of the rules of professional conduct and New York State attorney ethics standards. Both in the case below and in the instant matter, they have not adopted a position consistent with what is best for the COOP; but rather they have adopted a position that attempts to achieve the goal that their real clients, minority share holders Kyle Taylor and Rajeev Subramanyam, have been denied in 7 years of litigation. They attempt to make an end run around the Supreme Court for their clients, obtain eviction of Wynkoop, Keske, and Richmond, and cancel majority shareholder Wynkoop's shares; so they will then each have a 50% interest in the COOP, and can from there continue to build their real estate empire. Mr. Subramanyam already owns 2 other homes in Brooklyn. Exhibit 6 is a true copy of a court ordered meeting under 507156/2013 where G&S announces their representation of Taylor and Subramanyam.

37. Additionally, G&S were made aware of shareholder resolutions which informed them that those who claimed to hire them had no authority to do so, and that they were not attorneys for the COOP (EX-7).

Opposition

38. Since Respondents' papers are not properly before the court having been rejected properly under CPLR 3022 no opposition on the merits is required, but it is important to point out as it also goes to the request for sanctions that AAG Hanna offers no explanation in her papers how a court can have jurisdiction over a matter that requires a verified petition to commence when no verified petition exists and none was served. She instead lies to the court and claims the actions below were commenced based upon verified petitions. She offers no proof for this for there is none.

39. Further Hanna misrepresents to the court that the instant petition represents an attempt to appeal some order of the court and she suggests that my proper action is appeal to the appellate term.

40. A petition for Writ of Prohibition lies where a court has exceeded jurisdiction, or where it is about to exceed jurisdiction. The instant matter is the poster child for excess of jurisdiction. At the most basic facial defects in initiating papers fail to invoke the jurisdiction of the court. Beyond the facial defects in the initiating papers there are more than a dozen other reasons that the Housing Court lacks jurisdiction but the sum of Hanna's argument against this petition is that the remedy is "extraordinary". A court acting in violation of the Federal and State Constitutions and without due process is an extraordinary circumstance and requires an extraordinary remedy.

41. A petition for Writ of Mandamus lies where a court does not do a ministerial duty. In the instant action lacking jurisdiction the court had no choice but follow Ex-Parte McCardle.

Ex parte McCardle, 74 U.S. (7 Wall.) 506 (1869)

Without jurisdiction the court cannot proceed, at all in any cause. Jurisdiction is power to declare the law, and when it ceases to exist, the only function remaining to the court is that of announcing the fact and dismissing the cause. And this is not less clear upon authority than upon principle.

42. Ex Parte McCardle is controlling on all courts in the United States of America.

Conclusion

43. Because Assistant Attorney General Hanna failed to correct her defective pleading, there are no responsive papers to the instant petition properly before the court, therefore the petition is not opposed and all requested writs should issue upon a Default Judgement.

44. If the Writs do not issue on default, then due to the substantial evidence involved in the instant matter an order must issue transferring this case to the Appellate Division, Second Department.

45. To assure this court and the Appellate Division, Second Department has the evidence associated with the instant matter, an order must issue to the court below directing it to produce to this court, to be included in the records of this case all records of both cases below.

46. Both Assistant Attorney General Monica Hanna and Alleged Attorney for the COOP, Daniel P. Sodroski, have been shown by evidence to have violated Part 130.1 and Judicial Law 487. It is proper that an order issue sanctioning both of them in an amount to be determined at inquest, and further striking Respondents' papers. Striking of papers is needed if this court deems that the Judges of the Lower Court are allowed to ignore a clear lack of jurisdiction, may ignore CPLR 3022 and 3020 at will, and acts as if Respondents' papers were not properly rejected under CPLR 3022 in the instant matter.

47. G&S has been shown by evidence (Ex-6) to have a conflict of interest and evidence shows that they are not hired by the COOP (EX-7). This court must therefore disqualify them from representing the COOP in this matter.

48. Petitioner requests that for all the reasons stated here and upon all other papers submitted by petitioner in this matter, that the court grant this motion and issue the requested writs.

AFFIDAVIT OF VERIFICATION

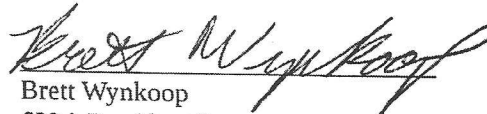
STATE OF NEW YORK:

COUNTY OF KINGS ss.

Brett Wynkoop being duly sworn deposes and says that he is the Petitioner in this proceeding; that he has written the annexed cross-motion and knows the contents thereof; that the same is true to the knowledge of deponent except as to the matters therein stated to be alleged upon information and belief, and as to those matters he believes them to be true.

Subscribed and sworn to
before me this 25th day of

January 20 19



Brett Wynkoop
622A President Street
Brooklyn, NY 11215
917-642-6925

PAOLA A. PINOZA
Notary Public - State of New York
NO. 04ES63-0562
Qualified in Kings County
My Commission Expires May 14, 2020

<p>NEW YORK STATE SUPREME COURT COUNTY OF KINGS</p> <p>-----X</p> <p>Brett Wynkoop Petitioner,</p> <p>-against-</p> <p>Judge Marcia J. Sikowitz, Judge David Alan Harris, Respondents</p> <p>All other Judges of the Civil Court - County of Kings who may succeed Harris or Sikowitz, Kathleen Keske, Eric Richmond, Marshall Justin P. Grossman, 622A President Street Owners Corporation Nominal Respondents</p> <p>-----X</p>	<p>Index No. 2714-18</p> <p>AFFIDAVIT of Brett Wynkoop</p> <p>in support of</p> <p>DEFAULT JUDGEMENT</p> <p>TRANSFER TO APPELLATE DIVISION SECOND DEPARTMENT</p> <p>SANCTIONS</p> <p>SUBPOENA LOWER COURT RECORDS</p> <p>DISQUALIFY COUNSEL</p>
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State of New York)
County of KINGS) ss.:

Brett Wynkoop being duly sworn under penalty of perjury does depose and say the following is true and known personally by me, except those things stated upon information and belief, which I believe to be true and have proper information upon which to form such a belief:

1. I have examined exhibits A & B attached to Respondents rejected unverified answer and motion to dismiss.
2. I have examined the original files for LT-081708-2018-K and LT-081709-2018-K.
3. The Respondents Rejected Exhibits A & B are missing documents that can be found in the original case files.
4. Respondents Rejected Exhibits A & B misrepresent by way of their photo reproduction and assembly, jurisdictional defects in obvious in the examination of the original documents.
5. AAG Hanna has neglected to submit either a transcript or recording of every appearance by parties before a judge in LT-081708-2018-K and LT-081709-2018-K. This makes the record incomplete and prejudicial to me.
6. On 30 October 2018 in appearances before Judge Sikowitz and Judge Harris, attorney Daniel P. Sodroski misrepresented to both judges that I could not move to dismiss on jurisdictional grounds

because I had not moved to vacate my default. At that time, and as of this writing there is no default entered in LT-081708-2018-K or LT-081709-2018-K.

7. Below is a true and accurate transcription of Mr. Sodroski violating Judicial Law 487 before Judge Sikowitz. I made this transcription by listening to the official court recording obtained from the court records department.

Sodroski – Well Judge I think you mentioned this was a motion to dismiss the case, order to show cause.

Court – It is an order to show cause. It is a pre-answer motion to dismiss.

Sodroski – Ok well this is an easy one your honor because the parties have already defaulted on the original petition. And then this would just be an improper order to show cause.

Wynkoop – May I your honor.

Judge – Ok first of all

Sodroski – They have to move to vacate the default before they can file any more motions.

8. On 30 October, when we were before Judge Sikowitz and Judge Harris, there was no judgement of default entered, a fact well known by Sodroski because he had asked for one and it was rejected by the warrant clerk. A copy of that rejection was viewed by me in the court file on 30 October 2018.

9. Judges Sikowitz and Harris took Sodroski at his word and treated me as if I had a judgement of default and on that basis denied me due process, the opportunity to be heard on my own motion.

10. Further the denial of due process was perpetual as I was directed to move the court to vacate a non-existing order.

11. The court below had no initial jurisdiction because both housing court petitions were properly and timely rejected.

12. No correction of the rejected petitions was ever served on me or my wife.

13. No motion to compel acceptance by me of the rejected petitions was ever made.

14. No court has ever ordered that I accept the rejected petitions.

15. The court below had no initial jurisdiction for a multitude of other reasons as well, which were properly laid out in my motion to dismiss including supporting case law and evidence.

16. Upon information and belief the court below was tricked into believing it had jurisdiction and that the cases were properly before the court when Daniel P. Sodroski misled the court.

17. My wife and I have been forced to return to court repeatedly because the clerk of the court did not properly vet the papers submitted to initiate the cases. The papers should have been rejected by the

clerk for the facial defects of the verifications. The verification language does not comport with CPLR 3020, and the so-called notary stamped her signature with a raised seal proclaiming her to be a notary in Canada, while the Jurat of the affidavit claims it was signed in New York County, NY.

18. We have also been forced to return to court repeatedly because the court ignored our pre-answer motion to dismiss on the word of a liar admitted to the practice of law in the state of New York.

19. Daniel P. Sodroski has filed a second motion for default in the cases below.

20. This places my wife, myself, and Eric Richmond in danger of being victims of an illegal order of eviction since the court lacks jurisdiction.

21. To my knowledge Mr. Sodrowski has lied to at least four judges of the civil court by representing to them that I had to vacate a non-existing default. He did so to Judge Sikowitz, Judge Harris, Judge Finkelstein and most recently to Judge Smith.

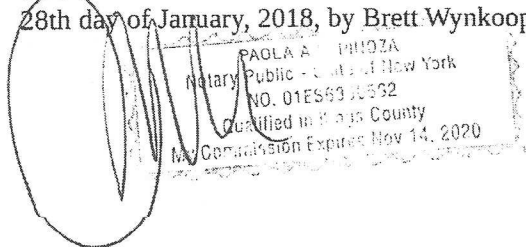
22. This is fraud upon the court by a court officer.

23. At this time, since the Housing Court has not done the ministerial act of dismissing the cases for lack of jurisdiction, my wife and I live under constant threat of a marshall's 3 day notice based upon criminal acts and false swearings by Daniel P. Sodroski and his clients Kyle Taylor and Rajeev Subramanyam. This prevents us from traveling out of the city together. One of us has to be home each and every day to keep a sharp eye out for the next attempt to misuse the court against us.

24. We live in a state of fear and anxiety knowing that our civil rights have already been ignored by the court at the outset of litigation.

Dated: Brooklyn, NY – 28 January, 2019

STATE OF New York
COUNTY OF Kings
Sworn to and subscribed before me this
28th day of January, 2018, by Brett Wynkoop



Brett Wynkoop

Brett Wynkoop
622A President Street
Brooklyn, NY 11215
917-642-6925