

DOCKET NO.: FST CV24 6067791 S : *SUPERIOR COURT*

AMERICAN EXPRESS NATIONAL BANK : *JUDICIAL DISTRICT OF*
Plaintiff, : *STAMFORD-NORWALK*

vs.

SARAH H. GASTON, : *05/09/2025*
Defendant(s)

SUBMISSION OF ADDITIONAL EVIDENCE OF RECEIPT OF PAYMENT
BY PLAINTIFF IN DISMISSED MOTION

The Defendant, in the above entitled action, pursuant to the Connecticut Practice Book § 10-30, hereby moves to introduce additional supporting evidence to eliminate any doubts about the nature of the settled action, the status of the settlement payment, and the receipt of the payment itself in the form of a bank check on the 31st of January, 2025.

WHEREFORE, the defendant respectfully requests that this honorable court enter Exhibit A and Exhibit B into the court record for posterity and clarification of the record.

DEFENDANT, *SARAH H. GASTON*

BY: 
Jeffrey A. Brill, Esq. Juris #719438
Julia S. Freidman, Esq. Juris #405667
Skadden, Arps, Meager, Slate & Flom, LLP
A New York-based Multinational Law Firm
1 Manhattan West, 395 9th Avenue
New York, NY 10001
(212) 735-3000

AFFIDAVIT OF DEBT PAYMENT EVIDENCE RE: MOTION FOR DISMISSAL,

JD-CV-1 Rev. 2-20

C. G. S. §§ 51-346, 51-349, 51-350, 52-45a, 52-48, 52-259;

P.B. §§ 3-1 through 3-21, 8-1, 10-13

COURT USE ONLY

AH



STATE OF CONNECTICUT
SUPERIOR COURT

www.jud.ct.gov



For more information on
ADA accommodations,
contact a court clerk or
go to www.jud.ct.gov/ADA

Instructions:

1. Complete this affidavit and file as appendix to your Motion to Dismiss with Prejudice for Failure to Appear and Judgment (form JD-CV-54).
2. Attach a copy of the receipt, image or other document, if applicable, to the completed affidavit.
3. Send one copy of the completed Affidavit and Motion to each defendant.

Return Date
05/09/2025

Docket Number
FST CV24 6067791 S

Court <input checked="" type="checkbox"/>	Judicial District <input type="checkbox"/>	Housing Session <input type="checkbox"/>	Address of Court (Number, street, town, and zip code) 123 HOYT ST, STAMFORD, CT 06905
--	---	---	---

Name of Case (*Plaintiff v. Defendant*)

AMERICAN EXPRESS NATIONAL BANK v. SARAH GASTON AKA SARAH H GASTON

Name(s) of all Plaintiff(s) against whom the motion is filed

AMERICAN EXPRESS NATIONAL BANK, ZWICKER & ASSOCIATES, P.C.

I, the person signing below, say under oath that I am the Defendant or (title) **ATTORNEY** of the

Defendant and am familiar with the facts stated below. In this case, the Plaintiff(s) is/are in receipt of payment from the Defendant as follows:

As of 01/31/25, a certified bank check for the amount due and owing Plaintiff was delivered to Plaintiff in the exact amount of \$293,038.82. As of 02/03/25, the Plaintiff deposited said bank check in the amount of \$293,038.82 at TD Bank, branch location 3921, located at 27 Main Street, Andover, MA, 01810.

Continuation of this affidavit of debt is attached and made part hereof.

Being duly sworn, I state that to the best of my information and belief, there is good ground to support the claims in this affidavit and that the information is true. I also state that any documents attached to this affidavit are true copies of the original.

Signed
(Affidavit)

Print name of Affidavit

[] **JEFFREY BRILL, ESQ. JURIS # 719438**
[✓] **JULIA FREIDMAN, ESQ. JURIS # 405667**

Subscribed and sworn to before me:

Signed (Clerk/Commissioner of Superior Court/Notary)

Date signed

5/9/25

TAMMY E. KLUTZNER
NOTARY PUBLIC
My Commission Expires Nov. 30, 2028

ZWICKER & ASSOCIATES AMERICAN EXPRESS TRUST
Account ending in: 7419

AFFIDAVIT OF PLAINTIFF'S BANKING PARTNER

I, the undersigned affiant, declare and state as follows:

1. I am a Vice President of Banking Records and a Custodian of Ledger for TD BANK USA, N.A. ("Plaintiff's Bank"), a national bank organized under the laws of the United States ("TD Bank" hereinafter), with its headquarters located at 1701 Route 70 East, Cherry Hill, NJ 08003.

2. In my capacity as Vice President of Banking Records and a Custodian of Ledger, I am familiar with the ongoing banking operations and practices of TD Bank, and am familiar with and have access to its record-keeping computer systems, account holder agreements, statements and transactions. I have access to the banking records relating to individual accounts held by TD Bank. I also have access to and am generally familiar with the account records created and maintained by TD Bank. Except where based on my review of records and documents regularly maintained in the ordinary course of business, all of the matters set forth herein are within my personal knowledge and, if called as a witness, could competently testify thereto.

3. The account and transaction statements and other documents referred to herein were created at or near either the time of the transactions or the time the original statements were made and have been kept by TD Bank in the ordinary course of business. In my experience, the systems used by TD Bank to create and maintain data for and to produce billing statements and other documents are reliable and kept in a good state of repair, and TD Bank's procedures for inserting transaction and other data into the systems have built-in safeguards to ensure accuracy and identify errors. Duplicate statements can be obtained only by authorized TD Bank personnel or authorized agents pursuant to proper procedures, which must be followed in order to obtain the statements. The other records referred to herein were created and kept in the ordinary course of business by TD Bank and were created at or near the time of the occurrence of the matters set forth by those records and/or were created based upon information transmitted by a person with knowledge of the matters set forth in those records. It is the regular business practice of TD Bank to make and keep said records. The statements contained in this affidavit are made based on my personal knowledge of the business records practices of TD Bank.

4. I have personally reviewed TD Bank's records concerning plaintiff ZWICKER & ASSOCIATES, P.C. ("Plaintiff"). Those records reflect that Plaintiff opened a TD Bank business checking account, the current account number ending in 7419 (the "Account") in 06/2018. Consistent with TD Bank's standard business practices, TD Bank's records reflect that it processed a deposit of a cashier's check from Citibank, N.A. for the account holder SKADDEN, ARPS, SLATE, MEAGER AND FLOM, LLP, made out to "ZWICKER & ASSOCIATES AMERICAN EXPRESS TRUST" in the amount of \$293,038.82 on 02/03/2025. Our records indicate that these funds were available two (2) business days henceforth, on 02/06/2025, after standard AML/KYC procedures were followed in verifying the check and the funds associates with it. A true and correct copy of the check image deposited to the Account is annexed hereto as Exhibit "A".

5. The information set forth herein is true and correct to the best of the undersigned's knowledge, information and belief and, if called as a witness, I could competently testify thereto.

I declare under the penalty of perjury under the laws of the forum state that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: 5/9/2025

By: Patricia Yun
Name: Patricia Yun

Title: Vice President, Banking Records

STATE OF NEW JERSEY
CAMDEN COUNTY

Subscribed and sworn (or affirmed) before me this 9th day of May, 2025

(Seal)

Patricia Yun
Notary

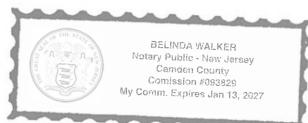


EXHIBIT A

ନାନ୍ଦୀ

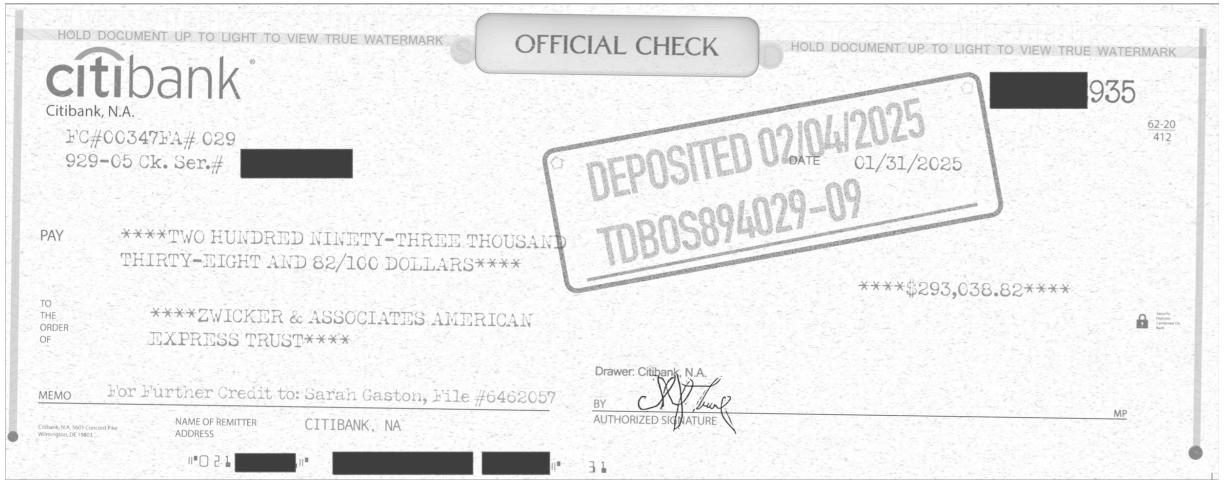
Provided By / Date Of:	T.D. Bank, N.A. / 05/06/25
Description:	Copy - Plaintiff check deposit *7419
 <p>Citibank Citibank, N.A. FC#00347FA# C29 929-05 Ck. Ser.# [REDACTED]</p> <p>OFFICIAL CHECK</p> <p>DEPOSITED 02/04/2025 DATE 01/31/2025 TDBOS894029-09</p> <p>PAY ****TWO HUNDRED NINETY-THREE THOUSAND THIRTY-EIGHT AND 82/100 DOLLARS****</p> <p>TO THE ORDER OF ****ZWICKER & ASSOCIATES AMERICAN EXPRESS TRUST****</p> <p>MEMO For Further Credit to: Sarah Gaston, File #6462057</p> <p>NAME OF REMITTER ADDRESS CITIBANK, NA</p> <p>Drawer: Citibank, N.A. BY [Signature] AUTHORIZED SIGNATURE</p> <p>MP</p> <p>62-20 412</p> <p>293,038.82</p>	

Figure 1.A.

EXHIBIT B

କର୍ମ

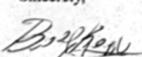
Provided By / Date Of:	Skadden Arps / 05/08/25
Description:	Mailed “paid-in-full” (PIF) letter
<p style="text-align: center;">NOTICE OF DEBT PAYMENT - PAID-IN-FULL</p> <p>Zwicker & Associates, P.C. 1699 King Street, #207 Enfield, CT 06082 1.860.623.1122</p> <p>SARAH H. GASTON 160 Bedford Road Greenwich, CT 06831</p> <p>C/O SKADDEN, ARPS, SLATE, MEAGER & FLOM, LLP One Manhattan West 395 Nine Avenue New York, NY 10001</p> <p>REFERENCE FILE ID: 6462057, 6462237 BALANCE (PAID-IN-FULL): \$293,038.82</p> <p>February 3, 2025</p> <p>To Whom It May Concern,</p> <p>This letter will confirm receipt of payment-in-full for the above referenced amount for your client, Sarah H. Gaston.</p> <p>Based on your payment-in-full in accordance with our request, we have settled this account and consider this matter resolved and closed. We are dropping the associated lawsuit in Stamford Superior Court (Docket No.: FSTCV246067791S) as a result, and will be informing all consumer reporting agencies that this payment constitutes Pay-To>Delete (PTD), and as such the agencies are instructed to delete the accounts and any associated notations from Ms. Gaston's credit file.</p> <p>Should you have any questions regarding this matter, please feel free to contact us at the number listed above.</p> <p>Sincerely,</p>  <p>Beathan Regan, Esq. Zwicker & Associates, P.C.</p>	

Figure 2.A.

DOCKET NO.: FST CV24 6067791 S : *SUPERIOR COURT*

AMERICAN EXPRESS NATIONAL BANK : *JUDICIAL DISTRICT OF*
Plaintiff, : *STAMFORD-NORWALK*

vs.

SARAH H. GASTON, : *05/09/2025*
Defendant(s)

CERTIFICATION

This is to certify that a copy of the foregoing has been mailed, postage prepaid, first class or emailed on 05/09/2025 to the following parties on record:

Zwicker & Associates, PC
1699 King Street, Suite 207
Enfield, CT 06802
(860) 623-1122

American Express National Bank (Charter / License: 25151)
1225 East Fort Union Boulevard, Suite 200
Midvale, UT 84047

DEFENDANT, *SARAH H. GASTON*

BY: 
Jeffrey Brill, Esq. Juris #719438
Julia S. Friedman, Esq. Juris #405667
Skadden, Arps, Meager, Slate & Flom, LLP
A New York-based Multinational Law Firm
1 Manhattan West, 395 9th Avenue
New York, NY 10001
(212) 735-3000