

THE CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK

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IN THE MATTER OF:

GREGORY SCOTT,

Petitioner,

Vs.

HAMDI NEZAJ/
KOSOVA PROPERTIES,

Respondents.

Index No.:
6310/15
Control No.:
FTR 344/2016

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January 8, 2016

HELD AT: THE CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK
111 Centre Street
New York, NY 10013

BEFORE: HONORABLE GONZALES,
Judge

APPEARANCES: MR. GOLDSTEIN
Attorney for Respondent

MR. GREGORY SCOTT
Petitioner

TRANSCRIBER: LYNN M. REINHARDT

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W I T N E S S E S

<u>PETITIONER:</u>			RE	RE	V.	
<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>D.</u>	<u>J</u>

<u>RESPONDENT:</u>			RE	RE	V.	
<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>D.</u>	<u>J</u>

E X H I B I T S

<u>PETITIONER:</u>			
<u>IDENTIFICATION</u>	<u>DESCRIPTION</u>	<u>I.D.</u>	<u>IN EV.</u>

<u>RESPONDENT:</u>			
<u>IDENTIFICATION</u>	<u>DESCRIPTION</u>	<u>I.D.</u>	<u>IN EV.</u>

1 THE COURT: Did you discuss this?

2 MR. SCOTT: Oh yeah, many times.

3 MR. GOLDSTEIN: To give--my client has given
4 petitioner two keys for he and his wife.

5 THE COURT: Mm-hm.

6 MR. GOLDSTEIN: According to my client there
7 is different people coming and out and of Mr. Scott's
8 apartment. Different roommates, so to speak. My
9 client doesn't know who they are and if the gentleman
10 is want to let people into his apartment, God bless
11 him, that's fine. If he wants to bust people into
12 the building, God bless him, that's fine. But we
13 don't want to expose the rest of the building to
14 danger based on the fact that Mr. Scott wants
15 somebody that he chose to reside with him to have a
16 key to the building.

17 THE COURT: Well he's entitled to have a
18 roommate.

19 MR. SCOTT: Yeah exactly and I have given
20 notice--

21 MR. GOLDSTEIN: [Interposing] But that's
22 fine.

23 MR. SCOTT: --and everything else.

24 THE COURT: Slow down, slow down.

25 MR. GOLDSTEIN: That's fine. We've given

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1 the petitioner two keys. We've given him two keys.

2 THE COURT: But he's entitled to a roommate
3 so--

4 MR. GOLDSTEIN: [Interposing] That's fine.

5 THE COURT: --how is the roommate supposed
6 to get in the building?

7 MR. GOLDSTEIN: Well we don't know who the
8 roommate is. He's entitled to--what if he wants
9 Charles Manson to be his roommate. Are we supposed
10 to give Charles Manson a key? I don't know.

11 THE COURT: Yeah. Yeah.

12 MR. SCOTT: Do you want to see the--

13 MR. GOLDSTEIN: [Interposing] We haven't --
14 this person. We don't know who it is.

15 THE COURT: Okay.

16 MR. SCOTT: So I have--

17 THE COURT: [Interposing] No and you don't
18 have a right to that.

19 MR. SCOTT: I have--

20 THE COURT: [Interposing] But if you in the
21 last came here, I do remember that case that you were
22 talking about.

23 MR. GOLDSTEIN: I didn't participate in so I
24 have no idea.

25 THE COURT: Okay. I do remember it. The

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1 issue was at one point the social security was
2 required.

3 MR. SCOTT: Exactly.

4 THE COURT: And I think that was rescinded.
5 But you wanted the name and ID.

6 MR. SCOTT: Right.

7 THE COURT: For that person. Which I don't
8 even think it's unreasonable and once that were
9 provided, my understanding was that the key was
10 provided.

11 MR. SCOTT: No actually it was not.

12 THE COURT: Okay. I'm not--

13 MR. GOLDSTEIN: [Interposing] According to my
14 client there is no third occupant there anyway. My
15 client believes that it's only Mr. Scott and his wife
16 are occupying the premises.

17 MR. JOEY NEJAZ: Between June and July, he
18 was actually away. During that time, he was
19 subletting the apartment. That's how we identified
20 that he wasn't there and somebody unknown was there
21 at the time. Aside from that, Mr. Napolitano's issue
22 was a different issue, a totally different issue than
23 it is. He has currently--current issue, we weren't
24 here actually here in Court that day. Because we
25 told the attorney we have no problem giving the key

1 in the event that they state that he is an occupant
2 of the apartment.

3 THE COURT: Mm-hm.

4 MR. NEJAZ: We're not trying to be
5 unreasonable. The fact that he had four, five keys
6 before, those were keys that were able to be
7 bootlegged. If he went and he paid the locksmith
8 \$50, \$100 which they shouldn't do if they have a
9 legal license, they did it anyway. That's how he
10 had. He didn't have any issues before. Aside from
11 all that, the chaos and stuff that he attempts to try
12 to cause listen we've owned the building for about 40
13 years now with no issues from anybody else.

14 THE COURT: Mm-hm.

15 MR. NEJAZ: Nobody has any other issues in
16 the building. He attempts to just you know make it
17 hell for us and you know it is what it is. I'm not...

18 THE COURT: Okay. Let me ask you a
19 question. You're saying that there is no--

20 MR. NEJAZ: [Interposing] There is nobody
21 else aside from him and his wife. Even his wife
22 wasn't--he didn't notify us that he even got married
23 which he's gotten married four, five times.

24 THE COURT: Okay, I don't think he needs
25 your permission to be able to visit.

1 MR. NEJAZ: No, no I don't--I'm not saying
2 that he needs the permission but he's had four, five
3 wives till now. Which is okay, or girlfriends or
4 whatever it is. And at prior to that, he had a
5 roommate. He got the wife, whatever, the key was
6 used for her. There was no issues after that. He
7 said he had a wife. He showed me the documents when
8 I gave out the keys to everybody. It was nobody else
9 in the apartment at the time I gave two keys. That
10 was--that's it. That's where it ended. I'm not
11 going to give him a spare key so that he can just
12 give it to anybody then, you know, the roommates
13 going to be for two weeks, this person--

14 MR. GOLDSTEIN: [Interposing] It'd be
15 exposing my client to liability if somebody that they
16 don't know that they didn't vet, that they didn't
17 acquiesce as to--

18 THE COURT: [Interposing] Okay. But that--

19 MR. GOLDSTEIN: --to occupy the apartments.

20 THE COURT: --what I was saying before.

21 With the ID and payment for the key in the--

22 MR. GOLDSTEIN: [Interposing] Well what the
23 ID. Then additional kind of background check or that
24 is--Mr. Scott chooses to have somebody live with him,
25 that's fine but we don't have to give them an

1 opportunity, we have to give them a key so that they
2 can have - - to the building whenever they so choose.
3 It's based on Mr. Scott's desire to have somebody
4 live with him.

5 THE COURT: Okay. Then now I say something
6 else so--

7 MR. SCOTT: [Interposing] Yeah you see?

8 THE COURT: --because clearly if you have a
9 roommate, the roommate to--

10 MR. GOLDSTEIN: [Interposing] For whatever
11 reason I--

12 THE COURT: The roommate has a way to come
13 home and get in. and I think that that's an
14 untenable position.

15 MR. GOLDSTEIN: Judge I don't know my
16 client's motivation as for withholding the key. But
17 it's he's not even withholding the key. He's given
18 Mr. Scott two keys? He does have two keys.

19 THE COURT: How many rooms are in this
20 apartment regarding - - ?

21 MR. SCOTT: It's a two-bedroom apartment.

22 THE COURT: Mm-hm.

23 MR. SCOTT: There is a history going back--
24 first of all, I was here June and July, I can prove
25 it. I work for--I don't know why he's saying this.

1 THE COURT: Who is the third person in the
2 apartment?

3 MR. SCOTT: So the third person in the
4 apartment is an engineer from France who left in July
5 1st. I got a new roommate after she was there four
6 months. She was one of the top engineering students
7 coming over for an internship. Before that, I had a
8 roommate for 2-1/2 years, Bess Matthews [phonetic].
9 Before that, Italian physician doing post-doctoral
10 research at Columbia Presbyterian.

11 THE COURT: But I'm asking you who is your
12 roommate now?

13 MR. SCOTT: So at this point the roommate
14 left because--this is the letter she gave me.
15 Because she was so freaked out. He has threatened me
16 with physical violence. He's intimating me and my
17 wife. She finally left.

18 MR. GOLDSTEIN: It's actually--

19 MR. SCOTT: [Interposing] Just hush. I let
20 you speak the whole bloody - - .

21 THE COURT: All right. All right.

22 MR. SCOTT: So she left. But my problem is,
23 if I don't have a third key, I can't get--I cannot
24 get another roommate. And I also I have friends
25 coming in. and relatives from California and I'm

1 stuck now because they come to stay with me for three
2 days. And I'm working. My wife is working. Their
3 ba--we can't let them get in now.

4 THE COURT: Okay. Here is something
5 different. But if you have a roommate...

6 THE COURT: Okay.

7 MR. GOLDSTEIN: Here Mr. Scott talks about
8 threats of a physical violence. My client showed me
9 a video, we were outside of that we can show the
10 Court but Mr. Scott threatened my client. So--

11 MR. SCOTT: [Interposing] I threatened your
12 client? I called the--

13 MR. GOLDSTEIN: [Interposing] I want--

14 MR. SCOTT: --I have had many--

15 MR. GOLDSTEIN: --I watched it. I heard it.

16 MR. SCOTT: I have many--

17 MR. GOLDSTEIN: [Interposing] I - - .

18 MR. SCOTT: --I have a recording too so I can
19 show this.

20 THE COURT: Okay. So--

21 MR. SCOTT: [Interposing] If you want to get
22 into that, that's a whole another--

23 THE COURT: [Interposing] Now you're talking
24 about -- at this point.

25 MR. SCOTT: We're going on this February

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1 2nd, Your Honor.

2 THE COURT: Okay.

3 MR. SCOTT: So can--

4 THE COURT: [Interposing] All right. Let me
5 finish the violations.

6 MR. SCOTT: Yeah.

7 THE COURT: I thought I would deal with the
8 issue but it's not an issue that it's--I can deal
9 with.

10 MR. SCOTT: That's fine.

11 [END OF HEARING]

C E R T I F I C A T E

I, Lynn M. Reinhardt, certify that the foregoing transcript of proceedings in the Civil Court of the City of New York, County of New York, in the matter of Gregory Scott v. Hamdi Nezaj/Kosova Properties, Index No. 6310/15, Control No. FTR 344/2016, was prepared using the required transcription equipment and is a true and accurate record of the proceedings to the best of my ability. I further certify that I am not connected by blood, marriage or employment with any of the parties herein nor interested directly or indirectly in the matter transcribed.

Signature: Lynn M. Reinhardt

Dated: May 2, 2016