

TABLE OF CONTENTS

| | |
|--|-----|
| Statement Pursuant to CPLR Rule 5531 | 1 |
| Notice of Appeal of Defendant Rocco Iadevaia, dated December 5, 2019 | 2 |
| Decision and Order of the Honorable Leonard D. Steinman, dated December 5, 2019, Appealed From, with Notice of Entry | 4 |
| Notice of Motion for Summary Judgment, dated April 15, 2019 | 10 |
| Affirmation of Robert H. Doud, for Defendant Rocco Iadevaia, in Support of Motion, dated April 15, 2019 | 13 |
| Exhibit A- Summons and Verified Complaint, dated September 1, 2017 | 32 |
| Exhibit B- Verified Answer with Cross-Claims, Demand for Verified Bill of Particulars and Combined Demands of Defendant Rocco Iadevaia, dated October 16, 2017 | 49 |
| Exhibit C- Verified Answer of Defendant PSEG Long Island, LLC, dated October 26, 2017 | 95 |
| Exhibit D- Verified Answer and Cross-Complaint, Demand for Verified Bill of Particulars and Combined Demands of Defendant Keyspan Gas East Corporation, dated November 22, 2017 | 101 |
| Exhibit E- Verified Answer with Cross-Claim, Demand for Verified Bill of Particulars and Combined Demands of Defendant Village of Westbury, dated November 28, 2017 | 134 |
| Exhibit F- Examination Before Trial of Neil Lamorte, dated August 8, 2018 | 164 |
| Exhibit G- Examination Before Trial of Rocco Iadevaia, dated August 15, 2018 | 295 |

| | |
|---|-----|
| Exhibit H- Examination Before Trial of Walter Stone, dated August 15, 2018 | 342 |
| Exhibit I- Examination Before Trial of Antonius Ibrahim, dated August 15, 2018..... | 389 |
| Exhibit J- Examination Before Trial of Tadeus A. Blach, dated August 15, 2018 | 429 |
| Exhibit K- Examination Before Trial of Non-Party Witness Christine Lamorte, dated October 22, 2018..... | 490 |
| Exhibit L- Note of Issue, dated March 6, 2019 | 635 |
| Exhibit M- Monthly Rental Agreement, dated June 13, 2009..... | 640 |
| Exhibit N- Deed, dated December 31, 1995 | 642 |
| Exhibit O- Verified Bill of Particulars, dated February 26, 2018..... | 648 |
| Exhibit P- Compliance Correspondence with Part 15 Rules | 656 |
| Exhibit Q- Photographs | 666 |
| Notice of Motion for Summary Judgment, dated May 21, 2019 | 668 |
| Affirmation of Jinan Monique Arafat, for Defendant Incorporated Village of Westbury, in Support of Motion, dated May 21, 2019 | 670 |
| Exhibit A- Notice of Claim, dated September 2, 2016..... | 693 |
| Exhibit B- Summons and Verified Complaint, dated September 1, 2017 (Reproduced herein at pages 32 to 48) | 697 |
| Exhibit C- Verified Answer with Cross-Claim of Defendant Village of Westbury, dated November 28, 2017..... | 698 |

| | |
|---|-----|
| Exhibit D- Verified Answer with Cross-Claims, dated October 16, 2017, Verified Answer, dated October 26, 2017 and Verified Answer and Cross-Complaint, dated November 22, 2017..... | 705 |
| Exhibit E- Verified Bill of Particulars, dated February 26, 2018..... | 724 |
| Exhibit F- Examination Before Trial of Neil Lamorte, dated August 8, 2018 (Reproduced herein at 164 to 294) | 732 |
| Exhibit G- Examination Before Trial of Tadeus A. Blach, dated August 15, 2018 (Reproduced herein at 429 to 489) | 732 |
| Exhibit H- Examination Before Trial of Rocco Iadevaia, dated August 15, 2018 (Reproduced herein at 295 to 341) | 732 |
| Exhibit I- Examination Before Trial of Walter Stone, dated August 15, 2018 (Reproduced herein at 342 to 388) | 732 |
| Exhibit J- Examination Before Trial of Christine Lamorte, dated October 22, 2018 (Reproduced herein at 490 to 634) | 732 |
| Exhibit K- Decision and Order, dated September 18, 2018..... | 733 |
| Exhibit L- Note of Issue, dated March 6, 2019 slightly different than other..... | 736 |
| Exhibit M- NYS Unified Court System Case Detail | 742 |
| Exhibit N- Affidavit of Tadeus A. Blach, sworn to May 17, 2019..... | 744 |
| Exhibit O- Affidavit of Philip Fulgieri, sworn to May 21, 2019..... | 747 |

Table of Contents

| | |
|--|-----|
| Affirmation of Christopher J. Purcell, for Plaintiff Neil Lamorte, in Opposition to Defendant Rocco Iadevaia's Motion, dated June 3, 2019 | 753 |
| Exhibit A- Photographs | 762 |
| Reply Affirmation of Robert H. Doud, for Defendant Rocco Iadevaia, in Further Support of Motion, dated June 11, 2019 | 771 |
| Amended Notice of Motion, dated July 10, 2019 | 782 |
| Affirmation of Jinan Monique Arafat, for Defendant Incorporated Village of Westbury, in Support of Motion, dated May 21, 2019, with Attached Exhibits A through O (Reproduced therein at pages 670 to 752) | 784 |
| Affirmation of Christopher J. Purcell, for Plaintiff Neil Lamorte, in Opposition to The Village of Westbury's Motion, dated July 12, 2019 | 785 |
| Exhibit A- Photographs (Reproduced herein at pages 762 to 770) | 796 |
| Exhibit B- Deed, dated December 31, 1995 (Reproduced herein at pages 642 to 647) | 796 |
| Affirmation of Rebecca J. Moulton, for Defendant Keyspan Gas East Corporation, in Opposition to Defendant Rocco Iadevaia's Motion, dated August 1, 2019 | 797 |
| Affirmation of Rebecca J. Moulton, for Defendant Keyspan Gas East Corporation, in Opposition to Defendant The Village of Westbury's Motion, dated August 1, 2019 | 803 |
| Reply Affirmation of Jinan Monique Arafat, for Defendant Incorporated Village of Westbury, in Support of Motion, dated August 29, 2019 | 814 |
| Certification Pursuant to CPLR §2105 | 826 |