

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

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MADONNA CICCONE, <i>in both her individual capacity and as Trustee of the CICCONE 1989 TRUST,</i>	: Index No. _____
	: Date purchased: _____
	:
Plaintiff,	: Plaintiff designates New York County as the place of trial.
	:
-against-	: The basis of the venue is CPLR § 503(a) and (c)
	:
GOTTA HAVE IT! COLLECTIBLES, INC. d/b/a GOTTA HAVE ROCK AND ROLL LLC, PETE SIEGEL, DARLENE LUTZ, JOHN DOES #1-200: (a fictitious name),	: <b><u>SUMMONS WITH NOTICE</u></b>
	: Plaintiff and Defendants reside in the County of New York.
	:
Defendants.	
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TO THE ABOVE NAMED DEFENDANTS:

**PLEASE TAKE NOTICE THAT 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 attorneys within twenty (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 of the relief demanded below.

Defendants’ addresses:

GOTTA HAVE IT! COLLECTIBLES, INC. d/b/a GOTTA HAVE ROCK and ROLL LLC  
153 East 57<sup>th</sup> Street  
New York, NY 10022

Pete Siegel  
c/o GOTTA HAVE IT! COLLECTIBLES, INC.  
153 East 57<sup>th</sup> Street  
New York, NY 10022

Darlene Lutz  
c/o Jeffrey J. Haas, Esq.  
Attorney at Law  
185 West Broadway, Office E-912  
New York, NY 10013

JOHN DOES #1-200 (a fictitious name to describe the individual(s) who have consigned for auction plaintiff's personal property without her consent, who removed from plaintiff's custody, possession and control her personal property without her consent, who in the absence of good title and without plaintiff's authority purported to transfer her personal property to consignors, and who, prior to the trial of this action, will have purported to purchase plaintiff's personal property auctioned without her consent)  
Addresses unknown

**Notice:** This is an action for: replevin of Plaintiff's unique personal property, conversion of Plaintiff's personal property, and a judicial accounting for all proceeds and benefits arising from or relating to the sale of Plaintiff's personal property at auction or otherwise.

The relief sought by Plaintiff is injunctive relief, an order of seizure under Article 71 of the CPLR, damages according to proof, punitive damages according to proof, an accounting, attorneys' fees and costs in an amount to be determined, and such other, further and different relief as this Court may deem just and proper.

PLEASE TAKE NOTICE THAT upon your failure to appear, judgment will be taken against you by default for the relief sought herein, with interest and costs of this action.

Dated: July 18, 2017

PROSKAUER ROSE LLP

/s/ Sandra A. Crawshaw-Sparks  
Sandra A. Crawshaw-Sparks, Esq.  
Charles B. Ortner, Esq.  
Brendan J. O'Rourke, Esq.  
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New York, NY 10036  
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*Attorneys for Plaintiff Madonna Ciccone*