

Filing # 87638996 E-Filed 04/08/2019 03:46:14 PM

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

NEW YORK STATE DEPARTMENT OF  
TAX

Plaintiff,  
vs.  
CHERVINSKY, ALEX  
CHERVINSKY, ALONA,  
Defendant.

UCN:  
Case No.:  
Division:

AFFIDAVIT OF COMPLIANCE WITH FLORIDA LAW

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

BEFORE ME, the undersigned authority, this date personally appeared Jonathan P. Hempfling, Esquire, who, being first duly sworn, deposes and says:

1. That he is the attorney for the Plaintiff in the above-styled action, is over the age of eighteen years of age and has personal knowledge of the matters set forth in this Affidavit.
2. On April 19, 2017, the STATE OF NEW YORK, COUNTY OF ALBANY entered a judgment (the "Final Judgment") in favor of Plaintiff and against Defendant(s), ALEX CHERVINSKY and ALONA CHERVINSKY. A true and correct copy of the Final Judgment is attached hereto as Exhibit A.
3. In the Final Judgment, the Court awarded Plaintiff a total amount of \$256,365.10 against Defendant(s).
4. Pursuant to Florida Statute §55.503(1), on November 19, 2018, Plaintiff's attorney duly recorded the Final Judgment in Palm Beach County, Florida.
5. Pursuant to Florida Statute §55.505(1), on November 19, 2018, Plaintiff's attorney recorded an affidavit setting forth the name of Defendant, the last known address of the Defendant, and the current address of Plaintiff (the "Affidavit"). A true and correct copy of the Affidavit is attached hereto as Exhibit B.
6. Pursuant to Florida Statute §55.505(2), on or about November 19, 2018, the Clerk of the Court issued a Notice of Recording Foreign Judgment to Defendant (the "Notice"). A true and correct copy of the Notice is attached hereto as Exhibit C.



NOT A CERTIFIED COPY

7. Pursuant to Florida Statute §507, a “foreign judgment does not operate as a lien until 30 days after the mailing of notice by the clerk”.

8. Pursuant to Florida Statute §55.509(1), the Court shall stay enforcement of the foreign judgment and the judgment lien if “within 30 days after the date of the foreign judgment is recorded, the judgment debtor files an action contesting the jurisdiction of the court which entered the foreign judgment or the validity of the foreign judgment and records a lis pendens directed toward the foreign judgment . . .”

9. Thirty (30) days have elapsed since the Final Judgment was recorded and since the Clerk of the Court mailed the Notice to Defendant.

10. Since the Final Judgment was recorded and since the Clerk of the Court mailed the Notice, Defendant has not filed an action contesting the jurisdiction of the Court which entered the Final Judgment or the validity of the Final Judgment, and has not recorded a lis pendens directed toward the Final Judgment.

FURTHER AFFIANT SAYETH NOT.

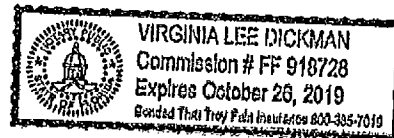
Jonathan P. Hempfling, Esquire

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 19 day of December, 2018, by Jonathan P. Hempfling, Esquire, who is personally known to me and who did take an oath.

Notary Public  
My commission expires:

181219/E96708/ALA

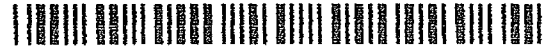
This is a communication from a debt collector. We are attempting to collect a debt. Any information you provide may be used for that purpose.



IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

E96706

COMMISSIONER OF TAXATION  
AND FINANCE,



CFN 20180435495

Plaintiff,  
vs.  
CHERVINSKY, ALEX  
CHERVINSKY, ALONA,  
Defendant.

Case No.:  
Division:

OR BK 30253 PG 1966  
RECORDED 11/19/2018 08:50:52  
Palm Beach County, Florida  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 1966 - 1967 (2pgs)

AFFIDAVIT OF FOREIGN JUDGMENT

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

BEFORE ME, the undersigned authority, personally appeared Jonathan P. Hempfling, Esquire, the above-named Plaintiff's attorney, who, after being first duly sworn, deposes and says:

1. That the Affiant is the attorney for the Plaintiff, NEW YORK STATE DEPARTMENT OF TAX AND FINANCE.
2. Plaintiff, has a present address of c/o Marcadis Singer, P.A., 5104 South Westshore Blvd., Tampa FL 33611.
3. The Defendant, ALEX CHERVINSKY, has a last known address of 3872 NW 53rd St., Boca Raton FL 33496.

NOT A CERTIFIED COPY

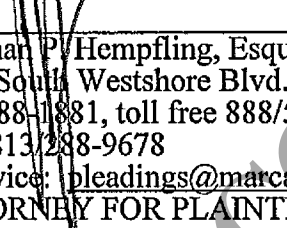
*(Remainder of page intentionally left blank)*

4. The Defendant, ALONA CHERVINSKY, has a last known address of 3872 NW 53rd St., Boca Raton FL 33496.


FURTHER Affiant sayeth not.

Respectfully submitted,

MARCADIS SINGER, P.A.

By:   
(✓) Jonathan P. Hempfling, Esquire, FL Bar #89067  
5104 South Westshore Blvd., Tampa, FL 33611  
813/288-1881, toll free 888/547-1881  
Fax: 813/288-9678  
E-service: [pleadings@marcadislaw.com](mailto:pleadings@marcadislaw.com)  
ATTORNEY FOR PLAINTIFF

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 1 day of November, 2018, by Jonathan P. Hempfling, Esquire, who is personally known to me and who did not take an oath.



Notary Public  
My commission expires:

181101/E96708/ALA

This is a communication from a debt collector. We are attempting to collect a debt. Any information you provide may be used for that purpose.



NOT A CERTIFIED COPY



Notice - Recording of Foreign Judgment

This notice is pursuant to provisions under F.S. Chapter 55. The foregoing reflects the name & address of the Judgment Creditor & their attorney, if any. Mailed by Registered

Mail # RA 299 307 381 US on this 19 day of November 2018.

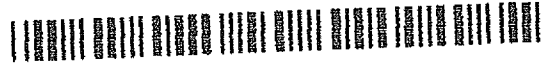
Sharon R. Bock, Clerk & Comptroller

By  D.C.

\* RA 299 307 395 US

New York State Department of  
Taxation And Finance  
518-457-5181

# Certification Of Tax Warrant



CFN 20180435496

DR BK 30253 PG 1968  
RECORDED 11/19/2018 08:50:52  
Palm Beach County, Florida  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 1968 - 1969 (2pgs)

Commissioner of Taxation and Finance  
against

Judgment  
Creditor

CHERVINSKY, ALEX  
3872 NW 53RD ST  
BOCA RATON, FL 33496-2701  
CHERVINSKY, ALONA  
3872 NW 53RD ST  
BOCA RATON, FL 33496-2701

Judgment  
Debtor

Warrant ID:  
E-612515460-W001-3  
X17-26051

Last Known  
Address

**The people of the state of New York to:**

the New York State Commissioner of Taxation and Finance: Whereas, a tax has been found due to the Commissioner of Taxation and Finance of the state of New York imposed by the New York State Tax Law from the debtor named, the nature and amount of which, together with the interest and penalties thereon, are as follows:

**Total amount Due:** 256,365.10

And whereas, said tax, interest and penalties now remain wholly unpaid:

Now therefore, we command you to file a copy of this warrant within five days after its receipt by you in the office of the clerk of the county named above, for entry by him in the judgment docket, pursuant to the provisions of the Tax Law.

And we further command you, that you satisfy said claim of said Commissioner of Taxation and Finance for said tax with penalties and interest out of the real and personal property in said county belonging to said debtor and the debts due him at the time when said copy of this warrant is so docketed in the office of the clerk of such county or at any time thereafter; and that only the property in which said debtor who is not deceased has an interest or the debts owed to him shall be levied upon or sold hereunder; and return this warrant and pay the money collected, to the Commissioner of Taxation and Finance of the state of New York.

Levy and collect total amount due shown above plus accrued interest and any additional penalties provided by law.

Current Interest Rate 9.00% per year on 256,365.10 from perfected date  
The interest rate may vary according to the Tax Law.

Warrant docketed in the Albany County Clerk's Office on 04/19/2017

STATE OF NEW YORK  
COUNTY OF Albany CLERK'S OFFICE

I, Bruce A. Hidley, Clerk of the said County, asnd also Clerk of the Supreme and County Courts, being Courts of Record held therein, DO HEREBY CERTIFY that I have compared the above information with the records filed in this office on the above date and that the same is a correct transcript of said record.

IN TESTIMONY WHEREOF, I have hereunto set my name and affixed my official seal  
this 10<sup>th</sup> day of April, 2018

Clerk

RJ

EXEMPLIFICATION

STATE OF NEW YORK }  
COUNTY OF ALBANY } ss:

I, Geraldine M. Gould, Deputy Clerk of said County, and also Deputy Clerk of the Supreme and County Courts, being Courts of record held therein, do hereby certify that I have compared the annexed copy State Tax Warrant and of the endorsements thereon, with the original records now on file and recorded in this office, and that the same is a correct copy and transcript of the same, and of the whole said original.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my official seal this 19<sup>th</sup> day of April A.D., 20 18.  
Geraldine M. Gould  
Geraldine M. Gould



STATE OF NEW YORK }  
THIRD JUDICIAL DEPARTMENT } ss:  
COUNTY OF ALBANY }

I, Hon. Kimberly A. O'Connor, A Justice in the Third Judicial Department of the Supreme Court of the State of New York, do hereby certify that Geraldine M. Gould, the individual name in the foregoing certificate as Deputy Clerk, was, at the time of making said certificate, Deputy Clerk of the said County of Albany, and Deputy Clerk of the Supreme Court, duly appointed and qualified, and the foregoing signature by her is genuine; that, as such Deputy Clerk, she had the custody of the original records of the said Supreme Court, and the foregoing attestation to said copy of said record is in due form of law.

WITNESS, my hand, this 18<sup>th</sup> day of April A.D., 20 18.  
Kimberly A. O'Connor  
Justice of the Supreme Court

STATE OF NEW YORK }  
ALBANY COUNTY CLERK'S OFFICE, } ss:

I, Geraldine M. Gould, Deputy Clerk of said County, and also Deputy Clerk of the Supreme Court of the said State, being a Court of Record held therein, do hereby certify, that Hon. Kimberly A. O'Connor, whose name is subscribed to the preceding certificate, was at the time of signing said certificate, one of the Presiding Justices of the said Court for the Third Judicial District of the State of New York, duly commissioned and qualified and that the signature of the said Justice to the certificate is genuine.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of said Court, this 19<sup>th</sup> day of April, 20 18.  
Geraldine M. Gould  
Geraldine M. Gould



NOT A CERTIFIED COPY