

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK: HOUSING PART G

109E9 LLC,

Petitioner-Landlord,

-against-

SHIRAS PATTERSON BECKWITH  
109 East 9<sup>th</sup> Street  
Apartment #2E  
New York, New York 10003

Respondent-Tenant

“JOHN DOE” and/or “JANE DOE”,

Respondents-Undertenants.

Index No. L&T 306106-25/NY

**PETITIONER’S RESPONSE TO  
RESPONDENT’S  
INTERROGATORIES**

Petitioner, 109E9 LLC (“**Petitioner**”), by and through undersigned counsel, and pursuant to Article 31 of the Civil Practice Law and Rules (“**CPLR**”), hereby respond to Respondent’s Interrogatories (“**Interrogatories**”), as follows:

**GENERAL OBJECTIONS AND RESERVATIONS**

A. Petitioner objects to the Interrogatories to the extent that they purport to impose obligations greater than those required by the CPLR, the Uniform Rules for the Civil Court of New York County, and any other applicable rule.

B. Petitioner objects to the Interrogatories on the grounds that its requests are overly broad, unduly burdensome, vague and ambiguous, and thus subject Petitioner to harassment, undue burden and expense.

C. Petitioner objects to the Interrogatories to the extent they seek information or documents that are neither relevant to the subject matter of the pending proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

D. Petitioner objects to the Interrogatories to the extent that they request any document

or information that is (a) privileged and protected from disclosure under the attorney-client, work product, or any other applicable privilege, (b) confidential (including but not limited to financial and/or account information of Petitioner or of any person or entity other than the named Petitioner), and/or (c) proprietary.

E. Petitioner objects to the Interrogatories to the extent that they seek documents or information not in Petitioner's possession, custody, or control, or purport to require Petitioner to seek documents or information in the possession, custody, or control of third parties.

F. Petitioner objects to the Interrogatories to the extent that they seek documents that will reveal information or information about individuals who are not currently parties to this action, including but not limited to their current or former addresses, the rent they pay or have paid, their social security numbers and other personal information. To the extent that such information is included in documents that contain other responsive material, it will be redacted.

G. Petitioner objects to the lack of time period concerning the Interrogatories to the extent that they can be read to require Petitioner to produce documents or information concerning any apartment or for any period of time.

H. Petitioner objects to the Interrogatories to the extent that they imply the existence of facts or circumstances that do not or did not exist.

I. Petitioner objects to the Interrogatories to the extent they seek documents or information that are available to the public at the local level: city, county, and state.

J. Petitioner objects to the Interrogatories on the ground (and to the extent) that, based on their use of the term "any and all" and on the scope of the definitions of those terms, they may be construed to seek material (including internal documents) containing confidential business or financial information that cannot be produced without an appropriate confidentiality and protective order.

K. Any responses to particular items within the Interrogatories or specific objections to particular items in the Interrogatories are without prejudice to the generality of the foregoing objections.

L. In providing its response to the Interrogatories, Petitioner does not waive or intend to waive, but rather intends to preserve:

- a. All objections as to vagueness, ambiguity, overbreadth, relevancy, burdensomeness, or timeliness;
- b. All rights to object on any grounds to the Interrogatories, or any part thereof, or to any other discovery requests involving or related to the subject matter of the instant proceeding; and
- c. All rights to object to the use of this response in any proceedings, including any trial or hearing of this or any other case.

M. Petitioner reserves its rights to amend or supplement its responses or to make further objections should additional documents or information be discovered or come to its attention.

N. Petitioner reserves the right to object to the admission into evidence of any or all responses to the Interrogatories and further reserves the right to interpose additional objections.

O. Any inadvertent or mistaken production of documents that are otherwise subject to the protections of the attorney-client, work product, or other privilege shall not constitute a waiver of any kind with respect to any such privilege. Without prejudice to the generality of the foregoing, any such inadvertent or mistaken production shall not put in issue or constitute the affirmative use of any information or material contained or referenced in any such documents. Any such inadvertently or mistakenly produced documents, together with any copies made thereof, shall be returned to Petitioner or to their counsel.

P. Petitioner objects to including in any privilege log communications between Petitioner and their litigation counsel and/or between and among litigation counsel after

commencement of this lawsuit, on the grounds that all such privileged communications are subject to the attorney-client privilege and/or work-product doctrine, and compiling a list of all such communications (including e-mail) would be unduly burdensome and harassing, would serve no useful or valid purpose, and would itself reveal privileged information.

Q. To the extent that Petitioner may produce any documents or information at any time in response to the Interrogatories, such production is without prejudice to or waiver of those objections.

R. Petitioner's responses and objections are not intended to be, and shall not be construed as, an agreement with Petitioner's characterization of any facts, circumstances, or legal obligations.

S. Petitioner reserves the right to object to any such characterizations as inaccurate.

T. The foregoing General Objections and Reservations are incorporated by reference in the responses to each of the individual requests for production that follow.

### **OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS:**

#### **INTERROGATORY NO. 1:**

*State the names and titles, if any, of all individuals who participated or assisted in preparing or supplying any information given in answer to these interrogatories, or who prepared or supplied any answer, indicating in the case of each such individual the interrogatory number for which they prepared or supplied any information or answer.*

#### **Response:**

Subject to the General Objections which are incorporated herein by reference, and without waiving these objections: responses for all interrogatories were provided by Michael Geylik, Head Officer to Petitioner, using information from the Expert Witness Report dated May 20, 2025 and annexed to Petitioner's Cross-Motion as Exhibit "I" (NYSCEF Doc. No. 39) and other records kept and maintained in the regular course of business.

#### **INTERROGATORY NO. 2:**

*Identify all video or audio surveillance systems installed in the common and outdoor areas at the premises including:*

- a) Make and model of the recording device;*
- b) Date of installation of each recording device;*
- c) Location of each recording device;*

- d) *Naming protocol for each recording device;*
- e) *Date of installation of each recording device;*
- f) *Whether the recording device records continuously or is motion-activated;*
- g) *The device or devices to which audio/video recorded files are stored;*
- h) *What third-party systems, if any, are used to access stored surveillance files and/or to review stored surveillance tape;*
- i) *The devices upon which the above-described systems are accessed, and the person who is in possession and control of those devices.*

**RESPONSE TO INTERROGATORY NO. 2:**

Subject to the General Objections which are incorporated herein by reference, and without waiving these objections, see responses below:

- a) Make: AXIS  
Model: AXIS M3045-V
- b) December 5, 2021
- c) Eleven cameras are installed:
  - a. Second Floor landing (upper-left corner);
    - i. Camera ID: 109E9 CAM 01
  - b. Staircase to the roof; 5<sup>th</sup> floor corridor;
    - i. Camera ID: 109E9 CAM 02
  - c. Stairs between 4<sup>th</sup> and 5<sup>th</sup> floors;
    - i. Camera ID: 109E9 CAM 03
  - d. Stairs from the 3<sup>rd</sup> to the 4<sup>th</sup> floors:
    - i. Camera ID: 109E9 CAM 04
  - e. Corridor by Units 3C and 3D;
    - i. Camera ID: 109E9 CAM 05
  - f. Corridor by Units 2A and 2B;
    - i. Camera ID: 109E9 CAM 06
  - g. Corridor by Units 2D and 2E;
    - i. Camera ID: 109E9 CAM 07
  - h. Street-level residential entrance door and mailbox area;
    - i. Camera ID: 109E9 CAM 08
  - i. Corridor by Units 4A and 4B;
    - i. Camera ID: 109E9 CAM 09
  - j. Corridor by Units 3A and 3B;
    - i. Camera ID: 109E9 CAM 10
  - k. Corridor by Units 4D and 4C;
    - i. Camera ID: 109E9 CAM 11
- d) See response to “c” hereinabove.
- e) See response to “b” hereinabove.
- f) Motion-triggered cameras monitors the area twenty-four hours a day, seven days a week;
- g) Camera 109E9 CAM 01 is the sole camera at the Premises which stored data. Data stored to Axis Camera Station Secure Server;
- h) Private Forensic Workstation using: Axis Camera Station validation tools – CION AL – pretrained ReID (ReIDZoo) workflow – used for non-determinative triage of

- surveillance files; Axis File Signature/Player.
- i) Michael Shuksta – System Administrator controlled Axis system and performed export/transfer.

**INTERROGATORY NO. 3:**

*State the names, contact information, and titles, if any, of all individuals who installed recording devices at the Subject Premises.*

**RESPONSE TO INTERROGATORY NO. 3:**

In addition to the General Objections which are incorporated herein by reference, Petitioner objects on the grounds that the request is overbroad, unduly burdensome, and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving this objection see below:

InTech Force LLC

2372 McDonald Avenue  
Brooklyn, New York 11223

**INTERROGATORY NO. 4:**

*State the names, contact information, and titles, if any, of all persons responsible for maintaining recording devices at the Subject Premises.*

**RESPONSE TO INTERROGATORY NO. 4:**

Subject to the General Objections which are incorporated herein by reference, and without waiving these objections, Petitioner responds as follows:

Michael Shuksta, System Administrator.

**INTERROGATORY NO. 5:**

*State the names, contact information, and titles, if any, of all persons who reviewed surveillance footage recorded at the Subject Premises from June 2021-present.*

**RESPONSE TO INTERROGATORY NO. 5:**

In addition to the General Objections which are incorporated herein by reference, and without waiving these objections, Petitioner responds as follows:

Roman Khaykin, LPI  
InfoTactic Group

As per Report annexed to Petitioner's Cross-Motion as Exhibit "I" (NYSCEF Doc. No. 39)

**INTERROGATORY NO. 6:**

*For each person who reviewed surveillance footage, provide an explanation of the person's professional role with respect to Petitioner's business, and the scope of their job responsibilities in that role.*

**RESPONSE TO INTERROGATORY NO. 6:**

In addition to the General Objections which are incorporated herein by reference, Petitioner objects on the grounds that the request is vague, overbroad, unduly burdensome, and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Petitioner responds as follows:

Roman Khaykin, LPI  
InfoTactic Group

As per Report annexed to Petitioner's Cross-Motion as Exhibit "I" (NYSCEF Doc. No. 39) Private investigator tasked to analyze 47,390 clips, document appearance of Respondent, verify integrity, and prepare the report for submission to the court.

**INTERROGATORY NO. 7:**

*For each person who reviewed surveillance footage, state in what capacity they conducted this review, the purpose for which they conducted this review, whether they were specifically compensated for this review (and if so, the rate of their compensation), and the dates and times of all footage that they personally reviewed.*

**RESPONSE TO INTERROGATORY NO. 7:**

In addition to the General Objections which are incorporated herein by reference, Petitioner objects on the grounds that the request is vague, overbroad, unduly burdensome, and is not reasonably calculated to lead to the discovery of admissible evidence and is protected by work product privilege. Subject to and without waiving these objections, Petitioner responds as follows:

Respondent is directed to the Report annexed to Petitioner's Cross-Motion as Exhibit "I" (NYSCEF Doc. No. 39)

**INTERROGATORY NO. 8:**

*For each person who reviewed surveillance footage, provide a detailed description of the manner in which they conducted the review, including:*

- a) How the person obtained access to the video storage;*
- b) On what video viewing system/systems the individual reviewed the footage;*
- c) The date upon which the footage was reviewed;*
- d) The scope of the footage reviewed;*
- e) The source of the footage and the reviewer's basis for that knowledge;*
- f) Whether review was conducted at a regular speed or advanced speed;*

**RESPONSE TO INTERROGATORY NO. 8:**

In addition to the General Objections which are incorporated herein by reference, Petitioner objects on the grounds that the request is vague, overbroad, unduly burdensome, and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Petitioner responds as follows:

Respondent is directed to the Report annexed to Petitioner's Cross-Motion as Exhibit "I" (NYSCEF Doc. No. 39).

Dated: New York, New York  
October 31, 2025

Respectfully Submitted,

KUCKER MARINO WINIARSKY &  
BITTENS, LLP

*M. David Fonseca*

---

By: M. David Fonseca, Esq.  
Attorneys for Petitioner  
747 Third Avenue, 12<sup>th</sup> Flr.  
New York, New York 10016  
(212) 869-5030

TO: TAKEROOT JUSTICE  
Jennifer Akchin, Esq.  
Attorneys for Respondent Shiras Patterson Beckwith  
123 William Street, Suite 401  
New York, New York 10038  
[jakchin@takerootjustice.org](mailto:jakchin@takerootjustice.org)  
(929) 506-0310