

STATE OF NEW YORK
COUNTY OF :

,
vs.

Plaintiff,

ATTORNEY'S AFFIRMATION

Index No.

,

Defendant(s).

ASSIGNED JUDGE:

Hon.

, an attorney admitted to practice in the Courts of the State of New York, and not a party to this action, subscribes and affirms the following to be true under the penalties of perjury:

1. I am the attorney for the Plaintiff in the above-referenced matter, and am fully familiar with the facts and circumstances of this action.
2. I submit this affirmation, together with the prior pleadings filed in this matter, in support of the Plaintiff's application for Judgment to be entered in favor of the Plaintiff and against the Defendant(s) pursuant to CPLR 3215(i).
3. A Summons and Complaint were duly filed in this action on .
4. A Stipulation settling this action was entered between the attorneys for the Plaintiff and the Defendant(s). A copy of the Stipulation is attached hereto.
5. The Defendant(s) have failed to comply with the terms of said Stipulation by failing to make the required payments to the Plaintiff. To date, the Defendant(s) have only paid .
6. Annexed hereto is a payment history with balance computation.
7. Pursuant to the Stipulation, upon default by Defendant without cure for ten (10) days, Plaintiff was permitted to proceed pursuant to CPLR 3215(i) for the entry of

Judgment for the amount in paragraph 2(g) of the Stipulation, plus interest, and statutory costs and disbursements. The application for Judgment was to be upon Attorney Affirmation as to the default, without further notice, crediting the Defendant(s) with payments made hereunder, if any, upon entry of Judgment by the Clerk.

8. The Plaintiff requests entry of Judgment due to the default of the Defendant(s).
9. No prior application for the relief requested herein has been made.

WHEREFORE, it is respectfully requested that Judgment be entered against the Defendant(s), , as provided in the Stipulation.

DATED:

Buffalo, New York _____

Our file number- ©

Sample

At a Special Term of the held at
the Court House, on

STATE OF NEW YORK
COUNTY OF :

,
vs. Plaintiff,

ORDER

Index No.

,
Defendant(s).
Hon.

ASSIGNED JUDGE:

Upon the Affirmation of , and on all other papers and proceedings previously had herein, from all of which it appears that Defendant(s), , herein defaulted in payments pursuant to a Stipulation of Settlement; and this matter having been duly presented to this Court on the papers alone; and the Court having had due deliberation hereon.

NOW, on motion of , attorney for the Plaintiff, it is

ORDERED, that Plaintiff have judgment against Defendant(s), , for the amount of , plus interest at from , less credits for payments made as computed in the annexed Affirmation of ; and that the Clerk of this Court enter judgment upon the filing of this Order and the presentation of appropriate judgment papers to the Clerk by the attorneys for Plaintiff.

DATED:

HON. _____