

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF _____

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Index No. _____

In the Matter of the Application of
_____ for an
order directing _____,
Lienor, to deliver the itemized
statement of labor and material and
the terms of the contract required
by Lien Law, Section 38.

VERIFIED PETITION
FOR ORDER
REQUIRING
ITEMIZED STATEMENT

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The verified petition of _____, by its attorneys,
_____, respectfully shows:

1. Petitioner _____ is a domestic corporation with its principal
place of business at [Address].

2. _____, as general contractor, has a construction contract with
_____, which, upon information and belief, is the owner in fee of the
following described property: Block _____, Lot _____, a/k/a _____ Street,
_____, New York.

3. Upon information and belief, on or about [date], _____, a
domestic corporation with its principal place of business at [Address], filed a Notice of
Mechanic's Lien in the office of the _____ County Clerk, in the amount of
\$ _____ against the aforesaid property.

4. On [date], petitioner caused to be served a demand on said lienor pursuant to Section 38
of the Lien Law of the State of New York, demanding that it furnish a statement, in writing,
within five (5) days after receipt of said demand, which shall set forth the items of labor and the
value thereof, and the items of material and the value thereof, which make up the amount for
which the lien was claimed, and which shall also set forth the terms of the contract under which
items were furnished, verified in the form required for the verification of notices of mechanics'
liens. A copy of said demand so served is attached hereto as Exhibit _____. The affidavit of service
of the demand is also attached as Exhibit _____.

5. Said lienor has failed and refused to comply with the said demand, in that it has failed to
serve any statement whatsoever in response to said demand although more than five (5) days
have passed since its service.

6. No previous application has been made for the relief prayed for herein.