



(Rev. 1/2000)  
UCS-840

**REQUEST FOR JUDICIAL INTERVENTION**

For Clerk Only

SUPREME COURT, ORANGE COUNTY

Index No. 3984/09

Date Purchased \_\_\_\_\_

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORANGE

-----X  
ELAINE LOPEZ and HECTOR LOPEZ,

Plaintiffs,

\_\_\_\_\_  
IAS ENTRY DATE

-against-

\_\_\_\_\_  
JUDGE ASSIGNED

NEWBURGH COMMUNITY DEVELOPMENT AGENCY  
and CITY OF NEWBURGH

\_\_\_\_\_  
RJI DATE

Defendants.  
-----X

Date issue joined: \_\_\_\_\_

Bill of Particulars served (Y/N) N

NATURE OF JUDICIAL INTERVENTION - (check ONE box only AND enter info)

|   |   |
|---|---|
| <input type="checkbox"/> Request for Preliminary Conference<br><input type="checkbox"/> Note of Issue and/or Certificate of Readiness<br><input checked="" type="checkbox"/> Notice of Motion ( <b>return date August 25, 2009</b> )<br>Relief sought – dismissing plaintiff's complaint<br><input type="checkbox"/> Order to Show Cause<br>(clerk enter return date _____)<br>Relief sought _____<br><input type="checkbox"/> Other ex parte application (specify _____) | <input type="checkbox"/> Notice of Petition (return date _____)<br>Relief sought _____<br><input type="checkbox"/> Notice of medical or dental malpractice<br>action (specify _____)<br><input type="checkbox"/> Statement of net worth<br><input type="checkbox"/> Writ of habeas corpus<br><input type="checkbox"/> Other (specify _____) |
|---|---|

RECORDED/FILED 07/30/2009 11:44:34 ORANGE COUNTY, NY  
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NATURE OF ACTION OR PROCEEDING (Check ONE box only)

|  |       |   |          |
|--|-------|---|----------|
| <b>MATRIMONIAL</b>   |       | <b>TORTS</b>                                  |          |
| ( ) Contested  | -CM   | <b>Malpractice</b>                            |          |
| ( ) Uncontested  | -UM   | ( ) Medical/Podiatric                         | -MM      |
| <b>COMMERCIAL</b>  |       | ( ) Dental                                    | -DM      |
| ( ) Contract   | -CONT | ( ) *Other Professional _____                 | -OPM     |
| ( ) Corporate  | -CORP | ( ) Motor Vehicle                             | -MV      |
| ( ) Insurance (where insurer is a party, except arbitration) | -INS  | ( ) *Products Liability _____                 | -PL      |
| ( ) UCC (including sales, negotiable instruments)            | -UCC  | ( ) Environmental                             | -EN      |
| ( ) *Other Commercial _____                                  | -OC   | ( ) Asbestos                                  | -ASB     |
| <b>REAL PROPERTY</b>   |       | ( ) Breast Implant                            | -BI      |
| ( ) Tax Certiorari   | -TAX  | ( ) *Other Negligence _____                   | -OTN     |
| ( ) Foreclosure  | -FOR  | ( ) *Other Tort (including intentional _____) | -OT      |
| ( ) Condemnation   | -COND | <b>SPECIAL PROCEEDINGS</b>                    |          |
| ( ) Landlord/Tenant  | -LT   | ( ) Art. 75 (Arbitration)                     | -ART75   |
| ( ) *Other Real Property _____                               | -ORP  | ( ) Art. 77 (Trusts)                          | -ART77   |
| <b>OTHER MATTERS</b>   |       | ( ) Art. 78                                   | -ART78   |
| (X) *SLIP AND FALL   | -OTH  | ( ) Election Law                              | -ELEC    |
|  |       | ( ) Guardianship (MHL Art. 81)                | -GUARD81 |
|  |       | ( ) *Other Mental Hygiene _____               | -MHYG    |
|  |       | ( ) *Other Special Proceeding _____           | -OSP     |

\*If asterisk used, please specify further.

Check "YES" or "NO" for each of the following questions. Is this action/proceeding against a:

(X) YES ( ) NO Municipality: (Specify \_\_\_\_\_) ( ) YES ( ) NO Public Authority: (Specify \_\_\_\_\_)  
 City of Newburgh  
 Newburgh Community Development Agency

( ) YES (X) NO Does this action/proceeding seek equitable relief?  
 (X) YES ( ) NO Does this action/proceeding seek recovery for personal injury?  
 ( ) YES (X) NO Does this action/proceeding seek recovery for property damage?

Pre-Note Time Frames:

(This applies to all cases except contested matrimonial and tax certiorari cases.)

Estimated time period for case to be ready for trial (from filing of RJI to filing of Note of Issue):

( ) Expedited: 0-8 months (X) Standard: 0-12 months ( ) Complex: 13-15 months

Contested Matrimonial Cases Only: (check and give date)

Has summons been served? ( ) No ( ) Yes Date \_\_\_\_\_

Was a Notice of No Necessity filed? ( ) No ( ) Yes Date \_\_\_\_\_

ATTORNEY(S) FOR PLAINTIFF(S)/PETITIONER(S)

| <u>NAME</u>   | <u>ADDRESS</u>   | <u>PHONE</u>   |
|---|--|----------------|
| Bonacic, Krahulik, Cuddeback,<br>McMahon & Brady, LLP | 90 Crystal Run Road, Suite 104<br>Middletown, NY 10941 | (845) 703-3101 |

ATTORNEY(S) FOR DEFENDANT(S)/RESPONDENT(S)

NAME

Tarshis, Catania, Liberth, Mahon  
& Milligram, PLLC

ADDRESS

One Corwin Court, Box 1479  
Newburgh, NY 12550

PHONE

(845) 565-1100

Parties appearing pro se (without attorney) should enter information in space provided above for attorneys.

INSURANCE CARRIERS

RELATED CASES (if NONE, write "NONE" below)

Title

Index #

Court

Nature of Relationship

NONE

**I AFFIRM UNDER PENALTY OF PERJURY THAT, TO MY KNOWLEDGE, OTHER THAN AS NOTED ABOVE, THERE ARE AND HAVE BEEN NO RELATED ACTIONS OR PROCEEDINGS, NOR HAS A REQUEST FOR JUDICIAL INTERVENTION PREVIOUSLY BEEN FILED IN THIS ACTION OR PROCEEDING.**

Dated: Newburgh, New York  
July 29, 2009.

TARSHIS, CATANIA, LIBERTH,  
MAHON & MILLIGRAM, PLLC

By: \_\_\_\_\_

MICHAEL E. CATANIA, ESQ.  
Attorneys for Defendant  
CITY OF NEWBURGH  
One Corwin Court  
P.O. Box 1479  
Newburgh, New York 12550  
Tel. No. (845) 565-1100

Attach rider sheet if necessary to provide required information.