

# 35% LAWSUIT 17 PAYMENTS

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

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HSBC BANK NEVADA, N.A.,

Index No. [REDACTED]

Plaintiff,

-against-

## SETTLEMENT STIPULATION

[REDACTED]

Defendant.

Account No. [REDACTED]  
Original Account Ending in [REDACTED]

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IT IS HEREBY STIPULATED AND AGREED, by and between plaintiff's attorneys and defendant(s) and/or defendant's attorney that:

1. Defendant acknowledges and/or waives receipt of the Summons and Formal Complaint, appears herein, consents to the jurisdiction of this Court and waives the timely filing of said Summons and Complaint, Affidavit of Service, Acknowledgment and Settlement Stipulation.
2. Defendant hereby withdraws the answer and waives any and all offsets, defenses and/or counterclaims.
3. Pursuant to CPLR 8020(d), since it is the Defendant's obligation to file the within stipulation of settlement, it shall, however, be filed by the Plaintiff at the Defendant's request. The \$35.00 mandatory filing fee shall be paid by the Defendant with his/her initial monthly payment. The Defendant understands that this payment is in addition to his/her initial installment.
4. This action is settled upon the following terms and conditions:  
\$3,600.00 to be paid on or before the 27<sup>th</sup> day of August, 2012, followed by consecutive monthly payments of \$150.00 due on or before the 30<sup>th</sup> day of each and every month thereafter, until the settlement amount of \$6,000.00 is paid in full.
5. Payments are to be made by check or money order made payable to "Forster & Garbus LLP" as attorneys, and sent to them at P.O. Box 9030, Commack, NY 11725.
6. Should any payment not be received by the due date, or should any check sent in payment be returned by the bank for any reason whatsoever, and the payment not be received within 10 days after written notification to defendant and/or defendant's attorney, plaintiff shall have the right to enter judgment without further notice, for the suit amount, together with costs and disbursements, less any payments made.
7. Upon full payment of the settlement sum, a stipulation of discontinuance of this action shall be filed with the Court. Pursuant to CPLR 8020(d), it is the Defendant's obligation to file the stipulation of discontinuance and pay the filing fee of \$35.00.
8. This stipulation is in settlement of this action only and only against the defendant signing this stipulation.
9. Facsimile signatures shall be deemed original for purposes of this settlement stipulation only.

Dated: August 14, 2012

**FORSTER & GARBUS LLP**  
As Attorneys for Plaintiff

By: [REDACTED]  
Defendant

By: \_\_\_\_\_  
Edward C. Klein, Esq.  
60 Motor Parkway  
Commack, NY 11725  
(631) 393-9400

By: \_\_\_\_\_  
Attorney for Defendant  
626 RXR Plaza, West Tower - 6<sup>th</sup> Floor  
Uniondale, NY 11556

(PLEASE NOTE THAT WE ARE REQUIRED, UNDER FEDERAL LAW, TO ADVISE YOU THAT WE ARE DEBT COLLECTORS AND ANY INFORMATION WE OBTAIN WILL BE USED IN ATTEMPTING TO COLLECT THIS DEBT.)