

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

ROCHELLE MEVORAH, as the Administrator of the Estate of
MARVIN MEVORAH and ROCHELLE MEVORAH Individually,

Plaintiffs,

-against-

AARON GROTAS, M.D.,

Defendants,

Index No.

Plaintiff designates Nassau
County as the place of trial

The basis of venue is
plaintiff's residence

3199 Messick Avenue
Oceanside, NY 11572

County of Nassau

To the above named Defendants

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with 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: Woodbury, New York
February 2, 2022

BUTTAUFUOCO & ASSOCIATES, PLLC

Attorney for Plaintiff

144 Woodbury Road

Woodbury, NY 11797

(516) 746-8100

By: JAMES S. McCARTHY, ESQ.

DeFndants' Addresses

Aaron Grotas, M.D.
1800 Rockaway Avenue
Hewlett, NY 11557

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

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ROCHELLE MEVORAH as Administrator of the Estate of
MARVIN MEVORAH and ROCHELLE MEVORAH,
Individually,

VERIFIED COMPLAINT

Plaintiff,

-against-

Index No.

AARON GROTAS, M.D.,

Defendants.

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Plaintiff, by her attorneys, LAW OFFICES OF BUTTAUFUOCO & ASSOCIATES, PLLC,
complaining of the defendant, respectfully alleges as follows:

AS AND FOR A FIRST CAUSE OF ACTION
ON BEHALF OF PLAINTIFF, ROCHELLE MEVORAH,
AS ADMINISTRATOR OF THE ESTATE OF
MARVIN MEVORAH

FIRST: At all times hereinafter mentioned the plaintiff was a resident of Nassau County,
State of New York.

SECOND: Upon information and belief, at all times hereinafter mentioned, the
defendant was a resident of Suffolk County, State of New York.

THIRD: That before this action was commenced, and on or about September 20, 2020
MARVIN MEVORAH died with a will in the County of Nassau, State of New York.

FOURTH: That on January 28, 2022 Letters Testamentary were duly issued and granted
to the plaintiff, ROCHELLE MEVORAH, by the Surrogate's Court of Nassau County, State of
New York, appointing her as Administrator of the Estate of said deceased, and that plaintiff
thereupon duly qualified and entered upon her duties as such Administrator and is now such

Administrator.

FIFTH: That attached hereto as Exhibit "A" is a true and exact copy of the said Letters Testamentary.

SIXTH: That upon information and belief, at all times, hereinafter mentioned, the defendant, AARON GROTAS, M.D., was and still is a physician duly licensed to practice medicine in the State of New York.

SEVENTH: Upon information and belief, at all times hereinafter mentioned, the defendant, AARON GROTAS, M.D., was conducting the profession of medicine in the State of New York, and held himself out to the public as being skillful and competent in that profession.

EIGHTH: During a continuing course of treatment on April 25, 2015 through May 21, 2020 the plaintiff/decedent, MARVIN MEVORAH, came under the medical care and treatment of the defendant, AARON GROTAS, M.D.

NINTH: That during this period of time, the medical care, treatment and procedures rendered by the defendant, his agents, servants, associates and/or employees, to the plaintiff/decedent, MARVIN MEVORAH, were rendered in a negligent, careless and unprofessional manner; that the defendant, his agents, servants, associates and/or employees failed to employ approved measures generally in use in the treatment of the plaintiff/decedent, MARVIN MEVORAH; departed from accepted standards of medical treatment; failed to use reasonable care and skill and failed to use his best judgment in the treatment of the plaintiff/decedent, MARVIN MEVORAH, all of which resulted in severe, grievous and permanent personal injuries and death.

TENTH: That the foregoing was not occasioned by any negligence on the part of the plaintiffs contributing thereto.

***ELEVENTH:** That the defendant was negligent and committed malpractice in failing to treat and diagnose plaintiff/decedent's bladder cancer which resulted in severe, grievous, personal injuries, pain and suffering and ultimately death.*

***TWELFTH:** That said injuries resulted solely from the carelessness, negligence, lack of skill and incompetence of the defendant, his agents, servants and/or employees, without any negligence on the part of the plaintiff contributing thereto.*

AS AND FOR A SECOND CAUSE OF ACTION
FOR WRONGFUL DEATH

***THIRTEENTH:** Plaintiff, ROCHELLE MEVORAH, repeats, realleges, and reiterates all allegations in paragraphs "FIRST" through "TWELFTH" inclusively, as though the same were herein set forth in full.*

***FOURTEENTH:** That as a result of the foregoing, plaintiff's intestate was rendered sick, sore, lame and disabled; suffered injuries both internal and external, pain, suffering, mental anguish, and ultimately death; was confined to his bed for a lengthy period of time; was compelled to seek medical care and attention, and undergo severe medical procedures.*

***FIFTEENTH:** That by reason of the foregoing, plaintiff's distributees suffered significant pecuniary damage and loss of nurture, care and guidance.*

***SIXTEENTH:** That as a result of the foregoing, the amount of damages sought herein exceeds the jurisdictional limits of all lower courts which might otherwise have jurisdiction herein.*

SEVENTEENTH: By reason of the foregoing, the plaintiff has suffered damages in a sum to be determined at a trial of this action.

AS AND FOR A THIRD CAUSE OF ACTION

EIGHTEENTH: Plaintiff, ROCHELLE MEVORAH, repeats, realleges, and reiterates all allegations in paragraphs "FIRST" through "SEVENTEENTH" inclusively, as though the same were herein set forth in full

NINETEENTH: That plaintiff, ROCHELLE MEVORAH, is the lawful wife of the plaintiff/decedent MARVIN MEVORAH, and lawfully entitled to the services and society of said MARVIN MEVORAH.

TWENTIETH: That by reason of the said malpractice, and the negligence of the defendant as aforesaid, the plaintiff, MARVIN MEVORAH, became sick, sore, lame and disabled and suffered great physical and mental pain and sustained severe injuries, and as a consequence of his injuries was unable to perform the services he was able to previously perform, and by reason therefor, plaintiff, ROCHELLE MEVORAH, has been damaged in an amount to be determined at trial.

TWENTY-FIRST: That the survivors of decedent have been permanently damaged altogether in a sum to be determined at a trial of this action.

TWENTY-SECOND: That the damages sought exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, ROCHELLE MEVORAH, as the Administrator of the Estate of MARVIN MEVORAH, and the legal distributees have been damaged in an amount to be determined at trial on the causes of action sounding in medical malpractice, wrongful death and negligence, as the

result of the personal injuries and death of decedent, MARVIN MEVORAH, plus interest from the date of death of decedent, costs and disbursements of this action, plus such other and further relief as may be just and proper.

*Dated: Woodbury, New York
February 2, 2022*

Yours, etc.

*BUTTAFUOCO & ASSOC., PLLC
Attorneys for Plaintiffs
144 Woodbury Road
Woodbury, NY 11797
(516) 746-8100*

By: _____

James S. McCarthy

VERIFICATION

STATE OF NEW YORK)

)SS.:)

COUNTY OF NASSAU)

I, the undersigned, an attorney admitted to practice in the courts of New York State, state that I am JAMES S. McCARTHY, of BUTTAFUOCO & ASSOCIATES, the attorneys of record for the plaintiff(s) in the within action; I have read the foregoing SUMMONS AND VERIFIED COMPLAINT, in the within action and know the contents thereof; the same is true to my own knowledge, except to those matters therein alleged to be on information and belief, and to those matters I believe it to be true.

The reason this verification is made by me and not the plaintiff(s) is that the plaintiff(s) reside outside the county where deponent maintains his office.

The grounds of my belief as to all matters not stated upon my own knowledge are as follows:

Investigation and facts of file.

*Dated: Woodbury, New York
February 2, 2022*

JAMES S. MCCARTHY, ESQ.

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CERTIFICATION

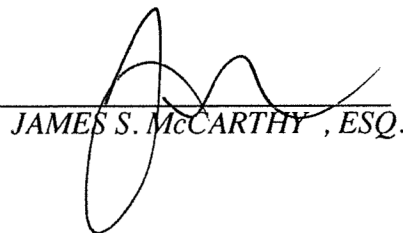
STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

*I, the undersigned, an attorney admitted to practice in the courts of New York State, state that I am JAMES S. McCARTHY, ESQ., of BUTTAFUOCO & ASSOCIATES, PLLC the attorneys of record for the plaintiff in the within action; I have read the foregoing **SUMMONS AND VERIFIED COMPLAINT** in the within action and certify that to my best knowledge or belief, the matters contained in same are not frivolous, the matter was not obtained through illegal conduct, or that if it was, the attorney or other persons responsible for the illegal conduct are not participating in the matter or sharing in any fee earned therefrom, and the matter was not obtained in violation of 22 NYCRR 1200.41-a (DR 7-111).*

The grounds of my belief as to all matters not stated upon my own knowledge are as follows:

Investigation and facts of file.

*Dated: Woodbury, New York
February 2, 2022*


JAMES S. McCARTHY, ESQ.