

ORIGINAL

MATSUMOTO, J.

FILED
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U.S. DISTRICT COURT E.D.N.Y.

★ JUL 24 2020 ★

BLOOM, M.J.

BROOKLYN OFFICE

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

7-24-2020

VidYARTI GANESH
Plaintiff.

SORRY DEMAND
Complaint for a Civil Case

CV 20 - 3528

Case No. (to be filled in by the Clerk's Office)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: Yes No
(check one)

RECEIVED
JUL 24 2020
PRO SE OFFICE

-against-

THE CITY OF NEW YORK CITY
individually and in their official
capacity as New York City Police Officers -
WILLIAM CLEME AND Police Officer FITZMAURICE

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

SHIELD NUMBER 11671

Defendants.

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Vid YARTIE CRANESH
 Street Address 184-116 Edgewood Ave
 City and County Springfield Gardens
 State and Zip Code New York, 11413
 Telephone Number _____
 E-mail Address _____

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name Defendant, City of New York (City)
 Job or Title is a Government
 (if known) office of the comptroller
 Street Address 1 CENTRE STREET
 City and County Room 1250
 State and Zip Code NEW YORK, N.Y. 10007
 Telephone Number Unknown
 E-mail Address Mr. Scott M. Stringer
 (if known) City's Comptroller.

Defendant No. 2

Name Please see Next Page
 Job or Title _____
 (if known) _____
 Street Address _____
 City and County _____

State and Zip Code _____
Telephone Number _____
E-mail Address _____
(if known)

Defendant No. 2

Name complete Name Unknown Presently
FITZ MAURIE
Job or Title Shield Number 1167 Officer
(if known) New York City Police Officer
Street Address Presently Unknown
City and County _____
State and Zip Code New York, N.Y. 10007
Telephone Number Unknown
E-mail Address Mr. Scott M. Stringer
(if known) New York City's Comptroller.

Defendant No. 3

Name WILLIAM CLEMES
Job or Title New York City Police Officer
(if known) Shield Number 27284
Street Address Unknown Presently.
City and County 1 CENTRE STREET Room 1200
State and Zip Code New York N.Y. 10007
Telephone Number Unknown.
E-mail Address Mr. Scott M. Stringer
(if known) N.Y. City's Comptroller.

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

- Federal question
- Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

This Action is Brought Pursuant to 42 U.S.C. Sections 1983, 1985, 1986, and 1988; and First, Fourth, Fifth, ^{Eight} Sixth, and Fourteenth Amendments to the United States Constitution and the Laws of the State of New York.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

is Founded upon 28 U.S.C. Sections 1331, 1343 (1-4) and 2202. Plaintiff further involve the Supplemental Jurisdiction of this court to Adjudicate Pursuant to 28 U.S.C. Sec 1367.

1. The Plaintiff(s)
 - a. If the plaintiff is an individual

The plaintiff, (name) VIDYARTIE LINESH is a citizen of the State of (name) GUYANA, South America and Resident of the City of New York and Born in GUYANA, South America.

- b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____ and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

- a. If the defendant is an individual *Please See Next Page*

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

Venue is Proper in this District Under 28 U.S.C Section 1391 (b).

Defendant, City of New York (City), is a Municipal Corporation within the State of New York and the Public Employee of the Police officers.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____. Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. ~~The Amount in Controversy~~ *v.g.*

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III.

Statement of Claim

Pro-Se Plaintiff VIDYARTIE GANESH BY and through himself and her husband contends and Alleges to this Honorable Court of follows:

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

On April 27, 2019 without Any Notice without Any Warning, and with NO Due Process of LAW, and Suddenly the Victim-Claimant Mr. Ganesh BY Definition WAS kidnapped, Stolen, Seized, and Tortured BY New York City Police officers (NYPD); and Struggling to Breathe with Shortness of Breath, and Massive Chest Pain, and WAS Hospitalized.

To Plaintiff: Please Note, that due to Plaintiff's Major Medical Condition and Repeat Heart Surgeries, and due to Defendant City of New York, Non-Cooperation and refusal to produce any evidence, cannot complete this complaint and seek leave to amend this complaint as soon as possible.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Please See Attached.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: *7-24-*, 20 *20*

Signature of Plaintiff

[Handwritten Signature]
VIDYARTIE GANESH

Printed Name of Plaintiff

Please See Attached Money Order made Payable to the Court in the Amount of \$400.00. Thank you.

The Plaintiff's Affidavit is an industrious person of the highest quality - and was reduced to nothing by these defendants.

NOTICE OF CLAIM

2. Plaintiff - Ganesh, in furtherance of the State Causes of Action, Filed Timely Notice of Claim Against the City of New York in Compliance with General Municipal LAW Section 50.

3. More than 30 days have elapsed since service of said Notice of Claim dated July 25, 2019, and the City of New York has failed to pay or adjust the claim and/or failed, neglected and refused to pay Plaintiff or adjust the claim.

4. See Attached, hereto Notice of Claim dated July 25, 2019 and filed with the City Comptroller office on July 25, 2019, with proof of receipt filed, along with proof of letter of claim. A acknowledgment by unsigned letter dated July 30, 2019 by Mr. Scott M. ^{Stanger} Comptroller. All these documents herein, will be marked as Plaintiff GANESH Exhibit 'A'

5. By Letter dated August 5, 2019
by New York City Attorneys
Armienti, Debellis & Rhoden, LLP
Scheduled NOTICE of SO-H Hearing
Pursuant to Section 80-b of the
General Municipal Law (GML)
for Plaintiff - Ganesha to be Orally
Examined Under Oath on October 16, 2019,
at 2:00 P.M. Suite 520

6. On October 16, 2019 Plaintiff
VIDYARJIE GANESH in compliance
with my legal obligation appeared
at the Defendant's City Attorney's office
at 39 Broadway, New York N.Y. 10006-
at about 1:50 P.M. Ready, Willing
and Able to be Examined Under
Oath. The Defendant City of New York
and its Attorneys Failed, Neglected
and Refused to take my Testimony
Under Oath, claiming that they
don't a Court Reporter Now. And
did Not Take My Documents They Requested.

7.

8. By Letter dated December 23, 2019 Defendant City of New York Attorneys Armiamenti, Debellis & Rhoden, LLP Sent Me-Plaintiff - Ganesh to Appear for Hearing dated March 12, 2020 at 10:36 A.M.

9. On March 12, 2020, at about 10:15 AM Plaintiff VIDYARTIE GANESH appeared at Defendant City Attorneys office at 379 Broadway, Suite 5120, New York, N.Y. 10006-3034 ready, willing and able to comply and complete and discharge my legal obligations pursuant to Section 50-H of the General Municipal LAW. Defendant City of New York and its Attorneys Again Failed, Neglected and Refused to take Plaintiff Vidyartie Ganesh Testimony on March 12, 2020 and claiming this time that their Court, is ^{Reporter} Busy and that, They don't have Another Court Reporter. Now, And Refused to Take my Documents They have Requested.

11. By Letter dated June 16, 2020 of Defendant City of New York Attorneys Arrighetti, DeBellis & Rhoden, LLP Scheduled 50 H. Hearing for September 1, 2020 for Plaintiff VIDYARTIE GANESH, which will be passed the Statute of Limitations and far beyond the Statutory time to sue in Court Defendant - City of New York which is within one year and Ninety Days from the Date of the Occurrence which is April 27, 2019.

12. Defendant - City of New York said Attorneys Letter of and dated June 16, 2020 which was received by Plaintiff on July 20, 2020, was put in someone's Else Mail Box.

13. Defendant - City of New York said mentioned Attorneys Above committed a FRAUD upon Plaintiff - GANESH by Attempting to conduct a 50 H - Hearing Under Oath of Plaintiff VIDYARTIE GANESH after the Statutory Time of one year and Ninety days have ~~expired~~ ^{long} expired for such Hearing Under Oath set for September 1, 2020 at 10:00 A.M.

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14. Dependant - City of New York Attorneys Armiamenti, Debellis & Rhoden, LLP, ^{Letter} dated December 23, 2019, FALSELY CLAIMED ... "The Hearing ... has been Adjourned At Your Request" March 12, 2020.
15. Plaintiff Donny Dependant City of New York Attorneys mentioned Above FALSE and Fraudulent Statement ^{their} By ^{their} Letter December 23, 2019.
16. Plaintiff - Ganesh Never Requested an Adjournment from Dependant City Attorneys mentioned Above NEVER.
17. Dependant - City of New York Attorneys Armiamenti, Debellis & Rhoden, LLP, Letter dated June 16, 2020, Again FALSELY CLAIMED ... "The Hearing has been Adjourned at your Request Hearing date September 1, 2020, 10:00 AM".
18. Plaintiff - Ganesh Never Requested an Adjournment from this Dependant City of New York Attorneys mentioned Above. NEVER.
19. The Dependant City Attorneys LIED. See Attached hereto All Letters from Dependant City of New York Attorneys - ^{which} ^{are} Marked collectively as Plaintiff - Ganesh Exhibit 'B' 5 / 7-24-2020.

20. Defendant City of New York
Voluntarily, knowingly and
Intentionally Relinquished
its Statutory ^{Legal} Right to
Conduct a 50-H Hearing —
Pursuant to Section 50-H of the
General Municipal LAW (G.M.C.)
and is Thereby WAIVED.

20. Defendant City of New York and
by its Attorney(s) Armentis,
Debellis & Rhoden, LLP by
its Repeated Fraudulent
Conduct and Acts of
Dishonesty cited herein above
is BARRED by Estoppel
and therefore Estopped of
the Requirements of Section
50-H of the General
Municipal LAW (G.M.C.).

22. That, as a result, Plaintiff - GAVESH
has fully Complied with its
Legal Obligations to
Defendant - City of New York Pursuant
to Section 50-H of the General
Municipal LAW (G.M.C.) and
Demands a Legal Judgement
from Defendant - City of New York for
Full Reparations & No Matter
What - for My Long Suffering and
Punishment. 6 7-24-2020.

7-24-2020

Mr. GARNETT

27. All of the foregoing occurred without any fault or negligence on the part of Mr. GARNETT.

Probable Cause and was foreseeable and against his will. Imprisonment of Mr. GARNETT was without flight or

and (PLSE arrest) and Union for Womans Freedom, 26. At All Times mentioned the

Defendant City and attached hereto dated July 25, 2019 filed with

to serve the Notice of Claim

25. Plaintiff incorporated by

Confidence and Non-Corporation.

Complaint for this Defendant City Non-civil be fully stated in My Amendment

Acts mentioned herein above and in My Notice of Claim and the

Under Color of Law as cited

24. The Defendants herein Acts

See Singer v. Fulton County Sheriff, 63 F.3d 110 (2nd Cir. 1995)

of Rights (2) Under Order of LHM to those who (1) are deprived

Purpose is to provide a Remedy

23. 42 U.S.C. Section 1983. Acts

28. At No Time during the Events Described here did the Dependant Officers have Probable Cause for the False Arrest of Mr. Ganesh and there was NO legal Cause or Excuse for his Seizure.

29. The Actions of the Dependant ^{herein} Officers Violated Mr. Ganesh's Clearly Established Rights Under the First, Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments of the Constitution of the United States of America and were Direct and Proximate Cause of the Physical and Psychological Injuries Mr. Ganesh Suffered.

30. The Actions of All Dependants were Intentional, Malicious, and in Bad Faith, thus giving Rise to Punitive Damages to All Dependants.

31. The Dependant Officers Deliberate Indifference, Violated Mr. Ganesh's Constitutional Rights for which he Suffered Substantial Damages.

7-24-2020

DAMAGES

32. As a Direct and Proximate Result of the Said ACTS of the Defendants, Mr. GANESHA Suffered the following Injuries and Damages:

A. Violation of his Rights Under the First, Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments to the Constitution of the United States;

B. Loss of Physical Liberty;

C. Life Threatening Physical Injuries, Pain and Suffering, Extreme FEAR, Emotional TRAUMA, Requiring the Expenditure of Money for Treatment Expected to LAST the Rest of his LIFE;

D. Economic Damages Including Loss of Income and Future Income; and
E. Humiliation, Embarrassment, SHAME, and Injury to Reputation for the Rest of his Life.

The Physical, Psychological and Economic Consequences of the Defendants' Actions continue to date, and Upon Information and Belief, will continue into the future.

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WHEREFORE, Plaintiff Request and Require the following Relief Jointly and Severally as Against All of the Defendants:

1. Award Compensatory Damages in an Amount to be Determined at Trial; If NO Trial is Allowed in this case, then Plaintiff - Ganesh Demands Full Fair and Just Reparations from Defendant City of New York Until Paid

2. Award Punitive Damages in an Amount to be Determined at Trial; If NO Trial and NO Justice is Allowed in this Brutal Attack of Victim - GANESH, then Plaintiff - GANESH Demands Full Fair and Complete Reparations from Defendant - City of New York Until Fully Paid.

3. As a compromise Plaintiff - GANESH will Accept the Same Paid to American Lawyer Kenneth Perry Won \$6.25 Million for his Arrest a life Ruined by Cops Or \$5 Million Settlement for Mr. Larry Jackson. Settled by this Court. Please See both cases Attached.

Respectfully,
Plaintiff
Pagella
VICTIM GANESH
7-24-2020

EXHIBIT

A

OFFICE OF THE COMPTROLLER CITY OF NEW YORK

THURSDAY JULY 25, 2019 . JURY DEMANDED NO MATTER WHAT!

NOTICE OF CLAIM AS CONTINUED FOR CLAIMANT VIDYARTIE GANESH, VICTIM OF NEW YORK CITY POLICE DEPARTMENT FROM FIRST PAGE. AS WELL FOR PERSONAL INJURY CLAIM AGAINST THE CITY OF NEW YORK, NEW YORK CITY POLICE DEPARTMENT (NYPD), POLICE OFFICER WILLIAM CLEMENS AND POLICE OFFICER FITZMAURICE SHIELD NUMBER 11671 ; AND BOGUS FALSE WITNESS DARA MCCANTS . SEE NEW YORK CITY CLAIM FORMS ATTACHED HERETO AND NOTARIZED.

NATURE OF CLAIM : RACISM, Seizing, Torturing and FALSE Imprisonment of Claimant all of which were Illegal, Racial, Racist, Discriminatory, Unlawful, and Unconstitutional . Thereby give Rise to this Claim for Civil Rights Violations, Human Rights Violations and Constitutional Violations; and Personal injury and in Violation of U.S. and International Law; and A Claim for EXCESSIVE FORCE used by said New York City Biased Police Officers WILLIAM CLEMENS AND FITZMAURICE. And in Support thereof, the Contentions and Allegations, alleges and States as follows:

- 1. The Claimant was FALSELY Accused because of my Race and Color and That, as a Result, Constituted Racial Discrimination.**

The Claimant committed NO Crime whatsoever. The Claimant Was set up. The Claimant had Four (4) Heart Surgeries and Suffered from Disabilities and Blind from one eye.

- 2. The Dismissal of said Police FALSE CLAIM offered by them, Conclusively and Definitively Proving, Beyond any Scintilla of Doubt, that said Claimant is an Innocent Man. Case like this one is how this Racist System Put innocent People to Death and/or Unlawful and FALSE Imprisonment for years and years.**
- 3. The New York City Police made an Illegal FALSE ARREST of the innocent victim and Claimant and in order to Cover –Up the FALSE ARREST they Filed a FALSE BOGUS CLAIM and a FALSE Charge and That, is what this Case is about members of the Jury. The Victim Claimant VIDYARTIE GANESH, Fundamental Rights were Violated and one of the Worse Crimes against Humanity in Violation of New York City Human Rights LAW and United States and New York State Constitutions and International LAW.**
- 4. On April 27, 2019, about 6:30 p.m. the Claimant VIDYARTIE GANESH, while Lawfully and Peacefully shopping in The Home Depot at 132-20 Merrick Blvd, Springfield Gardens, N.Y. 11434, Without any Notice or Warning I was SEIZED by Two white Men**

Police Officer William Clemens and Police Officer Fitzmaurice Shield Number 11671 and taken out of said Home Depot with the Claimant's hands tightly handcuffed behind his back, with NO REASON GIVEN at the said time for the said Illegal, Wicked and Unconstitutional Arrest. Thereby Causing Claimant VIDYARTIE GANESH immediate and Severe Chest Pain and Difficulty breathing and Massive Unparalleled Shame and Embarrassment before the eyes of the Public.

5. The Claimant was then taken against his will and without Consent and by Force and FRAUD to the 113 TH Precinct, Police Station, where said Claimant VIDYARTIE GANESH, Finally Collapsed in massive Pain and Suffering and as a Result, of the tightly handcuffed behind his back by the Cruel New York City Police Officer William Clements thereby Restricting Blood to the Claimant's Heart and caused severe Chest Pain and Aggravated Claimant's Heart and thus, Constituting Excessive Force and Cruelty and Unnecessary Painful Suffering .
6. Despite the fact, of said illegal arrest and severe Pain and Suffering the Police Office put Chain on Claimant's Feet and left the handcuffed behind his back and put Claimant into an Ambulance which took him to Queens, Jamaica Hospital Crying

out with Pain and his Feet were Chained and hands cuffed behind his back . This Constitute the Worse Criminal Evil I have ever seen or heard of in modern times .

7. These Heartless RACIST MEN show NO Mercy to their Victim Mr. Ganesh and treated the Victim so unjustly like a common Criminal when in Fact, NO Crime was ever Committed by the Claimant and the FALSE CLAIM was a LIE and the Charge was Never Proven in Court. It was a Fraud upon New York City Court and a Fraud upon the innocent victim Claimant Mr. Ganesh.
8. On April 27 and/or 28 , 2019, In side Jamaica Hospital in the said Hospital bed New York City Cruel Police Officer FITZMAURICE Shield Number 11671 Handcuffed one of Claimant's HANDS to Said Bed; then Police Officer FITZMAURICE, Hancuffed Both of Claimant's Hands to the said Bed at a different time, and then left the Chain on Claimant's Feet despite the Tremendous and Terrible PAIN I was in thereby Constituting EXCESSIVE FORCE, Barbarous Punishment, Inhuman Treatment, and CRUEL and UNUSUAL PUNISHMENTS Contrary to, and in Violation of the Eighth Amendment to the United States Constitution which Prohibits Excessive Punishments that involve the Unnecessary and Wanton Infliction of Pain . This New York City Police Treated

Me like a SLAVE. This is Worse than SALVERY OR the SAME. As Dred Scott Slave Master was from New York and a Citizen of New York in the United States Supreme Court Case Dred Scott v. John Stanford, 1857. The Supreme Court Ruled in favor of Slavery.

9. As well it Violates the 14th Amendment to the United States Constitution AND DEPRIVED Claimant Mr. Ganesh of his LIFE, DEPRIVED Claimant Mr. Ganesh of his Liberty and DEPRIVED Claimant Mr. Ganesh of his Property; and it Violates New York State Constitution; and in Breach of New York City Human Rights Law and International Law and a Crime against Humanity as Claimant was TORTURED by inflicting excessive Pain and Suffering committed by the New York City Police in this so-called Sanctuary City and the Police Tape will Prove It.

10. To PROVE my case Request and Demand is hereby made upon the The City of New York, and New York City Police Department and I DEMAND that the Police Tape “ Body Worn Camera Footage be Produced from Start to Finish Forthwith meaning IMMEDIATELY So the People of New York City and State and the American People and the entire World can see what these Cruel and Heartless Men did to Me and how they did it.

They Say if you See Something, Say Something". So Let the whole World See how Bad they Treated Me and TORTURED Me. The People have a Right to Know and we have a Right and a Duty to Prevent a Repeat of the Same and which will save Lives.

- 11. New York City Police Officer William Clemens, said to Me VIDYARTIE GANESH, on April 28, 2019, that he got a call at 6:20 P.M and he Arrested me at 6:30 P.M.**
- 12. Police Officer William Clemens Stated in his Complaint dated April 28, 2019, " That on or about April 27, 2019 at about 7:06PM , ... The Defendant Committed the Offenses" ...**
- 13. Common Sense tells us that if You Arrested someone at 6:30 PM then NO Offenses cannot be committed at about 7:06PM . Therefore this could or would Constitute a big LIE and a Massive and Unprecedented Police FRAUD. See attached hereto a copy of the two Pages of said Complaint dated April 28, 2019, Purportedly signed by Police Officer William Clemens and will be marked as Claimant Mr. Ganesh Exhibit "A" as Proof and Evidence to support said claim .**
- 14. On July 11, 2019, after I DEMANDED ALL THE EVIDENCE from my Court appointed Attorney be Produced. I was advised**

by said Attorney that said case is DISMISSED and will be sealed in six months. On to this day I have NOT Seen Any EVIDENCE and NO Evidence was Produced to Me of what was Illegally, Unconstitutionally and FALSELY Alleged against me , despite Repeated Demands to my Attorney Office .

15. On April 27, 2019, Police Officer William Clemens Illegally, Unconstitutionally and Unlawfully arrested Claimant WITHOUT PROBABLE CAUSE and SEIZED Mr. Ganesh in Violation of Claimant's FOURTH Amendment Rights to the United States Constitution and in Violation of New York State Constitution .
16. AND further in Violation of Mapp v. Ohio, case in which the United States Supreme Court on June 19, 1961, Ruled 6-3) that Evidence Obtained in Violation of the Fourth Amendment to the United States Constitution, which Prohibits "Unreasonable Searches and Seizures", is Inadmissible in State Courts.
17. On April 27, 2019 Police Officer William Clemens Violated Claimant's Fifth Amendment Rights to Remain Silent and to read my Rights ; and Violated Claimant's Sixth Amendment Right to have Assistance of Counsel at the Police Station Etc ; and Violated Claimant Mr. Ganesh Right to Due Process of Law in

Violation of the 14th Amendment to the United States Constitution and in Violation of New York State Constitution all of which were Detrimental to the Claimant Mr. Ganesh and Caused Horrible Suffering and Unprecedented Shame and Embarrassment and which Destroyed My Life for the Rest of My Life . And left an Indelible Dirty criminal record on my record for the Balance of my life and for Generations to come.

- 18. New York City Police Officer William Clemens on April 28, 2019, DELAYED AND DENIED Medical Treatment of Claimant Mr. Ganesh and instead Put Mr. Ganesh in holding Cell. Hence, Mr. Ganesh's Physical and Psychological Pain and Suffering were Significantly exacerbated and Medical conditions have gotten Worse AND Worse due to his Police Officer William Clemens Brutality, Gross Negligence, Misconduct and Cruelty and was Unnecessary, Unreasonable and USE OF EXCESSIVE FORCE .**

19. INJURIES AND DAMAGES

- 20. Claimant Mr. Ganesh was Injured and Suffered Injuries to his Right and Left Arm and Shoulders and Suffered Chest Pain and further Aggravated the Heart for which Claimant is having Repeated Cheat Pains; and is Suffering Mentally and with**

Depression etc., and I am Presently having Treatment at a Specific location in Brooklyn New York and using Medications. And having Physical Therapy for the other Injuries mentioned hereinabove at 350 Fulton Street, Brooklyn, New York 11204.

21. DAMAGE AND PUNITIVE DAMAGES .

22. As a Direct and Proximate Result, of Police Officer William Clements and Police Officer FITZMAURICE, Deliberate Indifference, Racial Discrimination, Racial Advantage, Racism, Intentional Police Misconduct, Illegality, False Arrest, False and Unlawful Imprisonment, Gross Negligence, TORTURE, Constitutional Violations, Deprivations Suffered by Mr. Ganesh by Human Rights Violators; and the City Deliberate Indifference to the Guaranteed Constitutional Rights granted by New York State and the United States to said Claimant Mr. Ganesh and thus, Claimant was DAMAGED and is Claiming \$ 30 Million Dollars in Damages including Punitive Damages and the City of New York and others are Fully and Legally

Liable to their Victim Mr. Ganesh, Until and Unless this Claim is Fully, Fairly and Justly Settled.

- 23. United States Federal Judge Ricardo Urbina wrote “The Court declines to Excuse the Government’s Reckless Violation of the Defendant’s Constitutional Rights as harmless error.” As the Federal Judge Throws out Blackwater Manslaughter Charges . See attached hereto Reported on January 1, 2010.**
- 24. United States Chief Justice John Roberts said that the Supreme Court Remained FREE to Correct its WORSE ERRORS. New York City Must Do the Same in this Case and Make Peace for the Good of the People and Country.**
- 25. City to Pay “COP – STRIKE” Doctor. A former Bronx Cancer Surgeon ... who Claimed Cops Manhandled her during a Spat over a Parking ticket WON nearly \$1.2 Million in an EXCESSIVE –FORCE LAWSUIT .She Sue the City for \$30 Million seven months later, Claiming her Civil Rights were Violated when a Cop pushed her and**

grabbed her arm during the ARREST . Reported in New York Post on April 27, 2019. Please see attached.

26. I moved to New York City from Canada in 1984. I am a Citizen by Birth of Guyana South America. All My 3 Children were Born in New York City. Please be advised that the Doctor's case above is similar to my case here, except I suffered far More DAMAGES and SUFFERED long and will Suffer for the Rest of My Life. However, in the Interest of Peace and My Medical Condition and the Good Relations the Honorable United States Government shares with My Government in Guyana South America, next to Venezuelan. I am offering You this Opportunity to Settle this Case within 30 days for the same amount the City Paid to the Doctor or will Pay as Reported in New York Post on April 27, 2019.

27. Please Consider this: My fellow Guyanese Citizens who were New York City Police Officers DIED in the line of DUTY for New York City and the United States of

America. They Lost their Lives to make this City Safe and Great. To be submitted the Police Officers who gave their Lives and Lost their Lives for New York City. Also they are other Guyanese Citizens who are serving in New York City Police Department I was told.

28. Please Take Notice, that the Claimant VIDYARTIE GANESH will be Ready and Willing to submit himself to a 50 – h Examination under oath, upon your written Request and within the 30 days period in which time you can choose to Adjust and Settle said Claim.

29. Please Take Further Notice, that upon the Expiration of the said 30 days. You are hereby given an extra 7 days in which to Adjust and Settle this Claim. Failing Which, I SHALL Proceed with full speed to the United States Federal Court and File a Lawsuit against the Police and the City of New York etc., to recover for my Damages and losses Pursuant to 42 U.S.C. Sections 1983, 1985, 1986, and 1988; and the First, Forth, and

Fifth, and Fourteenth Amendments to the United States Constitution and the Laws of the State of New York . As Mr. Louima Lawyer sued the City of New York and got a Settlement of over \$ 8 Million Dollars which was a Big WASTE of Taxpayers Money when the case could have Settled for far Less .

30. The ERIC GARNER Case was Settled for over \$ 4 Millions Dollars I was Told.

31. Other cases were Settled for Millions.

32. PLEASE BE REMINDED That, at all relevant times, these Defendants the Police Acted Forcibly in Apprehending the innocent Claimant and the Wrongful, Unjustifiable, and Unlawful apprehension, arrest, Detention and imprisonment was Carried out Without a WARRANT in The Home Depot ; and was Without the Right or PROBABLE CAUSE, and was Forcible and Against his WILL .

33. All of the FOREGOING Occurred without Any FAULT or PROVOCATION on the Part of Mr. Ganesh.

34. NOTICE IS HEREBY GIVEN to the City of New York, the State of New York and the United States of America, to File a Claim for REPARATION If All FAILS due to RACISM, and the Reality of a Racist Justice System and Bullyism. As the Guyanese President said "REPARATION is Serious Business" There was a CRIME but there was NO Punishment . There was a CRIME but there was NO Justice said Guyana President David Granger Reported on May 23 2016 in Guyana Times . See Proof Attached hereto.

35. Take Notice that My Life is in Danger therefore, Complaints will be Filed with Countries and Nations on this Planet including India and China and the United Nations Notifying Them what happened to Me in New York City and What New York City BIASED Police Did to

Me. The Worse Human Rights Violation on Earth in my view.

36. Please understand that They Must be an International Condemnation of a Racist System that Promises NO Justice to People of color as I myself was Cheated and Defrauded of My Properties by the Crooked Brooklyn Supreme Court Judges using the Corrupt Court system to Steal my Properties with NO Trial and NO Right to a Trial and I was left with No where to go and from then to NOW still Suffering and Recover Nothing all of which were the Biggest Injustice.

37. ZIMBABWE Government Pays \$64 Million United States Dollars to White former Farmers for their Land Unjustly Taken by the previous Biased and Racial Government as Compensation. See attached.

38. PUNITIVE DAMAGES IS NECESSARY AND ABSOLUTELY WARRANTED in this case where the New York City BIASED Police have Treated Me like a Slave Destroyed My Life Forever and Jailing an Innocent Man

and Because New York City Local Government have No Regard for Human Life and NO Respect for New York State and United States Constitutions and Defied its Own Human Rights LAW and Continued to Use Excessive Force with Impunity costing New York Taxpayers Millions of Dollars in Police Misconduct cases. Simply put, Punitive Damages is Designed to Prevent a Repeat of the Defendant's DANGEROUS Conduct and to Protect People and a Defenseless Society. See attached Aetna Faces \$ 116 Million Punitive Award Reported in The New York Times on January 21, 1999. Please see attached Our Honorable Judges in Guyana holds the Guyana Government and the Guyana Police Force Accountable and ORDERED that the Victims Be Compensated .

39. Please be advised this Document has 16 Pages along with the Notarized Pages attached hereto in place of this.

Respectfully,


VIDYARTIE GANESH

JULY 25, 2019.



New York City Comptroller
Scott M. Stringer

Office of the New York City Comptroller
1 Centre Street
New York, NY 10007

Form Version: NYC-COMPT-BLA-PI1-M

Personal Injury Claim Form

Claim must be filed *in person or by registered or certified mail within 90 days of the occurrence* at the NYC Comptroller's Office, 1 Centre Street, Room 1225, New York, New York 10007. It must be *notarized*. If claim is not resolved within *1 year and 90 days of the occurrence*, you must start legal action to preserve your rights.

TYPE OR PRINT

I am filing: On behalf of myself.
 On behalf of someone else. If on someone else's behalf, please provide the following information.

Attorney is filing.

Attorney Information (If claimant is represented by attorney)

Last Name: GANESH
First Name: VIDYARTIE
Relationship to the claimant: CLAIMANT

Firm or Last Name: Self-Represented
Firm or First Name:
Address:
Address 2:
City:
State:
Zip Code:
Tax ID:
Phone #:
Email Address:

Claimant Information

*Last Name: GANESH
*First Name: VIDYARTIE
Address:
Address 2: 184-16 Edgewood Ave
City: Springfield Gardens
State: FLORIDA
Zip Code: New York, 11413
Country: United States
Date of Birth: 4-9-1964 Format: MM/DD/YYYY
Soc. Sec. #: 115-68-3725
HICN: (Medicare #)
Date of Death: Format: MM/DD/YYYY
Phone:
Email Address:
Occupation:

City Employee? Yes No NA
Gender Male Female Other

2010 JUN 26 A 11:22
NYC COMPTROLLER
BUN INFORMATION SYSTEMS
CENTRAL RECORDS SECTION

* Denotes required field(s).



New York City Comptroller
Scott M. Stringer

Office of the New York City Comptroller
1 Centre Street
New York, NY 10007

Complete if claim involves a NYC vehicle

Owner of vehicle claimant was traveling in

Last Name:
First Name:
Address
Address 2:
City:
State:
Zip Code:

Not Vehicle
See Attached All
Information
on 16 Pages

Non-City vehicle driver

Last Name:
First Name:
Address
Address 2:
City:
State:
Zip Code:

Insurance Information

Insurance Company
Name:
Address
Address 2:
City:
State:
Zip Code:
Policy #:
Phone #:

Non-City vehicle information

Make, Model, Year
of Vehicle:
Plate #:
VIN #:

City vehicle information

Plate #:

City Driver Last
Name:
City Driver First
Name:

Description of
claimant:

- Driver Passenger
- Pedestrian Bicyclist
- Motorcyclist Other

*Total Amount
Claimed:

\$30 Million Dollars

Format: Do not include "\$" or ".".

Date July 25, 2019

Signature of Claimant

State of New York
County of Queens

I, VIDYARTIE GANESH,

being duly sworn depose and say that I have read the foregoing
NOTICE OF CLAIM and know the contents thereof; that same is true to the best of my own knowledge, except as to the matter here stated
to be alleged upon information and belief, and as to those matters, I believe them to be true.

Signature of Claimant

Sworn before me this day 25th July, 2019
Signature of notary

* Denotes required field(s).



New York City Comptroller
Scott M. Stringer

Office of the New York City Comptroller
1 Centre Street
New York, NY 10007

The time and place where the claim arose

*Date of Incident: 4-27-2019 Format: MM/DD/YYYY

Time of Incident: About 6:30 P.M. Format: HH:MM AM/PM

*Location of Incident:

The Home Depot
132-20 Merrick
Blvd, Springfield
Gardens, New York
11434.

Address: _____

Address 2: _____

City: _____

State: _____

Borough: _____

*Manner in which claim arose:

Attach extra sheet(s) if more room is needed.

[Empty box for description of claim]

The items of damage or injuries claimed are (include dollar amounts):

Attach extra sheet(s) if more room is needed.

See Attached

* Denotes required field(s).

OFFICE OF THE COMPTROLLER CITY OF NEW YORK

NOTICE OF CLAIM

CLAIMANT INFORMATION

CLAIMANT'S NAME: VIJAYARJIE GANESH TEL. #: (347) 395-8987
STREET ADDRESS: 184-16 Edgewood Ave, Springfield Gardens
CITY: Samaica STATE: New York ZIP: 11413
SOC. SEC. # or TAX I.D. #: 115-68-3725

CITY OF NEW YORK AND
CLAIM INFORMATION

CITY AGENCY INVOLVED: New York City Police Department Etc. Police Officer WILLIAM CLEMENS & Police Officer FITZMAURICE
NATURE OF CLAIM: (ATTACH ADDITIONAL SHEET(S) OF PAPER, IF NECESSARY)

On April 27, 2019, about 6:30 P.M at THE HOME DEPOT on 132-20 Merrick Blvd Springfield Gardens, N.Y. 11434. I WAS Unlawfully and Illegally Seized by the Above Mentioned Police Officers.

TOTAL AMOUNT CLAIMED: \$ See Attached

IF MORE THAN ONE ITEM IS INCLUDED IN THE TOTAL AMOUNT CLAIMED, SUPPLY BREAKDOWN OF AMOUNTS AND SPECIFY ITEMS: (ATTACH ADDITIONAL SHEET(S), IF NEEDED)

ITEM	AMOUNT
1. <u>See Attached</u>	\$ _____
2. <u>16 Pages</u>	\$ _____
3. <u>contained said</u>	\$ _____
4. <u>Information of</u>	\$ _____
5. <u>Said Claim.</u>	\$ _____

2019 JUL 26 P 1:49
NYC COMPTROLLER
REGISTRATION SYSTEMS
CENTRAL REGISTRATION FACILITY

PLEASE ATTACH COPIES OF SUPPORTING DOCUMENTATION, PREVIOUS CORRESPONDENCE, INVOICES, ETC. See Attached

CLAIMANT'S SIGNATURE: [Signature]

SS: STATE OF N.Y.
CITY OF N.Y. SUBSCRIBED AND SWORN TO BEFORE ME THIS 25 DAY OF July 25, 2019

[Signature]
NOTARY

TO: OFFICE OF THE COMPTROLLER
DIVISION OF LAW - RM.1225 South
1 CENTRE STREET
NEW YORK, N.Y. 10007
TELEPHONE # (212) 669-4736

YASODRA SEENARINE
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01SE6163476
QUALIFIED IN QUEENS COUNTY
MY COMMISSION EXPIRES MARCH 26, 20 23



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
CLAIMS AND ADJUDICATIONS
1 CENTRE STREET ROOM 1200
NEW YORK, N.Y. 10007-2341

WWW.COMPTROLLER.NYC.GOV

015 - 151

Scott M. Stringer
COMPTROLLER

Date: 07/30/2019
Claim No: 2019PI020252
RE: Acknowledgment of Claim
Your Claim/Policy#:

VIDYARTIE GANESH
184-16 EDGEWOOD AV
SPRINGFIELD GARD, NY 11413

Dear Claimant:

We acknowledge receipt of your claim, which has been assigned the claim number shown above. Please refer to this claim number in any correspondence or inquiry you may have with our office.

We will do our best to investigate and, if possible, settle your claim. However, if we are unable to resolve your claim, **any lawsuit against the City must be started within one year and ninety days from the date of the occurrence.**

If you have any questions regarding your claim, you may contact us at 212-669-2478 for claims involving personal injury.

Sincerely,

Bureau of Law & Adjustment

EXHIBIT B

ARMIENTI, DeBELLIS & RHODEN, LLP

ATTORNEYS AT LAW
39 BROADWAY, SUITE 520
NEW YORK, NEW YORK 10006-3034
(212) 809-7074
FAX NO. (212) 809-7713

MICHAEL ARMIENTI*
SILVANA DeBELLIS
HORACE O. RHODEN
VANESSA M. CORCHIA
JAMES J. DUNNING
THOMAS J. REAPE, JR.

LONG ISLAND OFFICE:
170 OLD COUNTRY ROAD, SUITE 607
MINEOLA, NY 11501-4313
(516) 877-1202
FAX NO. (516) 877-8099

NEW JERSEY OFFICE:
375 CEDAR LANE
TEANECK, NJ 07666-3432
(201) 222-8588

SUSAN D. SMODISH*
RYAN H. McALLISTER
SHANTAE A. JOHNSON*
ALICE N. LEUNG
JONATHAN E. GLASER*
SEAN R. CAMPBELL
CHRISTOPHER M. GRIMALDI
JOSEPH M. SANTIAGO
KATRINA M. OZOLS*
KENNETH J. LANDAU
ILYA GORELIK

HON. (RET) MARC J. WHITEN
Of Counsel

EMAIL: INFO@ADRLLP.COM

PLEASE RESPOND TO NEW YORK OFFICE

*NY & FL BARS
*NY & MA BARS
*NY & NJ BARS

NOTICE OF ADJOURNMENT

015 - 229

June 16, 2020

Certified – Return Receipt Request

Vidyartie Ganesh
184-16 Edgewood Avenue
Springfield Gardens, NY 11413

Please Bring Proper Identification to the Hearing.

Re: ADJOURNMENT OF 50-H HEARING
Claimant Name: Vidyartie Ganesh, Pro Se
Claim No.: 2019PI020252

Dear Mr. Ganesh:

This is to confirm that the hearing for the above referenced claim has been adjourned at your request and has been rescheduled for the following location and time:

LAW OFFICES OF: Armienti, DeBellis & Rhoden, LLP
39 Broadway, Suite 520
New York, New York 10006-3034

HEARING DATE: September 1, 2020

HEARING TIME: 10:00 a.m.

If our office is still closed due to the Covid-19 pandemic this hearing will conducted by Zoom Conference. If you have issues using Zoom please contact us and we will assist you.

Since you are appearing pro-se, please note that one business day prior to the hearing, you **MUST** call our office and leave a message (please leave a phone number and email address) or email sdebellis@adrllp.com and lohara@adrllp.com to confirm you will be attending.

Claimant Name: Vidyartie Ganesh, Pro Se

Claim No.: 2019PI020252

June 16, 2020

Applications for all additional adjournments must include the reason for the request and will be granted for good cause only. Applications for adjournments must be made by email to lohara@adrllp.com with suggested dates.

All questions with regard to this notice should be addressed to the undersigned at sdebellis@adrllp.com.

Sincerely,

A handwritten signature in cursive script that reads "Silvana DeBellis".

Silvana DeBellis

Cc: Comptroller's Office
1 Centre Street
NY, NY 10007

ARMIENTI, DeBELLIS & RHODEN, LLP

ATTORNEYS AT LAW
39 BROADWAY, SUITE 520
NEW YORK, NEW YORK 10006-3034
(212) 809-7074
FAX NO. (212) 809-7713

MICHAEL ARMIENTI*
SILVANA DeBELLIS
HORACE O. RHODEN
VANESSA M. CORCHIA
JAMES J. DUNNING
THOMAS J. REAPE, JR.

LONG ISLAND OFFICE:
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MINEOLA, NY 11501-4313
(516) 877-1202
FAX NO. (516) 877-8099

NEW JERSEY OFFICE:
375 CEDAR LANE
TEANECK, NJ 07666-3432
(201) 222-8588

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SEAN R. CAMPBELL
CHRISTOPHER M. GRIMALDI
JOSEPH M. SANTIAGO

HON. MARC J. WHITEN

EMAIL: INFO@ADRLLP.COM

PLEASE RESPOND TO NEW YORK OFFICE

*NY & FL BARS
*NY & MA BARS
*NY & NJ BARS

2NOTICE OF ADJOURNMENT

015 - 229

December 23, 2019

Certified – Return Receipt Request

Vidyartie Ganesh
184-16 Edgewood Avenue
Jamaica, NY 11413

Please Bring Proper Identification Prior to Commencement of the Hearing.

Re: ADJOURNMENT OF 50-H HEARING
Claimant Name: Vidyartie Ganesh, Pro Se
Claim No.: 2019PI020252

Dear Mr. Ganesh:

This is to confirm that the hearing for the above referenced claim has been adjourned at your request and has been rescheduled for the following location and time:

LAW OFFICES OF: Armienti, DeBellis & Rhoden, LLP
39 Broadway, Suite 520
New York, New York 10006-3034
HEARING DATE: March 12, 2020
HEARING TIME: 10:30 a.m.

Since you are appearing pro-se, please note that one business day prior to the hearing date, you MUST call our office to confirm that you will be appearing at the hearing. Applications for all additional adjournments must include the reason for the request and will be granted for good cause only. Applications for adjournments must be made by email to lohara@adrllp.com with suggested dates.

All questions with regard to this notice should be addressed to the undersigned at sdebellis@adrllp.com.

Sincerely,

Silvana DeBellis
Silvana DeBellis

Cc: Comptroller's Office
1 Centre Street
NY, NY 10007

ARMIENTI, DeBELLIS & RHODEN, LLP

ATTORNEYS AT LAW
39 BROADWAY, SUITE 520
NEW YORK, NEW YORK 10006-3034
(212) 809-7074
FAX NO. (212) 809-7713

MICHAEL ARMIENTI*
SILVANA DeBELLIS
HORACE O. RHODEN
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LONG ISLAND OFFICE:
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(516) 877-1202
FAX NO. (516) 877-8099

NEW JERSEY OFFICE:
375 CEDAR LANE
TEANECK, NJ 07666-3432
(201) 222-8588

SUSAN D. SMODISH*
RYAN H. McALLISTER
SHANTAE A. JOHNSON*
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JONATHAN E. GLASER*
SEAN R. CAMPBELL
CHRISTOPHER M. CRIMALDI
JOSEPH M. SANTIAGO

HON. MARC J. WHITEN

EMAIL: INFO@ADRLLP.COM

PLEASE RESPOND TO NEW YORK OFFICE

* NY & FL BARS
* NY & MA BARS
* NY & NJ BARS

August 5, 2019

NOTICE OF 50-H HEARING

015 – 280

Certified-Return Receipt Requested

VIDYARTIE GANESH
184-16 Edgewood Avenue
Jamaica, NY 11413

Please bring proper identification to be presented prior to commencement of the hearing.

Re: Claimant Name: In The Matter of the Claim of VIDYARTIE GANESH v. The City of New York
Claim Number: 2019PI020252
Our File Number: NYCY5496

Dear Sir / Madam:

Please take notice that, pursuant to Section 50-h of the General Municipal Law (GML), claimant(s) are mandated by law to appear at the following location, at the date and time specified below, to be orally examined, by a representative for the City of New York under oath relative to the occurrence and extent of injuries for which the above claim is made:

Date of Hearing: **October 16, 2019**

Time of Hearing: **2:00 P.M.**

Location of Hearing: 39 Broadway, Suite 520
New York, New York 10006-3034

VIDYARTIE GANESH v. The City of New York
2019PI020252
Page 2

Since you are appearing pro-se, please note that one business day prior to the hearing, you **MUST call our office to confirm you will be attending**. Please note that all claimants must appear. The hearing will begin promptly at the time indicated.

Upon receipt of this notice, please contact us if a language interpreter for your client is necessary. One day prior to the hearing, we will call your office to confirm the date and time of the hearing. If you confirm the hearing date at that time and you subsequently fail to appear for the hearing, you will be charged by the City for any legal fee, interpreter fee and stenographic fee incurred.

All applications for adjournments should be directed via email to sdebellis@adrllp.com and iohara@adrllp.com

When requesting an adjournment, please include alternate dates on which your client can appear.

In order to enter our building, please bring proper identification prior to commencement of the hearing. Additionally, you are requested to bring to the hearing original photographs of the accident scene and copies of all documents relevant to this claim including but not limited to:

- (1) prior written notice map;
- (2) all medical and hospital records;
- (3) authorizations for the Comptroller's Office to obtain, as applicable, medical, criminal, employment and/or school records, and loss of income documentation;
- (4) police reports.

Please be advised that nothing contained herein shall be construed as extending the statute of limitations beyond the statutory time.

All questions with regard to this notice should be addressed to the undersigned at sdebellis@adrllp.com.

Sincerely,



Silvana DeBellis


cc: Comptroller's office
1 Centre Street
NY, NY 10007

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

VIO VARTIE GANOSH
 184-16 Edgewood
 AVE
 Springfield Gardens, NY 11413



9590 9402 5919 0049 3141 15

2. Article Number (Transfer from service label)

7016 1370 0000 7667 7833

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

X

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

Domestic Return Receipt

USPS TRACKING#



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 5919 0049 3141 15

**United States
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•

Armenti, DeBellis & Rhoden, LLP
Attorneys at Law
39 Broadway, Suite 520
New York, NY 10006

\$6.25M for a life ruined by cops

Jury award for attorney beaten in bogus arrest



SHAWN INGLIMA

Lawyer Kenneth Perry won \$6.25 million in a suit after a rough arrest in 2011 left him constant pain and unable to do the things he loved.

BY GRAHAM RAYMAN
NEW YORK DAILY NEWS

A Brooklyn jury handed down a \$6.25 million verdict in the case of a lawyer who was badly roughed up and arrested during an encounter with cops in family court.

Kenneth Perry — who says the 2011 incident left him in near-constant pain — won the verdict late Thursday following a three-week trial.

“I live in pain. There’s not a moment in my life that I’m not in pain,” Perry, 69, told *The Daily News* on Friday. “These are supposed to be my golden years. Maybe I’ll have money, but my golden years will never be golden.”

Perry was in family court June 16, 2011 representing a client who had been arrested for violating an order of protection when two 84th Precinct detectives took the client into a room for ques-

tioning. Perry, a veteran criminal defense lawyer, objected, telling the detectives not to question his client outside of his presence. One of the detectives started yelling at him and threatened to arrest him. “Arrest me for what?” Perry answered.

The cops threw him against a wall, slamming his head. Outside the courtroom, the officers slammed him into the side of a police car. Perry spent 20 hours locked up and had to wait four months before the trumped-up charges were dismissed.

Perry’s injuries exacerbated his lower back pain and he had to have surgery to further fuse parts of his spine. Eight years later, the pain is still with him, and he’s had to give up beloved pastimes.

“I used to play ball with my son. I had to stop. I

couldn’t go to my son’s college games,” he said.

“I used to be an avid motorcycle rider, and I had to give it up. Now, I go to work when I can, or I lie in bed at home most of the day. I can only take short walks with a cane.”

During the trial, the detectives, Jason Palamarra and Samuel Calhoun, tried to blame Perry for the encounter, claiming he got first physical with them. But Perry’s lawyer, Richard Levy, said security video inside and outside the courthouse proved Perry was right.

“None of what the officers claimed is supported by what’s seen on the video,” said Levy, who works for the firm Rubenstein and Rynnecki. “The jury saw those videos, and it didn’t justify the detectives’ actions. The video backed up his version of events, and the jury found

it compelling. His version of the facts was supported by witnesses, including a retired court officer.”

In the aftermath of the incident, Palamarra was disciplined for failing to properly record the encounter in his memo book.

“I’m still in shock,” Perry said. “The jury didn’t know me from anywhere, so for them to reaffirm to me that I did nothing wrong is satisfying.”

The city could appeal the verdict. A spokesman for the Law Department said the city is evaluating its options.

Sanford Rubenstein, Levy’s law partner, urged Police Commissioner James O’Neill to take a “hard look” at the verdict. “For detectives to subject a criminal defense lawyer who was simply doing his job to the assault and the abuse he suffered is inexcusable,” he said.

VOICE OF THE PEOPLE

Email to voicers@nydailynews.com, or send fax to (212) 210-1505, or post your letter to **Voice of the People, Daily News, 4 New York Plaza, New York, NY 10004.** Please include full name, address and daytime phone number. The Daily News reserves the right to edit letters.

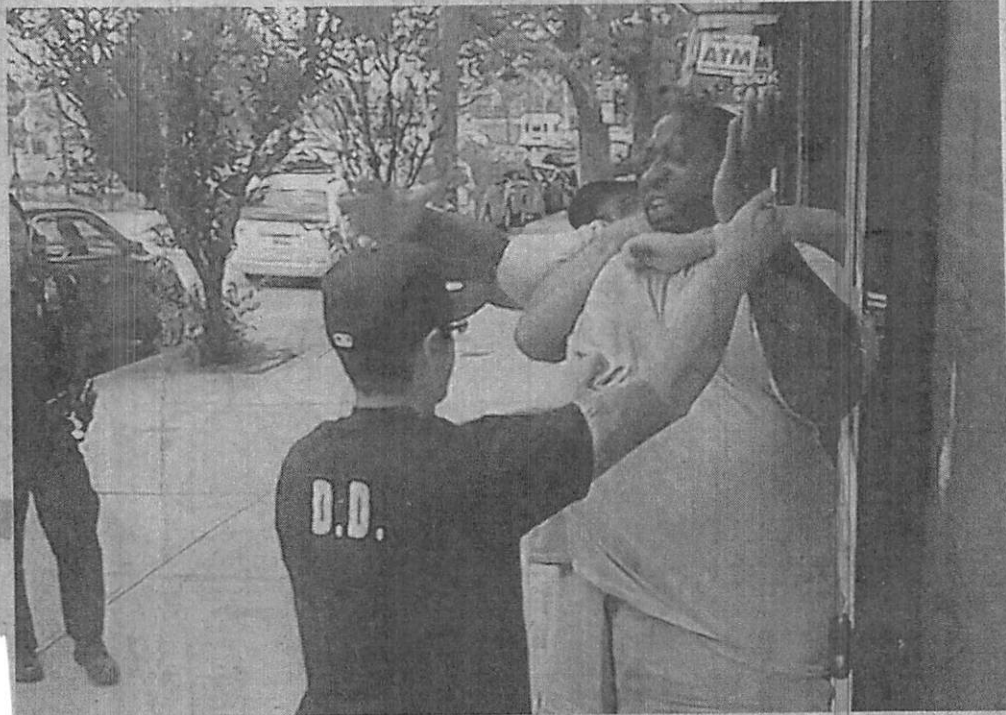
ic Garner broke no law but still died

Manhattan: Thank you, Voicer Mike Memphis. You hit the nail on its head. It has always enraged me that media coverage of the Eric Garner story always reports he died while selling loose cigarettes. While he may have previously sold some, he had not on He helped break up a fight, that is all. And there were witnesses on the scene trying to explain that when led up unfairly on Garner, Eric, who had been harr-ore by police because of his large stature, was sick of d, "This stops today!"

did not stop. Daniel Pantaleo, and all the other officers l Eric down, are still working and getting paid, cono "enforce" the law in their egregiously prejudicial which clearly leads to disastrous results.

l police enforce law in a biased manner. And not all e excessive force or murder a man for no reason. But icers did. They must be held accountable, particularly , who heard Eric saying "I can't breathe, I can't I can't breathe, I can't breathe, I can't breathe, I can't I can't breathe, I can't breathe, I can't brea..." until his th. Wrong actions with no accountability and no sions set a despicable precedent for future genera-an't breathe.

Pamela Carter



NEW YORK DAILY NEWS

off half its staff because they customers due to their

Better service first As your July 27

son St., not Bethune St. This disrespect has gone on for many months and is not fair

City's police-suit info falls short

NYPD'S HIDDEN COSTS

By CRAIG McCARTHY,
RICH CALDER
and BRUCE GOLDING

City Hall's official tally of NYPD lawsuit settlements is woefully incomplete — and fails to account for \$22 million in deals struck during the first three months of this year alone, *The Post* has learned.

From January through March, 286 suits filed against the NYPD over alleged police misconduct were settled for a combined \$16 million in taxpayer money, according to data on the city Law Department's Web site.

But thanks to a legal loophole, another 432 cases that were resolved in the same period aren't included in the Law Department's database, according to information obtained from the city Comptroller's Office through the Freedom of Information Law.

Those settlements, which are the most recent available, exceed the amount that the Law Department said was paid out by nearly 40 percent — and pushed the actual total to \$38 million.

Under a 2017 law signed by Mayor de Blasio, the Law Department is required to post "information regarding civil actions filed in state or federal court against the Police Department or individual police officers" twice a year.

But the Law Department's latest data don't include 426 cases that were paid out by Comptroller Scott Stringer's office for a combined \$16.9 million — because those cases were settled after complainants alerted the city of their intention to sue via a "notice of claim" but before a formal suit was filed.

The data also don't include

suits that are more than five years old — of which there were six that settled for a combined \$5.1 million from January through March.

Stringer has been aggressively settling claims since 2014 in an effort to stem litigation against the city.

Last month, he struck a deal to pay \$9.75 million to Mark Denny, who spent nearly 30 years in prison for a robbery and rape at a Burger King in Brooklyn before being exonerated in December 2017.

Lawmakers who supported the 2017 law were unaware of the hidden figures until being informed by *The Post*.

Public Advocate Jumaane Williams, who was the bill's chief sponsor as a Brooklyn councilman, accused officials of undermining its intent.

The NYPD "was resistant to this law in particular, and they have been resistant to full transparency around these questions in general, so I'm not surprised that they would try to get around the spirit of what we are trying to do," Williams said.

A co-sponsor, Councilman Rory Lancman (D-Queens), pledged to introduce a measure to close the loophole, saying it was "hindering our ability to identify possible hot spots for misconduct."

A Law Department spokesman said the agency was following the "plain language" of the law and noted that it "does not even have copies of notices of claim in most cases until after the civil action is filed in court."

Stringer does not know how the Law Department crunches its data, a spokeswoman said.

De Blasio and the NYPD declined to comment.

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New York Post, Monday, September 16, 2019

\$5M settlement didn't make cut

A city database meant to shed light on police-misconduct settlements is missing the largest deal struck in the first three months of the year — even though it involved cops on both sides.

Transit Officer Larry Jackson (pictured) agreed to take \$5 million in January to resolve his claim that he was beaten and choked by fellow NYPD cops in 2010.

The payout wasn't included in a city Law Department database of settlements reached this year because a 2017 law creating that database exempted settlements from cases more than five years old.

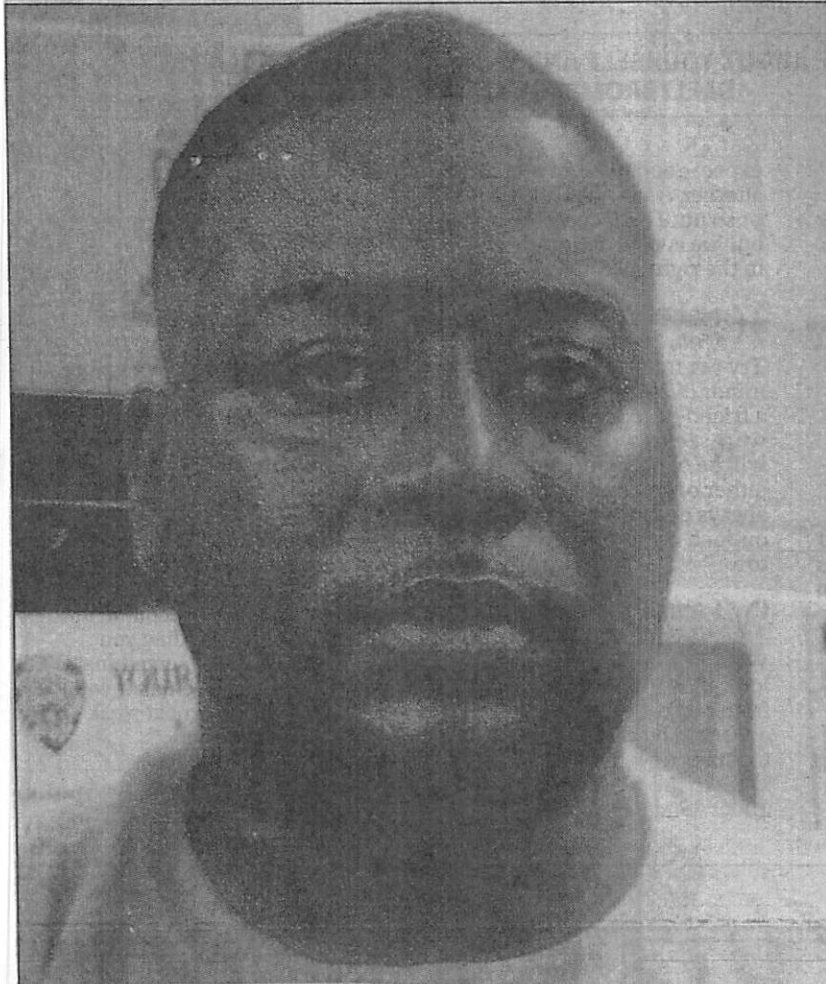
Jackson's lawyer, Eric Sanders, called it "ridiculous" that the settlement was excluded because of when the case occurred.

"Of course, they like to hide things," said Sanders, who's an ex-NYPD cop. "The public should know about all public expenditures or transactions because it's the taxpayers' money."

In the case, Jackson claimed several officers punched, choked, pepper-sprayed and battered him with batons after responding to a 911 call at his home. City lawyers argued at trial that Jackson had punched one of the officers.

A Brooklyn federal jury awarded him \$15 million in damages, but a judge reduced that amount to \$5.45 million and Jackson agreed to drop an appeal in exchange for \$5 million.

Craig McCarthy,
Rich Calder and Bruce Golding



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V. J. MARTINE BRUNSH

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