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To The Above-Named Defendant:

YOU ARE HEREBY SUMMONED to answer the Verified Complaint in this action and to serve a copy of your Answer, or, if the Verified 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 Verified Complaint.

Dated: June 22, 2017

ABRAMS, FENSTERMAN, FENSTERMAN, EISMAN, FORMATO, FERRARA & WOLF, LLP

By:

Robert Abrams

630 Third Avenue – 5th Floor New York, New York 10017

(212) 279-9200

babrams@abramslaw.com

Attorneys for Plaintiff

TO: JEFFREY RACKOVER

418 East 59th Street Apartment 32B

New York, New York 10022

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

----- x

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PATSY COMUNALE, individually and as the Administrator of the Estate of JOSEPH A. COMUNALE: a/k/a JOSEPH ANTHONY COMUNALE,

VERIFIED COMPLAINT

Plaintiff,

:

- against -

:

JEFFREY RACKOVER,

.

Defendant.

Plaintiff, Patsy Comunale ("Mr. Comunale"), individually and as Administrator of the Estate of Joseph A. Comunale a/k/a Joseph Anthony Comunale ("Joey"), by and through his attorneys, Abrams, Fensterman, Eisman, Formato, Ferrara & Wolf, LLP, as and for his Verified Complaint against Defendant, Jeffrey Rackover, hereby alleges as follows:

SUMMARY OF ACTION

1. Defendant Jeffrey Rackover, the so-called "jeweler-to-the-stars," played an intricate role in the concealment of the body of the mutilated murder victim, Joey Comunale, Plaintiff's 26-year-old son, by intentionally and knowingly providing the means to conceal Joey's murder and interfering and/or otherwise preventing Patsy Comunale, as Joey's next-of-kin, from recovering Joey's body.

NAMED PARTIES

2. Mr. Comunale is Joey's father, and resides in Fairfield County, Connecticut. By Decree Granting Administration or Probate of Will, dated March 9, 2017 (the "Decree"), Mr. Comunale was appointed Administrator of the Estate of Joseph A. Comunale, deceased, a/k/a

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Joseph Anthony Comunale. A true and accurate copy of the Decree is attached hereto as **Exhibit**"A" and is incorporated herein by reference. Mr. Comunale appears herein individually and in his capacity as Administrator of Joey's Estate.

3. Defendant Jeffrey Rackover ("Rackover") resides at 418 East 59th Street, Apartment 32B, New York, New York.

OTHER RELATED/UNNAMED INDIVIDUALS

- 4. James Rackover f/k/a James Arthur Beaudoin ("Beaudoin/Rackover"), born March 12, 1991, is currently in the custody of the New York City Department of Correction at the Manhattan Detention Complex, located at 125 White Street, New York, New York, and is being held without bail for the murder of Joey Comunale and the cover up of that crime. Prior to his arrest, Beaudoin/Rackover resided at 418 East 59th Street, Apartment 4C, New York, New York. Upon information and belief, Beaudoin/Rackover is the so-called "son" to well-known, celebrity jeweler and Defendant herein, Jeffrey Rackover.
- 5. Upon information and belief, Rackover provided and bank rolled his "son" with, among other things, the apartment where the brutal murder took place and his black Mercedes Benz that moved Joey's body from New York to New Jersey.
- 6. Upon information and belief, Rackover paid Beaudoin/Rackover a monthly "allowance," in the approximate amount of \$10,000.00. Upon further information and belief, these monthly "allowance" payments were for additional services provided by Beaudoin/Rackover to Rackover.
- 7. Upon information and belief, Rackover paid Beaudoin/Rackover's living expenses, including, but not limited to, paying the rent/lease for Apartment 4C located at 418 E. 59th Street, New York, New York, which was being sublet from Chista Ghaffari.

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Jersey.

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8. Lawrence Dilione ("Dilione"), born July 27, 1988, is currently in the custody of the New York City Department of Correction at the Manhattan Detention Complex, located at 125 White Street, New York, New York, and is being held without bail for the murder of Joey Comunale and the cover up of that crime. Prior to his arrest, Dilione resided in Jersey City, New

- 9. Upon information and belief, Max Gemma ("Gemma"), born November 21, 1987, resides at 225 Warren Street, Jersey City, New Jersey, and is under indictment for various crimes relating to the cover up of the murder of Joey Comunale and remains out of custody since posting a \$200,000 bond.
- 10. Chista Ghaffari resides at 418 East 59th Street, Apartment 14A, New York, New York, and is also the owner of 418 East 59th Street, Apartment 4C, New York, New York the apartment that was/is being rented/leased by Rackover and/or Beaudoin/Rackover wherein the heinous killing occurred.

FACTS

- 11. Rackover is a 57-year-old man who has lived and, at least for the near future¹, continues to live at The Grand Sutton luxury apartment building located at 418 East 59th Street, New York, New York.
- 12. In or around September 2013, Rackover met a 25-year-old career criminal, Beaudoin/Rackover, with whom he developed an intimate relationship.
- 13. On or about March 16, 2015, Rackover permitted Beaudoin/Rackover to legally change his last name from Beaudoin to Rackover. Both men submitted sworn statements to the Court which represented that Rackover was Beaudoin/Rackover's biological father (see, copies

 1 Rackover recently listed his 32^{nd} floor, two-bedroom, three-bath luxury apartment for sale for approximately \$2.5 million.

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of the documents filed in connection with the Verified Petition for Adult Name Change annexed hereto as **Exhibit "B"** and incorporated herein by reference).

- Based on statements made by Rackover's spokesperson, Richard "Bo" Dietl², the 14. sworn statements made in official Court documents by Rackover and Beaudoin/Rackover were false. Upon information and belief, Rackover is not the biological father of Beaudoin/Rackover, but rather the name change was sought by nefarious means and for nefarious purposes.
- 15. Upon information and belief, Rackover and Beaudoin/Rackover lived together in Rackover's 32nd floor apartment for approximately two years. Upon further information and belief, during their tenure as roommates, Rackover experienced sexual pleasure from Beaudoin/Rackover and, in return, Beaudoin/Rackover received drugs, money, a luxurious lifestyle and other benefits from Rackover.
- 16. As evidenced by the name change application, Rackover was well aware of Beaudoin/Rackover's criminal history and extensive rap sheet, including, but not limited to, Beaudoin/Rackover's violent behavior, which includes burglary, attempted robbery with a deadly weapon and with a mask on two (2) separate occasions, strong-armed robbery, driving while impaired by drugs, as well as the suspension of Beaudoin/Rackover's driver's license and parole violations.
- 17. In or around the end of 2015 or early 2016, Rackover and Beaudoin/Rackover decided that they should no longer live together in the same apartment, but that they should remain in the same building.

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² Bo Dietl is a former New York City Police Department detective and is the CEO of Beau Dietl & Associates and Beau Dietl Consulting Services. He is presently running for Mayor of New York City. Mr. Dietl claims to be a long-time personal friend of Rackover, as well as his spokesman, and he appears to be one of the first people Rackover called after the murder.

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18. Upon information and belief, Rackover arranged for and persuaded Chista Ghaffari to rent her apartment, apartment 4C, in The Grand Sutton to Beaudoin/Rackover. Upon information and belief, Beaudoin/Rackover and Dilione killed Joey in the early morning hours of Sunday, November 13, 2016 inside of apartment 4C.

- The facts surrounding how and by whom Joey was murdered is described in 19. greater detail in the statements of the New York County District Attorney's Office in a Press Release, dated May 10, 2017, a copy of which is annexed hereto as Exhibit "C" and incorporated herein by reference.
- 20. As stated in the Press Release issued by the New York County District Attorney's Office on May 10, 2017 ("DA VANCE: JAMES RACKOVER, LAWRENCE DILIONE INDICTED FOR MURDER OF JOSEPH COMUNALE"):

According to court documents and statements made on the record in court, Joseph Comunale was repeatedly stabbed on November 13, 2016, inside of RACKOVER's East 59th Street apartment, following a party attended by DILIONE and GEMMA. At approximately 9:45 p.m. that night, RACKOVER and DILIONE drove Mr. Comunale's body, which had been burned, from RACKOVER's apartment to Oceanport, New Jersey, where they buried it in a shallow ditch. Mr. Comunale's body was discovered by NYPD and Oceanport police officers on November 16, 2016.

- 21. Furthermore, Manhattan District Attorney, Cyrus R. Vance, Jr., stated, "[t]he brutality of this horrific murder was compounded by the defendants' efforts to dispose of the victim's body in an attempt to evade prosecution."
- 22. Upon information and belief, following the murder, Beaudoin/Rackover was captured on surveillance video taking the elevator from his 4th floor apartment up to Rackover's 32nd floor apartment where he sought the assistance of Rackover to cover-up this crime.

³ The District Attorney is referring to Beaudoin/Rackover, not the Defendant herein, Jeffrey Rackover.

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23. Upon information and belief, Rackover provided Beaudoin/Rackover with

supplies including, paper towels and cleaning supplies. Upon information and belief,

Beaudoin/Rackover then returned to his apartment where he began the process of sanitizing the

murder scene.

24. Shortly thereafter, as confirmed by Rackover's own spokesperson, Bo Dietl, and,

upon information and belief, surveillance video maintained by the building, Rackover visited

Beaudoin/Rackover's 4th floor apartment, which smelled from cleaning chemicals and the stench

of death.

25. Moreover, upon information and belief, the apartment was in disarray and blood

stains were visible in various locations throughout the apartment.

Rackover had Dietl issue a public statement on his behalf, confirming that 26.

Rackover entered Beaudoin/Rackover's apartment on Sunday morning walk

Beaudoin/Rackover's dog and that he had not noticed anything wrong – this, notwithstanding the

fact that Joey's decomposing body was in the apartment at that time and that a heinous and

bloody murder had been committed therein.

Rackover subsequently left the 4th floor apartment and, upon information and 27.

belief, took possession of Beaudoin/Rackover's dog.

Upon information and belief, Rackover and Beaudoin/Rackover further discussed 28.

the cover-up as they watched the Dallas Cowboys football game inside of Rackover's 32nd floor

apartment on November 13, 2016, just hours after Beaudoin/Rackover and Dilione killed Joey.

though 29. information Rackover Upon and belief. even

Beaudoin/Rackover had a suspended driver license, Rackover authorized his garage – the iPark

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garage located at 425 East 58th Street in Manhattan – to release to Beaudoin/Rackover his black

2015 Mercedes Benz so that Beaudoin/Rackover could hide, transfer and dispose of Joey's body.

30. Upon information and belief, Rackover is financially responsible for garaging his

black Mercedes Benz at the iPark garage located at 425 East 58th Street, New York, New York.

Upon information and belief, based upon a review of the video surveillance 31.

footage maintained by The Grand Sutton, the New York City Police Department became aware

that Beaudoin/Rackover drove the black Mercedes Benz owned by Rackover when he and

Dilione traveled to New Jersey to dispose of Joey's body.

Upon information and belief, at no time, either prior or subsequent to the 32.

investigation and discovery of Joey's body, has Rackover denied Beaudoin/Rackover's use of

Rackover's Mercedes Benz, nor did he file a stolen vehicle report with the police for the above-

referenced time period of the murder of Joey or the secretion of his corpse.

Upon information and belief, during a search of Rackover's vehicle by the New 33.

York City Police Department, a K-9 cadaver dog approached the vehicle and made a positive

alert for the presence of a human cadaver or human bodily fluids in the area of the trunk and rear

panels of the vehicle matching Joey's DNA/blood, though attempts had been made to sterilize,

clean and/or otherwise remove Joey's blood from Rackover's black Mercedes Benz.

34. Upon information and belief, Rackover's vehicle was impounded by the police.

Moreover, upon information and belief, Rackover authorized Beaudoin/Rackover 35.

to use his E-ZPass to pay the applicable tolls.

36. Upon information and belief, based upon Rackover's E-ZPass records from

November 13, 2016, Beaudoin/Rackover and Dilione drove Rackover's Mercedes Benz from

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Manhattan to Oceanport, New Jersey to bury Joey's body in a shallow grave, near the childhood home of Dilione.

Upon information and belief, Rackover is financially responsible for the E-ZPass 37. that was used during the transport of Joey's corpse.

38. Upon information and belief, on or about Monday morning, November 14, 2016, Rackover became aware that the police were in The Grand Sutton to investigate the disappearance and possible murder of Joey. Rackover, who apparently was at work, immediately returned to The Grand Sutton and demanded that the police leave.

Upon information and belief, during the course of the search for Joey, Rackover 39. was uncooperative and attempted to prevent the police from conducting a search of The Grand Sutton luxury apartment building, and threatened to sue the NYPD if they did not immediately terminate their investigation.

- Upon information and belief, the apartment of Beaudoin/Rackover was 40. subsequently searched and the NYPD found evidence of the attempted clean-up of Joey's blood and remains.
- Upon information and belief, NYPD records indicate that upon a search of 41. Beaudoin/Rackover's apartment, using a K-9 cadaver dog, the dog made a positive alert for the presence of a human cadaver or human bodily fluids in apartment 4C, matching Joey's DNA/blood, though efforts had been made to sterilize, clean and/or otherwise remove Joey's blood from the apartment with, inter alia, bleach.
- 42. The People's Voluntary Disclosure Form, dated May 22, 2017, submitted by Assistant District Attorney Antoinette Carter in connection with the criminal case against, inter alia, Beaudoin/Rackover, itemizes certain property that was seized during the investigation of

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Joey's murder, including, but not limited to, underwear, cigarette butts, men's clothing, swabs of stains taken, fingerprint lifts taken by Crime Scene Unit, cleaning supplies, sheets, bath mats, belts, footwear, tape, identification for Joey, paper towels, plastic and glass bottles and tops, jackets, receipt, numerous knives, dog toys/leash, cell phones, laptop, iPad Mini, video/audio

devices, plastic garbage bags, suitcases, duffle bags, jewelry, bath towels, plastic wrap, and

materials recovered at the burial site.

43. On Wednesday, November 16, 2016, Joey's charred, stabbed and bludgeoned

remains were discovered in a shallow grave in Oceanport, New Jersey.

During the period from November 13, 2016 and November 16, 2016, Rackover 44.

intentionally and knowingly interfered with Mr. Comunale's right and/or otherwise prevented

him, as Joey's next-of-kin, from recovering Joey's body. Moreover, Rackover concealed the

whereabouts of Joey's body from his next-of-kin. By doing this, Rackover violated Mr.

Comunale's right of sepulcher, and by intentionally and knowingly interfering with his ability to

provide a proper burial for his son, Joey – acts that were undertaken with the intent to cause

and/or in complete disregard of a substantial probability of causing, and which did cause severe

emotional distress to Mr. Comunale and the rest of Joey's family.

45. On or about noon on Sunday, November 13, 2016, Mr. Comunale and Joey's

mother attempted to locate their son, Joey, as it was unlike Joey not to check in with them.

46. Mr. Comunale frantically contacted Joey's friends to find his son. Mr. Comunale

was informed that Joey went out to the Gilded Lily the night before, but that he was not heard

from since.

47. Mr. Comunale then filed a missing persons report for Joey with the Stamford

Police Department in Connecticut, Joey's local precinct.

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48. Later that day, Mr. Comunale and other family members attempted a full-scale search to locate Joey.

- 49. On Monday, November 14, 2016, Mr. Comunale went to a NYPD station to report Joey missing.
 - 50. Mr. Comunale remained vigilant in his search for his son Joey.
- 51. Upon information and belief, on Tuesday, November 15. 2016, Beaudoin/Rackover and Dilione were questioned by the NYPD.
- 52. Upon information and belief, Dilione revealed to the police that he and Beaudoin/Rackover drove to Oceanport, New Jersey in Rackover's Mercedes Benz, dumped Joey's corpse, doused it in gasoline and set it ablaze in a shallow grave.
- 53. Thereafter, Joey's disfigured body was discovered by the NYPD using cadaver dogs.
- 54. On Wednesday, November 16, 2016, Mr. Comunale and his family received the most devastating news - the NYPD arrived at Mr. Comunale's home in Stamford, Connecticut and notified him that they discovered Joey's charred, stabbed and bludgeoned remains in a shallow grave in Oceanport, New Jersey.
- 55. After the police conducted an extensive and thorough investigation Beaudoin/Rackover, Dilione and Gemma were arrested and charged with a multitude of crimes.
- 56. Thereafter, Beaudoin/Rackover and Dilione were indicted by a New York County Grand Jury and charged on Wednesday, May 10, 2017 with one count, each, of Murder in the Second Degree, a Class "A" Felony, for the slaying of Joey, by Indictment # 1616/2017. In addition, Beaudoin/Rackover and Dilione were each charged with multiple counts of Concealment of a Human Corpse, a Class "E" Felony.

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57. Moreover, Beaudoin/Rackover and Dilione, as well as Gemma were also each charged with Hindering Prosecution in the First Degree⁴, a Class "D" Felony, and Tampering with Physical Evidence, a Class "E" Felony.

- 58. In addition to the charges listed above, Beaudoin/Rackover was also charged with Aggravated Unlicensed Operation of a Motor Vehicle in the Second Degree, in violation of VTL § 511(2)(a)(ii), Aggravated Unlicensed Operation of a Motor Vehicle in the Third Degree, in violation of VTL § 511(1)(a), and Unlicensed Driving, in violation of VTL § 509(1), by the New York County District Attorney's office, stemming from his actions involving the transportation of Joey's remains.
- Upon information and belief, Rackover paid for Beaudoin/Rackover's counsel, 59. but did not post his bail.
- 60. Although Rackover has not yet been criminally charged in connection with Joey's death or the subsequent conspiracy and cover-up, Rackover's actions and inactions, inter alia, violated Mr. Comunale's right of sepulcher and interfered with Mr. Comunale's ability to provide a proper burial for his son, Joey.

AS AND FOR A FIRST CAUSE OF ACTION (VIOLATION OF THE RIGHT OF SEPULCHER)

- 61. Plaintiff repeats and realleges each and every allegation contained in paragraphs numbered "1" through "60" as if more fully set forth hereat.
- 62. Beaudoin/Rackover and Dilione murdered Joey on Sunday, November 13, 2016, and thereafter disposed of his body.
- 63. Rackover assisted in the concealment of the murder of Joey Comunale by giving Beaudoin/Rackover supplies to assist in the clean-up.

⁴ Although Beaudoin/Rackover and Dilione were each charged with one count of Hindering Prosecution in the First Degree, Gemma was charged with three counts of Hindering Prosecution in the First Degree.

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64. Thereafter, Rackover was in Beaudoin/Rackover's apartment where the murder

occurred when the bloody and decomposing body of Joey was still in the apartment.

With the knowledge that Joey had been murdered, Rackover permitted 65.

Beaudoin/Rackover and Dilione to use Rackover's vehicle to transport and dispose of Joey's

remains to prevent the recovery by Joey's next-of-kin and law enforcement.

In an effort to prevent Joey's next-of-kin, namely the Plaintiff, from recovering 66.

Joey's body, Beaudoin/Rackover and Dilione, with the help and guidance of Rackover,

attempted to sterilize, clean and/or otherwise discard/remove Joey's blood and other bodily

fluids, including those on sheets, paper towels and clothing, that spilled in the apartment and

Rackover's Mercedes Benz during the murder and subsequent transport of Joey's body.

Rackover knew that Mr. Comunale, as Joey's next-of-kin, had filed a missing 67.

persons report with law enforcement and that Mr. Comunale and others, including the NYPD,

were actively searching for Joey and later his body.

68. Nevertheless, Rackover took no action to assist Mr. Comunale (or the police) in

his efforts to find Joey's remains.

69. At no time, either prior or subsequent to the investigation and discovery of Joey's

body, has Rackover denied Beaudoin/Rackover's use of Rackover's Mercedes Benz, nor did he

file a stolen vehicle report with the police while his car was used to secrete Joey's body.

70. Rackover's actions and inactions helped to conceal Joey's body.

71. Rackover intentionally, knowingly and with knowledge that Joey's next-of-kin

were searching for him, did participate in and had knowledge that, after Joey was murdered, his

body was concealed to prevent its discovery by the next-of-kin and the police who were actively

searching for Joey.

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72. Rackover acted without authorization and intentionally and knowingly interfered with the next-of-kin's immediate possession of Joey's body following his murder and the body

remained concealed as a result of the Defendant's actions and inactions from November 13, 2016

through and including November 16, 2016.

73. Dilione and Beaudoin/Rackover have made various admissions and statements

against penal interests that they were involved with the murder of Joey, and subsequently

informed the NYPD where Joey's body could be found, and directly and indirectly about the

involvement of Rackover in the covering up of the crime and how they used Rackover's vehicle,

paper towels and other supplies to dispose of and hide Joey's body.

As a result of the outrageous and extreme conduct of Rackover, the next-of-kin of 74.

Joey, the Plaintiff, in his attempt to locate Joey, suffered extreme emotional distress, humiliation,

mental and physical anguish, and emotional injuries, all to Plaintiff's detriment, in amounts to be

proven at trial.

AS AND FOR A SECOND CAUSE OF ACTION (INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS)

75. Plaintiff repeats and realleges each and every allegation contained in paragraphs

numbered "1" through "74" as if more fully set forth hereat.

76. Rackover helped conceal the body of Joey following his murder by

Beaudoin/Rackover and/or Dilione.

77. Rackover took no action, despite his knowledge that the next-of-kin of Joey, the

Plaintiff in this action and others, were looking for him, that Joey was the subject of a missing

person's report filed with law enforcement, that Joey was actively being searched for by the New

York City Police Department, in order to conceal Joey's body and interfere with and prevent his

next-of-kin, namely the Plaintiff, from recovering his body.

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78. Rackover intentionally and with knowledge that the next-of-kin were searching

for Joey, did participate in and had knowledge that, after Joey was murdered, his body was

concealed by Rackover to prevent its discovery by the next-of-kin and the police who were

actively searching for Joey.

79. The actions (or inactions) taken by Rackover interfered with the next-of-kin's

immediate possession of Joey's body following his murder and the body remained concealed as a

result thereof from November 13, 2016 through and including November 16, 2016.

80. The actions (or inactions) taken by Rackover were undertaken with the intent to

cause or in disregard of a substantial probability of causing severe emotional distress to the

Plaintiff.

81. As a result of his extreme and outrageous conduct, Rackover intentionally caused

severe emotional distress to the next-of-kin of Joey, the Plaintiff.

82. As a result of the extreme and outrageous conduct of Rackover, the next-of-kin of

Joey, namely the Plaintiff, has suffered extreme emotional distress, humiliation, mental and

physical anguish, and emotional injuries.

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WHEREFORE, Plaintiff respectfully prays that this Court enters judgment against Defendant for:

- 1. General, compensatory, and special damages, in an amount to be determined by the Court, but in any event exceeding the jurisdictional limits of all lower Courts;
- 2. Punitive damages, in an amount to be determined by the Court, but in any event exceeding the jurisdictional limits of all lower Courts;
 - 3. Reasonable attorneys' fees and costs; and
 - 4. Such other and further relief as the Court deems just, proper and equitable.

Dated: June 22, 2017

ABRAMS, FENSTERMAN, FENSTERMAN, EISMAN, FORMATO, FERRARA & WOLF, LLP

By:

Robert Abrams

630 Third Avenue – 5th Floor New York, New York 10017

(212) 279-9200

babrams@abramslaw.com

Attorneys for Plaintiff

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VERIFICATION

STATE OF FLORIDA

) ss.

COUNTY OF Palm Beach

Plaintiff, PATSY COMUNALE, being duly sworn, deposes and says that deponent is the plaintiff in the within action; that deponent has duly read the foregoing Complaint and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true

Patsy Comunale

Sworn to before me this 22 day of June, 2017

Notary Public

CHA THE

JENNIFER MILLER
Notary Public, State of Florida
Commission# FF 908914
My comm. expires Sept. 21, 2019

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NYSCEF DOC. NO. 2 RECEIVED NYSCEF: 06/25/2017

DECREE GRANTING ADMINISTRATION OR PROBATE OF WILL PC-260 REV. 1/13

STATE OF CONNECTICUT

COURT OF PROBATE

COURT OF PROBATE, Stamford Probate Court

DISTRICT NO. PD53

ESTATE OF

Joseph A. Comunale, deceased, AKA Joseph Anthony Comunale (17-00028) DECEASED

FIDUCIARY'S NAME AND ADDRESS

POSITION OF TRUST

Patsy Comunale, 11 Paul Road, Stamford, CT 06902

Administrator

At a court of probate held at the place and time of hearing set by the court, together with any continuances thereof, as of record appears, on the petitioner's application for letters of administration be granted on said estate, all as in the application more fully appears.

PRESENT: Hon .Gerald M. Fox, III

After due hearing, THE COURT FINDS that:

The above-named decedent died on the following date November 13, 2016, domiciled at the time of death at 11 Paul Road, Stamford, CT 06902 and having estate whereof administration appertains to this court, and administration of the estate ought to be granted.

All persons known to be interested in the proceedings have signed and filed in court a written waiver of notice of hearing on the application.

The fiduciary named above has accepted the position of trust designated above.

And it is ORDERED AND DECREED that:

The will (and codicils, if any) is duly proved, and the same is approved and admitted to probate as the LAST WILL AND TESTAMENT of the deceased, and the fiduciary named above is approved, and letters testamentary are hereby issued to the fiduciary.

The court dispenses with the requirement of a probate bond.

And it is further ORDERED AND DECREED that:

Within two months from the date hereof, the fiduciary shall file a true and complete inventory of all property of the estate of the deceased.

Within six months from the decedent's date of death, the fiduciary shall file the Connecticut Estate Tax Return.

The fiduciary is allowed twelve months within which to settle the estate.

All claims against the above estate be presented pursuant to the provisions of C.G.S. Ch. 802b, Part VII.

Notice of this decree be given by the judge, clerk or assistant clerk by regular mail, not more than TEN days from the date hereof.

Dated at Stamford, Connecticut, on March 09, 2017.

Gerald M. Fox, III, Judge

As used in this decree, the word fiduciary includes the plural, where the context so requires.

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Civil Court of the City of New York County of	Index Number <u>NC-000 5 /3</u> - / S
In the Matter of the Application of	
James Arthur Beaudoin II 444 James Arthur Beaudoin Jr. for Leave to Change His/Her Name To	CONSENT
James Arthur Rackover	•
STATE OF NEW YORK, COUNTY OF $Me \sim Y$	ss.:
I am (over the age of eighteen) (fourteen years	, being duly sworn, says: of age or over) and reside at
418 East SqTh Street, Apt 32B;	•
I am (the Minor child) (the parent of the Minor	child) (Spouse of the Petitioner) herein
I have read the within Petition dated M_{4Cch}	بر 20 / آر , requesting a change
of name from Janes Afthus Brandoin to Jan	nes Arthur Rachover
I consent to such change.	Test .
Signature	of Affiant in the presence of the Notary

Sworn to before me this

Notary Public

PETER DIGENOVA

NOTARY PUBLIC, STATE OF NEW YORK

NO 05D10096964

QUALIFIED IN RICHMOND COUNTY COMMISSION EXPIRES AUGUST 11, 20 /S

CIV-GP-82C (Revised October, 2003)

'ILED: NEW YORK COU	JNTY CLERK 06/25/2017	04:05 PM INDEX NO. 155752/2
YSCEF DOC. NO. 3		RECEIVED NYSCEF: 06/25/2
Civil Court of the City of Ne	w York	Index Number: NC-000513-15/NY
County of New York		
In the Matter of the A		
	II AKA JAMES ARTHUR BEAUDOI	N, Name Change Judicial Work Sheet
JR., AKA JAMES BEAUDOI: AKA JAMES ARTHUR BEAUDO	N, AKA JAMES A. BEAUDOIN,	
For Leave to Change Hi		
JAMES ARTHUR RACKOVER	5, 1102 Hamb 10	
(First)JAMES (Middle)ARTHU	JR (Last)BEAUDOIN (Seniority)II AK	A JAMES ARTHUR BEAUDOIN, JR., AKA
	MES A. BEAUDOIN, AKA JAMES AI	RTHUR BEAUDOIN to (First)JAMES (Middle)
ARTHUR (Last)RACKOVER	NN II (DOP: 02/12/1001) posiding	at 418 EAST 59TH STREET, APT, 32B,
New York, NY 10022	714 11 (DOB: 03/12/1991), residing	at 410 EAST 55 111 STREET, AT 1.32B,
Petitioner verifies that the above i	information is correct. Petitioner signs h	nere: X
	mornanon io contoon 1 cintonon bigins in	
Judge to complete from this poi	nt on•	
	has been given due notice of this na	ama changa annlication:
Name	Relationship	Notice For
order: U.S. Citizenship & Immig Bankruptcy Court	NY	ective Service System State Division of Criminal Justice Services er
Othon	, a former spouse Only	51
Other	- Out	er
mulcate which hewspaper(s)	the name change win be published	
Paper 1 Sriver	7cho. Paper 2	
Publication waived for followi	ing reason:	
Tableation warved for follows	ing rousein.	AND THE RESERVE OF TH
The Clerk is directed t	to seal the name change	
	to produce the name change order wit	th the above indicated information
	•	
This name change app	olication is denied (fully/ with leave to	renew) for the following reasons:
	·	
		
) .		
Date: 3/14/1	5	$Q\mathcal{F}$
<i>J J J J J J J J J J</i>		Judge of the Civil Courtou
		Judge of the Civil Consch HON. ALEXANDER M. HISCH
		MOIN-VERS

NYSCEE DOC NO 3

INDEX NO. 155752/2017

RECEIVED NYSCEF: 06/25/2017

CIVIL COURT OF THE	CITY OF	NEW	YORK
STATE OF NEW YORK			

In the Matter of the Application of

Index No.: NC-0005 13-15/NY

JAMES ARTHUR BEAUDOIN II a/k/a JAMES ARTHUR BEAUDOIN, JR.

VERIFIED
PETITION FOR ADULT
CHANGE OF NAME

For Leave to Change His Name To

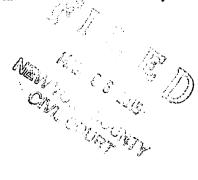
JAMES ARTHUR RACKOVER,

TO THE CIVIL COURT OF THE STATE OF NEW YORK:

James Arthur Beaudoin II, by this verified petition (the "Petition") alleges as follows:

REASON FOR MY REQUEST TO CHANGE MY NAME:

- 1. I am twenty-three years old (soon to be twenty-four years old).
- 2. I make this application to change my name because in September 2013, I met my father, Jeffrey Rackover, for the first time and have since become very close to my father and want to honor him by taking his last name.
- 3. Prior to meeting my father in September 2013, I believed my father was an individual by the name of James Arthur Beaudoin, the individual I was named after.
- 4. At the age of approximately eleven years old, James Arthur Beaudoin abandoned my mother Erin Kathleen Boyd and myself. As a result, from adolescence I grew up without a father in my life. I believe the lack of a father figure in my life ultimately lead to my legal issues set forth in detail below.
- 5. In September 2013, I learned that James Arthur Beaudoin was not my real father.
 Rather, Jeffrey Rackover is my father.



- 6. Upon meeting my father, and together discovering that Jeffrey Rackover is, in fact, my father, he immediately took me in and welcomed me as his son. Since that time we have spent nearly every day together and have grown very close.
- 7. Changing my last name to Rackover is part of my continued pursuit to change my life for the better and take the name of my real father, Jeffrey Rackover to honor him and continue our family name.

PROPOSED NEW NAME:

- 8. I propose that my new name be changed to <u>James Arthur Rackover</u> in place of my present name.
- 9. My father, Jeffrey Rackover consents to my adopting "Rackover" as my last name. Moreover, my father will accompany me to my name change hearing, should the Court schedule a hearing, to testify that he consents to my taking his last name.

PERSONAL IDENTIFICATION INFORMATION RQUESTED:

10. My present name, as it appears on my State of Florida Certification of Birth is

James Arthur Beaudoin II. Annexed hereto as Exhibit 1 is a certified copy of my State of Florida

Certification of Birth. 1

RESIDENCY:

11. I currently reside at Jeffrey Rackover's home in Manhattan, located at 418 East 59th Street, Apartment 32B, New York, New York 10022, where I have resided with my father

¹ My present name appears on my Florida Identification Card and on my United States Passport as James Arthur Beaudoin Jr. My Florida Identification Card and United States Passport numbers are both available to the Court upon request and omitted from my petition because the petition is a publicly filed document. My Social Security Number is available to the Court upon request and omitted from my petition also because the petition is a publicly filed document.

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for approximately sixteen (16) months (since September 2013). Annexed hereto as <u>Exhibit 2</u> is proof of my residency.

SCHOOL:

12. As a result of my father's guidance, I am currently enrolled as a full time student at the Fashion Institute of Technology ("FIT"), in FIT's advertising, marketing and communications program.

COURT REQUESTED BACKGROUND INFORMATION:

- 13. I have made no prior applications to change my name in this or any other court.
 - 14. I am a natural born citizen of the United States.
- 15. I was born in Broward County, Florida on March 12, 1991 and am now twenty-three (23) years of age (turning 24 on March 12).
 - 16. I am not married and have never been married.
 - 17. As such, I am not responsible for spousal support.
- 18. I have no children, and as such, I do not have any obligations to pay child support, nor do I owe any child support to anyone.
- 19. I have never declared bankruptcy, and as such, there are no bankruptcy or insolvency proceedings, voluntary or involuntary, pending against me in any court whatsoever or before any officer, person, body or board having jurisdiction thereof and I have not, at any time, made any assignments for the benefit of a creditor.
- 20. There are no judgments or liens of record and no actions pending against me in any court of this State or of the United States, or of any governmental subdivision thereof, or elsewhere, whether the Court be of record or not.
 - 21. I am not a party to any actions or proceedings.

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CONVICTION HISTORY:

- 22. When I was a juvenile and young man I made several mistakes that I deeply regret. Ultimately, when I was only 17 years old I was convicted of Burglary of an Unoccupied Dwelling in the 17th Judicial Circuit Court of Florida, Circuit Criminal Division, in Broward County before the Honorable Matthew I. Destry. I believe the conviction is technically Burglary in the Second Degree under Florida Statute 810.02(3)(b), a felony in the State of Florida. As a result of that conviction, I was placed on probation. A year later I was arrested for driving a vehicle without a valid drivers' license and my probation was revoked.
- Attached as Exhibit 3 please find case summaries of my arrest and conviction 23. history. Attached as Exhibit 4 are certified dispositions of my arrest and conviction history.
- As a result of these mistakes, I ultimately served one and one half years in prison 24. at the South Bay Correctional Institution located in South Bay Florida located at 600 US Highway 27 S, South Bay, Florida 33493.
- Since being released from prison on July 12, 2013, I have avoided trouble and 25. have begun to take steps to correct my life going forward.
- I respectfully request that this Court grant my request to change my last name 26. from Beaudoin to Rackover because I do not want to continue to carry the last name of a man who abandoned me, but rather, I want to take the name of my real father, Jeffrey Rackover, a man who immediately took me in as his son.

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WHEREFORE, I respectfully request that an Order be granted permitting this change of

name.

Dated: New York, New York

March 4, 2015

James Arthur Beaudoin II

VERIFICATION

STATE OF NEW YORK

)ss.:

COUNTY OF NEW YORK

James Arthur Beaudoin II, being duly sworn, deposes and says:

He is the petitioner named above, that petitioner has read the petition and knows the truth of the contents thereof except for those matters alleged to be on information and belief, and as to those

matters, petitioner believes them to be true.

James Arthur Beaudoin II

Sworn to before me this 4th

Day of March, 2015

Notary Public

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INDEX NO. 155752/2017 NYSCEF DOC. NO. 3 RECEIVED NYSCEF: 06/25/2017 OFFICE OF VITAL STATISTICS
CERTIFIED CREV CERTIFICATION OF BIRTH JAMES ARTHUR BEAUDOIN II DATE OF BIRTH MARCH 12, 1991 BROWARD!

22872599 CERTIFICATION OF VITAL RECORD



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COUNTY CLERK 06/25/2017 PM

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INDEX NO. 155752/2017

Wayne Winnick & Asso. DCPC 159 East 74th Street Ste 2 New York, NY 10021-3235 (212) 249-7790

Date: 03/03/15

Receipt

Account # 16764

Patient:

James Beaudoin 418 East 59 Street New York, NY 10022 Insured:

Providers:

1 Wayne M. Winnick, D.C.

Insurance ID: Date of Birth:

REDACTED

Service Description <u>Date</u>

Dr. Cond.

Adjust

Charge

Tax

Receipt

Balance

REDACTED

Wayne M. Winnick, D.C.

Date

REDACTED FED TAX ID # FED TAX ID TYPE: EIN NPI# 1629119060 GRP # X17531

Upcoming Appointments for James Beaudoin

Next Appointment Fri. 03/06/2015 6:00pm

	· March 2015						April 2016						
Sun	Mon	Tue	Wed	Thu	FrI	Sat	Sun	Mon ·	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6 6:00pm	7				1	2	3	4
8	9	10	11	12	13	14	6	6	7	8	9	10	11
16	16	17	18	19	20	21	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25
29	30	31					26	27	28	29	30		-
	 	 	 	<u> </u>								 	

Wayne Winnick & Asso. DCPC 159 East 74th Street Ste 2 New York, NY 10021-3235 (212) 249-7790

NEW YORK CLERK PM INDEX NO. 155752/2017

NYSCEF DOC. NO. 3

NYU Langone MEDICAL CENTER P.O. Box 415662 Boston, MA 02241 RETURN SERVICE REQUESTED

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Checks should be made payable to: NYU Langone Physician Services

TOTAL BALANCE DUE REDACTED

STATEMENT DATE 1/4/2015

1 OF REVIT TO:

PAY THIS AMOUNT REDACTED

ACCT. # REDACTED

SHOW AMOUNT PAID HERE

JAMES BEAUDOIN 418 E 59TH ST APT 32B **NEW YORK NY 10022-2378**

NYU LANGONE Physician Services PO Box 415662 **BOSTON MA 02241**

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Please check box if above address is incorrect or insurance information has changed, and indicate change(s) on reverse side. STATEMENT

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT

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Important Message Regarding Your Account

Thank you for choosing NYU Langone Medical Center for your care. You have balances Please render payment for your services immediately.

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RECEIVED NYSCEF: 06/25/2017

Case Summary

Broward County Case Number: 11013316TC10A Court Type: Traffic Criminal

Court Type: Traffic Criminal
Filing Date: 03/21/2011
Court Location: Central Courthouse
Magistrate ID / Name: N/A

State Reporting Number: 062011CT013316AB8810 Case Type: Traffic Criminal

Case Status: Disposed
Judge ID / Name: Evans - MW, Kal Le Var

BCCN: 0721005

Style: State of Florida Vs. Beaudon, James A

Party Detail								
Party Type	Party Name	Sex	Race	р.о.в.	Attorneys / BarID * Denotes Lead Attorney			
Cash Bond	Grimm, Samantha							
Depositor								
Defendant	Beaudon, James A	Male	White	03/12/1991	¥ Seeman, Jordan M			
	Beaudoin, James				Retained			
	Beaudoin, James A				BariD: 511544			
	Beaudoin, James Arthur			ŀ				
	Beaudoin, James Authur			<u> </u>				
State	State of Florida			1	· ·			

Future Scheduled Hearings

There is no key date information available for this case.

Charge Detail								
Select Charge	Charge	Citation/NTA Number	Status	Offense Date	Statute	Description	Filed On	Filed By
0	ı	4854GGZ	Disposition Entered	04/25/2010	322.03(1)	Operating W/O Valid License		Broward Sheriff Office

Related Cases		
Related Case Number	Case Type	Additional Text
10031852TC20A	Transfer - Central	

Case Delail NOTE: Selecting the Case Detail button will deduct one unit from your account.

Pay Fine/Fee Clerk of Courts website.

Perform Another Search Back

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Case Summary

Broward County Case Number: 10031852TC20A

Court Type: Traffic Criminal Filing Date: 05/07/2010 Court Location: North Courthouse Magistrate ID / Name: N/A State Reporting Number: 062010CT031852A88820

Case Type: Traffic Criminal Case Status: Disposed Judge ID / Name: Schiff - NA, Louis

BCCN: 0721005

Style: State of Florida Vs. Beaudon, James A

Party Detail							
Party Type	Party Name	Sex	Race	о.о.в.	Attorneys / BarID * Denotes Lead Attorney		
Cash Bond Depositor	Grimm, Samantha						
Defendant	Beaudon, James A Beaudoin, James Beaudoin, James A Beaudoin, James Arthur Beaudoin, James Authur	Male	White	03/12/1991	¥ Seeman, Jordan M Retained BarlD: 511544		
State	State of Florida						

Future Scheduled Hearings	
There is no ke	date information available for this case.

Charge Detail								
Select Charge	Charge	Citation/NTA Number	Status	Offense Date	Statute	Description	Filed On	Filed By
0	1		Disposition Entered	04/25/2010	322.03(1)	Operating W/O Valid License	05/04/2010	Broward Sheriff Office

Related Cases		
Related Case Number	Case Type	Additional Text
11013316TC10A	Transfer - Central	

Case Detail NOTE: Selecting the Case Detail button will deduct one unit from your account.

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Case Summary

Broward County Case Number: 09004027CF10A Court Type: Felony

Filing Date: 03/02/2009

Court Location: Central Courthouse Magistrate ID / Name: N/A

State Reporting Number: 062009CF004027A88810

Case Type: Felony Case Status: Disposed

Judge ID / Name: Destry - FY, Matthew I BCCN: 0721005

Style: State of Florida Vs. Beaudoin, James

Party Detail					
Party Type	Party Name	Sex	Race	о.о.в.	Attorneys / BarID *E Denotes Lead Attorney
Defendant	Beaudoin, James Beaudoin, James A Beaudoin, James Arthur Beaudoin, James Authur	Male	White	03/12/1991	* Moons, Terrence,)r. Retained BarlD: 970508 McCrae, Molly Caroline Public Defender 9arlD: 72164 Sirault Levy, Nadine L Public Defender BarlD: 106976 Simon, Brian Isaac Retained BarlD: 157813 Public Defender Retained BarlD: 88698986 Romero, Hector Adrian Retained BarlD: 625502
State	State of Florida		- 	+	50175. 025502

Future Scheduled Hearings There is no key date information available for this case.

Charge Detail								
Select Charge	Charge	Citation/NTA Number	Status	Offense Date	Statute	Description	Filed On	Filed By
0	1	•	Disposition Entered	01/28/2009	810.023(b)	Burglary Unoccupled Dwelling	03/02/2009	Fort Lauderdale PC

Related Cases There is no related case information available for this case.

Case Delail NOTE: Selecting the Case Detail button will deduct one unit from your account.

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Case Summary

Broward County Case Number: 07016157CF10C

Court Type: Felony Filing Date: 08/31/2007 Court Location: Central Courthouse Magistrate ID / Name: N/A

State Reporting Number: 062007CF016157C88810 Case Type: Felony Case Status: Disposed Judge ID / Name: Destry - FY, Matthew I . BCCN: 0721005

Style: State of Florida Vs. Beaudoin, James

Party Detail							
Party Type	Party Name	Sex	Race	о.о.в.	Attorneys / BarID * Denotes Lead Attorney		
Defendant	Beaudoin, James	Male	White	03/12/1991	ik Girault Levy, Nadine L		
	Beaudoin, James A	1			Public Defender		
	Beaudoin, James Arthur	- 1			BarlD: 106976		
	Beaudoin, James Authur	1		1	Fields, Samuel Stephen		
					Retained		
	•				BarID: 403083		
State	State of Florida						

Future Scheduled Hearings There is no key date information available for this case.

Charge Detail								
Select Charge	Charge	Citation/NTA Number	Status	Offense Date	Statute	Description	Filed On	Filed By
0	1		Disposition Entered	08/24/2007	812.13(1)	Strong Armed Robbery	108/31/2007	Broward Sheriff Office
0	2		Disposition Entered	08/24/2007	812.13(2) (c)	Attempted Robbery No Weapon	D8/31/2007	Broward Sheriff Office
0	5		Disposition Entered	08/24/2007	893.13(6) (B)	Possess Cannabis/20 Grams Or Less	108/31/2007	Broward Sheriff Office

Related Cases					
Related Case Number	Case Type	Additional Text			
07016157CF10A	Companion Case				
07016157CF10B	Companion Case				
07016157CF10D	Companion Case				

NOTE: Selecting the Case Detail button will deduct one unit from your account. Case Delail

NOTE: Total amount of fines/fees will be debited from your card. No partial payments are accepted on Broward County Clerk of Courts website. Pay Fine/Fee

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INDEX NO. 155752/2017 NEW YORK COUNTY CLERK 06/25/2017 NYSCEF DOC. NO. 3 RECEIVED NYSCEF: 06/25/2017 / OF-CIRCUIT COURT DISPOSITION OF DEB IN AND FOR BROWARD COUNTY, FLORIDA Case Number / Arrest Number 2 State of Florida VS AKA Judge Cash bond / Return to depositor / Surety bonfi / IC Cash bond number(s))REMANDED () REMAIN IC () UNTIL PICKED UP BY BED AVAILABLE AT () Arraignment () Change of Plea () Guilty () No Contest / PSI/PDR () Sentencing / Re-Sentencing () Trial by Jury () Trial by Court () First VOP/VOCC (V) Final VOP/VOCC (L)Admits Allegations () Convicted by Jury/Court ___ ___ () Acquitted by Jury/Court () Dismissed () Discharged ___ () Nolle Prosequi _____() Found Incompetent/Committed to Child/Family Services () Adj. Guilty (a) Adj. Withheld (V) Adj. Delinquent -(V) Committed to DIJ/Level _____() Sentence Withheld () Previous Sentence Vacated () PSI Ordered Adj. and Sentence deferred to Type of probation / Community Control: () Youthful Offender () Drug Offender () Sexual Offender () Habitual Offender () Mental Health () County PROBATION/COMM. CONTROL: (V) Revoked () Reinstated () Modified () Terminated () All previous special conditions apply WARRANT: () Dismissed () Withdrawn () Served in open court SENTENCE: (PROBATION / COMM. CONTROL) COUNT(S): _ () Years () Months () Days () Probation () Community Control () Pollowed by _ () Years () Months () Days () Probation () Community Control

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FILED: NEW YORK COUNTY CLERK 06/25/2017 04:05 PM NYSCEF DOC. NO. 3

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State of Florida vs James Beaudoin 2007
SPECIAL CONDITIONS OF THE CASE Number C
() Habitual Violent OF THISON SENTENCE:
() Violent Career Criminal mandatory minimum
() Firearm mandatory minimum
() Other mandatory minimum years Ct(s)
() Habitual Offender Ct(s) () Youthful Offender () Sexual Predator/Offender () Boot Camp () To be given credit for all time program
() To be given credit for all time previously sensed in
() To be given credit for all time previously served in prison, to be calculated by Department of Corrections SPECIAL CONDITIONS OF PROBATION:
() ATTAC () Work release after successful completion of ATTAC () Electronic Monitor () Drug Treatment () BSO/SAP () Upon successful completion of drug program jail sentence shall be terminated.
() BSO/SAP () Upon successful completion of ATTAC () Electronic Monitor () Drug Treatment () hours of Community Service
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() No contact directly or indirectly with victim(s) or victim's family Or others listed
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Other Count Monitoring/Hearing set
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INDEX NO. 155752/2017

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CERCUIT COURT DISPOSITION ORDER IN AND FOR BROWARD COUNTY, FLORIDA
Case Number 07016157CF10C Arrest Number BCCN #
State of Florida VS REAUDON IMAES AKA
JudgeEILEEN M OCONNOR Cash bond / Return to depositor / Surety bond / IC
Cash bond number(s) Cash bond number(s) Charges O01 ROBBERY / WBARING A MASK Cash bond / Return to depositor / Surety bond / IC
002 ATTEMPT ROBBERY W/WEAP W/MASK
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() Arraignment () Change of Plea () Guilty () No Contest () PSI/PDR () Sentencing / Re-Sentencing
() Trial by Jury () Trial by Court () First VOP/VOCC () Final VOP/VOCC () Admits Allegations
() Discharged . () Nolle Prosequi . () Found Incompetent/Committed to Child/Fermity Services
() Convicted by Jury/Court () Acquitted by Jury/Court () Dismissed () Speedy () Discharged () Nolle Prosequi () Found Incompetent/Committed to Child/Family Services () Adj. Guilty Delinquent () Adj. Delinquent () Committed to DII/ Sould () Servers Wishold () Provided to DII/ Sould () Servers Wishold () Provided to DII/ Sould () Servers Wishold () Provided to DII/ Sould () Servers Wishold () Provided to DII/ Sould () Servers Wishold () Provided to DII/ Sould () Servers Wishold () Provided to DII/ Sould () Servers Wishold
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PROBATION/COMM. CONTROL: () Revoked () Reinstated () Modified () Terminated Extended () All previous special conditions apply
WARRANT: () Dismissed () Withdrawn () Served in open court
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NYSCEF DOC. NO. 3

INDEX NO. 155752/2017

RECEIVED NYSCEF: 06/25/2017

27
State of Florida Vs James Beaudoin Case Number 07-16/57
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YSCEF DOC. NO. 3 RECEIVED NYSCEF: 06/25/2017

raudoir State of Florida VS SPECIAL CONDITIONS OF PRISON SENTENCE: () Habitual Violent Offender mandatory minimum_ __ years Ct(s).) Violent Career Criminal mandatory minimum ___ vears Ct(s) () Prison Releasee Reoffender mandatory minimum___ _ years Ct(s).) Firearm mandatory minimum years Ct(s)) Other mandatory minimum ____) Habitual Offender Ct(s)_____ _()Youthful Offender () Sexual Predator/Offender () Boot Camp) Drug Treatment () Tier **Program**) To be given credit for all time previously served in prison, to be calculated by Department of Corrections SPECIAL CONDITIONS OF PROBATION: days BCJ w/credit for_ days T/S () work release () Boot Camp) ATTAC () Work release after successful completion of ATTAC () Electronic Monitor () Drug Treatment BSO/SAP () Upon successful completion of drug program jail sentence shall be terminated _ hours of Community Service) Obtain GED or High School diploma _ COS waived (imposed) Peg Program) Anger Mangement Program () Psychological / Psychiatric evaluation and) BARC () followed by treatment necessary) Blood draw per F.S. 943.325 - 2 samples for conviction of) Random drug/alcohol testing sexual assaults; lewd or indecent acts; homicides (782.04)) Random urinalysis/waive cost aggravated battery; home invasion robbety or carjacking) Recommand 2-year Driver's License Suspension) Curfew_) Restitution ordered \$___ ____/amount reserved) Drug / Alcohol evaluation and treatment recommended) Restitution converted to a civil lien) Forfeit weapon / firearm) Spectrum) F.A.C.T.) Substance abuse evaluation) House of Hope) Turning Point Bridge Program/Aftercare) IRT () followed by_) Work Permit) May transfer probation to_____) Make donation of \$ ___ ____for work purposes) May travel_) No contact with minor children without adult supervision) No contact directly or indirectly with victim(s) or victim's family or others listed) No driving without valid driver's license) No drugs or alcohol Enter and successfully complete.) Drug Court Monitoring/Hearing set) Other COSTS **6** Trust Fund) \$460 OTF count(s) _) \$201 DVC count(s). \$50 VC each count 1320 CSTF count(s) . () \$151 RCP count(s)) \$5 Assessment each count 32 T.C. each count () \$101 CAM count(s) \$50 SN1 count(s) (1/\$65 AC each count () \$20 SN1 count(s)) \$15 CFF count(s)_) \$30 PD application fee waived / imposed PD fee) s<u>50</u> ______fine plus \$_ __ surcharge count(s)_ Court Costs count(s) Extradition costs) Pay balance of previously imposed costs (-) Waive all court costs) Balance of court costs and fees convented to a civil lien-) PD fee converted to a civil lien JUDGE **DEPUTY CLER** 112-81 Dispo. 2nd White: FiLE Green: Sheriff's Yellow: Probation Pink: Defendant Gold: Defense Attorney

NYSCEF DOC. NO. 3 RECEIVED NYSCEF: 06/25/2017 alters /Court Clerk CHRCUIT COURT DISPOSITION ORDER IN AND FOR BROWARD COUNTY, FLORIDA Case Number 09004027CF10A ______ Arrest Number_BS09001724 BCCN # _0721005 State of Florida VS Reaudoin James AKA ___ Judge ____ Matthew I. Destry Cash bond / Return to depositor / Surety bond Cash bond number(s) Charges 1 Burglary Unoccupied Dwelling) REMANDED () REMAIN IC () UNTIL PICKED UP BY OR BED AVAILABLE AT) Arraignment () Change of Plea () Guilty () No Contest PSUPDR () Sentencing Re-Sentencing () Trial by Jury () Trial by Court () First VOP/VOCC Admits Allegations () Convicted by Jury/Court ___ ___ () Acquitted by Jury/Court () Dismissed) Discharged ______ () Nolle Prosequi ______ () Found Incompetent/Committed to Child/Family Services
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NYSCEF DOC. NO. 3 RECEIVED NYSCEF: 06/25/2017

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NYSCEF DOC. NO. 3

RECEIVED NYSCEF: 06/25/2017

INDEX NO. 155752/2017

ISSUE DATE 02/04/2015 DISPOSITION OF COURT CASE

CASE: 10031852TC20A

BEAUDON JAMES A

DATE OF INCIDENT: 04/25/2010

COUNT: 001

OPERATING W/O VALID LICENSE

NTA NUMBER:

PLEA: ARRAIGNMENT / NOT GUILTY-NON-J

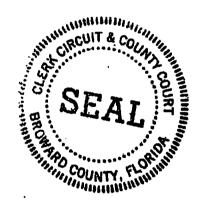
FIND: TRANSFERRED TO OTHER CASE

DATE: 03/02/2011

DATE: 03/21/2011

____, Deputy Clerk

. I hereby certify that the above disposition to be an accurate duplicate of the electronic data stored as an abstract of the official records of the Clerk of Courts. This 4th day of FEBRUARY , 2015 HOWARD C FORMAN, Clerk of the Court



NEW YORK COUNTY CLERK 06/25/2017 04:05

INDEX NO. 155752/2017

RECEIVED NYSCEF: 06/25/2017

BROWARD COUNTY, FLORIDA ISSUE DATE 02/04/2015 DISPOSITION OF COURT CASE

CASE: 11013316TC10A DATE OF INCIDENT: 04/25/2010

BEAUDON JAMES A

LATE PRES

COUNT: 001

NYSCEF DOC. NO. 3

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CB

ARREST NUMBER: FL11001112

PAID: 50.00

DATE: 03/02/2011

DATE: 04/28/2011

DATE: 04/28/2011

DATE: 04/28/2011

ARREST DATE: 02/03/2011

PAYMENT DATE: 10/19/2011

OPERATING W/O VALID LICENSE CITATION NUMBER: 004854GGZ

PLEA: ARRAIGNMENT / NOT GUILTY-NON-J

FIND: CONVICTED BY PLEA ADJUDICATION: WITHHELD DUE: 312.00

PAYMENT: 312.00 SENTENCE: SENTENCED JUDGE: MURPHY JOSEPH A BOND INFORMATION:

POWER NUMBER: 05058014 APPLY BOND TO FINE: YES/NO

, Deputy Clerk

DEFER DATE:

I hereby cortify that the above disposition to be an accurate duplicate of the electronic data stored as an abstract of the official records of the Clerk of Courts. This 4th day of FEBRUARY, 2015
HOWARD C FORMAN, Clerk of the Court



NYSCEF DOC. NO. 3

INDEX NO. 155752/2017

RECEIVED NYSCEF: 06/25/2017

CIVIL COURT OF THE CITY OF NEW YORK
STATE OF NEW YORK

In the Matter of the Application of

Index No.:

JAMES ARTHUR BEAUDOIN II a/k/a JAMES ARTHUR BEAUDOIN, JR.

For Leave to Change His Name To

JAMES ARTHUR RACKOVER,

AFFIRMATION OF RYAN W. LAWLER IN SUPPORT OF JAMES ARTHUR BEAUDOIN II'S VERIFIED PETITION FOR ADULT NAME CHANGE

Ryan William Lawler, an attorney duly licensed to practice law in the State of New York, affirms the following under penalties of perjury:

- 1. I am an associate at the firm Mintz & Gold LLP, counsel for petitioner James Arthur Beaudoin, II ("Petitioner") in the above-entitled action. I make this affirmation in support of Petitioner's March 4, 2015 verified petition (the "Petition") to change his last name from Beaudoin to Rackover.
- 2. Petitioner and his father, Jeffrey Rackover came to the undersigned in late January 2015 requesting that the undersigned assist Petitioner in changing his last name to Rackover.
- 3. For nearly twenty-two years Jeffrey Rackover did not know that he had a son, and Petitioner believed his father was James Arthur Beaudoin. As set forth in the Petition, in September 2013 Petitioner discovered that his biological father was not James Arthur Beaudoin, but rather, Jeffrey Rackover.

COUNTY CLERK 06/25/2017 NYSCEF DOC. NO. 3

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From the day Petitioner and Jeffrey Rackover met they have spent nearly 4. every day together.

- Jeffrey Rackover has taken Petitioner into his home for the past sixteen 5. months. As a result of their new found father-son relationship, Jeffrey Rackover wants Petitioner to take his last name, and Petitioner wants to change his last name to Rackover.
- As set forth in the Petition, with the assistance of Jeffrey Rackover 6. Petitioner is taking positive steps to correct his life and become a productive member of society, despite his past legal problems.
- Jeffrey Rackover is prepared to testify that he consents to Petitioner taking 7. his last name, Rackover.
- To the extent the Court may require guidance understanding Petitioner's 8. prior criminal conviction history as set forth in Exhibits 3 and 4 to the Petition, the undersigned is a former Bronx County Assistant District Attorney and is willing to assist the Court.
- Wherefore, the undersigned respectfully requests that this Court grant the 9. Petition.

Dated:

New York, New York March 4, 2015

Respectfully submitted,

By:

Ryan William Lawler MINTZ & GOLD LLP

600 Third Avenue, 25th Floor

New York, NY 10016

(212) 696-4848

Attorneys for Petitioner

NYSCEF DOC. NO. 3

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RECEIVED NYSCEF: 06/25/2017

At a ____ term, Part __ of the Civil Court of the State of

	On the day of March, 2015
PRESENT: HON.	
CIVIL COURT OF THE CITY OF NEW YORK STATE OF NEW YORK	
In the Matter of the Application of	Index No.:
JAMES ARTHUR BEAUDOIN II a/k/a JAMES ARTHUR BEAUDOIN, JR.	PROPOSED ORDER FOR ADULT CHANGE OF NAME
For Leave to Change His Name To	
JAMES ARTHUR RACKOVER,	

Upon the reading and filing the petition of James Arthur Beaudoin II verified on the 3rd day of March 2015 praying for leave to change his name to James Arthur Rackover and the Court being satisfied thereby that the petition is true and that there is no reasonable objection to the change of name proposed.

NOW THEREFORE on motion of the petition of James Arthur Beaudoin II, it is

ORDERED that the petitioner James Arthur Beaudoin II having been born in Broward

County in the State of Florida, Birth Certificate Number 22872599 and State of Florida File

Number 109-1991-039039 shall be known by the name James Arthur Rackover which he is

hereby authorized to assume, and it is further

ORDERED that this order shall be entered and the papers upon which it was granted shall be filed, prior to the publication hereinafter directed, in the office of the Clerk of the County of New York, wherein petitioner resides, and it is further

FILED: NEW YORK COUNTY CLERK 06/25/2017 04:05 PM NYSCEF DOC. NO. 3

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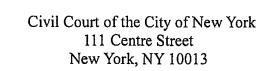
ORDERED that at least once within sixty (60) days after the making of this order, a
notice in substantially the following form, prescribed by article 6 of the civil rights law of the
State of New York shall be published in the, a newspaper
published in the said County of New York:
Notice is hereby given that an ordered entered by the Civil Court
of the City of New York, County of New York, State of New
York, on the day of, 2015, bearing Index Number
, a copy of which may be examined at the Office
of the Clerk, located at, New York, New York
grants me the right, to assume the name James Arthur Rackover.
My present address is 418 East 59th Street, Apartment 32B, New
York, New York 10022; the date of my birth is March 12, 1991.
My present name is James Arthur Beaudoin II, and it is further
ORDERED that proof of publication as heretofore directed shall be filed in the Office of
the New York County Clerk within ninety (90) days after the signing of this order, and it is
further
ORDERED that upon full compliance with the provisions of this order, petitioner shall
be known by the name James Arthur Rackover which he is authorized to assume and by no other
name.
ENTER

J.S.C.

NYSCEF DOC. NO. 3

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Phone: Fax: WEB Site: Hours:

Hon. Fern Fisher Administrative Judge Carol Alt Chief Clerk

NOTICE

March 6, 2015

MINTZ & GOLD LLP 600 THIRD AVENUE 25TH FLOOR New York, NY 10016

In the matter of the application of JAMES ARTHUR BEAUDOIN II AKA JAMES ARTHUR BEAUDOIN, JR. for a change of name.

Index No: NC-000513-15/NY

Calendar No:

PLEASE TAKE NOTICE that your Name Change case has been scheduled to March 16, 2015 at 11:00 AM in Part Part 50 - Name Changes, Room 428 for a Motion (Name Change Order).

You must appear and bring this notice with you.

Carol Alt Chief Clerk

CC:

FILED: NEW YORK COUNTY CLERK 06/25/2017 04:05 PM INDEX NO. 155752/2017

NYSCEF DOC. NO. 3

Civil Court of the City of New York

County of New York

111 Centre Street, New York, NY 10013

In the Matter of the Application of

JAMES ARTHUR BEAUDOIN II AKA JAMES ARTHUR BEAUDOIN, JR., AKA JAMES BEAUDOIN, AKA JAMES

A. BEAUDOIN, AKA JAMES ARTHUR BEAUDOIN

For Leave to Change His/Her Name To

JAMES ARTHUR RACKOVER

ORDER GRANTING LEAVE TO CHANGE NAME

Index Number: NC-000513-15/NY

RECEIVED NYSCEF: 06/25/2017

Upon the annexed Petition(s) of JAMES ARTHUR BEAUDOIN II AKA JAMES ARTHUR BEAUDOIN, JR., AKA JAMES BEAUDOIN, AKA JAMES A. BEAUDOIN, AKA JAMES ARTHUR BEAUDOIN verified on March 04, 2015, requesting that JAMES ARTHUR BEAUDOIN II be permitted to assume the name(s) of (First) JAMES (Middle) ARTHUR (Last) RACKOVER, and the Court being satisfied that the Petition is true, and it appearing from the Petition and the Court being satisfied that there is no reasonable objection to the change of name(s) proposed, it is hereby ORDERED that,

- 1) The individual currently known as (First) JAMES (Middle) ARTHUR (Last) BEAUDOIN (Seniority) II AKA JAMES ARTHUR BEAUDOIN, JR., AKA JAMES BEAUDOIN, AKA JAMES A. BEAUDOIN, AKA JAMES ARTHUR BEAUDOIN who was born on March 12, 1991, at BROWARD COUNTY, FLORIDA, with birth certificate number 109-1991-039039, issued by BROWARD COUNTY, OFFICE OF VITAL STATISTICS, STATE OF FLORIDA, is hereby authorized to assume the name of (First) JAMES (Middle) ARTHUR (Last) RACKOVER in place and stead of his/her present name upon complying with the provisions of Article 6 of the Civil Rights Law and of this Order.
- 2) This Order, consisting of a total of 2 page(s), shall be entered, and the Petition upon which it was granted shall be filed, prior to the publication hereinafter directed, in the office of the Clerk of the Civil Court of the City of New York, County of New York.
- 3) Within sixty days of the making of this Order, a copy of this Order and supporting papers shall be served upon the following:

not applicable

- 4) Proof of service on the above indicated party(ies) shall be filed with the Clerk of this Court within ninety days of the making of this Order.
- 5) At least once within sixty days of the making of this Order, a notice shall be published in Irish Echo newspaper(s) in substantially the following form:

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NYSCEF Court of the City of New York

County of New York

Page 2 of 2

Index Number: NC-000513-15/NY

JAMES ARTHUR BEAUDOIN II TO JAMES ARTHUR

RACKOVER

ORDER GRANTING LEAVE TO CHANGE NAME

Notice is hereby given that an Order entered by the Civil Court, New York County on 03/16/2015, bearing Index Number NC-000513-15/NY, a copy of which may be examined at the Office of the Clerk, located at 111 Centre Street, New York, NY 10013, grants me (us) the right to:

Assume the name of (First) JAMES (Middle) ARTHUR (Last) RACKOVER My present name is (First) JAMES (Middle) ARTHUR (Last) BEAUDOIN (Seniority) II AKA JAMES ARTHUR BEAUDOIN, JR., AKA JAMES BEAUDOIN, AKA JAMES A. BEAUDOIN, AKA JAMES ARTHUR BEAUDOIN My present address is 418 EAST 59TH STREET, APT. 32B, New York, NY 10022 My place of birth is BROWARD COUNTY, FLORIDA My date of birth is March 12, 1991

- 6) Within ninety days of the making of this Order, proof of such publication, by Affidavit, shall be filed with the Clerk of the Civil Court in the County of New York.
- 7) Following the filing of the Petition and the entry of this Order as directed in Paragraph 2 above; the service of such Order and such papers as directed in paragraph 3 above; the filing of proof of such service as directed in Paragraph 4 above; the publication of such notice as directed in Paragraph 5 above; and the filing of proof of such publication as directed in Paragraph 6 above, it is further ORDERED that (First) JAMES (Middle) ARTHUR (Last) BEAUDOIN (Seniority) II AKA JAMES ARTHUR BEAUDOIN, JR., AKA JAMES BEAUDOIN, AKA JAMES A. BEAUDOIN and AKA JAMES ARTHUR BEAUDOIN shall be known by the name (First) JAMES (Middle) ARTHUR (Last) RACKOVER, which s/he is hereby authorized to assume.

03/16/2015	— uate of New York	at
Date	County of New York ss	Judge, Civil Court
	CAROL ALT, Chief Clerk of the Civil of the City of New York, DO HEREBY CERTITUDE the provisions of the foregoing order for change have been complied with. IN WITNESS WHEREOF, I have here my hand this	FY THAT of name

Carol alt Chief Clerk of the Civil Court of the City of New York

STATE OF NEW YORK
CITY AND COUNTY OF NEW YORK

RECEIVED

NOTICE SHOPE SOLVENING
an Order entered by the Civil Court, New York County on 03/16/2015, bearing Index Number NC-000513-15/NY, a copy of which may be examined at the Office of the Clerk, located at 111 Centre Street, New York, NY 10013, grants me the right to assume the name of (First) James (Middle) Arthur (Last) Rackover. My present name is (First) James (Middle) Arthur (Last) Beaudoin (Seniority) II, AKA James Arthur Beaudoin, AKA James A Beaudoin, AKA James Arthur Beaudoin. My present address is 418 East 59th Street, Apt. 32B, New York, NY 10022. My place of birth is Broward County, Florida. My date of birth is March 12, 1991.

Is Mar		
MADELINE O'BOYLE , being duly sworn, says that she is the principal		
Clerk of the publisher of the IRISH ECHO, a weekly NEWSPAPER printed and		
published at 11 Hanover Square, in the City of New York, County and State of New		
York and the notice of which the annexed is a true copy has been published in said		
Newspaper for consecutive weeks on the following dates:		
8th April 2015 NEW YORK COUNTY CIVIL COURTY		
SWORN TO BEFORE ME		
THIS DAY OF		
Tracey Benson Notary Public, State of New York No. 01BE6266085		

Qualified in Westchester County Commission Expires on July 23, 2016 NEW YORK COUNTY CLERK 06/25/2017 04:05

INDEX NO. 155752/2017

RECEIVED NYSCEF: 06/25/2017

ORIGINAL

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

NYSCEF DOC. NO. 3

In the Matter of the Application of JAMES ARTHUR BEAUDOIN II AKA JAMES ARTHUR BEAUDOIN, JR., AKA JAMES BEAUDOIN, AKA JAMES A. BEAUDOIN,

AKA JAMES ARTHUR BEAUDOIN

For Leave to Change His/Her Name to JAMES ARTHUR RACKOVER

Index. No.: NC-000513-15/NY

NOTICE OF ENTRY OF

ORDER

PLEASE TAKE NOTICE that the attached is a true and correct copy of the Order entered in the above-captioned proceeding by the Honorable Alexander M. Tisch, Justice of the Civil Court of the City of New York, County of New York on March 16, 2015, along with a copy of all supporting papers filed in this proceeding.

Dated: New York, New York March 23, 2015

MINTZ & GOLD LLP

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New York, New York 10016

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NEW YORK COUNTY

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NYSCEF DOC. NO. 3

Civil Court of the City of New York

County of New York

111 Centre Street, New York, NY 10013

In the Matter of the Application of

JAMES ARTHUR BEAUDOIN II AKA JAMES ARTHUR BEAUDOIN, JR., AKA JAMES BEAUDOIN, AKA JAMES

A. BEAUDOIN, AKA JAMES ARTHUR BEAUDOIN

For Leave to Change His/Her Name To

JAMES ARTHUR RACKOVER

RECEIVED NYSCEF: 06/25/2017

Index Number: NC-000513-15/NY

ORDER **GRANTING LEAVE** TO CHANGE NAME

Upon the annexed Petition(s) of JAMES ARTHUR BEAUDOIN II AKA JAMES ARTHUR BEAUDOIN, JR., AKA JAMES BEAUDOIN, AKA JAMES A. BEAUDOIN, AKA JAMES ARTHUR BEAUDOIN verified on March 04, 2015, requesting that JAMES ARTHUR BEAUDOIN II be permitted to assume the name(s) of (First) JAMES (Middle) ARTHUR (Last) RACKOVER, and the Court being satisfied that the Petition is true, and it appearing from the Petition and the Court being satisfied that there is no reasonable objection to the change of name(s) proposed, it is hereby ORDERED that,

- 1) The individual currently known as (First) JAMES (Middle) ARTHUR (Last) BEAUDOIN (Seniority) II AKA JAMES ARTHUR BEAUDOIN, JR., AKA JAMES BEAUDOIN, AKA JAMES A. BEAUDOIN, AKA JAMES ARTHUR BEAUDOIN who was born on March 12, 1991, at BROWARD COUNTY, FLORIDA, with birth certificate number 109-1991-039039, issued by BROWARD COUNTY, OFFICE OF VITAL STATISTICS, STATE OF FLORIDA, is hereby authorized to assume the name of (First) JAMES (Middle) ARTHUR (Last) RACKOVER in place and stead of his/her present name upon complying with the provisions of Article 6 of the Civil Rights Law and of this Order.
- 2) This Order, consisting of a total of 2 page(s), shall be entered, and the Petition upon which it was granted shall be filed, prior to the publication hereinafter directed, in the office of the Clerk of the Civil Court of the City of New York, County of New York.
- 3) Within sixty days of the making of this Order, a copy of this Order and supporting papers shall be served upon the following:

not applicable

- 4) Proof of service on the above indicated party(ies) shall be filed with the Clerk of this Court within ninety days of the making of this Order.
- 5) At least once within sixty days of the making of this Order, a notice shall be published in Irish Echo newspaper(s) in substantially the following form:

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NYSCEF DOC. NO. 3

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Civil Court of the City of New York

JAMES ARTHUR BEAUDOIN II TO JAMES ARTHUR

Page 2 of 2 County of New York

Index Number: NC-000513-15/NY

RACKOVER

ORDER GRANTING LEAVE TO CHANGE NAME

Notice is hereby given that an Order entered by the Civil Court. New York County on 03/16/2015, bearing Index Number NC-000513-15/NY, a copy of which may be examined at the Office of the Clerk, located at 111 Centre Street, New York, NY 10013, grants me (us) the right to:

Assume the name of (First) JAMES (Middle) ARTHUR (Last) RACKOVER My present name is (First) JAMES (Middle) ARTHUR (Last) BEAUDOIN (Seniority) II AKA JAMES ARTHUR BEAUDOIN, JR., AKA JAMES BEAUDOIN, AKA JAMES A. BEAUDOIN, AKA JAMES ARTHUR BEAUDOIN My present address is 418 EAST 59TH STREET, APT. 32B, New York, NY 10022 My place of birth is BROWARD COUNTY, FLORIDA My date of birth is March 12, 1991

- 6) Within ninety days of the making of this Order, proof of such publication, by Affidavit, shall be filed with the Clerk of the Civil Court in the County of New York.
- 7) Following the filing of the Petition and the entry of this Order as directed in Paragraph 2 above; the service of such Order and such papers as directed in paragraph 3 above; the filing of proof of such service as directed in Paragraph 4 above; the publication of such notice as directed in Paragraph 5 above; and the filing of proof of such publication as directed in Paragraph 6 above, it is further ORDERED that (First) JAMES (Middle) ARTHUR (Last) BEAUDOIN (Seniority) II AKA JAMES ARTHUR BEAUDOIN, JR., AKA JAMES BEAUDOIN, AKA JAMES A. BEAUDOIN and AKA JAMES ARTHUR BEAUDOIN shall be known by the name (First) JAMES (Middle) ARTHUR (Last) RACKOVER, which s/he is hereby authorized to assume.

03/16/2015	$\mathcal{O}\mathcal{O}$
Date	Judge, Civil Court
	Honorable Alexander M. Tisch

Print



Cyrus R. Vance, Jr. District Attorney, New York County

For Immediate Release May 10, 2017

DA VANCE: JAMES RACKOVER, LAWRENCE DILIONE INDICTED FOR MURDER OF JOSEPH COMUNALE

Manhattan District Attorney Cyrus R. Vance, Jr., today announced the indictment of JAMES RACKOVER, 26, and LAWRENCE DILIONE, 28, for the November 2016 murder of 26-year-old Joseph Comunale. RACKOVER and DILIONE are each charged in a New York State Supreme Court indictment with Murder in the Second Degree, as well as Concealment of a Human Corpse. RACKOVER, DILIONE, and co-defendant MAX GEMMA, 29, are further charged with Hindering Prosecution in the First Degree and Tampering with Physical Evidence.

"The brutality of this horrific murder was compounded by the defendants' efforts to dispose of the victim's body in an attempt to evade prosecution," said District Attorney Vance. "We will prosecute this case to the full extent of the law to achieve justice for Joseph and the Comunale family."

According to court documents and statements made on the record in court, Joseph Comunale was repeatedly stabbed on November 13, 2016, inside of RACKOVER's East 59th Street apartment, following a party attended by DILIONE and GEMMA. At approximately 9:45 p.m. that night, RACKOVER and DILIONE drove Mr. Comunale's body, which had been burned, from RACKOVER's apartment to Oceanport, New Jersey, where they buried it in a shallow ditch. Mr. Comunale's body was discovered by NYPD and Oceanport police officers on November 16, 2016.

Assistant District Attorneys Antoinette Carter; Peter Casolaro, Senior Trial Counsel; and Rachel Ehrhardt are handling the prosecution of this case under the supervision of Executive Assistant District Attorney John Irwin, Chief of the Trial Division.

District Attorney Vance thanked the NYPD and the Oceanport Police Department for their assistance with the investigation.

[1] The charges contained in the indictment are merely allegations, and the defendants are presumed innocent unless and until proven guilty. All factual recitations are derived from documents filed in court or statements made on the record in court.

Defendant Information:

JAMES RACKOVER, D.O.B. 3/12/1991 New York, NY

Charges:

Murder in the Second Degree, a class A felony, one count

Hindering Prosecution in the First Degree, a class D felony, one count

Tampering with Physical Evidence, a class E felony, one count

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NYSCEPT DOC: JAMES RACKOVER, LAWRENCE DILIONE INDICTED FOR MURDER OF JOSEPH COMUNALE, The New York County District Attor
2017

Concealment of a Human Corpse, a class E felony, three counts

LAWRENCE DILIONE, D.O.B. 7/27/1988 Jersey City, NJ

Charges:

Murder in the Second Degree, a class A felony, one count
Hindering Prosecution in the First Degree, a class D felony, one count
Tampering with Physical Evidence, a class E felony, one count
Concealment of a Human Corpse, a class E felony, three counts

MAX GEMMA, D.O.B. 11/21/1987 Oceanport, NJ

Charges:

Hindering Prosecution in the First Degree, a class D felony, three counts Tampering with Physical Evidence, a class E felony, one count

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