

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

CARING PROFESSIONALS, INC. and CONSUMER  
DIRECTED PERSONAL ASSISTANCE ASSOCIATION OF  
NEW YORK STATE,

## AFFIDAVIT OF SERVICE

Index No. 601181/2025

Plaintiff,

-against-

NEW YORK STATE DEPARTMENT OF HEALTH,  
JAMES V. MCDONALD, in his official capacity as  
Commissioner of the New York State Department of  
Health, MICHAEL LEWANDOWSKI, in his official  
capacity as a representative of the New York State  
Department of Health's Office of Health Insurance Programs,  
and PUBLIC PARTNERSHIPS LLC,

Defendants.

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF ALBANY )

**ROBERT WERTHER**, being duly sworn, deposes and says:

I am over 18 years of age and am not a party to this action.

On January 24, 2025 at approximately 12:30 p.m., I served a true copy of a Summons, Complaint (with Exhibits A – N), Affirmation of Truth of Statement to Complaint, Supplemental Summons, Amended Verified Complaint (with Exhibits A – O) and Notice of Electronic Filing upon James V. McDonald, Commissioner, New York State Department of Health, Corning Tower, Empire State Plaza, Albany, New York 12237, by delivering a true copy of each and

leaving with STEPHANIE FATTORUSSO, ASSISTANT ATTORNEY, BUREAU OF  
LITIGATION. The person so served is described as follows:

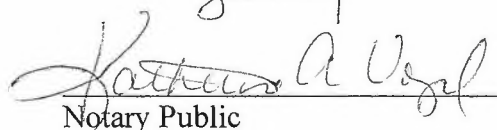
Gender: FEMALE      Race/Skin: WHITE      Age: 21-35 Yrs      Weight: 130-160 lbs.  
Height: 5'0" - 5'3"      Hair: BROWN      Glasses: NO



Robert Werther

Sworn to before me this  
24th day of ~~December~~, 2025.

*January*



Notary Public

KATHERINE A. VOGEL  
Notary Public, State of New York  
Qualified in Albany County  
No. 01VO4831480  
Commission Expires Feb. 28, 2024