

**CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK: COMMERCIAL PART 52**

----- X
JPMORGAN CHASE BANK, N.A.,

Petitioner-Landlord,

**NOTICE OF PETITION
NONPAYMENT- BUSINESS**

Index No.: L&T 095329/10

-against-

**COLUMBUS CONVERTIBLES, INC.
d/b/a JENNIFER CONVERTIBLES
2420 Broadway
New York, New York 10024-1707,**

Respondent-Tenant,

"DOE # 1" and "DOE # 2,"

Respondents-Undertenants.

* First and/or Last and/or Corporate Name of "Doe"
Undertenant(s) being fictitious and unknown
to Petitioner, Person and/or Entity intended being in
possession of the premises herein described.

----- X
To the Respondent(s) above-named and described, in possession of the premises
hereinafter described or claiming possession thereof:

PLEASE TAKE NOTICE that the annexed petition of **JPMORGAN CHASE BANK, N.A.**, verified December 17, 2010, prays for a final judgment of eviction, awarding to the petitioner possession of the premises described as follows: **Store #8 and basement (the "Premises" as also shown on the floor plan annexed as Exhibits "A" and "B" hereto) in the building known as 2420 Broadway a/k/a 2420-2438 Broadway a/k/a 2424 Broadway, New York, New York**, in the County of New York, in the City and State of New York, as demanded in the petition.

PLEASE TAKE FURTHER NOTICE also that demand is made in the petition for judgment against you for the sum of **\$368,176.53**, plus legal fees, interest and the costs and disbursements of this proceeding.

PLEASE TAKE FURTHER NOTICE also that **WITHIN FIVE DAYS** after service of this Notice of Petition upon you, you must answer, either orally before the Clerk of this Court at 111 Centre Street, City and State of New York, or in writing serving a copy thereof upon the attorneys for the petitioner, and by filing the original of such answer, with proof of service

thereof, in the Office of the Clerk. Your answer may set forth any defense or counterclaim you may have against the petitioner unless such defense or counterclaim is precluded by law or prior agreement of the parties. On receipt of your answer, the Clerk will fix and give notice of the date for trial or hearing, which will be held not less than 3 nor more than 8 days thereafter, and at which you must appear. If, after the trial or hearing, judgment is rendered against you, the issuance of a warrant dispossessing you may, in the discretion of the Court, be stayed for **FIVE DAYS** from the date of such judgment.

PLEASE TAKE FURTHER NOTICE also that if you fail to interpose and establish any defense that you may have to the allegations of the petition, you may be precluded from asserting such defense or the claim on which it is based in any other proceeding or action.

PLEASE TAKE FURTHER NOTICE also that under Section 745 of the Real Property Actions and Proceedings Law, you may be required by the Court to make a rent deposit, or a rent payment to the petitioner, upon your second request for an adjournment or, if the proceeding is not settled or a final determination has not been made by the Court, within 30 days of the first court appearance. Failure to comply with an initial rent deposit or payment order may result in the entry of a final judgment against you without a trial. Failure to make subsequent required deposits or payments may result in an immediate trial on the issues raised in your answer.

In the event you fail to answer and appear, final judgment by default will be entered against you but a warrant dispossessing you will not be issued until the **TENTH** day following the date of the service of this Notice of Petition upon you.

DATED: New York, New York
December 17, 2010

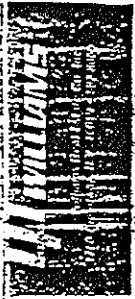
CAROL ALT
Acting Chief Clerk of the Civil Court
of the City of New York

Ephron-Mandel & Howard, L.L.P.
Attorneys for Petitioner
299 Broadway, Suite 1615
New York, NY 10007
(212) 393-1077

Exhibit 'A'

NOT TO SCALE; ALL DIMENSIONS APPROXIMATE; SUBJECT TO ACTUAL
CONDITIONS

Area sublet
is the area
inside heavy black
outline



Tenants
Initials
Landlords
Initials
2430-2438 BROADWAY

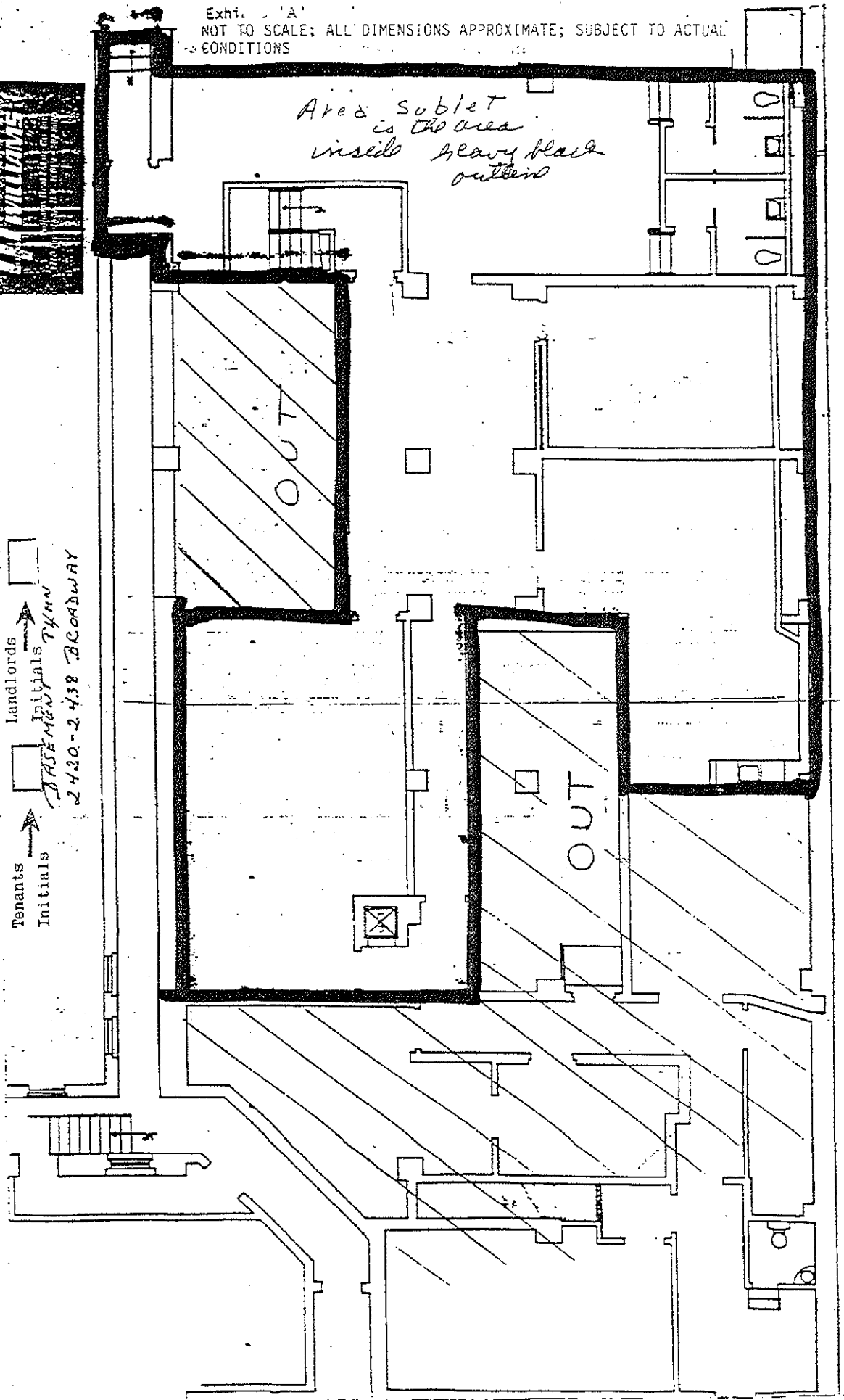
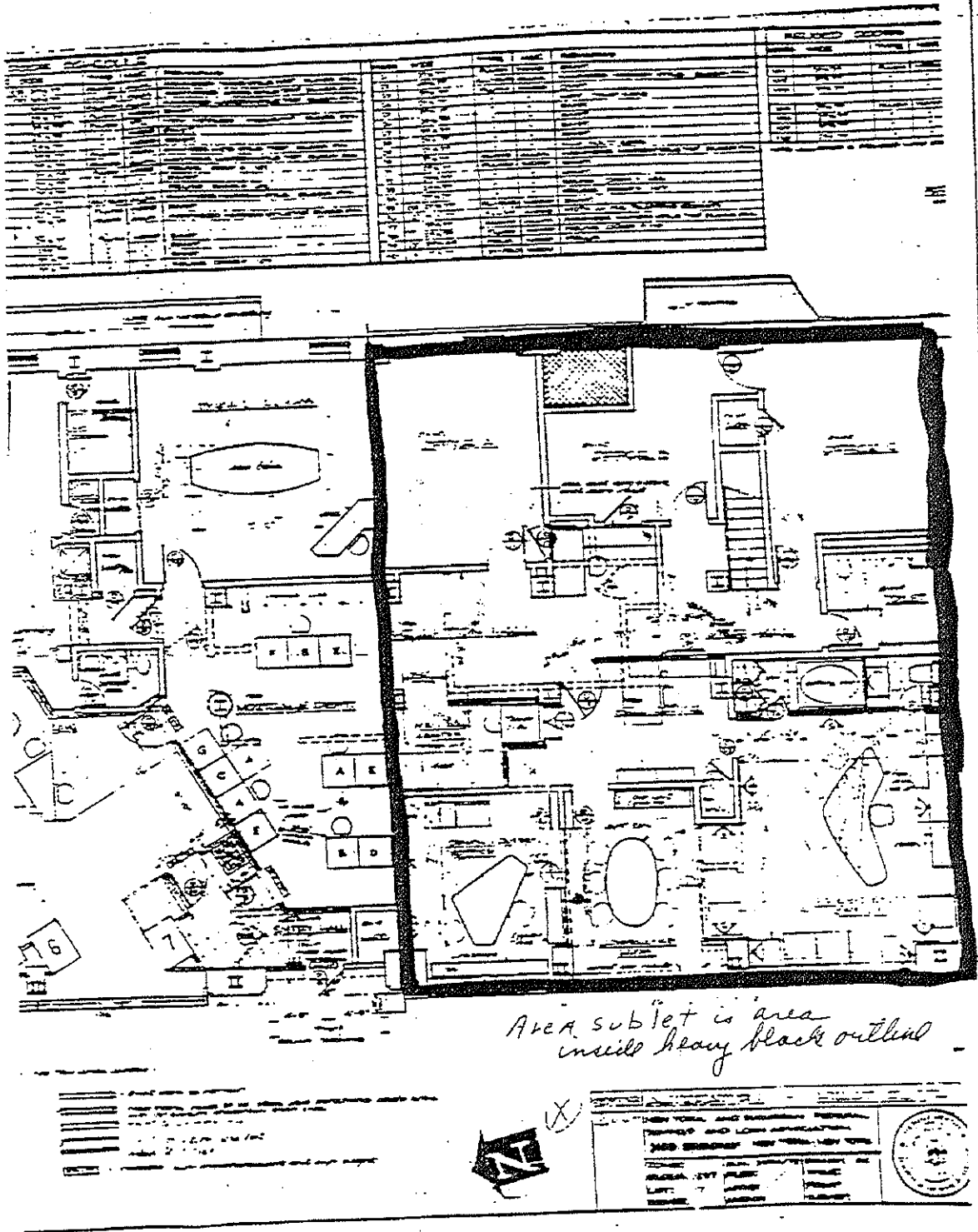


Exhibit 'B'
NOT TO SCALE; ALL DIMENSIONS APPROXIMATE; SUBJECT TO ACTUAL
CONDITIONS



Tenants
Initials

→ [Signature]

Landlords
Initials

→ [Signature]

JPMORGAN CHASE BANK, N.A.,
Petitioner-Landlord,

-against-

COLUMBUS CONVERTIBLES, INC.
d/b/a JENNIFER CONVERTIBLES
2420 Broadway
New York, New York 10024-1707
Respondent-Tenant,

-and-

“DOE #1” and “DOE #2,”
Respondents-Undertenants.

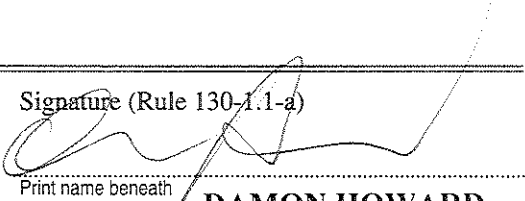
*First and/or Last and/or Corporate Name of “Doe” Respondents being fictitious and unknown to Petitioner, Person and/or Entity intended using and/or in possession of the premises herein described

NOTICE OF PETITION

Ephron-Mandel & Howard LLP
Attorneys for
Petitioner
Office and Post Office Address, Telephone
299 Broadway
Suite 1615
New York, NY 10007
(212) 393-1077

To

Signature (Rule 130-1.1-a)



Print name beneath

DAMON HOWARD

Attorney(s) for

Service of a copy of the within is hereby admitted.

Dated,

.....
Attorney(s) for

Please take notice

☐ NOTICE OF ENTRY

that the within is a (*certified*) true copy of a
duly entered in the office of the clerk of the within named court on

☐ NOTICE OF SETTLEMENT

that an order of which the within is a true copy will be presented for
settlement to the HON. one of the judges
of the within named court, at
on at M

Dated,

Yours, etc.

Ephron-Mandel & Howard LLP

Attorneys for

To

Attorney(s) for

Office and Post Office Address
299 Broadway
Suite 1615
New York, NY 10007

AFFIDAVIT OF SERVICE

INDEX NO. J & T: 095329/10

COURT DATE:

CIVIL COURT OF THE CITY OF NEW YORK

NEW YORK COUNTY PART: ROOM: TIME:

Attorneys: Damon Howard Ephron-Mandel & Howard, LLP Ph: 212-393-1077

Address: 299 Broadway, 16th Floor New York NY 10007 File No.:

JPMORGAN CHASE BANK, N.A.

PETITIONER-LANDLORD

-against-

COLUMBUS CONVERTIBLES, INC. D/B/A JENNIFER CONVERTIBLES

RESPONDENT-TENANT

-and-

DOE # 1 AND DOE # 2

RESPONDENT-UNDER TENANTS

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

Juan Eric Delgado being duly sworn, deposes and says that deponent is not a party to this proceeding, is over the age of 18 years and resides in the State of New York. That on December 28, 2010 at 5:05PM deponent served the within

Notice of Petition & Petition

on COLUMBUS CONVERTIBLES, INC. D/B/A JENNIFER CONVERTIBLES, Respondent therein named at 2420 BROADWAY AKA 2420-2438 BROADWAY AKA 2424 BROADWAY STORE 8 & BSMT, NEW YORK, NY 10024-1707

#1 INDIVIDUAL Deponent served the legal paper(s) noted above at the above address by delivering a true copy of each to said respondent personally. Deponent knew the person so served to be the person described as said respondent above. (S)He identified (her) him as such.

#2 CORPORATION By delivering a true copy thereof personally to deponent knew said corporation so served to be the corporation described therein as tenant and knew said individual to be the thereof.

#3 AFFIXING TO DOOR The respondent(s) were served by affixing separate true copies for each respondent, to the door of the premises sought to be recovered. At the time of said service, deponent rang the bell and/or knocked on the door but received no reply. After reasonable application, deponent was unable, to find the aforementioned respondent(s) or a person of suitable age and discretion who was willing to accept service at the above address, having previously called there:

#4 SUITABLE AGE PERSON By gaining admittance to said property and delivering to and leaving with ALBA DEJESUS a true copy thereof for each and every respondent personally who is a person of suitable age and discretion, who resides or is employed at the premises sought to be recovered.

#5 DESCRIPTION Sex: Female Skin: White Hair: Black Age: 20 - 30 Yrs. Height: 5' 4" - 5' 8" Weight: 131 - 160 Lbs. Other identifying features:

Sworn to before me on December 29, 2010

JAZMIN PATINO
COMMISSIONER OF DEEDS
City of New York No. 2-12385: New York County
Commission Expires on July 1, 2012

Juan Eric Delgado
Juan Eric Delgado
Server's Lic # 0916273
Invoice/Work Order # 10034768

MAILING Wendy Resnick being duly sworn, deposes and says: I am not a party to this action and I am over the age of 18 years and reside in the State of New York. That on December 29, 2010 I mailed true copies of the Notice of Petition & Petition by Certified & regular mail from New York City in separate postpaid sealed envelopes (marked personal & confidential) addressed to each respondent at the premises sought to be recovered at: 2420 BROADWAY AKA 2420-2438 BROADWAY AKA 2424 BROADWAY STORE 8 & BSMT, NEW YORK, NY 10024-1707

and to COLUMBUS CONVERTIBLES INC., 2420 BROADWAY, NEW YORK, NY 10024

deposited these envelopes with a U. S. Postal Clerk within the State of New York.

Sworn to before me on December 29, 2010

JAZMIN PATINO
COMMISSIONER OF DEEDS
City of New York No. 2-12385: New York County
Commission Expires on July 1, 2012

Wendy Resnick
Wendy Resnick
Server's Lic # 862-841
Invoice/Work Order # 10034768

**AFFIDAVIT OF SERVICE
BY MAIL**

INDEX NO.: 095329/10

PART:

CIVIL COURT OF THE CITY OF NEW YORK

ROOM:

COUNTY OF NEW YORK

TIME:

Attorneys: Damon Howard Ephron-Mandel & Howard, LLP PH: 212-393-1077
Address: 299 Broadway, 16th Floor New York ny 10007 File No.:

JPMORGAN CHASE BANK, N.A.

Plaintiff(s)

against

COLUMBUS CONVERTIBLES, INC. D/B/A JENNIFER CONVERTIBLES

Defendant(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

The undersigned being duly sworn, deposes and says:

Deponent is not a party of the action, is over 18 years of age and resides at / have offices at:
401 Broadway, Suite 1201 , NY, NY 10013

That on December 28, 2010, Deponent served the annexed
Notice of Petition&Petition

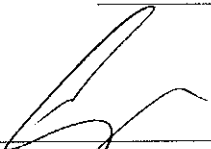
on JENNIFER CONVERTIBLES

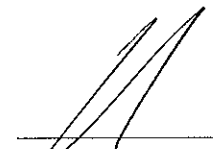
Respondent in this action at

2424 BROADWAY, NEW YORK, NY 10024

by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in a post office official depository under the exclusive care and custody of the United States Postal Service within the the State of New York by Certified & regular mail from New York City.

Sworn to before me on December 29, 2010


JAZMIN PATINO
COMMISSIONER OF DEEDS
City of New York No. 2-12385: New York County
Commission Expires on July 1, 2012


Wendy Resnick
Server's Lic # 862-841
Invoice/Work Order # 10034847

**AFFIDAVIT OF SERVICE
BY MAIL**

INDEX NO.: 095329/10

PART:

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK

ROOM:

TIME:

Attorneys: Damon Howard Ephron-Mandel & Howard, LLP PH: 212-393-1077
Address: 299 Broadway, 16th Floor New York ny 10007 File No.:

JPMORGAN CHASE BANK, N.A.

Plaintiff(s)

against

COLUMBUS CONVERTIBLES, INC. D/B/A JENNIFER CONVERTIBLES

Defendant(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

The undersigned being duly sworn, deposes and says:

Deponent is not a party of the action, is over 18 years of age and resides at / have offices at:
401 Broadway, Suite 1201, NY, NY 10013

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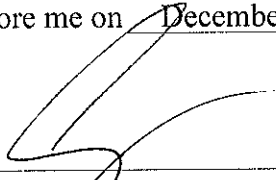
on COLUMBUS CONVERTIBLES INC

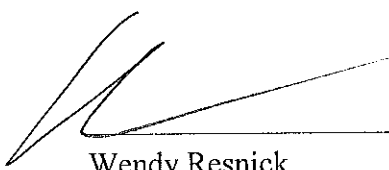
Respondent in this action at

2420-2438 BROADWAY, NEW YORK, NY 10024

by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in a post office official depository under the exclusive care and custody of the United States Postal Service within the the State of New York by Certified & regular mail from New York City

Sworn to before me on December 29, 2010


JAZMIN PATINO
COMMISSIONER OF DEEDS
City of New York No. 2-12385: New York County
Commission Expires on July 1, 2012


Wendy Resnick
Server's Lic # 862-841
Invoice/Work Order # 10034848

**AFFIDAVIT OF SERVICE
BY MAIL**

INDEX NO.: 095329/10

PART:

CIVIL COURT OF THE CITY OF NEW YORK

ROOM:

COUNTY OF NEW YORK

TIME:

Attorneys: Damon Howard Ephron-Mandel & Howard, LLP PH: 212-393-1077
Address: 299 Broadway, 16th Floor New York ny 10007 File No.:

JPMORGAN CHASE BANK, N.A.

Plaintiff(s)

against

COLUMBUS CONVERTIBLES, INC. D/B/A JENNIFER CONVERTIBLES

Defendant(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

The undersigned being duly sworn, deposes and says:

Deponent is not a party of the action, is over 18 years of age and resides at / have offices at:
401 Broadway, Suite 1201 , NY, NY 10013

That on December 28, 2010, Deponent served the annexed
Notice of Petition&Petition

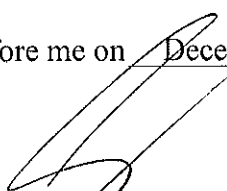
on COLUMBUS CONVERTIBLES INC


Respondent in this action at

245 ROGER AVENUE, INWOOD, NY 11096-1623

by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in a post office official depository under the exclusive care and custody of the United States Postal Service within the the State of New York by Certified & regular mail from New York City.

Sworn to before me on December 29, 2010


JAZMIN PATINO
COMMISSIONER OF DEEDS
City of New York No. 2-12385: New York County
Commission Expires on July 1, 2012


Wendy Resnick
Server's Lic # 862-841
Invoice/Work Order # 10034850

**AFFIDAVIT OF SERVICE
BY MAIL**

INDEX NO.: 095329/10

PART:

ROOM:

TIME:

CIVIL COURT OF THE CITY OF NEW YORK

COUNTY OF NEW YORK

Attorneys: Damon Howard Ephron-Mandel & Howard, LLP PH: 212-393-1077

Address: 299 Broadway, 16th Floor New York ny 10007 File No.:

JPMORGAN CHASE BANK, N.A.

Plaintiff(s)

against

COLUMBUS CONVERTIBLES, INC. D/B/A JENNIFER CONVERTIBLES

Defendant(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

The undersigned being duly sworn, deposes and says:

Deponent is not a party of the action, is over 18 years of age and resides at / have offices at:

401 Broadway, Suite 1201, NY, NY 10013

That on December 28, 2010, Deponent served the annexed
Notice of Petition&Petition

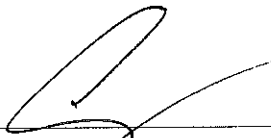
on COLUMBUS CONVERTIBLES INC


Respondent in this action at

190-10 NORTHERN BLVD, FLUSHING, NY 11358

by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in a post office official depository under the exclusive care and custody of the United States Postal Service within the the State of New York by Certified & regular mail from New York City.

Sworn to before me on December 29, 2010


JAZMIN PATINO
COMMISSIONER OF DEEDS
City of New York No. 2-12385: New York County
Commission Expires on July 1, 2012


Wendy Resnick
Server's Lic # 862-841
Invoice/Work Order # 10034851

**AFFIDAVIT OF SERVICE
BY MAIL**

INDEX NO.: 095329/10

PART:

ROOM:

TIME:

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK

Attorneys: Damon Howard Ephron-Mandel & Howard, LLP PH: 212-393-1077
Address: 299 Broadway, 16th Floor New York ny 10007 File No.:

JPMORGAN CHASE BANK, N.A.

Plaintiff(s)

against

COLUMBUS CONVERTIBLES, INC. D/B/A JENNIFER CONVERTIBLES

Defendant(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

The undersigned being duly sworn, deposes and says:

Deponent is not a party of the action, is over 18 years of age and resides at / have offices at:
401 Broadway, Suite 1201, NY, NY 10013

That on December 28, 2010, Deponent served the annexed
Notice of Petition&Petition

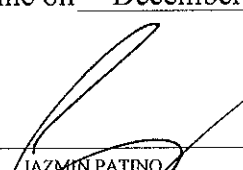
on WINCIG & WINCIG, ESQS.


Attorney for Respondent in this action at

137 5TH AVE, 9TH FLR, ATTN: OWEN WINCIG, ESQ., NEW YORK, NY 10010

by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in a post office official depository under the exclusive care and custody of the United States Postal Service within the the State of New York by Certified & regular mail from New York City.

Sworn to before me on December 29, 2010


JAZMIN PATINO
COMMISSIONER OF DEEDS
City of New York No. 2-12386 New York County
Commission Expires on July 1, 2012


Wendy Resnick
Server's Lic # 862-841
Invoice/Work Order # 10034852

**AFFIDAVIT OF SERVICE
BY MAIL**

INDEX NO.: 095329/10

PART:

ROOM:

TIME:

CIVIL COURT OF THE CITY OF NEW YORK

COUNTY OF NEW YORK

Attorneys: Damon Howard Ephron-Mandel & Howard, LLP PH: 212-393-1077

Address: 299 Broadway, 16th Floor New York ny 10007 File No.:

JPMORGAN CHASE BANK, N.A.

Plaintiff(s)

against

COLUMBUS CONVERTIBLES, INC. D/B/A JENNIFER CONVERTIBLES

Defendant(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

The undersigned being duly sworn, deposes and says:

Deponent is not a party of the action, is over 18 years of age and resides at / have offices at:

401 Broadway, Suite 1201 , NY, NY 10013

That on December 28, 2010, Deponent served the annexed
Notice of Petition&Petition

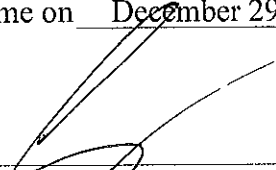
on JENNIFER CONVERTIBLES

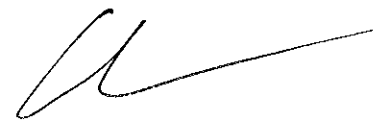
Respondent in this action at

2420-2438 BROADWAY, NEW YORK, NY 10024

by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in a post office official depository under the exclusive care and custody of the United States Postal Service within the the State of New York by Certified & regular mail from New York City.

Sworn to before me on December 29, 2010


JAZMIN PATINO
COMMISSIONER OF DEEDS
City of New York No. 2-12385: New York County
Commission Expires on July 1, 2012


Wendy Resnick
Server's Lic # 862-841
Invoice/Work Order # 10034972



U.S. Postal Service
POSTAL SERVICE
Certificate Of Mailing

From: 701 Broadway
 Suite 1201
 NEW YORK, NY 10013

10034768

COLUMBUS CONVERTIBLES INC
 2420 BROADWAY
 NEW YORK, NY 10024

PS Form 3817, April 2007 PSN 7530-02-000-9065

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

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| | | |
|--|--------|---------------|
| Postage | \$ 207 | Postmark Here |
| Certified Fee | 280 | |
| Return Receipt Fee (Endorsement Required) | | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 487 | |

10034768

See
 or
 C: COLUMBUS CONVERTIBLES INC
 2420 BROADWAY
 NEW YORK, NY 10024

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com

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|--|--------|---------------|
| Postage | \$ 207 | Postmark Here |
| Certified Fee | 280 | |
| Return Receipt Fee (Endorsement Required) | | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 487 | |

10034770

See
 or
 C: JENNIFER CONVERTIBLES
 2420 BROADWAY
 NEW YORK, NY 10024

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
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| | | |
|--|--------|---------------|
| Postage | \$ 207 | Postmark Here |
| Certified Fee | 280 | |
| Return Receipt Fee (Endorsement Required) | | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 487 | |

10034771

See
 or
 C: COLUMBUS CONVERTIBLES INC
 2424 BROADWAY
 NEW YORK, NY 10024

PS Form 3800, August 2006 See Reverse for Instructions

UNITED STATES
POSTAL SERVICE
Certificate Of Mailing

From: 401 Broadway
 Suite 1201
 New York, NY 10013

10034771

JENNIFER CONVERTIBLES
 2420 BROADWAY
 NEW YORK, NY 10024

PS Form 3817, April 2007 PSN 7530-02-000-9065



Certificate of Mailing

From:

401 Broadway
Suite 1201
New York, NY 10013JENNIFER CONVERTIBLES
2424 BROADWAY
NEW YORK, NY 10024

10034847

PS Form 3817, April 2007 PSN 7530-02-000-9065

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(Domestic Mail Only; No Insurance Coverage Provided)For delivery information visit our website at www.usps.com

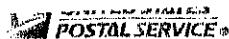
OFFICIAL USE

| | |
|---|--------|
| Postage | \$ 207 |
| Certified Fee | 280 |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 487 |

Postmark
HereSent
Street
or P.O.
City, State
ZIP+4[®]
PS Form 3817, April 2007 PSN 7530-02-000-9065

10034847

See Reverse for Instructions



Certificate of Mailing

From:

401 Broadway
Suite 1201
New York, NY 10013COLUMBUS CONVERTIBLES INC
10034848
2420-2438 BROADWAY
NEW YORK, NY 10024

PS Form 3817, April 2007 PSN 7530-02-000-9065

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)For delivery information visit our website at www.usps.com

OFFICIAL USE

| | |
|---|--------|
| Postage | \$ 201 |
| Certified Fee | 280 |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 481 |

Postmark
HereSent
Street
or P.O.
City, State
ZIP+4[®]
PS Form 3817, April 2007 PSN 7530-02-000-9065

10034848

for Instructions



Certificate of Mailing

From:

401 Broadway
Suite 1201
New York, NY 10012JENNIFER CONVERTIBLES
2420-2438 BROADWAY
NEW YORK, NY 10024

10034972

PS Form 3817, April 2007 PSN 7530-02-000-9065

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OFFICIAL USE

| | |
|---|--------|
| Postage | \$ 207 |
| Certified Fee | 280 |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 487 |

Postmark
HereSent
Street
or P.O.
City, State
ZIP+4[®]
PS Form 3817, April 2007 PSN 7530-02-000-9065

JENNIFER CONVERTIBLES 10034972

See Reverse for Instructions



Certificate Of Mailing

401 Broadway
Suite 1201
New York, NY 10013

COLUMBUS CONVERTIBLES INC
10034850
245 ROGER AVENUE
INWOOD, NY 11096-1623



7007 1490 0002 0104 1589

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

| | |
|---|--------|
| Postage | \$ 207 |
| Certified Fee | 280 |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 487 |

Postmark
Here

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10034850
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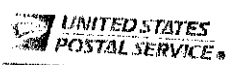
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