CONSUMER CREDIT TRANSACTION [if applicable]

STATE OF NEW YORK
SUPREME COURT COUNTY OF

_____
_____
_____

Plaintiff,

SUMMONS
Index No. _____
Date Filed: _____

-vs-

_____
_____
_____

Defendant.

_____

TO THE ABOVE-NAMED DEFENDANT:

YOU ARE HEREBY SUMMONED and required to serve upon Plaintiff's attorneys an Answer to the Complaint in this action within twenty (20) days after service of this Summons, exclusive of the day of service, or within thirty (30) days after service is complete if this Summons is not personally delivered to you within the State of New York. In case of your failure to answer, judgment will be taken against you by default for the relief demanded in the Complaint.

The basis of venue designated is the residence of (Plaintiff or Defendant) Any request for Judgment for the relief demanded in the complaint will be subject to approval by the Court and applicable law.

DATED: _____, 20___ (FIRM NAME)_____

By:_____

(ATTY NAME)_____
Attorneys for Plaintiff
_____
_____
_____
_____, New York, _____

Telephone (____) ____-_____
FAX SERVICE NOT ACCEPTED

Note: "If suit is commenced on a consumer claim within the 30-day validation period, the following language is recommended at the end of the Summons:

This advice pertains to your dealings with me as a debt collector. It does not affect your dealings with the court, and in particular it does not change the time at which you must answer the complaint. The summons is a command from the court, not from me, and you must follow its instructions even if you dispute the validity or amount of the debt. The advice in this portion of the document also does not affect my relations with the court. As a lawyer, I may file papers in the suit according to the court's rules and the judge's instructions. Unless you, within thirty days after receipt of this notice, dispute the validity of the debt, or any portion of it, the debt will be assumed to be valid by us. If you notify us in writing within the thirty-day period that the debt, or any portion thereof, is disputed, we will obtain verification of the debt and mail a copy of such verification to you. Upon your written request within the thirty-day period, we will provide you with the name and address of the original creditor, if different from the current creditor. The law does not require us to wait until the end of the thirty-day period following first contact with you before suing you to collect the debt. Even though the law provides that your answer to the Complaint may be required to be served in some cases in less than thirty days, no request will be made to the Court for a judgment until, at least, the expiration of thirty days after your receipt of this

Sample
Sample

summons. However, if you dispute the debt or request the name and address of the original creditor within the thirty-day period that begins with your receipt of this summons, and in the manner stated above, the law requires us to cease efforts (through litigation or otherwise) to collect the debt until we mail the requested information to you. Nevertheless, this dispute or request may not constitute an Answer under law. You should consult an attorney for advice concerning your rights and obligations in this suit. This is an attempt to collect a debt by a debt collector, and any information obtained will be used for that purpose."

Sample

Sample