

**JEFFREY S. LISABETH**

54 WILLIS AVENUE  
MINEOLA, NY 11501  
(516) 877-1233

HOURS BY APPOINTMENT  
299 BROADWAY  
NEW YORK, N.Y. 10007

■ ALSO ADMITTED  
IN PENNSYLVANIA

## **Horrifying Video of Mother and Child Crushed Between Car and Wendy's**

On December 4, 2012, after a day of Christmas shopping Theresa DiMilia and her 11 year old daughter Samantha were exiting the Wendy's on Hillside Avenue in Williston Park when 75 year old Margaret Hogarty of Mineola, apparently confused by bright lights on the side of Wendy's drove her car onto a walkway smashing Theresa and Samantha into and through the side of the Wendy's. (Surveillance video depicting the bright lights and the impact available on DVD). (Police report attached) *There were no curb stops or required bollards in place that would have prevented the tragedy.*

The Law Offices of Jeffrey S. Lisabeth of Mineola has filed a multi million dollar law suit naming Hogarty and her husband, Lynn, the owner of the car, along with Wendy's International. (A copy of the Supreme Court Summons and Complaint is attached) Wendy's lighting scheme and parking configuration were woefully deficient from both engineering and safety perspectives. Only after the accident did Wendy's place proper pedestrian protection (steel and cement bollards.) (These are seen on the DVD to be distributed.)

Samantha was treated and released from Winthrop Hospital for a severely fractured leg. Among other injuries Theresa had both legs fractured and *remained in Winthrop Hospital until February 5 where she underwent nine surgeries trying to save her right leg.*

*Theresa and Samantha will be available for on camera interview at press conference at The Glengariff Healthcare Center, 141 Dosoris Lane, Glen Cove, NY 11542 on Monday, February 11, 2013 at 10:30 AM.*

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

Date File: 1/15/13  
Index No.: 000577/13  
Plaintiff(s) designates(s)

-----X  
THERESA F. DiMILIA and JOHN P. DiMILIA,  
individually and as parent and natural guardian of  
SAMANTHA DiMILIA, an infant under the age of  
fourteen years,

NASSAU  
county as place of trial

The basis of the venue is  
Plaintiff's residence

Plaintiffs,

-against-

MARGARET HOGARTY, LYNN HOGARTY,  
WENDY'S INTERNATIONAL, INC. and  
WESTBURY PROPERTIES, LLC,

**SUMMONS**

Plaintiff resides at  
18 Astor Place  
Mineola, NY

RECEIVED

JAN 15 2013

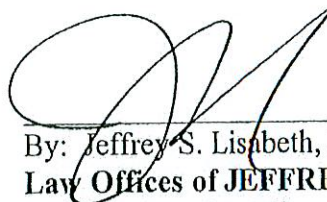
NASSAU COUNTY  
COUNTY CLERK'S OFFICE

Defendants.

-----X  
To the above named Defendant(s)

**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(s) 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: Mineola, New York  
January 15, 2013



By: Jeffrey S. Lisabeth, Esq.  
Law Offices of JEFFREY S. LISABETH  
Attorney for Plaintiffs  
54 Willis Avenue  
Mineola, New York 11501  
(516) 877-1233

**Defendant(s) address(es):**

**MARGARET HOGARTY**  
179 Lake Run Road  
Mineola, New York 11501

**WENDY'S INTERNATIONAL, INC.**  
4288 West Dublin Granville Road  
Dublin, Ohio 43017

**LYNN HOGARTY**  
179 Lake Run Road  
Mineola, New York 11501

**WESTBURY PROPERTIES, LLC**  
220 Westbury Avenue  
Carle Place, New York 11514



SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
THERESA F. DiMILIA and JOHN P. DiMILIA,  
individually and as parent and natural guardian of  
SAMANTHA DiMILIA, an infant under the age of  
fourteen years,

Index No.: 000577/13

VERIFIED COMPLAINT

Plaintiffs,

-against-

MARGARET HOGARTY, LYNN HOGARTY,  
WENDY'S INTERNATIONAL, INC. and  
WESTBURY PROPERTIES, LLC,

Defendants.  
-----X

Plaintiffs, THERESA F. DiMILIA and JOHN P. DiMILIA, individually and as parent and natural guardian of SAMANTHA DiMILIA, an infant under the age of fourteen years, by their attorney, *JEFFREYS LISABETH, ESQ.*, complaining of the Defendants, respectfully sets forth and alleges as follows:

**AS AND FOR A FIRST CAUSE OF ACTION**

FIRST: That at all times hereinafter mentioned, Plaintiffs, THERESA F. DiMILIA, JOHN P. DiMILIA and SAMANNTHA DiMILIA, were and are residents of the County of Nassau, State of New York.

SECOND: That at all times hereinafter mentioned, Plaintiff, JOHN P. DiMILIA was and is the lawful husband of the Plaintiff, THERESA F. DiMILIA.

THIRD: That at all times hereinafter mentioned, Plaintiffs, THERESA F. DiMILIA and JOHN P. DiMILIA were and are parents of the infant Plaintiff, SAMANTHA DiMILIA, an infant under the age of fourteen years.

FOURTH: That at all times hereinafter mentioned, and upon information and belief, Defendants, MARGARET HOGARTY and LYNN HOGARTY were and are residents of the County of Nassau, State of New York.

FIFTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, MARGARET HOGARTY was the lawful wife of Defendant, LYNN HOGARTY.

SIXTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, WENDY'S INTERNATIONAL INC. hereinafter referred to as WENDY'S, was and is a foreign corporation duly operating within the State of New York.

SEVENTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, WENDY'S, is a domestic corporation duly authorized and existing by virtue and under the laws of the State of New York.

EIGHTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, WENDY'S, operated a certain restaurant located at a premises commonly known as 259 Hillside Avenue, Williston Park, County of Nassau, State of New York.

NINTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, WENDY'S, owned a certain premises commonly known as 259 Hillside Avenue, Williston Park, County of Nassau, State of New York.

TENTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, WENDY'S, maintained a certain premises commonly known as 259 Hillside Avenue, Williston Park, County of Nassau, State of New York.

ELEVENTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, WENDY'S, managed a certain premises commonly known as 259 Hillside Avenue, Williston Park, County of Nassau, State of New York.

TWELFTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, WENDY'S, controlled a certain premises commonly known as 259 Hillside Avenue, Williston Park, County of Nassau, State of New York.

THIRTEENTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, WESTBURY PROPERTIES, LLC, hereinafter referred to as WESTBURY PROPERTIES, owned a certain premises commonly known as 259 Hillside Avenue, Williston Park, County of Nassau, State of New York.

FOURTEENTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, WESTBURY PROPERTIES, operated a certain premises commonly known as 259 Hillside Avenue, Williston Park, County of Nassau, State of New York.

FIFTEENTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, WENDY'S, maintained a certain premises commonly known as 259 Hillside Avenue, Williston Park, County of Nassau, State of New York.

SIXTEENTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, WESTBURY PROPERTIES, managed a certain premises commonly known as 259 Hillside Avenue, Williston Park, County of Nassau, State of New York.

SEVENTEENTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, WESTBURY PROPERTIES, controlled a certain premises commonly known as 259 Hillside Avenue, Williston Park, County of Nassau, State of New York.

EIGHTEENTH: That at all times hereinafter mentioned, and upon information and belief, Defendant, WENDY'S, owned, operated, maintained, managed and/or controlled the aforesaid property under a lease with Defendant, WESTBURY PROPERTIES.

NINETEENTH: That at all times hereinafter mentioned, and upon information and



belief, Defendant, WESTBURY PROPERTIES, owned, operated, maintained, managed and/or controlled the aforesaid property under a lease with Defendant, WENDY'S.

TWENTIETH: That at all times hereinafter mentioned, and upon information and belief, Defendant, MARGARET HOGARTY, operated a certain motor vehicle bearing a New York State registration number for 2012.

TWENTY-FIRST: That at all times hereinafter mentioned, and upon information and belief, Defendant, LYNN HOGARTY, was the owner of a certain motor vehicle bearing a New York State registration number for 2012.

TWENTY-SECOND: That at all times hereinafter mentioned, and upon information and belief, Defendant, MARGARET HOGARTY, operated, maintained, managed and controlled the aforesaid motor vehicle with the consent, knowledge and permission of Defendant, LYNN HOGARTY.

TWENTY-THIRD: That at all times hereinafter mentioned, and upon information and belief, Plaintiffs, THERESA F. DiMILIA and SAMANTHA DiMILIA, were lawfully and properly pedestrians on the premises of and outside the restaurant located at 259 Hillside Avenue, Williston Park, New York.

TWENTY-FOURTH: That on or about the 4<sup>th</sup> day of December, 2012, at approximately 6:30 p.m. at or about the westerly exit of the premises commonly known as 259 Hillside Avenue, Williston Park, New York the motor vehicle owned and operated by Defendants, LYNN HOGARTY and MARGARET HOGARTY, struck Plaintiffs, THERESA F. DiMILIA and SAMANTHA DiMILIA pinning them against the restaurant located thereat.

TWENTY-FIFTH: The negligence of the Defendants, MARGARET HOGARTY and LYNN HOGARTY, consisted of owning and operating their motor vehicle in a dangerous manner;

failing to keep a proper lookout ahead and behind; failing to obey and heed the Road, Traffic and pedestrian conditions then and there existing; failing to give warning or signal of approach; violating the "Rules of the Road" and the Vehicle and Traffic Regulations of the State of New York; failing to be provided with or timely utilize adequate, sufficient, braking and/or other safety devices; placing Plaintiffs in imminent hazard; failing to comprehend, apprehend and/or anticipate a hazardous and dangerous situation; failing to take reasonable steps to avoid the accident; in colliding with and striking the Plaintiffs; in failing to be properly equipped with adequate, sufficient and reasonable safety and warning devices; in failing to see what there was to be seen and appropriately reacting thereto; and the Defendants were reckless, careless and negligent in the premises.

TWENTY-SIXTH: That solely by reason of the negligence of the Defendants as hereinbefore alleged, the said Plaintiffs, THERESA F. DiMILIA and SAMANTHA DiMILIA, were rendered sick, sore, lame and disabled and suffered and still continues to suffer great pain and anguish and sustained severe and serious injuries in and about her head, body, limbs, nerves and nervous system and was obliged to and did seek medical treatment, aid and assistance and was incapacitated and disabled in the performance of her normal duties for a considerable period of time and her normal habits and pattern of life were varied.

TWENTY-SEVENTH: Plaintiffs, THERESA F. DiMILIA and SAMANTHA DiMILIA have sustained a serious injury as defined in Subdivision "D" of Section 5102 of the Insurance Law of the State of New York; or economic loss greater than basic economic loss as defined in Subdivision "A" of Section 5102 of the Insurance Law.

TWENTY-EIGHTH: That this action falls within one (1) or more of the exceptions set forth in C.P.L.R. Section 1602.

TWENTY-NINTH: That as a result of the foregoing, Plaintiffs, THERESA F. DiMILIA



and SAMANTHA DiMILIA, have been damaged in a sum in excess of the jurisdictional limits of all of the lower courts.

**AS AND FOR A SECOND CAUSE OF ACTION  
ON BEHALF OF PLAINTIFFS**

THIRTIETH: Plaintiffs, THERESA F. DiMILIA, JOHN P. DiMILIA and SAMANNTHA DiMILIA, repeats, reiterates and realleges each and every allegation contained in the paragraphs of the complaint marked "FIRST" through "TWENTY-NINTH " inclusive as though the same were set forth herein at length.

THIRTY-FIRST: That Defendants, WENDY'S and WESTBURY PROPERTIES, their agents, servants and/or employees were reckless, careless and negligent in that they failed and omitted to apprehend and comprehend an immanent dangerous, hazardous and perilous accident situation and failed to take the necessary steps to remedy the same; failed and omitted to employ adequately skilled personnel, to own, operate, maintain, manage, control, construct and design its premises and in particular a "handicap parking space and ramp" on the westerly side of their premises as of foresaid; failed and omitted to properly, reasonably and adequately design, fabricate, construct and maintain the aforesaid westerly side of the premises all with the direct result that the height of the sidewalk curb, the lighting, the "handicap parking space and ramp" were wholly inadequate and presented and caused heightened danger to pedestrians, lawfully and properly upon the premises; caused, allowed and permitted their premises to be and remain of a composition and constructed such that they were dangerous, hazardous, defective and of an improper design and constitute a trap, nuisance and hazard to those lawfully upon the premises, including Plaintiffs, THERESA F. DiMILIA and SAMANTHA DiMILIA; failed and omitted to warn those lawfully using the premises of the aforesaid conditions; caused, allowed and permitted the aforesaid conditions to become and remain in a dangerous hazardous and defective condition as of foresaid; which condition constituted a trap, nuisance and hazard to those lawfully upon the premises including the Plaintiffs herein although the Defendants knew of said condition for a long period of



time and failed to take the necessary steps to remedy the same or should have know of same; failed and omitted to adequately, reasonably and properly operate a restaurant and violated the statues, rules and regulations made and provided for in the same or similar circumstances.

THIRTY-SECOND: That solely by reason of the negligence of the Defendants as hereinbefore alleged, the said Plaintiffs, THERESA F. DiMILIA and SAMANTHA DiMILIA, were rendered sick, sore, lame and disabled and suffered and still continues to suffer great pain and anguish and sustained severe and serious injuries in and about her head, body, limbs, nerves and nervous system and was obliged to and did seek medical treatment, aid and assistance and was incapacitated and disabled in the performance of her normal duties for a considerable period of time and her normal habits and pattern of life were varied.

THIRTY-THIRD: That this action falls within one (1) or more of the exceptions set forth in C.P.L.R. Section 1602.

THIRTY-FOURTH: That as a result of the foregoing, Plaintiffs, THERESA F. DiMILIA and SAMANTHA DiMILIA, have been damaged in a sum in excess of the jurisdictional limits of all of the lower courts.

**AS AND FOR A THIRD CAUSE OF ACTION  
ON BEHALF OF PLAINTIFF JOHN P. DiMILIA**

THIRTY-FIFTH: Plaintiff, JOHN P. DiMILIA repeats, reiterates and realleges each and every allegation contained in the paragraphs of the complaint marked "FIRST" through "THIRTY-FOURTH " inclusive as though the same were set forth herein at length.

THIRTY-SIXTH: That at all times here and after mentioned Plaintiff, JOHN P. DiMILIA, was and is the husband of Plaintiff, THERESA F. DiMILIA, and was obliged to and did expend various sums of money for medical treatment, aid and assistance for his wife and was deprived of the society, sex and companionship of his said wife, lost her services for a considerable period of time.

THIRTY-SEVENTH: That as a result of the foregoing, Plaintiff, JOHN P. DiMILIA, has been damaged in a sum in excess of the jurisdictional limits of all of the lower courts.

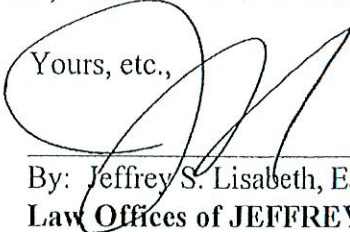
**AS AND FOR A FOURTH CAUSE OF ACTION  
ON BEHALF OF PLAINTIFFS THERESA F. DiMILIA and JOHN P. DiMILIA**

THIRTY-EIGHTH: Plaintiffs, THERESA F. DiMILIA and JOHN P. DiMILIA, repeats, reiterates and realleges each and every allegation contained in the paragraphs of the complaint marked "FIRST" through "THIRTY-SEVENTH " inclusive as though the same were set forth herein at length.

THIRTY-NINTH: That at all times hereinafter mentioned, Plaintiffs, THERESA F. DiMILIA and JOHN P. DiMILIA, were and are the parents of the infant Plaintiff, SAMANTHA DiMILIA, and were obliged to and did expend various sums of money for medical treatment, aid and assistance for SAMANTHA DiMILIA and were deprived of the society and companionship of their daughter and lost services for a considerable period of time.

**WHEREFORE**, Plaintiffs, THERESA F. DiMILIA, JOHN P. DiMILIA and SAMANNTHA DiMILIA, demands Judgment against the Defendants in the First, Second, Third and Fourth Causes of Action in a sum in excess of the jurisdictional limits of all lower Courts, together with the costs and disbursements of this action, which would otherwise have jurisdiction.

Yours, etc.,

  
By: Jeffrey S. Lisabeth, Esq.  
**Law Offices of JEFFREY S. LISABETH**  
*Attorney for Plaintiffs*  
54 Willis Avenue  
Mineola, New York 11501  
(516) 877-1233



## VERIFICATION

STATE OF NEW YORK)  
COUNTY OF NASSAU)ss.:

I, **THERESA F. DiMILIA**, being duly sworn, say: I am one of the Plaintiff(s) in the within action; I have read the foregoing *SUMMONS and VERIFIED COMPLAINT* and know the contents thereof; the same is true to my own knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true.

  
\_\_\_\_\_  
**THERESA F. DiMILIA**

SWORN TO BEFORE ME THIS  
15<sup>th</sup> DAY OF DECEMBER, 2012

  
\_\_\_\_\_  
NOTARY PUBLIC

MARGARET E. CRAFA  
Notary Public, State of New York  
No. 01CR6043435  
Qualified in Nassau County  
Commission Expires June 19, 2014



*Index No. 000577/13*

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

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TERESA P. DIMILIA and JOHN P. DIMILIA, individually and as parent and natural guardian of  
SAMANTHA DIMILIA, an infant under the age of fourteen years,

Plaintiffs,

against

MARGARET HOGARTY, LYNN HOGARTY, WENDY'S INTERNATIONAL, INC. and  
WESTBURY PROPERTIES, LLC,

Defendants,

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***SUMMONS & VERIFIED COMPLAINT***

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*Law Offices of JEFFREY S. LISABETH  
Attorney for Plaintiffs  
54 Willis Avenue  
Mineola, New York 11501  
(516) 877-1233  
(516) 877-0235 - Fax*

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To:

To the best of the undersigned's knowledge,  
information and belief, formed after an inquiry  
reasonable under the circumstances, the within  
Documents and contentions contained herein are  
Not frivolous as defined in 22 NYCRR 130-1.1(a)

Dated: \_\_\_\_\_



New York State Department of Motor Vehicles  
POLICE ACCIDENT REPORT  
MV-104A (3/04)

Local Codes  
3-8313-12  
G8D286000367

AMENDED REPORT

1 Accident Date  
2 Month 12 Day 4 Year 2012 Day of Week Tuesday Military Time 18:55 No. of Vehicles 1 No. Injured 2 No. Killed 0 Not Investigated at Scene  Left Scene  Police Photos  Yes  No  
Accident Reconstructed

VEHICLE 1  
2 VEHICLE 1 - Driver License ID Number 482433720 State of Lic. NY  
14 Driver Name - exactly as printed on license HOGARTY, MARGARET T

Address (Include Number and Street) 179 LATHAM RD Apt. No. City or Town MINEOLA State NY Zip Code 11501  
VEHICLE 2  
2 VEHICLE 2 - Driver License ID Number State of Lic.  
14 Driver Name - exactly as printed on license DIMILLA, THERESA  
Address (Include Number and Street) 18 ASTOR PLACE Apt. No. City or Town WILLISTON PARK State NY Zip Code 11596

3 Date of Birth Sex Unlicensed No. of Occupants Public Property Damaged  
1 Month 9 Day 19 Year 1937 F  02   
Name - exactly as printed on registration HOGARTY, LYNN T Sex F Date of Birth Month 2 Day 22 Year 1935  
VEHICLE 2  
3 Date of Birth Sex Unlicensed No. of Occupants Public Property Damaged  
1 Month 4 Day 9 Year 1966 F  01   
Name - exactly as printed on registration DIMILLA, THERESA Sex F Date of Birth Month 4 Day 9 Year 1966

4 Address (Include Number and Street) 179 LATHAM RD Apt. No. Haz Mat Code Released  
4 City or Town MINEOLA State NY Zip Code 11501  
VEHICLE 2  
4 Address (Include Number and Street) 18 ASTOR PLACE Apt. No. Haz Mat Code Released  
4 City or Town WILLISTON PARK State NY Zip Code 11596

5 Plate Number State of Reg Vehicle Year & Make Vehicle Type Ins Code  
1 FAB2503 NY 2008 FORD 4DSD 169  
VEHICLE 2  
5 Plate Number State of Reg Vehicle Year & Make Vehicle Type Ins Code  
1 PED State of Reg NY 2008 FORD PED 169  
3 Ticket/Arrest Number(s)  
4 Violation Section(s)

6 Check if involved vehicle is:  
2  more than 95 inches wide;  
 more than 34 feet long;  
 operated with an overweight permit;  
 operated with an overdimension permit;  
VEHICLE 1 DAMAGE CODES  
7 Box 1 - Point of Impact 2 1 2  
Box 2 - Most Damage 2 2  
Enter up to three more damage codes 7 7  
VEHICLE 2 DAMAGE CODES  
7 Box 1 - Point of Impact 1 2  
Box 2 - Most Damage  
Enter up to three more damage codes 3 4 5  
VEHICLE 1  
1 Vehicle Bv Towed To  
VEHICLE 2  
2 Vehicle Bv Towed To

VEHICLE DAMAGE CODING:  
1-13 SEE DIAGRAM ON RIGHT.  
14. UNDERCARRIAGE 17. DEMOLISHED  
15. TRAILER 18. NO DAMAGE  
16. OVERTURNED 19. OTHER  
9. Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.  
1. Rear End 2. Left Turn 3. Right Angle 4. Right Turn 5. Head On  
6. Sidewipe (same direction) 7. Left Turn 8. Right Turn 9. Sidewipe (opposite direction)  
27 See the last page of the MV-104A for the accident diagram.  
28 Cost of repairs to any one vehicle will be more than \$1000.  
2  Unknown/Unable to determine  Yes  No

Reference Marker Coordinates (if available) Latitude/Northing Longitude/Easting  
Place Where Accident Occurred:  
County NASSAU  City  Village  Town of MINEOLA  
Road on which accident occurred 259 HILLSIDE AVE (PRK LOT) (Route Number or Street Name)  
at 1) intersecting street HORTON HIGHWAY (Route Number or Street Name)  
or 2) \_\_\_\_\_  N  S of \_\_\_\_\_ (Route Number or Street Name)  
\_\_\_\_\_ feet \_\_\_\_\_ miles  E  W (Milepost Nearest intersecting Route Number or Street Name)

Accident Description/Officer's notes  
OPERATOR OF MV1 STATES SHE ATTEMPTED TO PUT THE VEHICLE IN PARK BUT HER FOOT SLIPPED OFF OF THE BRAKE PEDAL AND STEPPED ON THE ACCELERATOR INSTEAD CAUSING IT TO JUMP THE CURB, HIT THE TWO PEDESTRIANS THAT WERE EXITING THE WENDY'S RESTAURANT AND THEN STRIKE THE BUILDING. VEHICLE WAS LEFT LEGALLY PARKED AT THE SCENE.  
PROPERTY DAMAGE BY VEHICLE #01 - BUILDING, WENDY'S RESTAURANT 259 HILLSIDE AVENUE WILLISTON PARK NY 11596

ALL INVOLVED

	8	9	10	11	12	13	14	15	16	17 BY	TO 18	Names of all involved	Date of Death Only
A	1	1	4	1	75	F	-	-	-			HOGARTY, MARGARET T	
B	1	3	4	1	77	M	-	-	-			HOGARTY, LYNN	
C	P	-	-	-	46	F	11	09	6	9999	2905	DIMILLA, THERESA	
D	P	-	-	-	11	F	11	10	6	9997	2905	DIMILLA, SAMANTHA	
E													
F													

Officer's Rank and Signature PO Dale J. D. Badge/ID No. 8700 NCIC No. 02900 Precinct/Post Troop/Zone 0303 Station/Beat Sector 03 Reviewing Officer GIUMENTA, R Date/Time Reviewed 12/14/2012 16:21  
Print Name In Full D DOERRIE



New York State Department of Motor Vehicles  
POLICE ACCIDENT REPORT  
MV-101A (3/04)

Local Codes  
3-8313-12  
G8D28600367

AMENDED REPORT

1	Accident Date Month: 12, Day: 4, Year: 2012	Day of Week Tuesday	Military Time 18:55	No. of Vehicles 1	No. Injured 2	No. Killed 0	Not Investigated at Scene <input type="checkbox"/>	Left Scene <input type="checkbox"/>	Police Photos <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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2	VEHICLE 1 - Driver License ID Number Driver Name - exactly as printed on license DIMITILA, SAMANTHA Address (Include Number and Street) 18 ASTOR PLACE City or Town WILLISTON PARK State NY Zip Code 11596	State of Lic	VEHICLE 2 - Driver License ID Number Driver Name - exactly as printed on license Address (Include Number and Street) City or Town State Zip Code
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3	Date of Birth Month: 6, Day: 13, Year: 2001 Sex F Unlicensed <input type="checkbox"/> No. of Occupants 01 Public Property Damaged <input type="checkbox"/>	Date of Birth Month: , Day: , Year: Sex Unlicensed <input type="checkbox"/> No. of Occupants Public Property Damaged <input type="checkbox"/>
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4	Plate Number State of Reg Vehicle Year & Make Vehicle Type Ins. Code	Plate Number State of Reg Vehicle Year & Make Vehicle Type Ins. Code
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5	Violation Section(s)	Violation Section(s)
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6	Check if involved vehicle is: <input type="checkbox"/> more than 95 inches wide, <input type="checkbox"/> more than 34 feet long, <input type="checkbox"/> operated with an overweight permit, <input type="checkbox"/> operated with an overdimension permit.	Check if involved vehicle is: <input type="checkbox"/> more than 95 inches wide, <input type="checkbox"/> more than 34 feet long, <input type="checkbox"/> operated with an overweight permit, <input type="checkbox"/> operated with an overdimension permit.	Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.
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7	VEHICLE 1 DAMAGE CODES Box 1 - Point of Impact Box 2 - Most Damage Enter up to three more damage codes	VEHICLE 2 DAMAGE CODES Box 1 - Point of Impact Box 2 - Most Damage Enter up to three more damage codes	ACCIDENT DIAGRAM 9 Cost of repairs to any one vehicle will be more than \$1000. <input type="checkbox"/> Unknown/Unable to determine <input type="checkbox"/> Yes <input type="checkbox"/> No
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8	Reference Marker	Coordinates (if available) Latitude/Northing Longitude/Easting	Place Where Accident Occurred: County <u>NASSAU</u> <input type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Town of _____ Road on which accident occurred _____ (Route Number or Street Name) at 1) intersecting street _____ (Route Number or Street Name) or 2) _____ N S of _____ (Milepost, Nearest intersecting Route Number or Street Name) feet miles E W
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9	Accident Description/Officer's notes
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10	ALL INVOLVED	8	9	10	11	12	13	14	15	16	17 BY	TO 18	Names of all Involved	Date of Death Only
A														
B														
C														
D														
E														
F														

11	Officer's Rank and Signature PO <i>D. J. D.</i>	Badge/ID No. 8700	NCIC No. 02900	Precinct/Post Troop/Zone 0303	Station/Beat Sector 03	Reviewing Officer GIUMENTA, R	Date/Time Reviewed 12/14/2012 16:21
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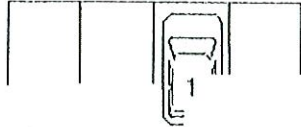
New York State Department of Motor Vehicles  
**POLICE ACCIDENT REPORT**  
MV-104A (3/04)

Local Codes
3-8313-12
G8D286000367

**AMENDED REPORT**

Accident Date			Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene	Left Scene	Police Photos
Month	Day	Year								
12	4	2012	Tuesday	18:55	1	2	0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
								Accident Reconstructed	<input type="checkbox"/>	

WENDY'S



PARKING LOT

HILLSIDE AVENUE