

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

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SULLIVAN PROPERTIES, L.P.,

Index No.: Index No.: 153974/2020

Plaintiff,

-against-

**AFFIDAVIT OF
ADNAN UTIC**

BARIS DINCER,

Defendant.
-----X

STATE OF NEW YORK)

:ss:

COUNTY OF NEW YORK)

ADNAN UTIC, being duly sworn, deposes and states:

1. I am employed by Manhattan Skyline Management, the managing agent for Sullivan Properties, L.P., the owner of the building located at 111 Sullivan Street, New York, New York (the "Building") as the superintendent of the Building. As such, I am familiar with the facts regarding this matter.

2. I am aware of the temporary restraining order issued in this action (the "Order"), and am aware of the behaviors exhibited by Defendant Baris Dincer ("Defendant") since the Order was issued.

3. The Building maintains security cameras both inside and outside of the Building.

4. Although prior to the Order, on June 22, 2020 – the same date that the Court contacted the parties to schedule oral argument on Plaintiff's application for a Temporary Restraining Order, at approximately 2:35pm, Defendant was caught on surveillance pouring an

unknown liquid onto the door of my office. A series of still photos of the incident are annexed hereto as **Exhibit 1**.¹

5. On June 27, 2020, at approximately 10:32 pm, a hole was drilled from the interior of the Premises into the hallway of the Building, which not only caused damage to the wall and carpet outside of the Premises, but caused foam and other substances contained within the wall to seep out of the hole. I have not entered the Premises to determine what, if any, damage was done to the Premises as a result of the drilling of the hole. It is my understanding that this behavior is in direct contravention of this Court's Order. A series of photographs of the hole being drilled through the wall is annexed hereto as **Exhibit 2**. **Exhibit 3** is a still photograph that I took when I went to inspect the hole.

6. On June 29, 2020, at approximately 9:16 am, Mr. Dincer is seen on surveillance video throwing items out of his window at a Building employee who is hosing down the courtyard outside of the Building. The employee informed me that in addition to Mr. Dincer throwing items at him, he also spit at him from the window. This is outrageous behavior towards anyone, and particularly in the time of Covid-19. A series of photographs of Mr. Dincer throwing items out of his window and spitting out of his window are annexed hereto as **Exhibit 4**.

7. Thereafter at approximately 9:22 am on June 29, 2020 Mr. Dincer is seen on surveillance video entering my office and leaving a short time after. While I was not in the office at the time, I returned to find that all of the electrical equipment in the office was disconnected and unplugged. The surveillance video does not show anyone else entering my office before or after Mr. Dincer. Annexed hereto as **Exhibit 5** is a series of photographs depicting Mr. Dincer entering and leaving the office. Annexed hereto as **Exhibit 6** is the invoice for the reconnection of all of the electrical equipment in my office that was disconnected.

¹ The videos from which all exhibits are taken is available for the Court to review if it deems it necessary.

5. On June 27, 2020, at approximately 10:32 pm, a hole was drilled from the interior of the Premises into the hallway of the Building, which not only caused damage to the wall and carpet outside of the Premises, but caused foam and other substances contained within the wall to seep out of the hole. I have not entered the Premises to determine what, if any, damage was done to the Premises as a result of the drilling of the hole. It is my understanding that this behavior is in direct contravention of this Court's Order. Photographs of the hole in the wall and the foam and other material that came out of the wall onto the carpet are annexed hereto as Exhibit 2. The surveillance video of the drilling of the hole will be provided to the Court and Mr. Dincer.

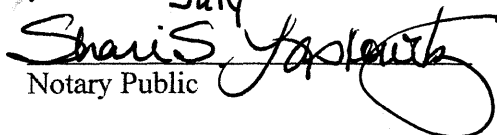
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8. These incidents are in addition to the loud music blasting from the Premises, and the smoking in Premises.


ADNAN UTIC

Sworn to before me this
1st day of ~~June~~ July, 2020.


Notary Public

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SHARI S. LASKOWITZ
Notary Public, State of New York
No. 02LA6046659
Qualified in New York County
Commission Expires August 14, 2022