



299 Broadway, Suite 1310  
New York, NY 10007  
Phone: (212) 226-7334  
Facsimile: (212) 226-7716  
www.meenanesqs.com

**By Certified Mail, Return Receipt Requested**

January 11, 2021

Harry Dorvilier  
128-47 233rd Street  
Rosedale, New York 11422

Harry's Nurses Registry, Inc.  
88-25 163rd Street  
Jamaica, New York 11432

Re: Isigi v. Harry Dorvilier and Harry's Nurses Registry, Inc.  
Civil Action No. 16 Civ. 2218 (FB)(SMG)

Dear Mr. Dorvilier:

Our firm represents the Plaintiff Roselyn Isigi in the above-referenced civil action. Our firm is a judgment creditor in this action pursuant to a judgment that was entered by the Clerk of the United States District Court in the Eastern District of New York on November 13, 2020.

Please find enclosed for service upon you, the following materials which we are filing with the United States District Court in the Eastern District of New York today in order to seek a turnover Order from the Court regarding the funds we are owed pursuant to said judgment:

- Plaintiff's Notice of Motion for Turnover of Funds;
- Plaintiff's Memorandum of Law in Support of Motion for Turnover of Funds Pursuant to Fed. R. Civ. P. 69(a) and N.Y. C.P.L.R. § 5222(b); and
- Declaration of Shelley Ann Quilty-Lake In Support of Plaintiff's Motion for Turnover of Funds Pursuant to Fed. R. Civ. P. 69(a) and N.Y. C.P.L.R. § 5222(b) with Exhibits 1 through 5 annexed thereto.

Yours truly,

  
SHELLEY ANN QUILTY-LAKE  
SQL: sql

Encs.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ROSELYN ISIGI,

Plaintiff,

- against -

HARRY DORVILIER and HARRY'S  
NURSES REGISTRY, INC.,

Defendants.

Civil Action No. 16-cv-2218 (FB)(SMG)

**PLAINTIFF'S NOTICE OF MOTION FOR TURNOVER OF FUNDS**

PLEASE TAKE NOTICE that based upon the attached Memorandum of Law, the Declaration of Shelley Ann Quilty-Lake and the exhibits annexed thereto, and all prior proceedings, the undersigned now comes before this Court to request an Order pursuant to N.Y. C.P.L.R. § 5225(b) and Fed. R. Civ. P. 69, directing Bank of America to turn over certain funds from Defendants' account to satisfy the judgment entered by this Court on November 13, 2020 [Dkt # 109] which are due and owing to the firm of Meenan & Associates, LLC, as counsel for Plaintiffs, for the reasons set forth more fully in the attached materials, and for such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that Plaintiffs intend to file reply papers, if Defendants file any opposition to the instant motion.

Dated: New York, New York  
January 11, 2021

Respectfully Submitted,

Meenan & Associates, LLC  
*Attorneys for Plaintiff*  
299 Broadway, Suite 1310  
New York, New York 10007  
P: (212) 226-7334  
E: sql@meenanesqs.com

By: Shelley Ann Quilty-Lake  
Shelley Ann Quilty-Lake (SQ5787)

To: Edward Irizarry  
Law Office of Edward Irizarry, P.C.  
*Attorneys for Defendants, Harry Dorvilier and Harry's Nurses Registry, Inc.*  
260 Madison Avenue, 8th Floor  
New York, New York 10016  
P: (646) 216-2127  
E: [statute@aol.com](mailto:statute@aol.com)

Bank of America  
Attn: Legal Order Processing  
*Garnishee*  
P.O. Box 15047  
Wilmington, DE 19850-5047

Harry Dorvilier  
*Defendant/Judgment Debtor*  
128-47 233rd Street  
Rosedale, New York 11422

Harry's Nurses Registry, Inc.  
*Defendant/Judgment Debtor*  
88-25 163rd Street  
Jamaica, New York 11432

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ROSELYN ISIGI,

Plaintiff,

- against -

HARRY DORVILIER and HARRY'S  
NURSES REGISTRY, INC.,

Defendants.

**Civil Action No. 16-cv-2218 (FB)(SMG)**

**PLAINTIFF'S NOTICE OF MOTION FOR TURNOVER OF FUNDS**

Respectfully Submitted,

Meenan & Associates, LLC  
*Attorneys for Plaintiffs*

By: Shelley Ann Quilty-Lake, Esq.  
299 Broadway, Suite 1310  
New York, New York 10007

P: (212) 226-7334

E: [sql@meenanesqs.com](mailto:sql@meenanesqs.com)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ROSELYN ISIGI,

Plaintiff,

- against -

HARRY DORVILIER and HARRY'S  
NURSES REGISTRY, INC.,

Defendants.

Civil Action No. 16-cv-2218 (FB)(SMG)

**PLAINTIFF'S MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR  
TURNOVER OF FUNDS PURSUANT TO FED. R. CIV. P. 69(a) AND N.Y. C.P.L.R  
5222(b)**

Respectfully Submitted,

Meenan & Associates, LLC

*Attorneys for Plaintiffs*

By: Shelley Ann Quilty-Lake, Esq.

299 Broadway, Suite 1310

New York, New York 10007

P: (212) 226-7334

E: [sql@meenanesqs.com](mailto:sql@meenanesqs.com)

### **Preliminary Statement**

Plaintiff moves before this Court for an Order pursuant to N.Y. C.P.L.R. § 5225(b) and Fed. R. Civ. P. 69(a), directing Bank of America to turnover funds from Defendants' account to satisfy the judgment entered by this Court on November 13, 2020 [Dkt # 109] to the firm of Meenan & Associates, LLC (hereinafter "M&A"), as counsel for Plaintiff in this matter. The judgment entered by this Court was for attorney's fees and costs in the amount of \$26,671.30 which were awarded to M&A pursuant to a Memorandum and Order issued by the Honorable Frederic Block on June 22, 2020. [Dkt # 103]. After entry of the judgment, our firm served Bank of America with a restraining notice. Bank of America has confirmed that the funds of the Defendants being held in an account ending 4620 have been restrained pursuant to said notice. To effectuate the payment of the funds awarded to M&A from Defendants' account with Bank of America, as garnishee, it is necessary to obtain a Court Order directing Bank of America to turnover said funds. Hence, the instant application seeking such an Order. The requisite predicates for the Court's issuance of such an Order have been complied with by Plaintiff as set forth below.

### **Relevant Procedural History**

On February 18, 2020, Plaintiff filed a motion with this Court seeking an Order pursuant to 29 U.S.C. § 216(b) awarding the attorneys' fees and costs incurred subsequent to December 10, 2017 and in connection with an appeal brought by the Defendants, Harry Dorvilier ("Dorvilier") and Harry's Nurses Registry, Inc. ("HNR") (collectively referred to as "Defendants") regarding this action; an appeal which was denied by the Second Circuit Court of Appeals, leading to the issuance of a mandate. [Dkt #s 99-102].

On June 22, 2020, Judge Block issued a Memorandum and Order granting Plaintiff's motion for attorneys' fees and costs in the amount of \$26,671.35. [Dkt. # 103]. (A copy of the

Court's Memorandum and Order is annexed to the Declaration of Shelley Ann Quilty-Lake [hereinafter referred to as "Quilty-Lake Decl.,"] as **Exhibit "1"**).

On November 11, 2020, Plaintiff filed a letter request asking the Court to enter judgment with respect to its Memorandum and Order dated June 22, 2020. [Dkt # 108]. The Court granted Plaintiff's letter application and issued an Order to that effect on November 12, 2020.

On November 13, 2020, the Clerk of the Court entered Judgment whereby it was "ORDERED and ADJUDGED that plaintiff's motion for attorney's fees and costs is granted in the total amount of \$26,671.35." [Dkt # 109]. (A copy of this Judgment is annexed to Quilty-Lake Decl. as **Exhibit "2"**).

Plaintiff brings the instant application before this Court to seek to collect on the above-referenced judgment.

**Relevant Factual Background Regarding Post-Judgment Actions Taken**

On or about November 25, 2020, Plaintiffs' served third-party garnishee, Bank of America, pursuant to C.P.L.R. §5222(a), by certified mail with a restraining notice to aid in enforcing the judgment entered in this action on November 13, 2020. The restraining notice prohibited Bank of America from selling, assigning, transferring or otherwise interfering with the account of Defendants' ending in 4620 identified in the notice. (Copies of the correspondence sent to Bank of America, including the restraining notice are annexed to the Quilty-Lake Decl. at **Exhibit "3"** and the Declaration of Gaitree Bhoge with proof of delivery of same on Bank of America are annexed to the Quilty-Lake Decl. at **Exhibit "4"**).

On November 28, 2020, Plaintiffs served Defendants, Harry Dorvilier and Harry's Nurses Registry, Inc., pursuant to C.P.L.R. § 5222(a), by certified mail with a copy of the restraining notice served on Bank of America and with a notice to judgment debtor. (The Declaration of Shelley Ann Quilty-Lake with copies of the correspondence sent to both

Defendants, including the restraining notice and notice to judgment debtor, as well as proof of delivery of same on Defendants are annexed to the Quilty-Lake Decl. at **Exhibit “5”**).

Bank of America has confirmed its receipt of the restraining notice, that the account identified therein is indeed Defendants’ account, and that the funds contained in said account are being restrained by their financial institution per the terms of the restraining notice. Bank of America has also advised that it will release the funds upon receipt of a turnover order directing it to do so.

**ARGUMENT**  
**POINT I**

**Procedure for Enforcing Money Judgments Which Plaintiffs Have Complied With Here**

A motion to enforce a money judgment is governed by Fed. R. Civ. P. 69(a), which provides that “proceedings supplementary to and in aid of judgment or execution ... must accord with the procedure of the state where the court is located.” *Id.* In New York, C.P.L.R. article 52 governs the enforcement and collection of money judgments. *See* N.Y. C.P.L.R. §§ 5201–5252. Section 5225(b) enables a judgment creditor to commence a “special proceeding” against a third party who “is in possession or custody of money or other personal property” in which the judgment debtor has an interest. *Id.* § 5225(b).

The Second Circuit Court of Appeals held in *CSX Transportation, Inc. v. Island Rail Terminal, Inc.*, 879 F.3d 462, 469 (2d Cir. 2018), that “a party seeking a money judgment against a non-party garnishee may proceed by motion and need not commence a special proceeding, as long as the court has personal jurisdiction over the garnishee.”

Accordingly, the instant proceeding is the appropriate mechanism for Plaintiff to pursue to obtain a turnover order directed to Bank of America, as a non-party garnishee, given it is in possession of money in which the judgment debtors, the Defendants, have an interest.



Also, the Court has personal jurisdiction over Bank of America given Bank of America conducts business in New York. Moreover, the Defendants' account is within this District as Defendants' account is with a Bank of America branch located at 76 Court Street, Brooklyn, New York.

## POINT II

### **Plaintiff Has Complied with the Requirements of C.P.L.R. § 5222, Thus Warranting The Court To Issue a Turnover Order**

As set forth above, and in the materials being simultaneously filed with this Court in support of the instant motion, Plaintiff has complied with C.P.L.R. § 5222 with respect to the service of the Restraining Notice on Bank of America, as garnishee, and the Notices of Judgment Debtors which were duly and properly served on Defendants.

Under C.P.L.R. § 5222, an attorney for the judgment creditor may, as an officer of the court, serve a restraining notice on a third party who "owes a debt to the judgment debtor or ... is in the possession or custody of property in which he or she knows or has reason to believe the judgment debtor ... has an interest." N.Y. C.P.L.R. § 5222(a)-(b). A party subject to a restraining notice 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 ... except upon direction of the sheriff or pursuant to an order of the court ...." *Id.* § 5222(b).

Here, Plaintiff's counsel duly issued such a restraining notice on Bank of America and complied in its issuance and service of same with C.P.L.R. § 5222(a). (**Ex. 3**).

According to communication our office has had with Bank of America, it is complying with the directives contained in the restraining notice served on it. Thus, upon information and belief, there have been no violations of the restraining notice to date served upon Bank of America.

## POINT II

### **Plaintiff Is Entitled to a Turnover of Funds from Bank of America Under C.P.L.R. § 5222 to Satisfy the Judgment Entered by the Court Against Defendants**

An enforceable judgment was entered by this Court. The facts here clearly entitle M&A to the payment of the judgment that is due and owing. Funds attributable to the judgment debtors, the Defendants, are in an account with Bank of America. A proper Restraining Notice was served on Bank of America who has possession of the funds. The judgment debtors have been validly served pursuant to CPLR § 5222(d) with the required notice to judgment debtors and have not filed any response to these notices. The Defendants have not paid any of the \$26,671.35 due under the judgment.

Given Defendants deposited funds in the Bank of America Account, the asset is now in the hands of Bank of America. *Miller v. Wells Fargo Bank Intl' Corp.*, 540 F.2d 548, 560 (2d Cir. 1976) (“Money deposited in a general account at a bank does not remain the property of the depositor. Upon deposit of funds at a bank, the money deposited becomes the property of the depository bank.....”). A turnover order is therefore required to compel Bank of America to turn over the funds in the account to M&A. Bank of America has not indicated that it has any objection to the issuance of a turnover order by this Court directing it to release the applicable funds to M&A. In fact, Bank of America has advised that it requires a turnover order and upon receipt of same it will release the funds.

It is unequivocal that M&A is due the funds being sought from Bank of America in order to fulfill the obligations of the judgment. Pursuant to C.P.L.R. § 5222(b), Plaintiffs' are entitled to an order from this Court directing Bank of America to turn over \$26,671.35, the amount of the judgment proceeds, to M&A to satisfy the judgment owed by the Defendants. As a result, Plaintiffs' motion should be granted.

In addition, M&A may be entitled to post-judgment interest and the fees and costs incurred in seeking to enforce and collect on the judgment, as part of the relief sought herein.

**CONCLUSION**

WHEREFORE, for all the reasons set forth above, the Plaintiff respectfully requests that this Court issue a turnover order directing Bank of America to satisfy the Plaintiff's judgment of \$26,671.35 against the Defendants entered by this Court on November 13, 2020, together with post-judgment interest, as well as award the attorneys' fees and costs incurred in connection with enforcing this judgment, and for such other and further relief as this Court may deem just and proper.

Dated: New York, New York  
January 11, 2021

Respectfully Submitted,

Meenan & Associates, LLC  
*Attorneys for Plaintiff*  
299 Broadway, Suite 1310  
New York, New York 10007  
P: (212) 226-7334  
[sql@meenanesqs.com](mailto:sql@meenanesqs.com)

By: Shelley Ann Quilty-Lake  
Shelley Ann Quilty-Lake (SQ5787)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ROSELYN ISIGI,

Plaintiff,

- against -

HARRY DORVILIER and HARRY'S  
NURSES REGISTRY, INC.,

Defendants.

Civil Action No. 16-cv-2218 (FB)(SMG)

**DECLARATION OF SHELLEY ANN QUILTY-LAKE IN SUPPORT OF PLAINTIFF'S  
MOTION FOR TURNOVER OF FUNDS PURSUANT TO FED. R. CIV. P. 69(a) and N.Y.  
C.P.L.R. 5222(b)**

Shelley Ann Quilty-Lake, an attorney duly admitted to practice in the Eastern District Court of New York, among other jurisdictions, does state under the penalty of perjury:

1. I am a partner at the law firm of Meenan & Associates, LLC, with an office located at 299 Broadway, Suite 1310, New York, New York 10007. Our firm represents Plaintiff, Roselyn Isigi in the above-referenced matter.

2. I make this affirmation based upon documents and information maintained in the files in our office.

3. The materials attached to this declaration contain the support cited in Plaintiff's Memorandum of Law in Support of Motion for Turnover of Funds Pursuant to Fed. R. Civ. P. 69(a) and N.Y. C.P.L.R. 5222(b), and submitted in support of Plaintiff's motion are true and accurate copies of the following documents and/or materials:

**Exhibits**

- 1) The Court's Memorandum and Order dated June 22, 2020 awarding Plaintiff's attorney's fees and costs;
- 2) The Court's Judgment dated November 13, 2020 regarding the award of Plaintiff's attorneys' fees and costs;

- 3) Copies of the correspondence sent to Bank of America, including the Restraining Notice by certified mail on November 13, 2020;
- 4) Declaration of Gaitree Bhoge with proof of delivery of the above-referenced materials on Bank of America annexed thereto dated January 11, 2021;
- 5) Declaration of Shelley Ann Quilty-Lake with copies of the correspondence, Restraining Notice, and Notice to Judgment Debtor sent to Defendants, Harry Dorvilier and Harry's Nurses Registry, Inc. by certified mail on November 28, 2020, with proof of delivery of the above-referenced materials on Defendants annexed thereto dated January 11, 2021.

WHEREFORE, for all the reasons set forth in Plaintiff's Memorandum of Law, the Plaintiff respectfully requests that this Court issue a turnover order directing Bank of America to satisfy the Plaintiff's judgment of \$26,671.35 against the Defendants entered by this Court on November 13, 2020, together with post-judgment interest, as well as award the attorneys' fees and costs incurred in connection with enforcing this judgment, and for such other and further relief as this Court may deem just and proper.

Dated: New York, New York  
January 11, 2021

By: Shelley Ann Quilty-Lake  
Shelley Ann Quilty-Lake (SQ5787)

# Exhibit 1

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
ROSELYN ISIGI,

Plaintiff,

-against-

HARRY DORVILIER and HARRY'S NURSES  
REGISTRY,

Defendants.  
-----X

*Appearances:*

*For the Plaintiff:*

JONATHAN A. BERNSTEIN, ESQ.  
299 Broadway, Suite 1310  
New York, New York 10007

*For the Defendants:*

EDWARD IRIZARRY, ESQ.  
Law Office of Edward Irizarry, PC  
260 Madison Ave, 8<sup>th</sup> Fl.  
New York, New York 10016

**BLOCK, Senior District Judge:**

Plaintiff Roselyn Isigi brought this action pursuant to the Fair Labor Standards Act ("FLSA") and New York Labor Law ("NYLL"). On October 4, 2017, this Court imposed a default judgment against defendants and referred the matter to Magistrate Judge Gold to calculate damages. On March 24, 2018, Judge Gold recommended plaintiff be awarded \$277,336.70 in damages and \$44,890.58 in attorney's fees and costs, which this Court adopted. Defendants appealed and, on February 7, 2020, the Second Circuit affirmed the default judgment.

Plaintiff now moves for attorney's fees and costs for uncompensated work done before this Court and for work done on appeal. This motion is unopposed.

\* \* \*

The FLSA allows “a reasonable attorney’s fee to be paid by the defendant” when plaintiff prevails. *Young v. Cooper Cameron Corp.*, 586 F.3d 201, 208 (2d Cir. 2009) (quoting 29 U.S.C. § 216(b)). This entitlement to fees and costs extends to work done on a successful appeal. *Id.*

Isigi certainly prevailed before this Court and the Second Circuit’s affirmance brands plaintiff as the prevailing party on appeal. *See Cush-Crawford v. Adchem Corp.*, 234 F. Supp. 2d 207, 212 (E.D.N.Y. 2002)( “[P]laintiff is a prevailing party because the Second Circuit affirmed the [] damage award”). As such, Isigi is entitled to recover attorney’s fees and costs for work done since December 10, 2017.<sup>1</sup>

A party seeking attorney’s fees must submit “contemporaneous time records” specifying “the date, the hours expended, and the nature of the work done.” *N.Y. State Ass’n for Retarded Children, Inc. v. Carey*, 711 F.2d 1136, 1148 (2d Cir. 1983). Plaintiff’s counsel’s records indicate that he spent 70.167 hours, billed at \$400 per hour, on this case since December 10, 2017 and a paralegal spent 4.05 hours, billed at \$80 per hour, assisting. Counsel also seeks reimbursement of \$18.18 in costs.

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<sup>1</sup> December 10, 2017 was the cut off for Judge Gold’s award of attorney’s fees as plaintiff filed her reply in support of default judgment on December 10, 2017. *See* Dkt. #87; Bernstein Reply Aff ¶5 (Dkt. #79). As such, plaintiff is entitled to attorney’s fees and costs accrued post-reply at the district court level, in addition to any work done on appeal. *See Young*, 586 F.3d at 208.



Counsel submitted these records in compliance with *Carey*. And, he requests the same hourly rate adopted by Judge Gold—a rate within the range commonly approved in this district. *Sass v. MTA Bus Co.*, 6 F. Supp. 3d 238 (E.D.N.Y. 2014).

The number of hours spent is likewise reasonable considering the hours were expended over two years. Additionally, defendants' counsel moved to withdraw the afternoon before oral argument at the Second Circuit. After granting the withdrawal, the Circuit decided to take the matter on submission, but plaintiff's counsel had already spent hours preparing for oral argument. Notably, defendants do not object to counsel's requested number of hours or hourly rate.

Accordingly, plaintiff's motion for attorney's fees and costs is granted in the amount of \$26,671.35.

**IT IS SO ORDERED.**

/S/ Frederic Block  
FREDERIC BLOCK  
Senior United States District Judge

June 22, 2020  
Brooklyn, New York

# Exhibit 2

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
ROSELYN ISIGI,

Plaintiff,

v.

HARRY DORVILIER and  
HARRY'S NURSES REGISTRY,

Defendants.  
-----X

A Memorandum and Order of the Honorable Frederic Block, United States District Judge, having been filed on June 22, 2020, granting plaintiff's motion for attorney's fees and costs in the amount of \$26,671.35; and an Order having been filed on November 12, 2020, directing the Clerk of Court to enter judgment; it is

ORDERED and ADJUDGED that plaintiff's motion for attorney's fees and costs is granted in the amount of \$26,671.35.

Dated: Brooklyn, New York  
November 13, 2020

Douglas C. Palmer  
Clerk of Court

By: /s/Jalitzia Poveda  
Deputy Clerk

JUDGMENT

16-cv-2218 (FB)(SMG)

# Exhibit 3



299 Broadway, Suite 1310  
New York, NY 10007  
Phone: (212) 226-7334  
Facsimile: (212) 226-7716  
[www.meenanesqs.com](http://www.meenanesqs.com)

**By Certified Mail**

November 25, 2020

Bank of America  
Attn: Legal Order Processing  
P.O. Box 15047  
Wilmington, DE 19850-5047

Re: *Isiqi v. Harry Dorvilier and Harry's Nurses Registry, Inc.*  
Civil Action No. 16 Civ. 2218 (FB)(SMG)

Dear Sir or Madam:

Our firm represents the Plaintiff Roselyn Isiqi in the above-referenced civil action. Our firm is a judgment creditor in this action pursuant to a judgment that was entered by the Clerk of the United States District Court in the Eastern District of New York on November 13, 2020. Please find enclosed a copy of said judgment. The judgment debtors have an account at the Bank of America branch located at 76 Court Street, Brooklyn, New York, 11201.

As your records likely reflect, you have already restrained the judgment debtors' funds in this action in 2018; a marshal levied upon those restraints. Please be advised that we are not seeking to enforce the prior judgments entered by the Court in 2018, given they have been satisfied. Instead, we are seeking to enforce the enclosed judgment that was entered by the Court on November 13, 2020.

To that end, please find enclosed for service on you a Restraining Notice to Garnishee.

Moreover, on or about August 18, 2020, our firm mailed a Restraining Notice to your office. Although the Court had issued a Memorandum and Order on June 22, 2020 awarding us attorneys' fees and costs, judgment had not been entered at that time regarding this award. Given judgment has since been entered by the Court, we are now serving you with the enclosed Restraining Notice to Garnishee.

Pursuant to the terms of this Restraining Notice, please advise me when the funds are restrained. I can be contacted by email at [sql@meenanesqs.com](mailto:sql@meenanesqs.com) or by phone at (212) 226-7334.

Thank you for your anticipated cooperation and assistance with effectuating the Restraining Notice. Should you have any questions, please do not hesitate to let me know.

Yours truly,

*Shelley Ann Quilty-Lake*

SHELLEY ANN QUILTY-LAKE

SQL: sql

*Encs.*

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
ROSELYN ISIGI,

Plaintiff,

v.

HARRY DORVILIER and  
HARRY'S NURSES REGISTRY,

Defendants.  
-----X

A Memorandum and Order of the Honorable Frederic Block, United States District Judge, having been filed on June 22, 2020, granting plaintiff's motion for attorney's fees and costs in the amount of \$26,671.35; and an Order having been filed on November 12, 2020, directing the Clerk of Court to enter judgment; it is

ORDERED and ADJUDGED that plaintiff's motion for attorney's fees and costs is granted in the amount of \$26,671.35.

Dated: Brooklyn, New York  
November 13, 2020

Douglas C. Palmer  
Clerk of Court

By: /s/Jalitzia Poveda  
Deputy Clerk

JUDGMENT

16-cv-2218 (FB)(SMG)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ROSELYN ISIGI,  
Plaintiff,

v.

HARRY DORVILIER and HARRY'S NURSES  
REGISTRY, INC.,  
Defendants.

Civil Action No. 16-cv-2218 (FB)(SMG)

**RESTRAINING NOTICE TO GARNISHEE**

In connection therewith regarding  
Harry Dorvilier and Harry's Nurses  
Registry, Inc.  
*Judgment Debtors*

TO: Bank of America  
Attn: Legal Order Processing  
P.O. Box 15047  
Wilmington, DE 19850-5047

WHEREAS, in the above-captioned action, filed by Roselyn Isigi ("Isigi") as Plaintiff, against Harry Dorvilier and Harry's Nurses Registry, Inc. ("Defendants"), in the United States District Court for the Eastern District of New York, judgment was entered in favor of Isigi, judgment creditor, and against Defendants, judgment debtors, on November 13, 2020. Judgment was awarded in favor of Isigi and against Defendants in the total sum of \$26,671.35, together with interest thereon from November 13, 2020, which remains due and unpaid in its entirety.

**RESTRAINING NOTICE**

WHEREAS, it appears that you owe a debt to the judgment debtors, Harry Dorvilier and Harry's Nurses Registry, Inc., or are in possession or in custody of property in which the judgment debtors have an interest, namely the following:

Account No. ~~48305606~~4620 and any and all account(s), deposits, safe deposit box(es), and/or any other property of either or both judgment debtors, including but not limited to Account No. ~~48305606~~4620

Harry Dorvilier's SSN: ~~071-66~~0863

Harry Dorvilier's Address: 128-47 233rd Street, Rosedale, New York 11422

Harry's Nurses Registry, Inc.'s Address: 88-25 163rd Street, Jamaica, New York 11432

**TAKE NOTICE** that pursuant to Federal Rule of Civil Procedure 69(a) and subdivision (b) of section 5222 of the New York Civil Practice Law and Rules, 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 of the property in the accounts at issue, or pay over or otherwise dispose of any such debt except as therein provided.

**TAKE FURTHER NOTICE** that this notice also covers all property in which the judgment debtors have an interest hereafter coming into your possession or custody in the accounts set forth above, and all debts hereafter coming due to the judgment debtors.

#### **CIVIL PRACTICE LAW AND RULES**

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 the Restraining Notice is punishable as a contempt of court.

**INFORMATION REQUEST**

If any funds are restrained pursuant to this Restraining Notice, please notify the undersigned immediately.

Date: New York, New York  
November 25, 2020

Respectfully Submitted,

Meenan & Associates, LLC  
*Attorneys for Plaintiff, Roselyn Isigi*  
299 Broadway, Suite 1310  
New York, New York 10007  
Ph. (212) 226-7334  
Email: sql@meenanesqs.com

By: *Shelley Ann Quilty-Lake*  
Shelley Ann Quilty-Lake

# Exhibit 4

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ROSELYN ISIGI,

Plaintiff,

- against -

HARRY DORVILIER and HARRY'S NURSES  
REGISTRY, INC.,

Defendants.

Civil Action No. 16-cv-2218  
(FB)(SMG)

**DECLARATION OF SERVICE**

I, Gaitree Bhoge, pursuant to 28 U.S.C. § 1746, do hereby declare under the penalty of perjury:

1. I am over 21 years of age, I reside in Brooklyn, New York and I am not a party to this action.

2. On November 25, 2020, I served a copy of the materials attached as Exhibit 3 by certified first class mail to the following:

Legal Order Processing  
Bank of America  
PO Box 15047  
Wilmington, DE 19850  
(Certified Mail Receipt No. 9407111699000120598312)

3. Copies of the above-referenced certified mail receipts and proof of delivery are collectively annexed hereto.

Dated: New York, New York  
January 11, 2021

  
GAITREE BHOGE



**Receipt**

Print Date: Jan 11, 2021

**RETURN TO**

Meenan & Associates  
299 Broadway, Suite 1310  
New York, NY 10007

**SHIP TO**

Attn: Legal Order Processing  
P.O. Box 15047  
Wilmington, DE 19850 US

**REFERENCE**

Ship Date: Nov 25, 2020  
Ship from ZIP: 10007  
Weight: 0 lbs. 2 oz.  
User: meenanesqs  
Cost Code: <None>  
Refund Type: E-refund  
Reference #:  
Printed on: Shipping label  
Tracking #: 9407111699000120598312  
Carrier  
Acceptance Date: Nov 28, 2020

**SERVICE**

**UNIT PRICE**

First Class ® Large Envelope/Flat	\$1.20
Tracking	\$0.00
Insurance (N/A)	
Certified Mail Cost	\$3.55

Subtotal	\$4.75
Label Quantity	1
Total Cost	\$4.75



ALERT: USPS IS EXPERIENCING UNPRECEDENTED VOLUME INCREASES AND LIMITED EMPL...



FAQs >

Track Another Package +

Tracking Number: 9407111699000120598312

Remove X

Your item was delivered at 1:14 pm on November 30, 2020 in WILMINGTON, DE 19850.

**Delivered**

November 30, 2020 at 1:14 pm  
Delivered  
WILMINGTON, DE 19850

Get Updates v

Feedback

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**Text & Email Updates**



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**Tracking History**



November 30, 2020, 1:14 pm  
Delivered  
WILMINGTON, DE 19850

Your item was delivered at 1:14 pm on November 30, 2020 in WILMINGTON, DE 19850.

November 29, 2020, 10:06 am  
Available for Pickup  
WILMINGTON, DE 19850

November 29, 2020, 9:50 am

Arrived at Hub  
WILMINGTON, DE 19850

November 29, 2020, 2:21 am

Departed USPS Regional Facility  
WILMINGTON DE DISTRIBUTION CENTER

November 28, 2020, 6:52 pm

Arrived at USPS Regional Facility  
WILMINGTON DE DISTRIBUTION CENTER

November 28, 2020, 5:52 pm

Accepted at USPS Regional Facility  
WILMINGTON DE DISTRIBUTION CENTER

November 25, 2020, 9:25 pm

Shipping Label Created, USPS Awaiting Item  
NEW YORK, NY 10007

Feedback

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**Product Information**



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See Less ^

## Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

**FAQs**



# Exhibit 5

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ROSELYN ISIGI,

Plaintiff,

- against -

HARRY DORVILIER and HARRY'S  
NURSES REGISTRY, INC.,

Defendants.

Civil Action No. 16-cv-2218 (FB)(SMG)

**DECLARATION OF SERVICE**

I, Shelley Ann Quilty-Lake, pursuant to 28 U.S.C. § 1746, do hereby declare under the penalty of perjury:

1. I am an attorney duly admitted to practice in the Eastern District Court of New York, among other jurisdictions, am over 21 years of age, and am not a party to this action.

2. On November 28, 2020, I served a copy of the attached Letter, Restraining Notice to Garnishee Bank of America, and Notice to Judgment Debtor (collectively annexed hereto as **Exhibit "1"**) by certified first class mail to the following:

Harry Dorvilier  
128-47 233rd Street  
Rosedale, New York 11422  
(Certified Mail Receipt No. 7016 1370 0001 7634 5939)

Harry's Nurses Registry, Inc.  
88-25 163rd Street  
Jamaica, New York 11432  
(Certified Mail Receipt No. 7016 1370 0001 7634 5953)

3. Copies of the above-referenced certified mail receipts and proof of delivery are collectively annexed hereto as **Exhibit "2"**.

Dated: New York, New York  
January 11, 2021

By: Shelley Ann Quilty-Lake  
Shelley Ann Quilty-Lake (SQ 5787)

**EXHIBIT 1**



299 Broadway, Suite 1310  
New York, NY 10007  
Phone: (212) 226-7334  
Facsimile: (212) 226-7716  
www.meenanesqs.com

**By Certified Mail in envelopes labeled "Personal and Confidential"**

November 28, 2020

Harry Dorvilier  
128-47 233rd Street  
Rosedale, New York 11422

Harry's Nurses Registry, Inc.  
88-25 163rd Street  
Jamaica, New York 11432

Re: Isigi v. Harry Dorvilier and Harry's Nurses Registry, Inc.  
Civil Action No. 16 Civ. 2218 (FB)(SMG)

Dear Mr. Dorvilier:

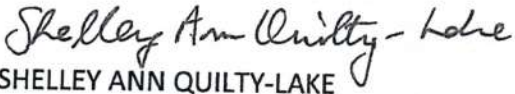
Our firm represents the Plaintiff Roselyn Isigi in the above-referenced civil action. Our firm is a judgment creditor in this action pursuant to a judgment that was entered by the Clerk of the United States District Court in the Eastern District of New York on November 13, 2020. As you know, you are a Defendant in this action, as is your company, Harry's Nurses Registry, Inc. Accordingly, both you and Harry's Nurses Registry, Inc., as Defendants, are judgment debtors and are liable for satisfying the payment of the judgment entered by the Court awarding our firm attorneys' fees and costs.

To that end, please find enclosed for service upon you, the following:

- A copy of the Restraining Notice that was served on Bank of America; and
- Notice to Judgment Debtor directed to you and Harry's Nurses Registry, Inc.

Should you have any questions regarding the enclosed, please contact me or have your legal counsel do so.

Yours truly,

  
SHELLEY ANN QUILTY-LAKE  
SQL: sql

Encs.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ROSELYN ISIGI,

Plaintiff,

v.

HARRY DORVILIER and HARRY'S NURSES  
REGISTRY, INC.,

Defendants.

Civil Action No. 16-cv-2218 (FB)(SMG)

**RESTRAINING NOTICE TO GARNISHEE**

In connection therewith regarding  
Harry Dorvilier and Harry's Nurses

Registry, Inc.

*Judgment Debtors*

**TO:** Bank of America

Attn: Legal Order Processing

P.O. Box 15047

Wilmington, DE 19850-5047

WHEREAS, in the above-captioned action, filed by Roselyn Isigi ("Isigi") as Plaintiff, against Harry Dorvilier and Harry's Nurses Registry, Inc. ("Defendants"), in the United States District Court for the Eastern District of New York, judgment was entered in favor of Isigi, judgment creditor, and against Defendants, judgment debtors, on November 13, 2020. Judgment was awarded in favor of Isigi and against Defendants in the total sum of \$26,671.35, together with interest thereon from November 13, 2020, which remains due and unpaid in its entirety.

**RESTRAINING NOTICE**

WHEREAS, it appears that you owe a debt to the judgment debtors, Harry Dorvilier and Harry's Nurses Registry, Inc., or are in possession or in custody of property in which the judgment debtors have an interest, namely the following:

Account No. ~~483056084~~4620 and any and all account(s), deposits, safe deposit box(es), and/or any other property of either or both judgment debtors, including but not limited to Account No. ~~483056084~~4620

Harry Dorvilier's SSN: ~~071-66~~-0863

Harry Dorvilier's Address: 128-47 233rd Street, Rosedale, New York 11422

Harry's Nurses Registry, Inc.'s Address: 88-25 163rd Street, Jamaica, New York 11432

**TAKE NOTICE** that pursuant to Federal Rule of Civil Procedure 69(a) and subdivision (b) of section 5222 of the New York Civil Practice Law and Rules, 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 of the property in the accounts at issue, or pay over or otherwise dispose of any such debt except as therein provided.

**TAKE FURTHER NOTICE** that this notice also covers all property in which the judgment debtors have an interest hereafter coming into your possession or custody in the accounts set forth above, and all debts hereafter coming due to the judgment debtors.

#### **CIVIL PRACTICE LAW AND RULES**

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 the Restraining Notice is punishable as a contempt of court.

**INFORMATION REQUEST**

If any funds are restrained pursuant to this Restraining Notice, please notify the undersigned immediately.

Date: New York, New York  
November 25, 2020

Respectfully Submitted,

Meenan & Associates, LLC  
*Attorneys for Plaintiff, Roselyn Isigi*  
299 Broadway, Suite 1310  
New York, New York 10007  
Ph. (212) 226-7334  
Email: sql@meenanesqs.com

By: *Shelley Ann Quilty-Lake*  
Shelley Ann Quilty-Lake

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ROSELYN ISIGI,

Plaintiff,

v.

HARRY DORVILIER and HARRY'S NURSES  
REGISTRY, INC.,

Defendants.

Civil Action No. 16-cv-2218 (FB)(SMG)

**NOTICE TO JUDGMENT DEBTOR**

**NOTICE TO JUDGMENT DEBTOR OR OBLIGOR**

Money or property belonging to you may have been taken or held in order to satisfy a judgment or order which has been entered against you. Read this carefully.

**YOU MAY BE ABLE TO GET YOUR MONEY BACK**

State and federal laws prevent certain money or property from being taken to satisfy judgments or orders. Such money or property is said to be "exempt." The following is a partial list of money which may be exempt:

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. Ninety percent of your wages or salary earned in the last 60 days;
11. Two thousand seven hundred fifty dollars of any bank account containing statutorily exempt payments that were deposited electronically or by direct deposit within the last 45 days, including, but not limited to, your social security, supplemental security income, veterans benefits, public assistance, workers' compensation, unemployment insurance, public or private pensions, railroad retirement benefits, black lung benefits, or child support payments;
12. Railroad retirement; and
13. Black lung benefits.

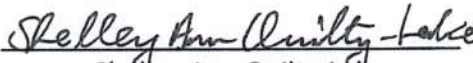


If you think that any of your money that has been taken or held is exempt, you must act promptly because the money may be applied to the judgment or order. If you claim that any of your money that has been taken or held is exempt, you may contact the person sending this notice.

Also, YOU MAY CONSULT AN ATTORNEY, INCLUDING ANY FREE LEGAL SERVICES ORGANIZATION IF YOU QUALIFY. You can also go to court without an attorney to get your money back. Bring this notice with you when you go. You are allowed to try to prove to a judge that your money is exempt from collection under New York civil practice law and rules, sections 5222-a, 5239 and 5240. If you do not have a lawyer, the clerk of the court may give you forms to help you prove your account contains exempt money that the creditor cannot collect. The law (New York civil practice law and rules, article four and sections 5239 and 5240) provides a procedure for determination of a claim to an exemption.

Dated: New York, New York  
November 28, 2020

MEENAN & ASSOCIATES, LLC  
*Attorneys for Plaintiff/Judgment Creditor*

By:   
Shelley Ann Quilty-Lake

299 Broadway, Suite 1310  
New York, New York 10007  
Ph. (212) 226-7334  
Email: [sql@meenanesqs.com](mailto:sql@meenanesqs.com)

To: Harry Dorvilier  
*Judgment Debtor*  
128-47 233rd Street  
Rosedale, New York 11422

Harry's Nurses Registry, Inc.  
*Judgment Debtor*  
88-25 163rd Street  
Jamaica, New York 11432

**EXHIBIT 2**

7016 1370 0001 7634 5939

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee <b>\$3.55</b>	Postmark Here
Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ _____ <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage <b>\$0.65</b>	
Total Postage and Fees <b>\$4.20</b>	
Sent To <b>HARRY DORVILLE</b> Street and Apt. No., or PO Box No. <b>128-47 233RD STREET</b> City, State, ZIP+4® <b>ROSEDALE, NY 11422</b>	

PS Form 3800, April 2015 PSN 7630-02-000-9047 See Reverse for Instructions

7016 1370 0001 7634 5953

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee <b>\$3.55</b>	Postmark Here
Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ _____ <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage <b>\$0.65</b>	
Total Postage and Fees <b>\$4.20</b>	
Sent To <b>HARRY'S NURSES REGISTRY, INC.</b> Street and Apt. No., or PO Box No. <b>68-28 163RD STREET</b> City, State, ZIP+4® <b>JAMAICA, NY 11432</b>	

PS Form 3800, April 2015 PSN 7630-02-000-9047 See Reverse for Instructions

ALERT: USPS IS EXPERIENCING UNPRECEDENTED VOLUME INCREASES AND LIMITED EMPL...

# USPS Tracking®

[FAQs >](#)

[Track Another Package +](#)

*HARRY BOUVILIER*

**Tracking Number:** 70161370000176345939

[Remove X](#)

Your item was delivered to an individual at the address at 2:28 pm on December 2, 2020 in ROSEDALE, NY 11422.

## **Delivered**

December 2, 2020 at 2:28 pm  
Delivered, Left with Individual  
ROSEDALE, NY 11422

**Get Updates** 

Feedback

---

**Text & Email Updates** 

---

**Tracking History** 

---

**Product Information** 

---

**See Less** 

## Can't find what you're looking for?

Go to our [FAQs](#) section to find answers to your tracking questions.

## Track Another Package +

*HARRY'S NURSES REGISTRY, INC.*

**Tracking Number:** 70161370000176345953

[Remove X](#)

Your item was delivered to an individual at the address at 10:54 am on December 2, 2020 in JAMAICA, NY 11432.

### **Delivered**

December 2, 2020 at 10:54 am  
Delivered, Left with Individual  
JAMAICA, NY 11432

Feedback

**Get Updates** 

---

**Text & Email Updates** 

---

**Tracking History** 

---

**Product Information** 

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**See Less** 

## Can't find what you're looking for?

Go to our [FAQs](#) section to find answers to your tracking questions.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ROSELYN ISIGI,

Plaintiff,

- against -

HARRY DORVILIER and HARRY'S  
NURSES REGISTRY, INC.,

Defendants.

Civil Action No. 16-cv-2218 (FB)(SMG)

**DECLARATION OF SHELLEY ANN QUILTY-LAKE IN SUPPORT OF PLAINTIFF'S  
MOTION FOR TURNOVER OF FUNDS PURSUANT TO FED. R. CIV. P. 69(a) and N.Y.  
C.P.L.R. 5222(b)**

Respectfully Submitted,

Meenan & Associates, LLC

*Attorneys for Plaintiffs*

By: Shelley Ann Quilty-Lake, Esq.

299 Broadway, Suite 1310

New York, New York 10007

P: (212) 226-7334

E: [sql@meenanesqs.com](mailto:sql@meenanesqs.com)