

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

=====X Index No.:

MONICA DAVIS, as PROPOSED ADMINISTRATOR  
of the ESTATE OF JOHNATHAN JENNINGS,

Plaintiff,

Plaintiff designates Bronx  
County as the place of Trial.

-against-

CITY OF NEW YORK, SGT. KEITH GELLER,  
POLICE OFFICERS "JOHN DOE 1" through JOHN DOE 10"  
and POLICE OFFICERS "JANE DOE 1" through JANE DOE 10,"

Venue is based upon  
Location of Occurrence

Defendants.

=====X **SUMMONS**


**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 this Summons, to serve a notice of appearance, on the Plaintiff's Attorney within 20 days after the service of this Summons, exclusive of the day of service (or within 30 days after the 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 taken against you by default for the relief demanded in the complaint.

Dated: New York, New York  
June 29, 2017

**Defendant(s):**

**CITY OF NEW YORK**  
100 Church Street  
New York, NY 10007

**SGT. KEITH GELLER**  
48th Pct. or Bronx Narcotics Unit  
Shield No.  
One Police Plaza  
New York, NY

  
Susan Davis

The Law Offices of  
ANTHONY IADEVAIA  
Attorneys for Plaintiff  
1932 Second Avenue  
New York, NY 10029  
(212) 996-8700

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

=====X Index No.:

MONICA DAVIS, as PROPOSED ADMINISTRATOR  
of the ESTATE OF JOHNATHAN JENNINGS,

Plaintiff,

- against -

**VERIFIED COMPLAINT**

CITY OF NEW YORK, SGT. KEITH GELLER,  
POLICE OFFICERS "JOHN DOE 1" through JOHN DOE 10"  
and POLICE OFFICERS "JANE DOE 1" through JANE DOE 10,"

Defendants.

=====X

Plaintiff, MONICA DAVIS, as PROPOSED ADMINISTRATOR of the ESTATE OF  
JOHNATHAN JENNINGS, by her attorneys, THE LAW OFFICES OF ANTHONY IADEVAIA,  
complaining of the Defendants, respectfully alleges the following upon information and belief:

1. Plaintiff, MONICA DAVIS is a resident of the County of Bronx, State of New  
York and the natural mother of JOHNATHAN JENNINGS.

2. Plaintiff was appointed Voluntary Administrator of the Estate of Johnathan  
Jennings by the Bronx County Surrogate's Court and issued a Certificate of Voluntary  
Administration on March 29, 2017.

3. Plaintiff is petitioning the Bronx County Surrogate's Court for Letters of  
Administration for the Estate of Johnathan Jennings, Deceased.

4. At all times hereinafter mentioned, Defendant, CITY OF NEW YORK, was and  
still is a municipal corporation created pursuant to the laws of the State of New York.

5. At all times hereinafter mentioned the New York City Police Department  
(hereinafter referred to as the "NYPD"), was and still is an agency within the control of Defendant

CITY OF NEW YORK.

6. On June 29, 2016, Plaintiff served a Notice of Claim upon CITY OF NEW YORK within ninety (90) days after the causes of action herein accrued.

7. On September 13, 2016, a hearing was held by the CITY OF NEW YORK in accordance with the General Municipal Law.

8. This action was commenced within one (1) year and ninety (90) days after the causes of action herein accrued.

9. At least thirty (30) days have elapsed since the aforesaid Notice of Claim was served upon the Defendant, CITY OF NEW YORK and the Defendant, CITY OF NEW YORK has neglected and/or refused to make adjustments or payment in response thereto.

10. At all times hereinafter mentioned, Defendant, CITY OF NEW YORK either directly or through its agency, the NYPD, employed Defendants, SGT. KEITH GELLER, "JOHN DOE 1" through "JOHN DOE 10" and Defendants "JANE DOE 1" through "JANE DOE 10" as police officers.

11. At all times hereinafter mentioned, Defendants, CITY OF NEW YORK, its agents, servants and/or employees, including but not limited to the NYPD, employed, trained, managed, instructed and supervised Defendants, SGT. KEITH GELLER, POLICE OFFICERS "JOHN DOE 1" through "JOHN DOE 10" and POLICE OFFICERS "JANE DOE 1" through "JANE DOE 10."

12. At all times hereinafter mentioned, Defendants, SGT. KEITH GELLER, POLICE OFFICERS "JOHN DOE 1" through "JOHN DOE 10" and POLICE OFFICERS "JANE DOE 1" through "JANE DOE 10" were acting in their official capacities as New York City Police Officers.

13. Each and all of the acts of the defendants, their agents, servants and/or employees, alleged herein were done while acting under color of state law and/or in compliance with the official rules, regulations, laws, statutes, protocol, procedures, customs, usages and/or practices of Defendant CITY OF NEW YORK, its agents, servants and/or employees including, but not limited to the NYPD, all under the supervision of ranking officers of said department.

14. Each and all of the acts of the defendants alleged herein were done by said defendants while acting within the scope of their employment by defendant CITY OF NEW YORK.

15. Each and all of the acts of the defendants alleged herein were done by said defendants while acting in furtherance of their employment by defendant CITY OF NEW YORK.

16. Each and all of the acts of the defendants alleged herein were done by said defendants while they had actual or constructive knowledge that the plaintiff's decedent, JOHNATHAN JENNINGS, had swallowed or otherwise ingested potentially lethal substance(s).

17. At all times hereinafter mentioned, defendant, CITY OF NEW YORK is liable for the acts of the individual defendants based upon the theory of *respondeat superior*.

18. The following causes of action fall within one or more exceptions of CPLR Article 16.

**FIRST CAUSE OF ACTION**

19. Plaintiff repeats, reiterates and re-alleges each and every allegation contained in paragraphs "1" through "18," inclusive, as if hereinafter set forth at length and further alleges:

20. At all times hereinafter mentioned, Defendant CITY OF NEW YORK, its agents, servants and/or employees, including but not limited to the NYPD, instituted protocols and

procedures while persons were detained and under the custody and control of the NYPD.

21. That on or about March 31, 2016, Defendants, SGT. KEITH GELLER, POLICE OFFICERS "JOHN DOE 1" through "JOHN DOE 10" and/or POLICE OFFICERS "JANE DOE 1" through "JANE DOE 10," while acting in their official capacity as police officers, wrongly, improperly and without provocation, beat, assaulted and utilized excessive, unnecessary and brutal force against the plaintiff's decedent, JOHNATHAN JENNINGS, while he was in the custody and under the control of the NYPD.

22. That on or about March 31, 2016, Defendants, SGT. KEITH GELLER, POLICE OFFICERS "JOHN DOE 1" through "JOHN DOE 10" and/or POLICE OFFICERS "JANE DOE 1" through "JANE DOE 10," while acting in their official capacity as police officers, wrongly, improperly and without provocation, tortured the plaintiff's decedent, JOHNATHAN JENNINGS, while he was in the custody and under the control of the NYPD by placing him, while in handcuffs, in an enclosed police van and turning on the heat to an excessive degree for an excessive period of time.

23. That on or about March 31, 2016, Defendants, SGT. KEITH GELLER, POLICE OFFICERS "JOHN DOE 1" through "JOHN DOE 10" and/or POLICE OFFICERS "JANE DOE 1" through "JANE DOE 10," while acting in their official capacity as police officers, wrongly, improperly and without provocation, failed to timely request and/or otherwise seek medical assistance for the plaintiff's decedent, JOHNATHAN JENNINGS, while he was in the custody and under the control of the NYPD.

24. That as a result of the aforesaid utilization of excessive, unnecessary and brutal force, and/or their failure to timely request and/or seek medical assistance, Plaintiff's decedent,

JOHNATHAN JENNINGS was caused to consciously suffer numerous injuries including, but not limited to seizures, cardiac arrest, respiratory failure, bleeding, lacerations and/or bruising.

25. That the occurrence and the injuries sustained by the Plaintiff's decedent, JOHNATHAN JENNINGS, were caused by the acts of the agents, servants and/or employees of Defendant, CITY OF NEW YORK, including but not limited to Defendants, SGT. KEITH GELLER, POLICE OFFICERS "JOHN DOE 1" through "JOHN DOE 10" and/or POLICE OFFICERS "JANE DOE 1" through "JANE DOE 10," without any acts on the part of the Plaintiffs contributing thereto.

26. That on or about March 31, 2016, Defendants, SGT. KEITH GELLER, POLICE OFFICERS "JOHN DOE 1" through "JOHN DOE 10" and/or POLICE OFFICERS "JANE DOE 1" through "JANE DOE 10," were acting within their official capacities as New York City Police Officers throughout their interaction(s) with Plaintiff's decedent, JOHNATHAN JENNINGS.

27. The Defendants, individually, jointly and severally, through their agents, servants and/or employees by their intentional, negligent, careless and/or reckless acts caused the Plaintiff's decedent, JOHNATHAN JENNINGS, to sustain severe and irreparable personal injury and damages and conscious pain and suffering before his death.

### **SECOND CAUSE OF ACTION**

28. Plaintiff repeats, reiterates and re-alleges each and every allegation contained in paragraphs "1" through "27", inclusive, as if hereinafter set forth at length, and further alleges:

29. As a result of the injuries sustained by the plaintiff's decedent, JOHNATHAN JENNINGS, due to the Defendants' intentional, negligent, careless and/or reckless acts, JOHNATHAN JENNINGS died on March 31, 2016.

30. That prior to his death, Decedent JOHNATHAN JENNINGS had been a healthy 19 year old, who attended and was able to perform his usual duties, and contributed to the support of his family, including a child, and by virtue of his wrongful death, his family was deprived of his comfort and society and of his support, and have otherwise incurred or will incur pecuniary loss, funeral expenses, administration costs and other damages.

### **THIRD CAUSE OF ACTION**

31. Plaintiff repeats, reiterates and re-alleges each and every allegation contained in paragraphs "1" through "30", inclusive, as if hereinafter set forth at length, and further alleges:

32. That on or about March 31, 2016 and continuing thereafter, Defendant CITY OF NEW YORK, its agents, servants and/or employees, including but not limited to Defendants, SGT. KEITH GELLER, POLICE OFFICERS "JOHN DOE 1" through "JOHN DOE 10" and/or POLICE OFFICERS "JANE DOE 1" through "JANE DOE 10," subjected Plaintiff's decedent, JOHNATHAN JENNINGS to the deprivation of his rights, privileges and immunities secured under the Constitution of the United States pursuant to 42 U.S.C. Section 1983, as set forth herein and as may further be determined during discovery.

33. Plaintiff, JOHNATHAN JENNINGS's constitutional rights were violated as a result of policies, procedures or customs of Defendant CITY OF NEW YORK, its agents, servants and/or employees, including but not limited to those of the NYPD, concerning the hiring, training, managing, instructing, supervising, retention and discipline of members of the police department, and those involving the arrest and detention of civilians, including but not limited to those of African-American descent and other minorities.

34. Defendants, CITY OF NEW YORK, its agents, servants and/or employees,

including but not limited to the NYPD, had policies, practices or customs of encouraging, approving or tolerating the use by members of the NYPD of excessive force and acts of misconduct against civilians including but not limited to those of African-American descent, and other minorities, and subsequent attempts to conceal such actions by failing to adequately train, re-train, manage, supervise, and discipline its agents, servants and/or employees.

35. Defendant, CITY OF NEW YORK, its agents, servants and/or employees, including but not limited to the NYPD, had policies, practices or customs of deliberate indifference to the use of improper procedures in the detention of civilians including but not limited to those of African-American descent and other minorities, and established a custom, policy or practice of encouraging, approving and/or tolerating the use of said improper procedures by members of the NYPD and subsequent attempts to conceal such actions by failing to adequately train, re-train, manage, supervise, and discipline its agents, servants and/or employees.

36. Defendant, CITY OF NEW YORK, its agents, servants and/or employees, including but not limited to the NYPD, failed to properly or effectively train its agents, servants and/or employees with regard to proper constitutional and statutory limits on the exercise of their authority.

37. Defendants, SGT. KEITH GELLER, POLICE OFFICERS "JOHN DOE 1" through "JOHN DOE 10" and POLICE OFFICERS "JANE DOE 1" through "JANE DOE 10", under color of state law, subjected Plaintiff's decedent, JOHNATHAN JENNINGS, to the foregoing acts and omissions, thereby depriving him of his rights privileges and immunities secured by the FOURTH and/or FOURTEENTH Amendments to the United States Constitution, including but not limited to deprivation of the following constitutional rights: (a) freedom from the



excessive use of force and (b) the enjoyment of due process, equal protection, privileges and immunities under the law.

38. Members of the NYPD have an affirmative duty to assess the constitutionality of interactions between their fellow members of service and civilians and to intervene where they observe another member of the NYPD or other law enforcement agency employing unjustified and excessive force against a civilian.

39. Defendants, SGT. KEITH GELLER, POLICE OFFICERS "JOHN DOE 1" through "JOHN DOE 10" and/or POLICE OFFICERS "JANE DOE 1" through "JANE DOE 10" violated the constitutional rights of the Plaintiff's decedent JOHNATHAN JENNINGS, by failing to intervene in their fellow police officers' clearly unconstitutional excessive use of force, arrest and seizure against plaintiff JOHNATHAN JENNINGS resulted in the injuries, damages and death as set forth herein.

40. All of the acts and omissions by the individual defendants described above were carried out pursuant to overlapping policies, practices and customs of defendant, CITY OF NEW YORK, its agents, servants and/or employees including but not limited to members of the NYPD, which were in existence at the time of the conduct alleged herein and were engaged in with full knowledge, consent and cooperation and under the supervisory authority of the defendant CITY OF NEW YORK its agents, servants and/or employees including but not limited to members of the NYPD.

41. Defendant CITY OF NEW YORK, its agents, servants and employees, including but not limited to ranking members of the NYPD, authorized, sanctioned and/or ratified the individual defendants' wrongful acts and/or failed to prevent or stop those acts and/or encouraged

those acts to continue.

42. The acts complained of were carried out by the aforementioned individual defendants in their capacities as police officers and officials pursuant to policies, practices, customs, protocols, procedures and rules of the CITY OF NEW YORK, its agents, servants and employees, including but not limited to members of the NYPD, all under the supervision of ranking officers of the NYPD.

43. The aforementioned policies, practices, customs, protocol, procedures and rules of the CITY OF NEW YORK, its agents, servants and employees, including but not limited to the NYPD, include, but are not limited to using excessive force against civilians, even if properly detained, and failing to timely request and/or seek medical care for those detained.

44. The existence of the above-described unlawful de facto policies and/or well-settled and widespread customs and practices is known to, encouraged and/or condoned by Defendant CITY OF NEW YORK, its agents, servants and/or employees, including supervisory and policy-making officers and officials of the NYPD.

45. Defendants, collectively and individually, while acting under color of state law, engaged in conduct, including using excessive force; condoning the excessive use of force; ignoring the excessive use of force; failing to discipline or be disciplined for using excessive force; failing to properly train police officers and/or NYPD leadership in detaining citizens and effecting arrests without using excessive force; failing to properly supplement training for police officers and/or NYPD leadership in effecting detentions without the excessive use of force; and failing to adequately supervise police officers, so detentions are conducted without using excessive force, which constituted a custom, usage, practice, procedure or rule of the respective

municipality/authority, which is forbidden by the Constitution of the United States.

46. The foregoing customs, policies, usages, practices, protocol, procedures and rules of Defendant CITY OF NEW YORK, its agents servants and employees, including but not limited to the NYPD, constituted deliberate indifference to the safety, well-being and constitutional rights of Plaintiff's decedent, JOHNATHAN JENNINGS.

47. The foregoing customs, policies, usages, practices, protocol, procedures and rules of Defendant CITY OF NEW YORK, its agents servants and employees, including but not limited to the NYPD, were the direct and proximate cause of the constitutional violations suffered by plaintiff as alleged herein.

48. The foregoing customs, policies, usages, practices, procedures and rules of Defendant CITY OF NEW YORK, its agents servants and employees, including but not limited to the NYPD, were the moving force behind the constitutional violations suffered by plaintiff as alleged herein.

49. The foregoing customs, policies, usages, practices, procedures and rules of Defendant CITY OF NEW YORK, its agents servants and employees, including but not limited to the NYPD, constituted deliberate indifference to the use of improper procedures in the detention of civilians, and established a custom, policy or practice of encouraging, approving and/or tolerating the use of said improper procedures by members of the NYPD and subsequent attempts to conceal such actions by failing to adequately train, re-train, instruct, manage, supervise, and discipline its agents, employees and officers.

50. Defendant CITY OF NEW YORK, its agents servants and employees, including but not limited to the NYPD, failed to properly or effectively train its employees with regard to

proper constitutional and statutory limits on the exercise of their authority, which constituted deliberate indifference to the safety, well-being and constitutional rights of plaintiff.

51. The existence of the above-described unlawful de facto policies and/or well-settled and widespread customs and practices is/was known to, encouraged and/or condoned by supervisory and policy-making officers and officials of Defendant CITY OF NEW YORK, its agents servants and employees, including but not limited to the NYPD, including without limitation, then-appointed ranking officials.

52. The existence of the aforesaid unconstitutional customs, practices and policies is evidenced by or may be inferred from statements made and testimony given during the Hearing of The New York City Council, Committee on Public Safety, September 8, 2014, 10:00 am, Council Chambers -- City Hall, Oversight: The Police Department's Plan to Enhance Officer Training, including, but not limited to the following, which were never implemented, corrected or enforced:

- a. the need to reform, reshape and restructure the NYPD;
- b. the need to review NYPD's policies;
- c. the need to change the NYPD's culture and improve its relationships with the public;
- d. the need to re-examine the way NYPD officers use force;
- e. the need to conduct a top down review of NYPD trainings;
- f. the need to supplement and strengthen NYPD leadership;
- g. the need to train and re-train all NYPD officers on a regular basis;
- h. the recognition that verbal and physical tactics necessary to assess and control a situation are perishable skills and require regular re-training to ensure the safety of the civilian and the officer and to protect individual rights;
- i. the identification of multiple areas for improvement within the NYPD including field training, recruit training, in-service training, and the discipline process;

- j. the need to make trainings mandatory and more frequent;
- k. the need to ensure that officers are retaining knowledge imparted at trainings;
- l. the acknowledgement that it is necessary to create a mechanism to hold officers accountable when they violate policies;
- m. the acknowledgment that training is one of the core subjects of a sweeping re-engineering process within the NYPD;
- n. The decision to retrain all 35,000 uniformed police officers on the use of force.

53. The existence of the aforesaid unconstitutional customs, practices and policies may also be inferred from the following cases, which had alleged, *inter alia*, the excessive use of force, and/or the failure to timely request and/or seek medical care:

- a. Norma Whatts v. City of New York, et al., Supreme Court of the State of New York, Bronx County, Index No. 304014/08. Plaintiff claimed she was subjected to *inter alia* excessive force and deprived of her civil rights. Jury verdict and award of damages in favor of plaintiff.
- b. Noel Jackson Guzman v. The City of New York, et al., 10 CV 06353 (PAC)(SDNY). Plaintiff claimed he was subjected to *inter alia* excessive force, and deprived of his civil rights. Jury verdict and award of damages in favor of plaintiff.
- c. Jason Tenant v. City of New York, et al., Supreme Court of the State of New York, Kings County, Index No. 20361/04. Plaintiff claimed he was subjected to *inter alia* excessive force and deprived of his civil rights. Case settled without admission of liability.
- d. Kareem Oliphant v. City of New York, et al., Supreme Court of the State of New York, Queens County, Index No. 10329/05. Plaintiff claimed he was subjected to *inter alia* excessive and deprived of his civil rights. Case settled without admission of liability.
- e. Gabriel Abreu v. City of New York, et al., Supreme Court of the State of New York, New York County, Index No. 104588/07. Plaintiff claimed he was subjected to *inter alia* excessive and deprived of his civil rights. Case settled without admission of liability.

- f. Ayesha M. Thomas v. City of New York, et al., Supreme Court of the State of New York, New York County, Index No. 107525/07. Plaintiff claimed she was subjected to *inter alia* excessive force and deprived of her civil rights. Case settled without admission of liability.
- g. Charles Wallace v. City of New York, et al., Supreme Court of the State of New York, New York County, Index No. 106937/08. Plaintiff claimed he was subjected to *inter alia* excessive force and deprived of his civil rights. Case settled without admission of liability.

54. The existence of the above-described unlawful de facto policies and/or well settled and widespread customs and practices is known to, encouraged and/or condoned by supervisory and policy-making officers and officials of Defendant CITY OF NEW YORK, its agents, servants and employees including but not limited to ranking members of the NYPD, including without limitation then appointed Police Commissioner William Bratton.

55. All of the foregoing acts by the individual defendants deprived Plaintiff's decedent, JOHNATHAN JENNINGS, of federally protected rights, including but not limited to those constitutional rights afforded by the Fourth and Fourteenth Amendments to the United States Constitution and as otherwise noted herein.

56. Defendant CITY OF NEW YORK, its agents, servants and employees, knew or should have known that the acts alleged herein would deprive Plaintiff's decedent, JOHNATHAN JENNINGS, of his rights in violation of the Fourth and Fourteenth Amendments to the United States Constitution.

57. Defendant CITY OF NEW YORK is directly liable and responsible for the acts of the individual defendants because it repeatedly and knowingly failed to properly train, re-train, instruct, manage, supervise and discipline them and because it repeatedly and knowingly failed to

enforce the rules and regulations of Defendant CITY OF NEW YORK and its agencies, including but not limited to the NYPD, and to require compliance with the Constitution and laws of the United States.

58. Despite knowledge of such unlawful de facto policies, practices and/or customs, the supervisory and policy-making officers and officials of Defendant CITY OF NEW YORK, and its agency the NYPD, including then-appointed Police Commissioner William Bratton, did not take steps to terminate these policies, practices and/or customs, did not adequately discipline individuals who engaged in such policies, practices or customs, or otherwise properly train and/or re-train police officers with regard to the constitutional and statutory limits on the exercise of their authority, and instead did sanction and ratify these policies, practices and/or customs through their active encouragement of, deliberate indifference to and/or reckless disregard of the effects of said policies, practices and/or customs upon the constitutional rights of persons in the City of New York.

59. Defendant CITY OF NEW YORK and its agency, NYPD's policies, practices and/or customs of failing to properly train, re-train, instruct manage, supervise and discipline officers and encouraging their misconduct are evidenced by the police misconduct detailed herein. Specifically, pursuant to the aforementioned CITY OF NEW YORK policies, practices and/or customs, the individual defendants felt empowered to unlawfully use excessive force against the Plaintiff's decedent, JOHNATHAN JENNINGS, while he was already detained and restrained, and to ignore the need to timely request and/or seek medical assistance for the Plaintiff's decedent, JOHNATHAN JENNINGS.

60. Plaintiff's decedent, JOHNATHAN JENNINGS's injuries were the direct and

proximate result of the CITY OF NEW YORK and its agency, NYPD's wrongful de facto policies and/or well-settled and widespread customs and practices and of the knowing and repeated failure of Defendant CITY OF NEW YORK, its agents, servants and employees, including but not limited to the NYPD, to properly train, re-train, manage, instruct, direct, supervise and discipline NYPD police officers.

**WHEREFORE**, Plaintiff, MONICA DAVIS, as PROPOSED ADMINISTRATOR of the ESTATE OF JOHNATHAN JENNINGS, demands judgment against the above-named Defendants in the respective causes of action numbered FIRST, SECOND and THIRD. Said damages sought exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction. Damages for the Plaintiff is sought in an amount to be determined upon trial of this matter, together with costs and disbursements.

Dated: New York, New York  
June 29, 2017

  
SUSAN DAVIS

The Law Offices of  
ANTHONY IADEVAIA  
*Attorneys for Plaintiff*  
1932 Second Avenue  
New York, NY 10029  
212-996-8700



ATTORNEY VERIFICATION

I, SUSAN DAVIS, an attorney at law of the State of New York, being duly sworn, affirms the following under the penalties of perjury:

I am an attorney associated with The Law Offices of Anthony Iadevaia, attorneys for the Plaintiff herein.

I have read the foregoing COMPLAINT and know the contents thereof. The same is true to my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe them to be true.

The source of my information and the grounds of my belief as to all the matters herein not stated upon my knowledge are: discussions had with the plaintiff, copies of documents provided by the Plaintiff and the results of an investigation conducted by my office, which are now in my possession and other pertinent data relating thereto.

The reason why this verification is made by me and not by the Plaintiff is that the said Plaintiff does not reside within the County of New York, the County wherein my office is located.

DATED: New York, New York  
June 29, 2017

  
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SUSAN DAVIS

Index No.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

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MONICA DAVIS, as PROPOSED ADMINISTRATOR  
of the ESTATE OF JOHNATHAN JENNINGS,

Plaintiff,

- against -

CITY OF NEW YORK, SGT. KEITH GELLER,  
POLICE OFFICERS "JOHN DOE 1" through JOHN DOE 10"  
and POLICE OFFICERS "JANE DOE 1" through JANE DOE 10,"

Defendants.

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## SUMMONS and VERIFIED COMPLAINT

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**THE LAW OFFICES OF ANTHONY IADEVAIA**

Attorneys for Plaintiff(s)

1932 Second Avenue  
New York, New York 10029  
(212) 996-8700

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To:

Service of a copy of the within  
is hereby admitted.

Attorney for

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Dated:.....201..

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Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice law in the court of the State of New York, certifies that upon information and belief and reasonable inquiry, (1) the presentation of the paper or the contentions therein are not frivolous as defined in section 130-1.1(c) of this Subpart, and (2) where the paper is an initiating pleading, (i) the matter was not obtained through illegal conduct, or that if it was, the attorney or other persons responsible for the illegal conduct are not participating in the matter or sharing in any fee earned therefrom, and (ii) the matter was not obtained in violation of 22 NYCRR 1200.41-a [DR 7-111].

Dated: June 29, 2017

By:   
SUSAN DAVIS

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