



ATTORNEY GENERAL ERIC T. SCHNEIDERMAN  
NEW YORK STATE DEPARTMENT OF LAW

## COMPLAINT FORM

CRIMINAL ENFORCEMENT AND FINANCIAL CRIMES BUREAU  
120 BROADWAY, 22<sup>ND</sup> FLOOR  
NEW YORK, NY 10271  
(212) 416-8750

1. PLEASE TYPE OR PRINT CLEARLY IN DARK INK.
2. YOU MUST COMPLETE THE ENTIRE FORM. INCOMPLETE OR UNCLEAR FORMS WILL BE RETURNED TO YOU.
3. MAKE SURE YOU ENCLOSE COPIES OF IMPORTANT PAPERS CONCERNING YOUR COMPLAINT.

### COMPLAINANT

Your Name: **Harry Dorvilier** Home Tel.:  
Street Address: **88-25 163rd Street** Business Tel.: **718 739-0045**  
City/Town: **Jamaica** State: **NY** Zip: **11432** County: **Queens**

### COMPLAINT

Firm or Individual about whom you are complaining: **Jonathan A. Bernstein, Esq.,**  
Street Address: **39 Broadway, Suite 1620** Tel.: **212 371-0033**  
City/Town: **New York** State: **NY** Zip: **10006** County: **New York**

Has this matter been submitted to another agency or attorney? [ ] Yes [x] No If yes, please provide name and address:

No

Is court action pending? [ ] Yes [x] No If yes, please indicate where:

PLEASE BRIEFLY DESCRIBE YOUR COMPLAINT BELOW  
(use the back of form or attach additional documentation if necessary)

Harry's Nursery Registry ("HNR") is a domestic corporation, incorporated on February 27, 1991 with its principal place of business located at 88-25 163rd Street, Jamaica, New York. Harry Dorvilier is the president and Chief Executive Officer of HRN. HRN is a duly "licensed home health care agency" as defined in Article 36 of the New York State Public Health Law. HRN is engaged in the business of referring temporary healthcare personnel to individual patients within the patients' residence. HRN does not place any of the said nurses within any hospital and/or nursing home. Said nurses were required to be properly licensed and/or certified under Article 36 of the New York State Public Law. Said nurses prepared an application and then were placed on a Registry list with HRN. Upon being placed on HRN's Registry, said nurses would receive assignment from HRN. The nurse would receive a telephone call from a representative of HRN and would be given the name, address and information regarding the patient. Said nurses would then use their professional discretion and judgment in taking care of said patient. The nurses would prepare daily progress notes concerning the patient within their care, as well as a time card in accordance with Medicaid guidelines. Said progress notes were to be provided to HRN. 95% of HRN's patient placement was for the care and treatment of Medicaid patients. As such, HRN had to properly provide Medicaid with the progress notes and timesheets of the nurses in accordance of Article 3616-a of the New York State Public Health Law. HRN would then be issued its "reimbursement rate" by Medicaid. Said reimbursement rate is approximately \$24.00 an hour. HRN would then pay the nurse a rate of \$19.00 an hour. The rate of \$5.00 an hour went towards HRN's expenses and profit. Medicaid did not pay HRN for overtime and more than the \$24.00 an hour rate. Moreover, on or about January 29, 2010, your HRN received a response to its FOIL request to the New York State Department of Labor. Said New York State Department of Labor records revealed that they had conducted an investigation as to two complaints made by workers of HRN. The first complaint was filed by Mee Chak, a payroll coordinator for Harry's Nursery Registry. She had complained that she had not received compensated for overtime wages from Harry's Nursery. The Department's of Labor investigation revealed that Ms. Chak was entitled to overtime wages.

The second complaint was filed by Willie Evans, a nurse, working through Harry's Nursery. Willie Evans also had filed a complaint regarding compensation for overtime wages. Willie Evans complaint indicated that the nurse had worked over 40 hours period in a week and did not receive any overtime compensation from HRN. Said Investigation revealed that Mr. Evans, a nurse, was not eligible for overtime wages and his case was closed.

This action was commenced by the plaintiffs' attorney, Jonathan Bernstein, under the Fair Labor Standards Act, 29 U.S.C. 201 ("FLSA") and the New York State Minimum Wage Act, New York Labor Law 190 to recover alleged overtime pay due to plaintiff and those similarly situated in her class.

The action of CLAUDIA GAYLE, Individually, On Behalf of All Other Similarly Situated and as Class Representative v. HARRY NURSES REGISTRY, INC., ET AL., under Index No.: 07 CV 4672 (CPS) was commenced by the filing of a Summons and Complaint with the Clerk's Office of the United States District Court, Eastern District of New York on or about November 7, 2007. Defendants filed its Answer on or about January 22, 2008.

From 2008 until 2015, Mr. Bernstein had continued to litigate this matter in the Federal Court. However, it was clear Mr Bernstein should had litigated this matter in the New York State Courts under Article 36 of the New York State Public Health Law.

It is alleged that Mr. Bernstein had manipulated the nurses to testify against HNR during this lawsuit. I have written statement attached hereto to support this claim. The Court awarded the plaintiffs a large sum of money. he Court had also awarded Mr. Bernstein an amount of over \$100,000 in attorney fees/

Mr. Bernstein had named Claudia Gayle as the lead plaintiff for this lawsuit against HNR. Ms. Gayle was in the United States illegally. She was later deported back to Jamaica. It is alleged that Mr. Bernstein had not paid out any money from the case to plaintiff Gayle and some of the other plaintiff who have either been deported or deceased.

It is further alleged that Mr. Bernstein had received double attorney fees from this matter. It is alleged that Mr. Bernstein was awarded a sum of money from the court that was paid to him,. It is also claimed that Mr. Bernstein had received a portion of each plaintiff's award as well.

Furthermore, it is alleged that Mr. Bernstein had failed to declare the award as income for tax purposes

**READ THE FOLLOWING BEFORE SIGNING BELOW:**

PLEASE ATTACH TO THIS FORM **PHOTOCOPIES** of any papers involved (contracts, warranties, bills received, cancelled checks, correspondence, etc.) **DO NOT SEND ORIGINALS.**

In filing this complaint, I understand that the Attorney General is not my private attorney, but represents the public in enforcing certain laws. I also understand that if I have any questions concerning my legal rights or responsibilities, I should contact a private attorney. The above complaint is true and accurate to the best of my knowledge.

Signature:

Date: April 19, 2016

**HAVE YOU ENCLOSED COPIES OF IMPORTANT PAPERS?**

Return to: NEW YORK STATE DEPARTMENT OF LAW  
OFFICE OF THE ATTORNEY GENERAL  
CRIMINAL ENFORCEMENT AND FINANCIAL CRIMES BUREAU  
120 Broadway, 22<sup>nd</sup> Floor  
New York, NY 10271

**DISPOSITION**  
(for agency use only)

CHARLOTTE MOSES FISCHMAN  
CHAIR

MYRON KIRSCHBAUM  
VICE CHAIR

**ATTORNEY GRIEVANCE COMMITTEE**

STATE OF NEW YORK  
SUPREME COURT APPELLATE DIVISION  
FIRST JUDICIAL DEPARTMENT  
61 BROADWAY - 2<sup>ND</sup> FLOOR  
NEW YORK, NEW YORK 10006

(212) 401-0800  
FAX: (212) 287-1045 (NOT FOR SERVICE OF PAPERS)

**JORGE DOPICO**  
CHIEF ATTORNEY

**SPECIAL TRIAL ATTORNEY**  
JEREMY S. GARBER

**DEPUTY CHIEF ATTORNEYS**  
ANGELA CHRISTMAS  
NAOMI F. GOLDSTEIN  
VITALY LIPKANSKY  
RAYMOND VALLEJO

**STAFF ATTORNEYS**  
SINAN AYDINER  
SEAN A. BRANDVEEN  
KEVIN P. CULLEY  
SHERINE F. CUMMINGS  
KEVIN M. DOYLE  
KELLY A. LATHAM  
JUN H. LEE  
NORMA I. LOPEZ  
NORMA I. MELENDEZ  
ELISABETH A. PALLADINO  
KATHY W. PARRINO  
LANCE E. PHILADELPHIA  
ORLANDO REYES  
YVETTE A. ROSARIO  
REMI E. SHEA  
DENICE M. SZEKELY

COPY

January 24, 2019

PERSONAL AND CONFIDENTIAL

Harry Dorvilier  
88-25 163<sup>rd</sup> Street  
Jamaica, New York 11432

Re: Matter of Jonathan A. Bernstein, Esq.  
Docket No. 2018.0847

Dear Mr. Dorvilier:

The Attorney Grievance Committee has completed its investigation of your complaint against the above named attorney. As explained below, the Committee has decided to take no further action.

Specifically, you claimed that the above-referenced attorney engaged in professional misconduct by, *inter alia*, committing harassment and making false statements to the court and other government entities. A careful review of the circumstances described in your complaint, and respondent's answer, show that there does not appear to be any conduct on the part of the attorney that rises to a level sufficient to violate any of the New York Rules of Professional Conduct.

The Committee arrived at this determination after conducting an investigation consisting of several steps. First, we obtained an answer from the attorney and sent it to you for a reply. Then, a staff attorney reviewed the submissions for factual and legal issues and, if necessary, engaged in additional investigation or legal research. In addition, the Chief Attorney reviewed the staff attorney's assessment of the matter. The case was then submitted to the Committee, an independent board of lawyers and non-lawyers appointed by the Appellate Division, First Judicial Department. The Committee concluded that no further investigation or action was warranted and your file has been closed.

COPY

Matter of Jonathan A. Bernstein, Esq.  
Docket No. 2018.0847  
Page 2

You may seek review of this decision by submitting a written request for reconsideration to this office within thirty (30) days of the date on this letter addressed to the Chair, Charlotte Moses Fischman. Ms. Fischman will review your request for whatever action she deems appropriate.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jorge Dopico', with a stylized flourish extending to the left.

Jorge Dopico  
Chief Attorney

D-PR/C  
JD:NIM/nns

**ATTORNEY GRIEVANCE COMMITTEE**

STATE OF NEW YORK  
SUPREME COURT APPELLATE DIVISION  
FIRST JUDICIAL DEPARTMENT  
61 BROADWAY - 2<sup>ND</sup> FLOOR  
NEW YORK, NEW YORK 10006

ERNEST J. COLLAZO  
CHARLOTTE MOSES FISCHMAN  
CHAIRS

MYRON KIRSCHBAUM  
ABIGAIL T. REARDON  
VICE CHAIRS

(212) 401-0800  
FAX: (212) 287-1045 (NOT FOR SERVICE OF PAPERS)

**JORGE DOPICO**  
CHIEF ATTORNEY

**SPECIAL TRIAL ATTORNEY**  
JEREMY S. GARBER

**DEPUTY CHIEF ATTORNEYS**  
ANGELA CHRISTMAS  
NAOMI F. GOLDSTEIN  
VITALY LIPKANSKY  
RAYMOND VALLEJO

**STAFF ATTORNEYS**  
SINAN AYDINER  
SEAN A. BRANDVEEN  
KEVIN P. CULLEY  
SHERINE F. CUMMINGS  
KEVIN M. DOYLE  
KELLY A. LATHAM  
JUN H. LEE  
NORMA I. LOPEZ  
NORMA I. MELENDEZ  
ELISABETH A. PALLADINO  
KATHY W. PARRINO  
LANCE E. PHILADELPHIA  
ORLANDO REYES  
YVETTE A. ROSARIO  
REMI E. SHEA  
DENICE M. SZEKELY

March 26, 2019

PERSONAL AND CONFIDENTIAL

Mr. Harry Dorvilier  
88-25 163<sup>rd</sup> Street  
Jamaica, New York 11432

Re: Matter of Jonathan A. Bernstein, Esq.  
Docket No.: 2019.0124

Dear Mr. Dorvilier:

We have completed our review of your complaint against the above named attorney. As explained below, we have concluded that no investigation or action is warranted.

Specifically, you allege that Mr. Bernstein represents the plaintiffs in a civil action entitled *Roselyn Isigi v. Harry Dorvilier*, United States District Court, Eastern District of New York, 16 Civ. 2218 (FB)(SMG) in which you are a defendant. You allege that Mr. Bernstein made either false and/or improper assertions to the Court in the course of these proceedings. This issue should be raised in Court where this matter is pending and/or in a timely appeal. Accordingly, there is insufficient evidence of misconduct and no further action on the part of the Committee is required.

You may seek review of this decision by submitting a written request for reconsideration to this office addressed to "Committee Chair" at the above address within thirty (30) days of the date on this letter. One of the Committee Chairs will grant or deny your request; or, refer your request to one of the Committees, or a subcommittee thereof, for whatever action it deems appropriate.

Thank you.

Very truly yours,



Jorge Dopico  
Chief Attorney

JD:EAP/mrhn

LEVY DAVIS & MAHER, LLP

ATTORNEYS AT LAW

880 Third Avenue, Ninth Floor  
New York, New York 10022-4730

SHELDON I. LEVY (1927-1999)

MALCOLM H. DAVIS

DAMON R. MAHER

JONATHAN A. BERNSTEIN

TELEPHONE: (212) 371-0033

FACSIMILE: (212) 371-0463

www.levydavis.com

E-MAIL: thefirm@levydavis.com

October 23, 2007

HARMON L. FIELDS

Ms. Claudia Gayle  
785 Allwyn Street  
Baldwin, New York 11510

Re: Gayle/Harry's Nurses Registry, Inc.

Dear Ms. Gayle:

This letter, when fully executed, will serve to confirm our agreement regarding the legal services Levy Davis & Maher, LLP ("LD&M") will perform for you in connection with your wage and hour claims against your employer Harry's Nurses Registry, Inc. ("Harry's"). Should you find its terms acceptable, kindly so indicate by signing this retainer letter at the bottom where indicated.

1. You have retained LD&M to give you legal advice, counsel and assistance in connection with your wage and hour claims against Harry's. More specifically, you have hired LD&M to advise you of your legal claims and to represent you in litigation with respect to those claims. This agreement does not, however, cover any appeal from a judgment or verdict.
2. LD&M's legal services will include the documentation and compilation of facts, legal research and review of applicable legal doctrines.
3. Your obligation will be to furnish LD&M with complete and accurate information, and to cooperate fully with LD&M in the prosecution of your claims.
4. With respect to legal fees and disbursements, and in the event that you receive any remuneration because of our efforts, your fee for our professional services will be the greater of (a) one-third of the recovery; or (b) monies designated by the Court as attorneys' fees (to be paid by the defendant).
5. LD&M reserves the right to withdraw as your attorneys if, after a thorough investigation and evaluation of the facts and legal doctrines applicable, it determines that your claim is futile or no longer viable.
6. As we discussed with you, our firm will seek the Court's permission to send notice of the lawsuit to all current and former Harry's employees who may wish to participate in the

**LEVY DAVIS & MAHER, LLP**  
ATTORNEYS AT LAW

Ms. Claudia Gayle  
Page 2  
October 23, 2007

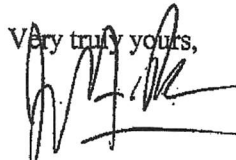
action.

7. You have the absolute right to discharge LD&M for any reason whatsoever and, if such action is taken, LD&M will turn over its files to you or your legal representative.

8. Under applicable court rules, you have the right to resolve any fee dispute between the sum of \$1,000 and \$50,000 by arbitration. Alternate Dispute Resolution ("ADR") is cost-efficient and faster than litigation. You may seek either mediation or arbitration. Mediation is non-binding. If Arbitration is selected, the arbitration result will be final and binding on both sides. Arbitration will be governed by the Joint Committee of Fee Disputes and Conciliation, a collaboration of the New York County Lawyers' Association, the Association of the Bar of the City of New York and the Bronx County Bar Association. You are not obligated to seek arbitration. The choice belongs to you. If a fee dispute arises, the matter should be resolved promptly before impartial arbitrators who are familiar with the area of law in issue. You are encouraged to ask any questions you may have pertaining to this process. Your signature at the foot of this retainer letter will serve to acknowledge that you had a full opportunity to discuss fee dispute arbitration and agrees to arbitrate any fee dispute, where appropriate.

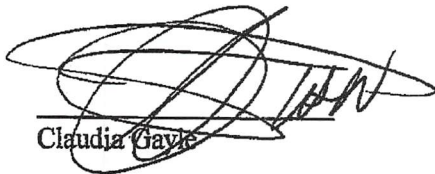
Please retain the second copy of this letter for your records and return the original to us.

Very truly yours,



Jonathan A. Bernstein

**AGREED and ACCEPTED:**



Claudia Gayle



28211110 NEW 01/08 6810004158


HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

**CASHIER'S CHECK**

91-2/1221

No. 4554276615

Ver # over \$619,071.76

Pay Exactly  Date 11/23/2012 AMOUNT \$619,071.76

Six Hundred Nineteen Thousand Seventy One Dollars and Seventy Six Cents

PAY TO THE ORDER OF U S MARSHAL SERVICE, EDNY, 07CV4672  
225 CADMAN PLAZA EAST, ROOM G20  
BROOKLYN, NY 11201

*[Signature]*

Posting Date: 12/11/2012

Sequence Number: 8970817249

Amount: 619,071.76

Account: 771065372

Routing Transit Number: 12210002

Check/Serial Number: 004554276615

Bank Number: 601

IRD: 0

Image type: P

BOFD: 000000000

Cost Center:

Teller Number:

Teller Sequence Number:

Capture Source: PV

Entry Number: 0000002555

UDK: 601121211008970817249

⑈4554276615⑈ ⑆122100024⑆ 771065372⑈



FOR INFORMATION CONCERNING THIS INSTRUMENT CONTACT JPMORGAN CHASE BANK N.A. 1 (866) 255-0035

FRB CLEVELAND  
0410-3603-3  
US Treas DG - OTCNET  
12/10/2012

DO NOT WRITE / SIGN / STAMP BELOW THIS LINE  
MICR LINE  
AGENCY LOCATION CODE 0004 1527  
FOR CREDIT TO THE U.S. TREASURY  
U.S. MARSHAL SERVICE EDNY  
225 CADMAN PLAZA EAST  
BROOKLYN, N.Y. 11201-1818

Copyright © 2010 J.P. Morgan Chase & Co. All Rights Reserved

6389000





OPEN FOR 24

U.S. DISTRICT COURT OF THE EASTERN DISTRICT OF NEW YORK  
COURT OF THE CITY OF NEW YORK, COUNTY OF NEW YORK

Case No 07-CV-4672(NGG)

Index No  
~~XXXXXX~~

**INFORMATION SUBPOENA  
with Restraining Notice  
both defendants**

CLAUDIA GAYLE et al, against Plaintiff(s),  
HARRY'S NURSES REGISTRY, INC and HARRY DORVILLEIR a/k/a  
HARRY DORVILIEN Defendant(s)  
~~Dorvilleir~~

Judgment Debtor  
Address: 8825 163rd St \*\*  
Jamaica, NY 11432

THE PEOPLE OF THE STATE OF NEW YORK TO: JPMORGAN CHASE BANK, NA; Attn Court Orders & Levies  
Address: P.O. Box 183164, Columbus, OH 43218-3164 GREETING: Dept

WHEREAS, in an action in the U.S. Dist. Ct., E.D.N.Y. between Claudia Gayle et al as plaintiff(s) and Harry's Nurses Registry, Inc & Harry Dorvilier a/k/a Harry Dorvilien as defendant(s), who are all the parties named in said action, a judgment was entered on September 19, 2012 in favor of said plaintiffs judgment creditor(s) and against said defendants judgment debtor(s)

in the amount of \$ 619,071 76 of which \$ 619,071 76 together with interest thereon from September 19, 2012 remains due and unpaid; and

WHEREAS, the witness; resides; is regularly employed; has an office for the regular transaction of business in person; in New York State

NOW THEREFORE WE COMMAND YOU, that you answer in writing under oath, separately and fully each question in the questionnaire accompanying this subpoena, each answer referring to the question to which it responds; and that you return the answers together with the original questions within 7 days after your receipt of the questions and this subpoena.

TAKE NOTICE that false swearing or failure to comply with this subpoena is punishable as a contempt of court.

I HEREBY CERTIFY that this information subpoena complies with CPLR § 5224 and that I have a reasonable belief that the party receiving this subpoena has in their possession information about the debtor that will assist the creditor in collecting the judgment.

**RESTRAINING NOTICE \*and Gen. Bus. Law 601**

WHEREAS, it appears that you owe a debt to the judgment debtor or are in possession or in custody of property in which the judgment debtor has an interest; Acct No. 0778500430465 and any other account(s), deposit(s), safe deposit box(es) and/or other property of any or all defendants

\*\*Alt address 128-47 233rd St, Rosedale, NY 11422

TAKE NOTICE that pursuant to CPLR §5222(b), which is set forth in full herein, you are hereby forbidden to make or suffer any sale, assignment or transfer of, or any interference with any property in which you have an interest, except as therein provided.

TAKE FURTHER NOTICE that this notice also covers all property in which the judgment debtor has an interest hereafter coming into your possession or custody and all debts hereafter coming due from you to the judgment debtor

Section 5222(b) Effect of restraint; prohibition of transfer; duration. A judgment debtor or obligor served with a restraining notice is forbidden to make or suffer any sale, assignment, transfer or interference with any property in which he or she has an interest, except as set forth in subdivisions (h) and (i) of this section, and except upon direction of the sheriff or pursuant to an order of the court, until the judgment or order is satisfied or vacated. A restraining notice served upon a person other than the judgment debtor or obligor is effective only if, at the time of service, he or she owes a debt to the judgment debtor or obligor or he or she is in the possession or custody of property in which he or she knows or has reason to believe the judgment debtor or obligor has an interest, or if the judgment creditor or support collection unit has stated in the notice that a specified debt is owed by the person served to the judgment debtor or obligor or that the judgment debtor or obligor has an interest in specified property in the possession or custody of the person served. All property in which the judgment debtor or obligor is known or believed to have an interest then in and thereafter coming into the possession or custody of such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming due to the judgment debtor or obligor, shall be subject to the notice except as set forth in subdivisions (h) and (i) of this section. Such a person is forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff or the support collection unit, except as set forth in subdivisions (h) and (i) of this section, and except upon direction of the sheriff or pursuant to an order of the court, until the expiration of one year after the notice is served upon him or her, or until the judgment or order is satisfied or vacated, whichever event first occurs. A judgment creditor or support collection unit which has specified personal property or debt in a restraining notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor or obligor, for any damages sustained by reason of the restraint. If a garnishee served with a restraining notice withholds the payment of money belonging or owed to the judgment debtor or obligor in an amount equal to twice the amount due on the judgment or order, the restraining notice is not effective as to other property or money.

TAKE FURTHER NOTICE that disobedience of this Restraining Notice is punishable as a contempt of court.

Dated: October 11, 2012 Signature Print name signed DAMON R MAHER

LEVY DAVIS & MAHER, LLP  
Attorney(s) for Judgment Creditor: 39 Broadway, Ste 1620  
Office and Post Office Address. New York, NY 10006

\* Space provided if debt or property is to be specified. tel (212) 371-0033

U.S. DISTRICT COURT OF THE  
 EASTERN DISTRICT OF NEW YORK  
 CLAUDIA GAYLE et al ,

against Plaintiff(s)

HARRY'S NURSE REGISTRY, INC and  
 HARRY DORVILLE a/k/a HARRY DORVILLE

Information Subpoena  
 with Restraining Notice

LEVY DAVIS & MAHER, LLP  
 Attorneys for Judgment Creditor  
 Office and Post Office Address  
 39 Broadway, Ste 1620  
 New York, NY 10006  
 Tel (212) 371-0033

STATE OF NEW YORK, COUNTY OF NEW YORK

Jo Ann E. Candidus  
 is over 18 years of age and resides at  
 New York County, New York  
 That on October 11, 2012 at No.

SS:  
 being duly sworn, says: that the deponent is not a party herein,

deponent served the within subpoena on  
 by delivering a true copy thereof to said person personally; deponent knew the person so served to be the (judgment debtor)  
 (witness) therein.

deponent served the within subpoena on  
 the corporate judgment debtor therein named, by delivering a true copy thereof to  
 personally, whom deponent knew to be the  
 served to be said corporate (judgment debtor) (witness).

That the copy so delivered was accompanied by a copy and original of written questions, and a prepaid, addressed return envelope.

That the copy so delivered was accompanied by a copy and original of written questions, and a prepaid, addressed return envelope.  
 JPMORGAN CHASE BANK, NA by mailing a copy of same, accom-  
 Deponent served the within subpoena on  
 prepaid by a copy and original of written questions, a prepaid addressed return envelope in a securely sealed postpaid wrapper  
 properly addressed to said witness/garnishee  
 at P. O. Box 183164, Columbus, OH 43218-3164

(a) by certified mail, return receipt requested. Deponent deposited said wrapper with the requisite postage and return receipt card  
 affixed, in—official depository under the care and custody of the United States Postal Service within the State of New  
 York. Return Receipt No. is attached hereto.

USE WITH  
 1 or 2

Deponent describes the individual served as follows:

<input type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

Sworn to before me on October 11, 2012  
 Print name beneath signature. LICENSE NO.  
 Jo Ann E. Candidus



U.S. DISTRICT COURT OF THE EASTERN DISTRICT OF NEW YORK  
~~COURT OF THE CITY OF NEW YORK, COUNTY OF~~

Case No 07-CV-4672(NGG)

~~INDEX NO~~

**INFORMATION SUBPOENA  
with Restraining Notice  
both defendants**

CLAUDIA GAYLE et al, against Plaintiff(s),  
HARRY'S NURSES' REGISTRY, INC and HARRY DORVILLEIR a/k/a  
HARRY DORVILIEN Defendant(s)  
~~Dorvilleir SSN:~~

Judgment Debtor  
Address: 8825 163rd St \*\*  
Jamaica, NY 11432

THE PEOPLE OF THE STATE OF NEW YORK TO: JPMORGAN CHASE BANK, NA Attn Court Orders & Levies  
Address: P.O. Box 183164, Columbus, OH 43218-3164 GREETING: Dept

WHEREAS, in an action in the ~~COURT OF THE CITY OF NEW YORK, COUNTY OF~~ U.S. Dist. Ct., E.D.N.Y. between  
Claudia Gayle et al as plaintiff(s) and Harry's Nurses Registry, Inc & Harry  
as defendant(s), who are all the parties named in said action, a judgment was entered on September 19, 2012 in favor of  
said plaintiffs judgment creditor(s) and against  
said defendants judgment debtor(s)  
in the amount of \$ 619,071 76 of which \$ 619,071 76 together with interest thereon  
from September 19, 2012 remains due and unpaid; and

WHEREAS, the witness, resides; is regularly employed; has an office for the regular transaction of business in person;  
in New York State ~~COURT~~

NOW THEREFORE WE COMMAND YOU, that you answer in writing under oath, separately and fully, each question in  
the questionnaire accompanying this subpoena, each answer referring to the question to which it responds; and that you return the  
answers together with the original questions within 7 days after your receipt of the questions and this subpoena.

TAKE NOTICE that false swearing or failure to comply with this subpoena is punishable as a contempt of court.

I HEREBY CERTIFY that this information subpoena complies with CPLR § 5224 and that I have a reasonable belief that the  
party receiving this subpoena has in their possession information about the debtor that will assist the creditor in collecting the judgment.

**RESTRAINING NOTICE\*and Gen. Bus. Law 601**

WHEREAS, it appears that you owe a debt to the judgment debtor or are in possession or in custody of property in which  
the judgment debtor has an interest; Acct No. 0778500430465 and any other account(s), deposit(s),  
\* safe deposit box(es) and/or other property of any or all defendants

\*\*Alt address 128-47 233rd St , Rosedale, NY 11422

TAKE NOTICE that pursuant to CPLR §5222(b), which is set forth in full herein, you are hereby forbidden to make or suffer  
any sale, assignment or transfer of, or any interference with any property in which you have an interest, except as therein provided.

TAKE FURTHER NOTICE that this notice also covers all property in which the judgment debtor has an interest hereafter  
coming into your possession or custody, and all debts hereafter coming due from you to the judgment debtor.

Section 5222(b) Effect of restraint; prohibition of transfer; duration. A judgment debtor or obligor served with a restraining notice is forbidden to make or  
suffer any sale, assignment, transfer or interference with any property in which he or she has an interest, except as set forth in subdivisions (h) and (i) of  
this section, and except upon direction of the sheriff or pursuant to an order of the court, until the judgment or order is satisfied or vacated. A restraining  
notice served upon a person other than the judgment debtor or obligor is effective only if, at the time of service, he or she owes a debt to the judgment  
debtor or obligor or he or she is in the possession or custody of property in which he or she knows or has reason to believe the judgment debtor or obligor  
has an interest, or if the judgment creditor or support collection unit has stated in the notice that a specified debt is owed by the person served to the judg-  
ment debtor or obligor or that the judgment debtor or obligor has an interest in specified property in the possession or custody of the person served. All  
property in which the judgment debtor or obligor is known or believed to have an interest then in and thereafter coming into the possession or custody of  
such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming  
due to the judgment debtor or obligor, shall be subject to the notice except as set forth in subdivisions (h) and (i) of this section. Such a person is forbidden  
to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any  
person other than the sheriff or the support collection unit, except as set forth in subdivisions (h) and (i) of this section, and except upon direction of the  
sheriff or pursuant to an order of the court, until the expiration of one year after the notice is served upon him or her, or until the judgment or order is satis-  
fied or vacated, whichever event first occurs. A judgment creditor or support collection unit which has specified personal property or debt in a restraining  
notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor or obligor, for any damages  
sustained by reason of the restraint. If a garnishee served with a restraining notice withholds the payment of money belonging or owed to the judgment  
debtor or obligor in an amount equal to twice the amount due on the judgment or order, the restraining notice is not effective as to other property or money.

TAKE FURTHER NOTICE that disobedience of this Restraining Notice is punishable as a contempt of court.

Dated: October 11, 2012 Signature Print name signed DAMON R MAHER

LEVY DAVIS & MAHER, LLP  
Attorney(s) for Judgment Creditor: 39 Broadway, Ste 1620  
Office and Post Office Address: New York, NY 10006

\* Space provided if debt or property is to be specified. tel (212) 371-0033



## EXEMPTION NOTICE

as required by New York Law

### YOUR BANK ACCOUNT IS RESTRAINED OR "FROZEN"

The attached Restraining Notice or notice of Levy by Execution has been issued against your bank account. You are receiving this notice because a creditor has obtained a money judgment against you, and one or more of your bank accounts has been restrained to pay the judgment. A money judgment is a court's decision that you owe money to a creditor. You should be aware that FUTURE DEPOSITS into your account(s) might also be restrained if you do not respond to this notice.

You may be able to "vacate" (remove) the judgment. If the judgment is vacated, your bank account will be released. Consult an attorney (including free legal services) or visit the court clerk for more information about how to do this.

Under state and federal law, certain types of funds cannot be taken from your bank account to pay a judgment. Such money is said to be "exempt."

#### DOES YOUR BANK ACCOUNT CONTAIN ANY OF THE FOLLOWING TYPES OF FUNDS?

1. Social security;
2. Social security disability (SSD);
3. Supplemental security income (SSI);
4. Public assistance (welfare);
5. Income earned while receiving SSI or public assistance;
6. Veterans benefits;
7. Unemployment insurance;
8. Payments from pensions and retirement accounts;
9. Disability benefits;
10. Income earned in the last 60 days (90% of which is exempt);
11. Workers' compensation benefits;
12. Child support;
13. Spousal support or maintenance (alimony);
14. Railroad retirement; and/or
15. Black lung benefits.

If YES, you can claim that your money is exempt and cannot be taken.

To make the claim, you must

- (a) complete the EXEMPTION CLAIM FORM attached;
- (b) deliver or mail the form to the bank with the restrained or "frozen" account; and
- (c) deliver or mail the form to the creditor or its attorney at the address listed on the form.

You must send the forms within 20 DAYS of the postmarked date on the envelope holding this notice. You may be able to get your account released faster if you send to the creditor or its attorney written proof that your money is exempt. Proof can include an award letter from the government, an annual statement from your pension, pay stubs, copies of checks, bank records showing the last two months of account activity, or other papers showing that the money in your bank account is exempt. If you send the creditor's attorney proof that the money in your account is exempt, the attorney must release that money within seven days. You do not need an attorney to make an exemption claim using the form.

Claudia Gayle, et al

PLAINTIFF/PETITIONER/CLAIMANT  
V

INDEX NO.

07-CV-4672 (NGG)

Harry's Nurses Registry  
Harry Dorvilier / Harry Dorvilien

DEFENDANT/RESPONDENT

EXEMPTION CLAIM FORM

NAME AND ADDRESS OF JUDGMENT

CREDITOR OR ATTORNEY  
LEVY DAVIS & MAHER LLP

ADDRESS

A. 29 Broadway, STE 1620  
New York, NY 10006

NAME AND ADDRESS OF FINANCIAL  
INSTITUTION: JPMORGAN CHASE BANK

(To be completed by judgment  
creditor or attorney)

ADDRESS: 17th Court Order & Levies Dept

B: PO Box 183164  
Columbus, OH 43218-3164

Directions: To claim that some or all of the funds in your account are exempt, complete both copies of this form, and make one copy for yourself. Mail or deliver one form to ADDRESS A and one form to ADDRESS B within twenty days of the date on the envelope holding this notice.

\*\* If you have any documents, such as an award letter, an annual statement from your pension, paystubs, copies of checks or bank records showing the last two months of account activity, include copies of the documents with this form. Your account may be released more quickly

I state that my account contains the following type(s) of funds (check all that apply):

- Social security Social security disability (SSD)
- Supplemental security income (SSI)
- Public assistance
- Wages while receiving SSI or public assistance
- Veterans benefits
- Unemployment insurance
- Payments from pensions and retirement accounts
- Income earned in the last 60 days (90% of which is exempt)
- Child support
- Spousal support or maintenance (alimony)
- Workers' compensation
- Railroad retirement or black lung benefits
- Other (describe exemption):

I request that any correspondence to me regarding my claim be sent to the following address:

(FILL IN YOUR COMPLETE ADDRESS)

I certify under penalty of perjury that the statement above is true to the best of my knowledge and belief.

DATE

SIGNATURE OF JUDGMENT DEBTOR

-----X

Claudia Garle, et al

PLAINTIFF/PETITIONER/CLAIMANT  
V

Harry's Nurses Registry  
Harry Dorvilie / Harry Dorvilien

INDEX NO.

07-CV-4672 (NGG)

DEFENDANT/RESPONDENT

EXEMPTION CLAIM FORM

-----X

NAME AND ADDRESS OF JUDGMENT

CREDITOR OR ATTORNEY  
LEVY DAVIS & MAHER LLP

ADDRESS

A. 29 Broadway, STE 1620  
New York, NY 10006

NAME AND ADDRESS OF FINANCIAL  
INSTITUTION: JPMORGAN CHASE BANK

(To be completed by judgment  
creditor or attorney)

ADDRESS: Attn: Court Orders & Levies Dept

B: PO Box 183164  
Columbus OH 43218-3164

Directions: To claim that some or all of the funds in your account are exempt, complete both copies of this form, and make one copy for yourself. Mail or deliver one form to ADDRESS A and one form to ADDRESS B within twenty days of the date on the envelope holding this notice.

\*\* If you have any documents, such as an award letter, an annual statement from your pension, paystubs, copies of checks or bank records showing the last two months of account activity, include copies of the documents with this form. Your account may be released more quickly -----

I state that my account contains the following type(s) of funds (check all that apply):

- Social security Social security disability (SSD)
- Supplemental security income (SSI)
- Public assistance
- Wages while receiving SSI or public assistance
- Veterans benefits
- Unemployment insurance
- Payments from pensions and retirement accounts
- Income earned in the last 60 days (90% of which is exempt)
- Child support
- Spousal support or maintenance (alimony)
- Workers' compensation
- Railroad retirement or black lung benefits
- Other (describe exemption): -----

I request that any correspondence to me regarding my claim be sent to the following address:

-----  
(FILL IN YOUR COMPLETE ADDRESS)

I certify under penalty of perjury that the statement above is true to the best of my knowledge and belief.

-----  
DATE

SIGNATURE OF JUDGMENT DEBTOR



U.S. DISTRICT COURT OF THE EASTERN DISTRICT OF NEW YORK COUNTY OF

Case No. 07-CV-2672 (NGG) ~~Judge XXX~~

CLAUDIA GAYLE et al

Plaintiff(s)

against

HARRY'S NURSE REGISTRY, INC and HARRY DORVILIER a/k/a HARRY DORVILIEU,

Defendant(s)

QUESTIONS AND ANSWERS IN CONNECTION WITH INFORMATION SUBPOENA

Re. Both defendants.

Judgment Debtor

STATE OF NEW YORK, COUNTY OF

ss.

being duly sworn deposes and says: that deponent is the \* of JPMORGAN CHASE BANK, NA recipient of an information subpoena herein and of the original and a copy of questions accompanying said subpoena. The answers set forth below are made from information obtained from the records of the recipient.

Q. No. 1 Do you have a record of any account in which the judgment debtor may have an interest, whether under the name of the debtor, under a trade or corporate name, or in association with others, as of the date of the subpoena or within 1 year prior thereto? A. No. 1

Q. No. 2 As to each such account, what is the exact title of the account, the date opened, amounts presently on deposit; if closed, the amount on deposit when closed and the date closed? A. No. 2

Title Date Opened Amount on Deposit Date Closed

Q. No. 3 Do you have a record of any safe deposit box in which the judgment debtor may have an interest, whether under the name of the debtor, under a trade or corporate name, or in association with others, as of the date of the subpoena or within 1 year prior thereto? A. No. 3

Q. No. 4 As to each such box what is the exact designation of the lessees thereof, the date hired, the date discontinued, the names of those having access? A. No. 4

Lessees Date Hired Date Discontinued Those Having Access

Q. No. 5 Do you hold collateral in which the debtor has or may have an interest? A. No. 5

Q. No. 6 What is the description and value of each item of collateral? A. No. 6

Description

Value

Q. No. 7 What interest does the debtor appear to have in each item of collateral? A. No. 7

Excerpt from CPLR section 5224 (a) 3. Answers shall be made in writing under oath by the person upon whom served, if an individual, or by an officer, director, agent or employee having information, if a corporation, partnership or sole proprietorship. Each question shall be answered separately and fully and each answer shall refer to the question to which it responds. Answers shall be returned together with the original of the questions within seven days after receipt.