

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

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FARRELL FRITZ, P.C.,

Plaintiff,

- against -

SARATOGA SCHENECTADY SCHOHARIE
ASSOCIATION OF REALTORS, INC.,

Defendant.
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: Index No.: 604979/2015
: (Capetola, J.)
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RESTRAINING NOTICE

TO: Greater Capital Association of Realtors, Inc.
451 New Karner Road
Albany, New York 12205

WHEREAS, in an action in the Supreme Court, County of Nassau, between Farrell Fritz, P.C., as plaintiff, and Saratoga Schenectady Schoharie Association of Realtors, Inc., as defendant, who are all the parties named in said action, a judgment was entered on December 1, 2015, in favor of Farrell Fritz, P.C., judgment creditor, and against Saratoga Schenectady Schoharie Association of Realtors, Inc., judgment debtor, in the amount of \$32,909.05, of which \$32,909.05, together with interest thereon from December 1, 2015, remains due and unpaid; and

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;

TAKE NOTICE, that pursuant to New York Civil Practice Law and Rules ("CPLR") § 5222(b), which is set forth in full below, 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:

CPLR § 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 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.

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

Dated: New York, New York
December 21, 2015

Farrell Fritz, P.C.
Plaintiff Pro Se

By 

Peter A. Mahler
Michael A.H. Schoenberg
370 Lexington Ave., Suite 800
New York, New York 10017
(212) 687-1230

TO: DRIVER GREENE LLP
Attorneys for Greater Capital Association of Realtors, Inc.
John D. Hoggan, Jr., Esq.
228 Church Street
Saratoga Springs, New York 12866

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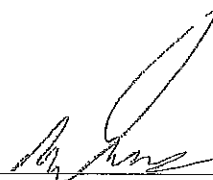
RESTRAINING NOTICE

Farrell Fritz, P.C.
Attorneys Pro Se
370 Lexington Avenue, Suite 800
New York, NY 10017
212.687.1230

*This certification, pursuant to 22 N.Y.C.R.R. Part 130-1.1-a,
applies to the following papers contained within this back:*

(1) Restraining Notice

Dated: December 21, 2015

Signature: 

Print Signer's Name: Michael A.H. Schoenberg
