

**CONSUMER CREDIT TRANSACTION [if applicable]**  
Open-end Credit Transaction – Original Creditor Plaintiff [if applicable]

STATE OF NEW YORK]  
SUPREME COURT

COUNTY OF \_\_\_\_\_

**CREDITOR**

\_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_

*Plaintiff,*

-vs-

**DEBTOR d/b/a**

\_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_

*Defendant.*

**SUMMONS**

Index No. \_\_\_\_\_

Date Filed: \_\_\_\_\_

**TO THE ABOVE-NAMED DEFENDANT:**

**YOU ARE HEREBY SUMMONED** and required to submit to plaintiff's attorney your answering papers on this motion within the time provided in the notice of motion annexed hereto. In case of your failure to submit answering papers, summary judgment will be taken against you by default for the relief demanded in the notice of motion.

The basis of the venue designated is \_\_\_\_\_ County, New York, as it is the county of residence of the 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\_\_\_\_

LAW FIRM

By: \_\_\_\_\_

(PRINT) \_\_\_\_\_

*Attorneys for Plaintiff*

\_\_\_\_\_

\_\_\_\_\_, NY \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

**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 summons. However, if you dispute the debt or request the name and address of the original creditor within the thirty-day period