

RUBIN & ROTHMAN, LLC

Attorneys at Law
1787 Veterans Memorial Highway, Suite 32
P.O. Box 9003
Islandia, New York 11749

To: **PHILIP SELLERS P.C.**
NATE JOKIMAN

Fax #: **949-232-1052**

Date: **4/04/2019**

Re: **STIPULATION OF SETTLEMENT** File: **1263401** Original account: **xxx-0495**

From: **AMANDA GONZALEZ**
Voice: **631-234-1500** Ext: **2244**
Fax: **631-234-1138**

Total Number of Pages (including cover letter):

Please sign one copy and return to our office

THIS FACSIMILE TRANSMISSION CONTAINS CONFIDENTIAL AND/OR LEGALLY PRIVILEGED INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL(S) NAMED ON THE TRANSMISSION SHEET. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS FACSIMILE TRANSMISSION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY.

WE ARE ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
THIS COMMUNICATION IS FROM A DEBT COLLECTOR.

1263401 1ASK

0066495

ALG/KMR A

JOSEPH RUBIN (1927-1984)
KEITH H. ROTHMAN¹

DAVID K. KOWALENKO^{1,2,3}
Managing Attorney
New Jersey

ADAM OLSHAN^{1,3,4}
Managing Attorney
Connecticut and Massachusetts

¹MEMBER NY BAR ²MEMBER NJ BAR
³MEMBER CT BAR ⁴MEMBER MA BAR

BUSINESS HOURS: MON-THURS 8:30AM-7:00PM
FRI: 8:30AM-5:00PM SAT: 8:30AM-12:00PM

RUBIN & ROTHMAN, LLC

A LIMITED LIABILITY COMPANY FORMED IN THE STATE OF NY
ATTORNEYS AT LAW
1787 VETERANS HIGHWAY SUITE 32
P.O. BOX 9003
ISLANDIA, N.Y. 11749
TEL (631) 234-1500
FAX (631) 234-1138
TOLL-FREE (800) 298-6058
FOR RELAY SERVICE DIAL 711
NYC DCA LIC. 2045512

CALL: AMANDA GONZALEZ EXT 2244

FRANK ROTHMAN¹
DAVID ROTHMAN^{1,2}
ADRIENNE CERVENKA¹
AARON DEACON¹
MICHAEL JOHNSON¹
SUBY MATHEW¹
DAVID MULLER¹
ERIC S. PILLISCHER¹
SCOTT H. RUMPH¹
ANGELO L. SIRAGUSA¹
KRISTA ROSE^{1,2}
JACQUELINE A. TIERNEY¹
JACQUELINE RIZZARDI^{1,2,3}
JILLIAN SMITH¹
JOSEPH M. HALL⁴
KIMBERLY PETERSON³
JESSICA COONRAD^{1,2}
JOHN OTT¹

April 04, 2019

NATE JOKIMAN
PHILIP SELLERS P.C.
7945 CARTILLA AVE STE A 115
RANCHO CUCAMONGA CA 91730

OUR FILE NO: 1263401
CREDITOR: CAPITAL ONE BANK (USA), N.A.
DEBTOR: JACQUELINE SPEARS

Dear Sir/Madam,

Enclosed please find two copies of a payment arrangement to be signed by your client(s). Kindly return one copy of the agreement in the enclosed envelope and keep the other copy for your records.

All payments should be sent to P.O. Box 550, Central Islip, New York 11722 payable to Rubin and Rothman, and refer to our file # 1263401. In addition to personal checks, we accept WESTERN UNION and electronic payments. You can make electronic payments on-line at RRLLC189.com or by calling us during business hours.

If payments are not made in accordance with the enclosed payment arrangement, we will pursue collection activity and the full balance of the account minus any applicable payments will be due and owing. We are not obligated to renew this offer.

RUBIN & ROTHMAN, LLC

AGREEMENT CONCLUDED BY:
AMANDA GONZALEZ EXT 2244

Enclosure

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1263401 1A63

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NOTICE REQUIRED BY PART 1 OF TITLE 23 OF THE NEW YORK STATE CODES, RULES AND REGULATIONS

If a creditor or debt collector receives a money judgment against your client in court, state and federal laws may prevent the following types of income from being taken to pay the debt:

1. Supplemental security income, (SSI);
2. Social security;
3. Public assistance (welfare);
4. Spousal support, maintenance (alimony) or child support;
5. Unemployment benefits;
6. Disability benefits;
7. Workers' compensation benefits;
8. Public or private pensions;
9. Veterans' benefits;
10. Federal student loans, federal student grants, and federal work study funds; and
11. Ninety percent of your wages or salary earned in the last sixty days

CITY COURT OF THE CITY OF SYRACUSE
COUNTY OF ONONDAGA

File No.1263401 DSD 0300
Ref# 066495 067 C1

CAPITAL ONE BANK (USA), N.A.

Plaintiff,
-against-
JACQUELINE SPEARS

STIPULATION OF
SETTLEMENT

Index No. 2019/00811CV

Defendant(s).

IT IS HEREBY STIPULATED AND AGREED by and between defendant(s) and the
the attorneys for the plaintiff as follows:

1. Defendant(s) acknowledge that they owe \$ 2,382.31 to the
plaintiff and have no defense to this claim or counterclaim against
plaintiff. Defendant(s) appear in this action, consent to the jurisdiction
of the court and waive any defense of lack of personal service.

2. Defendant(s) agree(s) to pay plaintiff the sum of \$ 1,550.00, as
follows:

- a. \$ 360.00 on 4/26/19;
- b. \$ 70.00 on 5/26/19 and on the 26th day of each month
thereafter until the full amount thereof is paid.

3. All payments should be sent to P.O. Box 550, Central Islip, New York
11722 payable to RUBIN & ROTHMAN, as attorneys, and refer to file# 1263401.

4. Plaintiff agrees to take no further legal action against the
defendant(s) who sign and return this stipulation as long as payments are
made in accordance with the terms of this stipulation. In the event that
a default by defendant(s) remains uncured for ten (10) days after plaintiff
sends written notice to defendant(s), plaintiff may enter judgment against
them for the full amount sought in the complaint, together with the costs
and disbursements of this action, crediting defendant(s) with any payments
made hereunder. Payments in excess of the above minimum monthly payment
will reduce the balance due under the stipulation but will not relieve
defendant(s) of their obligation to make future payments at the rate and
on the dates specified herein. A facsimile copy of this stipulation shall
have the same legal effect as an original instrument.

5. Upon payment by defendant(s) in accordance with the terms of this
stipulation, plaintiff will issue a stipulation discontinuing action.
Defendant(s) waive any cease and desist request.

Dated: Islandia, New York
4/04/2019

RUBIN & ROTHMAN, LLC
Attorneys for Plaintiff

JACQUELINE SPEARS

By:_____

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COUNTY OF ONONDAGA

File No.1263401 DSD 0300
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4. Plaintiff agrees to take no further legal action against the
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made in accordance with the terms of this stipulation. In the event that
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sends written notice to defendant(s), plaintiff may enter judgment against
them for the full amount sought in the complaint, together with the costs
and disbursements of this action, crediting defendant(s) with any payments
made hereunder. Payments in excess of the above minimum monthly payment
will reduce the balance due under the stipulation but will not relieve
defendant(s) of their obligation to make future payments at the rate and
on the dates specified herein. A facsimile copy of this stipulation shall
have the same legal effect as an original instrument.

5. Upon payment by defendant(s) in accordance with the terms of this
stipulation, plaintiff will issue a stipulation discontinuing action.
Defendant(s) waive any cease and desist request.

Dated: Islandia, New York
4/04/2019

RUBIN & ROTHMAN, LLC
Attorneys for Plaintiff

JACQUELINE SPEARS

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