

SUPREME COURT STATE OF NEW YORK
COUNTY OF WESTCHESTER

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 ELLEN P. SURLAK, :
 Plaintiff, : COMPLAINT
 -against- :
 JOSEPH E. SURLAK, : INDEX NO.
 Defendant. :
 ----- X

The plaintiff by her attorneys WEKSTEIN & FULFREE, complaining of the defendant herein alleges and avers:

FIRST: That the plaintiff and defendant are both residents of the State of New York, City of Yonkers and County of Westchester and have been at all the times hereinafter mentioned.

SECOND: Plaintiff and defendant were married in the City of Yonkers on or about September 19th, 1959.

THIRD: On or about the 22nd day of May, 1973, plaintiff and defendant were living separate and apart, and a separation agreement in writing was duly entered into between them, whereby the parties agreed to live separately and the defendant agreed to pay the plaintiff \$600.00 monthly on the first of every month beginning with June 1st, 1973, as more fully appears from the written agreement, a copy of which is annexed hereto and marked Exhibit "A".

FOURTH: The defendant duly paid the plaintiff the sum of \$600.00 per month each and every month up to and including June 1st, 1978 but has not paid the \$600.00 for the months of July, August and September 1978.

EX "K-1"

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FIFTH: That the defendant has failed and refused to pay the plaintiff the full installment agreed upon in the agreement marked as Exhibit "A" hereto although the same has been duly demanded.

SIXTH: That as of September 1, 1978 there is due and owing to the plaintiff the total sum of \$1,800.00; no part of which has been paid.

WHEREFORE the plaintiff demands judgment in the sum of \$1,800.00, with interest from July 1, 1978 and with costs and disbursements of this action.

WEKSTEIN & FULFREE
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