

SCANNED ON 8/23/2010

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

-----X
DR. GERTRUDE NEUMARK :
ROTHSCHILD, :
 :
 Plaintiff, :
 :
 -against- :
 :
 TROUTMAN SANDERS LLP, ALBERT :
 JACOBS LLP, and ALBERT JACOBS, :
 :
 Defendants. :
-----X

Index No. :
Date Purchased: 10111240

Plaintiff designates New York
County as the place of trial

SUMMONS WITH NOTICE

FILED
AUG 23 2010
COUNTY CLERK'S OFFICE
NEW YORK

TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with the summons, to appear in this action by serving a notice of appearance on Plaintiff's attorney within twenty (20) days after service of this summons, exclusive of the day of service, or within thirty (30) days after service is complete if this summons is not personally delivered to you within the State of New York; and, in case of your failure to appear or answer, judgment will be take against you by default for the relief demanded in the complaint.

PLEASE TAKE NOTICE THAT the nature of this action is to recover compensatory, punitive and treble damages for fraud, breach of fiduciary duty, breach of contract, conversion and tortious interference and violation of N.Y. Jud. Law § 487 stemming from legal services Defendants performed for Plaintiff until Defendants were fired for cause on June 21, 2010.

PLEASE TAKE FURTHER NOTICE THAT Plaintiff seeks: (i) \$10 million in damages because of breach of fiduciary duty (misuse of escrowed funds, misappropriation, overcharges, illegal mark-ups, excessive fees and other billing irregularities), tortious interference with contract, fraud and conversion; (ii) a declaration that all legal fees paid to or billed by

Defendants from December 2008 to June 2010 are subject to forfeiture or are otherwise not payable because of the misconduct set forth above; (iii) alternatively, a declaration that Defendants' legal fees should be calculated on a *quantum meruit* basis; (iv) an accounting; (v) treble damages under N.Y. Judiciary Law Sect. 487; and (vi) punitive damages.

PLEASE TAKE FURTHER NOTICE THAT, upon your failure to appear, judgment will be taken against you by default for a sum no less than TEN MILLION DOLLARS (\$10,000,000), a declaratory judgment that all fees charged or billed between December 2008 and June 2010 are subject to forfeiture, plus treble damages, punitive damages, interest and the costs and disbursements of this action.

The basis of venue designated is the Defendants' principal place of business in the County and State of New York, which is 405 Lexington Avenue, New York, New York.

Dated: New York, New York
August 23, 2010

FRANKFURT KURNIT KLEIN & SELZ, P.C.

By: 

Ronald C. Minkoff
Jessie F. Beeber
Nicole I. Hyland

488 Madison Avenue, 10th Floor
New York, New York 10022
Tel.: (212) 980-0120
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rminkoff@fkks.com

*Attorneys for Plaintiff Dr. Gertrude Neumark
Rothschild*

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

Dated,

Yours, etc.

Frankfurt Kurnit Klein & Selz, P.C.

A Professional Corporation

Attorneys for

Office and Post Office Address

488 Madison Avenue

New York, New York 10022

To

Attorney(s) for

NOTICE OF SETTLEMENT

PLEASE take notice 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.

Frankfurt Kurnit Klein & Selz, P.C.

A Professional Corporation

Attorneys for

Office and Post Office Address

488 Madison Avenue

New York, New York 10022

To

Attorney(s) for

Index No.

16111240

Year

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

DR. GERTRUDE NEUMARK ROTHSCHILD,

Plaintiff,

-against-

TROUTMAN SANDERS LLP, ALBERT
JACOBS LLP, and ALBERT JACOBS,

Defendants.

SUMMONS WITH NOTICE

Signature (Rule 130-1.1-a)

Print name beneath

Frankfurt Kurnit Klein & Selz, P.C.

A Professional Corporation

Attorneys for Plaintiff

Office and Post Office Address, Telephone

488 Madison Avenue

New York, New York 10022

(212) 980-0120

To

Attorney(s) for

Service of a copy of the within is hereby admitted.
Dated,

Attorney(s) for