

EXHIBIT D

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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SANDRA PEREZ,

Index No.: 150891/14

Plaintiff,

-against-

**PLAINTIFF'S AFFIDAVIT
OF MERIT**

19 KENMARE REALTY LLC, LITTLE
CHARLIE'S OYSTER BAR, INC. and
CITI-URBAN MANAGEMENT CORP.,

Defendant.
-----X

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

SANDRA PEREZ, being duly sworn, deposes and says:

1. I am the Plaintiff in the above captioned action and I respectfully submit this affidavit in support of the within Motion for a Default Judgment against the non-appearing Defendants 19 KENMARE REALTY LLC, LITTLE CHARLIE'S OYSTER BAR, INC. and CITI-URBAN MANAGEMENT CORP.

2. On March 3, 2013, I was severely and permanently injured while I was exiting through the basement exit, I slipped and fell on slippery material at the exit of the premises located at 19 Kenmare Street, New York, New York.

3. As a result of the Defendants' negligence, I was caused to sustain serious and permanent personal injuries including, but not limited to, post hardware fixation of fibular and medial malleolar fractures of the left ankle; joint effusion and patella alta with signs of patellar maltracking of the left knee.

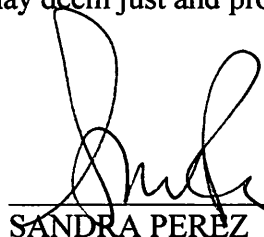
4. My attorneys have informed me that the Summons and Verified Complaint were served upon Defendants on February 6, 2014 and again on March 14, 2014 and April 16, 2014.

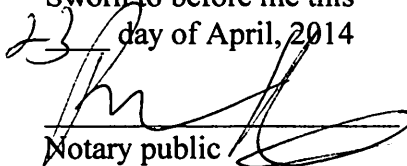
5. Despite service of the Summons and Verified Complaint, I have been informed that Defendants have failed to answer or otherwise appear, and has not requested an extension of time to appear and as such, I am entitled to seek a default judgment against said Defendants.

6. I have been informed by my attorney, DAVID HOROWITZ, P.C., that I have a good, meritorious, and valid cause of action against the Defendants 19 KENMARE REALTY LLC, LITTLE CHARLIE'S OYSTER BAR, INC. and CITI-URBAN MANAGEMENT CORP. and I believe that to be true for the reasons set forth above.

7. Therefore, I respectfully join in my attorneys' application and request that the Court grant the relief requested in the motion as against Defendants 19 KENMARE REALTY LLC, LITTLE CHARLIE'S OYSTER BAR, INC. and CITI-URBAN MANAGEMENT CORP. in its entirety and for such other and further relief as this Court may deem just and proper.

Dated: New York, New York
April 23, 2014


SANDRA PEREZ

Sworn to before me this
23 day of April, 2014

Notary public

ROSSANA RESEK
Notary Public, State of New York
Qualified in New York County
Reg. No. 01RE6090403
My Commission Expires April 14, 2015