

**Nassau County  
Maureen O'Connell  
County Clerk  
Mineola, NY 11501**



61 2018 00069564

**Ref ID#: EC 2014605219**

**Instrument Number: 2018- 00069564**

As

**JE1 - ELECT JUDG SUPREME COURT MONEY**

Recorded On: April 12, 2018

Parties: PATRICIA DUBANOS

TO AARON KAPNER

Recorded By: SUPCOFF

Num Of Pages: 8

Comment:

**\*\* Examined and Charged as Follows: \*\***

JE1 - ELECT JUDG SUPREME CC	0.00
Recording Charge:	0.00

**\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\***

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Nassau County, NY

**File Information:**

**Record and Return To:**

Document Number: 2018- 00069564

Receipt Number: 1032773

Recorded Date/Time: April 12, 2018 01:29:29P

Book-Vol/Pg: Bk-K VI-208 Pg-146

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**County Clerk Maureen O'Connell**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
PATRICIA DUBANOS,

Plaintiff(s),

**JUDGMENT**

-against-

Index No. 605219/14

AARON KAPNER, GREENKAP CORPORATION, and  
CHUMBOLT, INC.

Defendant(s).

-----X

The above action having been voluntarily settled by the parties herein as follows: in the amount of \$75,000.00, to be paid by Defendants GREENCAP CORPORATION ("GREENCAP") AND CHUMBOLT, INC. ("CHUMBOLT"), as Debtors, together with interest at nine percent from January 9, 2012, less \$3,375.00 interest previously paid; and Defendants GREENKAP and CHUMBOLT as Debtors having consented to entry of judgment against them; and in the amount of FIVE THOUSAND DOLLARS (\$5,000.00), to be paid by Defendant AARON KAPNER ("KAPNER"), and KAPNER as Debtor having executed an Affidavit of Confession of Judgment in favor of Plaintiff PATRICIA DUBANOS ("DUBANOS") as Creditor in the sum of \$5,000, together with interest at nine percent from November 23, 2017; and KAPNER having made only a partial payment to DUBANOS in the amount of \$1,750.00 on or about November 17, 2017; and KAPNER or his representative(s) having failed to pay \$3,250.00 due to the Plaintiff JUDGMENT CREDITOR pursuant to the settlement.

NOW, upon reading and filing the annexed affirmation of MARC H. SUPCOFF of LAW  
located at 450 7th Ave, Suite 2205, New York NY 10123  
OFFICES OF MARC H. SUPCOFF, attorneys for the Plaintiff, the Stipulation and Order of

Settlement, dated October 3, 2017, So Ordered by the Court, Hon. R. Bruce Cozzens, and the Affidavit of Confession of Judgment by Aaron Kapner, sworn to November 15, 2017, it is

Rec #1

ADJUDGED that Plaintiff PATRICIA DUBANOS, residing at 2315 Argyle Place Bellmore, NY 11710, have and recover of Defendants GREENCAP CORPORATION AND CHUMBOLT, INC., each residing at 145 Gerard Road, Yaphank, NY 11980,, the sum of \$75,000.00, jointly and severally, together with interest at nine percent from January 9, 2012 through March 23, 2018, totaling \$41,850, less \$3,375.00 interest previously paid, in the amount of \$38,475.00 \$200.00 and costs as taxed in the sum of \$400.00, making in all the sum of ONE HUNDRED THIRTEEN THOUSAND EIGHT HUNDRED SEVENTY FIVE DOLLARS (\$113,675.00), and that Plaintiff have execution thereof, and it is

Rec #2

ADJUDGED, that Plaintiff PATRICIA DUBANOS, residing at 2315 Argyle Place Bellmore, NY 11710, have and recover of the Defendant, Aaron Kapner, residing at 145 Gerard Road, Yaphank, NY 11980, the sum of THREE THOUSAND TWO HUNDRED FIFTY DOLLARS (3,250.00), together with interest from October 3, 2017 through March 23, 2018 in the amount of \$200.00 \$114.40, and costs as taxed in the sum of \$400.00, making in all the sum of THREE THOUSAND SEVEN HUNDRED SIXTY FOUR DOLLARS AND FORTY CENTS (\$3,564.40) and that the Plaintiff have execution therefore.

Judgment entered this 12 day of April, 2018.

Maura O'Connell  
Clerk

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU  
PATRICIA DUBANOS,

Index No. 605219/14

Plaintiff,

-against-

**COSTS OF PLAINTIFF**

AARON KAPNER, GREENKAP CORPORATION,  
and CHUMBOLT, INC.,  
Defendants.

Costs before Note of Issue		\$ 200	
			<b>\$400.00</b>
CPLR §8201 subd. 1			
Costs after Note of Issue	Costs	\$ 200	
CPLR §8201 subd. 2			
Trial of issue	Disbursements		
CPLR §8201 subd. 3			
Allowance by statute	Total	\$400.00	
CPLR §8302(a)(b)			
Additional allowance			
CPLR §8302(d)			
Motion costs			
CPLR §8202			
Appeal To App. Div. Or App. Term before argument			
CPLR §8203 subd. 1			
Appeal to App Div or App. Term for argument			
CPLR §8203 subd. 2			
Appeal to court of Appeals before argument			
CPLR §8204 subd. 1			
Appeal to Court of Appeals for argument			
CPLR § 8204 subd. 2			

COSTS THIS DAY OF APRIL 20 2018  
ADJUSTED AT \$ 400.00  
Maurice O'Connell  
CLERK, NASSAU CO.

Fee for index number CPLR §8018(a)  
Referees Fees CPLR §8301(a)  
Commissioner's compensation CPLR §8301(a)  
Clerk's fee, filing notice of pend. Or attach  
CPLR §8010(e) §8021(a)12  
Clerk's fee cancel notice of pend CPLR §8021(a)12  
Entering and docketing judgment CPLR §8301(a) 7 §8016(a)2  
Paid for searches CPLR §8301(a)10  
RJI  
Serving copy summons & complaint CPLR §8011(c)1 §8201(d)  
Note of issue CPLR §8020(a)  
Paid referee's report CPLR §8301(a)12  
Certified copies of papers CPLR §8201(a)4  
Satisfaction piece CPLR §5020(a) §8201  
Transcripts and filing CPLR §8021  
Certified copy of judgment CPLR §8021  
Postage CPLR §8301(a) 12  
Jury fee CPLR §8020(c) 1  
Stenographer's fees CPLR §8002§8301  
Sheriff's fees on execution

Rec #1 - \$ 200.00  
Rec #2 - \$ 200.00

\$400.00

CPLR §8011(b) §8012	Paid for Tax Search
Sheriff's fees, attachment, arrest, etc.	Paid for Referee's Report
	Attendance of Witnesses; CPLR §8001(a)(b)(c) §8301(a)1
CPLR §8011(a)(c)2, 3(g)	
Paid printing case CPLR §8201(a)6	
Clerk's fees Court of Appeals CPLR §8301(a)12	
Paid copies of papers CPLR §8016(a)4	

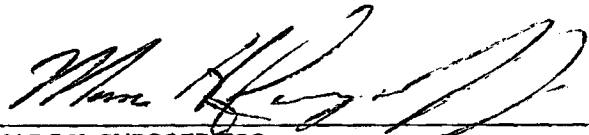
Motion expenses CPLR §8301(b)  
 Fees for publication CPLR §8301(a)3  
 Serving subpoena CPLR §8011(c)1 §8301(d)  
 Paid for Register's Search CPLR §301(a) 10  
 Paid for County Clerk's Search  
 Paid for Loan Commissioner's Search  
 Paid for U.S. District Court Search  
 Paid for U.S. Circuit Court Search

STATE OF NEW YORK COUNTY OF NEW YORK )ss:

The undersigned, an attorney admitted to practice in the courts of this state, affirm; that he is a principal of LAW OFFICES OF MARC H. SUPCOFF, the attorney of record for the plaintiff in the above entitled action; that the foregoing disbursements have been or will necessarily be made or incurred in this action and are reasonable in amount and that each of the persons named as witnesses, attended as such witness on the trial, hearing or examination before trial herein the number of days set opposite their names; that each of said persons resided the number of miles set opposite their names, from the place of said trial, hearing or examination; and each of said persons, as such witness as aforesaid necessarily traveled the number of miles so set opposite their names, in traveling to, and the same distance in returning from the same place of trial, hearing or examination; and that copies of documents or papers as charged herein were actually and necessarily obtained for use.

The undersigned affirms that the foregoing statements are true, under the penalties of perjury.

Dated: March 23, 2018



\_\_\_\_\_  
 MARC H. SUPCOFF, ESQ.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
PATRICIA DUBANOS,

Plaintiff(s),

-against-

AARON KAPNER, GREENKAP CORPORATION, and  
CHUMBOLT, INC.

Defendant(s).  
-----X

**AFFIRMATION IN  
SUPPORT OF JUDGMENT**

Index No.: 605219/14

MARC H. SUPCOFF, an attorney duly admitted to practice before the courts of the State of New York and not a party to this action, hereby affirms the following under penalty of perjury, that:

1. Your affirmant is a principal of LAW OFFICES OF MARC H. SUPCOFF, attorneys for the plaintiff in the above captioned action and as such am fully familiar with the facts of this matter as set forth herein.
2. Your affirmant is submitting this affirmation in support of the entry of a judgment on behalf of plaintiff pursuant to a Stipulation and Order of Settlement, dated October 3, 2017, So Ordered by the Court, Hon. R. Bruce Cozzens (see Exhibit 1 herto), and an Affidavit of Confession of Judgment by Aaron Kapner, sworn to November 15, 2017 (see Exhibit 2 hereto).
3. This action to recover damages for breach of contract and fraudulent misrepresentation against defendants was brought by plaintiff, Patricia Dubanos, for failure by defendants to return to plaintiff the amount of \$75,000.00 which she invested and accrued interest for shares in defendant's company which shares she redeemed on or about December 14, 2012.

4. The action was commenced on October 13, 2014, by the filing of a summons and complaint in Supreme Court, Nassau County. Defendants duly appeared by serving an answer on or about April 27, 2015.

5. Thereafter, a preliminary conference was held on November 20, 2015, and discovery exchanged.

6. The parties exchanged document discovery and the depositions were completed. A Note of Issue was filed on August 17, 2016.

7. On October 3, 2017, the attorney for the defendants, William DeCandido, Esq, defendant Aaron Kapner, your affirmant on behalf of plaintiff, and Plaintiff Patricia Dubanos appeared in Court and reached a Stipulation of Settlement, So Ordered by the Court (the "Settlement & Order"). See Exhibit 1.

8. Pursuant to the Settlement & Order, Defendants consented to entry of judgment in the amount of \$75,000.00 against Defendants GREENCAP CORPORATION ("GREENCAP") AND CHUMBOLT, INC. ("CHUMBOLT") together with interest at nine percent from January 9, 2012, less \$3,375.00 interest previously paid. See Exhibit 1.

9. In addition, pursuant to the Settlement & Order, defendant KAPNER agreed to pay Plaintiff \$5,000.00 by November 3, 2017. See Exhibit 1.

10. Kapner executed an Affidavit of Confession of Judgment in favor of Plaintiff in the sum of \$5,000. See Exhibit 2.

11. Thereafter, on November 7, 2017, your affirmant e-filed Notice of Entry of the Settlement & Order. A copy of the Confirmation Notice including notification to defendants counsel is attached hereto as Exhibit 3.

12. Defendants GREENKAP and CHUMBOLT have failed to pay any portion of the principal balance of \$75,000.00, plus interest due to Plaintiff pursuant to the Settlement Amount.

13. KAPNER made only a partial payment to DUBANOS in the amount of \$1,750.00 on or about November 17, 2017.

14. KAPNER or his representative(s) having failed to pay the principal balance of \$3,250.00, plus interest, due to the Plaintiff pursuant to the settlement.

**WHEREFORE**, it is respectfully requested that judgment be entered pursuant to in favor of plaintiff and against defendants in the amount set forth in Judgment, together with the costs and disbursements of this action.

Dated: New York, New York  
March 26, 2018

  
MARC H. SUPCOFF, ESQ.