

MS

RECEIVED

JAN 14 2020

KINGS COUNTY FAMILY COURT

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

ACS

PLANTIFF

INDEX NUMBER:

NN-19410,11-18 # 26 & # 23

FILE # 235429

against

ORDER TO SHOW CAUSE FOR

ROBERT MALEK

JUDICIAL SUBPOENA UPON

DEFENDANT

KMART

UPON READING AND FILING THE AFFIDAVIT OF ROBERT MALEK, SWORN TO ON THE ~~17~~ 16 DAY OF JAN. 2020,, AND UPON THE EXHIBITS ATTACHED TO THE AFFIDAVIT (SUBPOENA) AND EVIDENCE OF SHOPLIFTING BY MARGARET INGOGLIA,

LET ACS AND MARGARET INGOGLIA SHOW CAUSE AT PART 6, 10TH FLOOR OF THIS COURT, TO BE HELD AT THE COURTHOUSE,, 330 JAY STREET, BROOKLYN, NEW YORK 11201 ON THE DAY OF Jan 17th 2020 AT 2 PM O CLOCK IN THE FOREOON OR AS SOON AS COUNSEL MAY BE HEARD WHY AN ORDER SHOULD NOT BE MADE

TO PRESENT THE SUBPOENA EVIDENCE AT THE RETURN OF THE SUBPOENA TO THE COURT AND TO THE MOVANT / DEFENDANT. FURTHERMORE, IF WARRANTED, FOR THE COURT TO REFER THE MATTER TO THE DISTRICT ATTORNEY FOR FURTHER INVESTIGATION / PROSECUTION.

I, ROBERT MALEK AM REQUESTING THAT THE JUDICIAL SUBPOENAS ISSUE UPON KMART NOW.

A. MARGARET INGOGLIA, MOTHER OF OUR CHILDREN, MARGARET MALEK AND JOE PALOMINO, SHOPLIFTED FROM KMART ON 1-14-19. SHE WAS DETAINED. PLEASE SEE EXHIBIT A. THE QUESTION NOW IS, SINCE MY CHILDREN WERE IN HER CUSTODY AND CARE, WERE THEY WITH HER WHEN SHE SHOPLIFTED ? WERE THEY EMPLOYED TO STEAL ? IF SO,

THIS IS A CRIME UPON MY CHILDREN. IT IS POSSIBLE THAT KMART MAY PURGE
WHATEVER RECORDS OR VIDEO THEY HAVE AFTER 1 YEAR OR BY 1-14-2020. TIME IS OF
THE ESSENCE RIGHT NOW.

B. I AM REQUESTING A JUDICIAL SUBPOENA OF THE MANAGER OF KMART WHOM WAS ON
DUTY AT THE DAY AND TIME OF THE SHOPLIFTING INCIDENT TO APPEAR AT THE SOONEST
AVAILABLE DAY AND TIME AS ORDERED BY THE COURT TO INFORM IF MY CHILDREN WERE
PRESENT AND IF THEY WERE EMPLOYED TO STEAL . IF MY DAUGHTER OR STEP SON WERE IN
ANY WAY USED AS DECOYS OR SHIELDS TO CONCEAL THEFT OF ITEMS FROM STORE. IF MY
DAUGHTERS STROLLER WAS USED AS A VEHICLE FOR THEFT OF THE STORE ITEMS.

C. I AM REQUESTING A JUDICIAL SUBPOENA DUCES TECUM OF ALL VIDEO, AUDIO,
DOCUMENTS IN REGARD TO THIS INCIDENT TO APPEAR AT THE SOONEST AVAILABLE DAY
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PENDING THE HEARING OF THIS OSC IT IS **ORDERED** THAT :

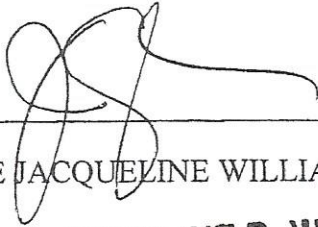
SUFFICIENT CAUSE APPEARING THEREFOR, LET SERVICE _____ OF A COPY OF THIS ORDER, AND THE PAPERS UPON WHICH THIS ORDER IS GRANTED; (CHECK BOX IF APPLICABLE) _____ INCLUDING SIMULTANEOUS SERVICE OF THE SUMMONS, UPON THE (CIRCLE ONE) PLANTIFF(S) / DEFENDANTS OR HIS / HER ATTORNEY ON OR BEFORE THE _____ DAY OF _____ 2020 BE DEEMED GOOD AND SUFFICIENT. AN AFFIDAVIT OR OTHER PROOF OF SERVICE SHALL BE PRESENTED TO THIS COURT ON THE RETURN DATE DIRECTED IN THE SECOND PARAGRAPH OF THIS ORDER.

- OR -

AND IT IS FURTHER ORDERED THAT SERVICE BY EMAIL (WHICH IS HOW THE PARTIES ARE ROUTINELY HANDLING CORRESPONDENCE - I HAVE AN ACCEPTANCE EMAIL FROM TRAVIS JOHNSON LEGAL AID, ACCEPTING EMAIL SERVICE AND I AGREED LIKEWISE) OF A COPY OF THIS ORDER TOGETHER WITH THE PAPERS UPON WHICH IT IS GRANTED UPON _____, ON OR BEFORE THE 16 DAY OF _____, 2020 BE DEEMED SUFFICIENT SERVICE.

ENTER :

JAN 16 2020



JUDGE JACQUELINE WILLIAMS

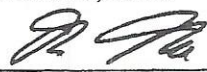
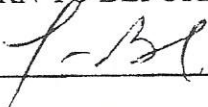
HON. JACQUELINE D. WILLIAMS

DATE: 1/16/20

BY: 

ROBERT MALEK

SWORN TO BEFORE ME ON THE 16 DAY OF JANUARY, 2020



NOTARY PUBLIC

ROBERT MALEK

JAMES BLAIN
Notary Public, State of New York
No. 04BL6277028
Qualified in Kings County
Commission Expires February 25, 2021

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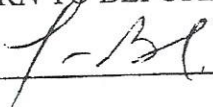
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NOTARY PUBLIC



ROBERT MALEK

JAMES BLAIN
Notary Public, State of New York
No. 04816277028
Qualified in Kings County
Commission Expires February 25, 2021

EXHIBIT A

Palmer Recovery Attorneys, PLLC
Post Office Box 915389, Longwood, Florida 32791-5389



260 Wekiva Springs Rd., Suite 2090
Longwood, FL 32779-3699

Tuesday, March 19, 2019

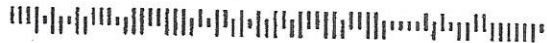
Toll Free (888) 572-5637
Telephone (407) 875-8032
Facsimile (407) 875-0739

Margart Ingoglia
1110 E 101st St 1
Brooklyn, NY 11236-4428

000002

Re: KMRT-NY
CDA-NTC2-DEF

File #: 9110794
PIN #: 6928



SECOND SETTLEMENT OFFER

Dear Margart Ingoglia:

This Law Firm represents Big Kmart concerning its civil claim against you in connection with an incident in their store 7749 on 1/14/2019. You have failed to make full payment after written demand to do so.

Pursuant to N.Y. Gen. Oblig. Law § 11-105 "Larceny in mercantile establishments", Big Kmart may consider moving forward with a statutory civil damages claim against you.

At this time, our client is requesting that you settle this matter by making payment to us in the amount of \$350.00 within ten (10) days of the date of this letter. Please keep in mind that a \$0.00 installment fee is requested for each partial payment made. Therefore, if you desire, you may mail up to three (3) payments of at least \$116.67 each, which includes the installment fee, as long as the first \$116.67 payment is postmarked within 10 days of the date on this letter and the remaining two (2) payments are mailed within 30 and 60 days. Sixty days from full payment and clearance of funds, you will receive a written release of the statutory civil damages claim.

Payment should be made payable and mailed to Palmer Recovery Attorneys, PLLC, Post Office Box 915389, Longwood, Florida 32791-5389. Please include the file number shown above on your payment. If you wish to discuss alternative payment arrangements, you may call us at (888) 572-5637. MasterCard, Visa, American Express, Discover, Money Gram, Money Order, Electronic Checks and Debit Cards are also accepted. You may also pay on-line through our secure website: WWW.PALMERPAY.COM.

Should payment fail to be made on time or payment arrangements not be set up within the above stated time period, we may review the matter for the possibility of recommending that our client take further civil action and depending on the state law, may choose to make a higher settlement request on behalf of our client. Big Kmart may in the future consider filing a lawsuit, in which case it will likely seek any available attorney's fees, court costs and other legal expenses throughout such litigation. **Any defending party to such a lawsuit would likely be served by a process server with a summons** requiring the party or the party's attorney to respond and/or appear in court to defend the action. If successful in any such litigation, we estimate that Big Kmart would be seeking a final judgment of damages, attorney's fees and court costs up to the maximum amounts allowed by law which could therefore, exceed the amount demanded above.

We strongly encourage you to make payment or set up payment arrangements within the time period requested above to avoid further civil requests.

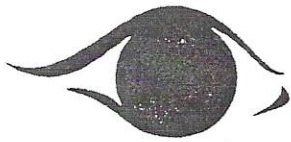
Yours very truly,

A handwritten signature in black ink, appearing to read 'J. Palmer', written over a horizontal line.

James R. Palmer*
For the Firm

*Licensed in Florida and Texas only

Se Habla Español



FIELD INVESTIGATIVE UNIT: CONFIDENTIAL REPORT

The material contained in this report is confidential. As such, the contents of this report may only be disclosed to those persons involved in the evaluation of claims or otherwise duly authorized to receive such information. The information contained in this report is provided to you for evaluation purposes only. No purpose other than the lawful evaluation of claims or other potential fraud that was expressly investigated is intended nor should any be inferred. If any information used in this report was obtained exclusively by searching databases, it must be verified prior to relying on it for evaluation purposes. This report is prepared in anticipation of potential litigation and is not subject to discovery.

Date : 5/15/19
Case Name : Miss. Margaret Ingoglia
Client : Walter Roesch and Associates
Subject : Investigate Petit Larceny
Address : 1 Penn Plaza, 250 W 34th St. New York, NY 10119

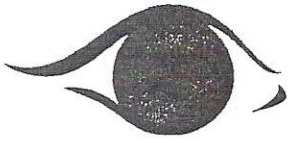
DETAILS OF THE INVESTIGATION

At 1100 hours on 4/24/19 Chief Investigator Ruggiero (CI) proceeded to K-Mart store 7749 located in Penn Station to speak with security agents regarding an incident that occurred 1/14/19 involving Margaret Ingoglia. Security agent present at location stated that security manager will not be in until tomorrow and they are unauthorized to release any information regarding any security events which occurred at the store.

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CI additionally further stated that a few months ago Miss. Ingoglia's attorney came into the store and inquired into the possibility of her being reinstated into the diversion program, as she apparently did not



BEAU DIETL & ASSOCIATES

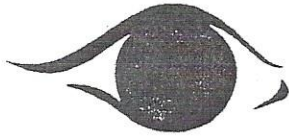
1 Penn Plaza
Suite 2611
New York, NY 10119

Tel: (212) 557-3334
Fax: (212) 557-4737
www.investigations.com

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Case Status:

We believe we have completed the investigation requested to date. Should you wish that we conduct additional surveillance on the claimant perhaps during the weekdays or on another weekend, please contact our office.

It has been a pleasure to be of service to you and we look forward to being of continued service in the near future. If there are any questions or concerns related to this investigation, feel free to contact us at (212) 557 - 3334.

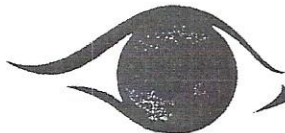
Sincerely,

Michael Ruggiero

COO/ Chief Investigator
Beau Dietl & Associates

One Pennsylvania Plaza
Suite 2611
New York, NY 10119
Phone 212-557-3334
Fax 212-557-4737
www.investigations.com
sean@investigations.com

END OF REPORT



**FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

ACS, PETITIONER,
VS.
ROBERT MALEK, RESPONDENT

**COURT ISSUED
JUDICIAL SUBPOENA
DUCES TECUM**

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK

TO: K MART, K MART OPERATIONS, LLC

WE COMMAND YOU, AND THAT ALL BUSINESS AND EXCUSES BEING LAID ASIDE, THAT YOU AND EACH OF YOU TO APPEAR AND ATTEND BEFORE THE FAMILY COURT OF THAT STATE OF NEW YORK, COUNTY OF KINGS AT 330 JAY STREET, BROOKLYN, NEW YORK 11201 ON _____ 2020 AT _____ AND AT ANY RECESSED OR ADJOURNED DATE TO GIVE TESTIMONY IN THIS ACTION AND THAT YOU BRING WITH YOU AND PRODUCE AT THE SAME TIME AND PLACE ANY AND ALL AUDIO AND/ OR VIDEO RECORDINGS, PICTURES, DOCUMENTS, ITEMS, POSSESSIONS OR THINGS THAT WERE A PART OF OR RELATED TO THE SHOPLIFTING INCIDENT THAT OCCURED ON 1-14-19 AT YOUR PREMISES BY MARGARET INGOGLIA, SEE ATTACHED.

TO PRODUCE BY _____ 2020 ORIGINAL DOCUMENTS FOR INPSECTION AND COPYING FROM THE PLACE SUCH ITEMS ARE ORIGINALLY MAINTAINED OR STORED ANY AND ALL AUDIO AND/ OR VIDEO RECORDINGS, PICTURES, DOCUMENTS, ITEMS, POSSESSIONS OR THINGS THAT WERE A PART OF OR RELATED TO THE SHOPLIFTING INCIDENT THAT OCCURED ON 1-14-19 AT YOUR PREMISES BY MARGARET INGOGLIA, SEE ATTACHED. TO BE DELIVERED BY _____ 2020 TO ROBERT MALEK, (FATHER OF SAID CHILDREN, MARGARET MALEK AND STEP FATHER OF JOE PALOMINO)ACS AND THE COURT AT 330 JAY STREET, BROOKLYN, NEW YORK 11201, COMPLETE AND ACCURATE COPIES OF CERTAIN :

AUDIO AND/ OR VIDEO RECORDINGS, PICTURES DOCUMENTS, ITEMS, POSSESSIONS OR THINGS THAT WERE A PART OF OR RELATED TO THE SHOPLIFTING INCIDENT THAT OCCURED ON 1-14-19. ALL RECORDS PRODUCED AND TAKEN IN REGARDS TO THIS

INCIDENT FROM THIS DAY TO PRESENT.

ALL EVIDENCE, WITNESSES AND TESTIMONY IN REGARDS TO THIS INCIDENT AND WHETHER OR NOT MARGARET INGOGLIA HAD HER CHILDREN WITH HER, IF SO HOW MANY, THEIR NAMES / DESCRIPTION, WHETHER OR NOT A CHILDS STROLLER WAS USED AS PART OF THE THEFT, WHETHER OR NOT THE CHILDREN WERE USED TO CONCEAL, DECOYS AND/OR DIRECTLY ASSISTED IN THE ATTEMPTED THEFT OF THE ITEMS FROM YOUR STORE.

WHETHER OR NOT MARGARET INGOGLIA PROVIDED A PHONE NUMBER THAT SHE WAS ABLE TO BE REACHED AT SUCH AS (347-372 7695, 347- 314 6420) OR A PHONE NUMBER THAT SHE WAS UNABLE TO REACHED AT , DISCONNECTED, ETC. WHAT THE PHONE NUMBER WAS, WHETHER OR NOT SHE GAVE KMART HER CURRENT ADDRESS IN MANHATTAN AT 371 7TH AVENUE OR HER OLD ADDRESS AT 1110 EAST 101 STREET, BROOKLYN, NEW YORK 11236.

DID SHE GO TO HER DIVERSIONARY PROGRAM, DID SHE REPAY ANY PART OF THE \$ 350. ?

NOW IN YOUR CUSTODY AND ALL EVIDENCES , PHOTOS, AUDIOTAPES, NOTES, VIDEOS RECORDS, NOTES, WITNESSES AND WRITINGS WHICH YOU HAVE IN YOUR CUSTODY OR POWER CONCERNING THIS INCIDENT.

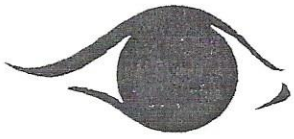
FAILURE TO COMPLY WITH THIS SUBPOENA IS PUNISHABLE BY CONTEMPT OF COURT AND SHALL MAKE YOU LIABLE TO FINE AND IMPRISONMENT AND FURTHER LIABLE TO THE PERSON ON WHOSE BEHALF THIS SUBPOENA WAS ISSUED AND ALL DAMAGES SUSTAINED BY REASON OF YOUR FAILURE TO COMPLY.

BY ORDER OF THE COURT _____

CLERK OF THE COURT

INCIDENT LOCATION : K MART, 1 PENN PLAZA, 250 WEST 34TH STREET, N.Y., N.Y. 10119

KMART AGENT FOR SERVICE OF PROCESS : CT CORPORATION SYSTEM, 28 LIBERTY STREET, N.Y.,N.Y. 10005



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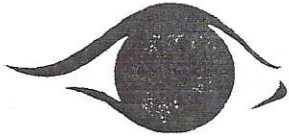
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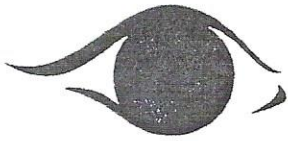
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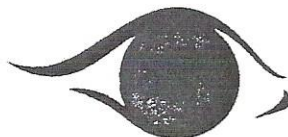
Sincerely,

Michael Ruggiero

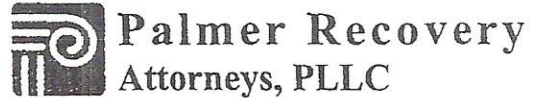
COO/Chief Investigator
Beau Dietl & Associates

One Pennsylvania Plaza
Suite 2611
New York, NY 10119
Phone 212-557-3334
Fax 212-557-4737
www.investigations.com
sean@investigations.com

END OF REPORT



Palmer Recovery Attorneys, PLLC
Post Office Box 915389, Longwood, Florida 32791-5389



260 Wekiva Springs Rd., Suite 2090
Longwood, FL 32779-3699



Tuesday, March 19, 2019

Toll Free (888) 572-5637
Telephone (407) 875-8032
Facsimile (407) 875-0739

Margart Ingoglia
1110 E 101st St 1
Brooklyn, NY 11236-4428

000002

Re: KMRT-NY
CDA-NTC2-DEF

File #: 9110794
PIN #: 6928



SECOND SETTLEMENT OFFER

Dear Margart Ingoglia:

This Law Firm represents Big Kmart concerning its civil claim against you in connection with an incident in their store 7749 on 1/14/2019. You have failed to make full payment after written demand to do so.

Pursuant to N.Y. Gen. Oblig. Law § 11-105 "Larceny in mercantile establishments", Big Kmart may consider moving forward with a statutory civil damages claim against you.

At this time, our client is requesting that you settle this matter by making payment to us in the amount of \$350.00 within ten (10) days of the date of this letter. Please keep in mind that a \$0.00 installment fee is requested for each partial payment made. Therefore, if you desire, you may mail up to three (3) payments of at least \$116.67 each, which includes the installment fee, as long as the first \$116.67 payment is postmarked within 10 days of the date on this letter and the remaining two (2) payments are mailed within 30 and 60 days. Sixty days from full payment and clearance of funds, you will receive a written release of the statutory civil damages claim.

Payment should be made payable and mailed to Palmer Recovery Attorneys, PLLC, Post Office Box 915389, Longwood, Florida 32791-5389. Please include the file number shown above on your payment. If you wish to discuss alternative payment arrangements, you may call us at (888) 572-5637. MasterCard, Visa, American Express, Discover, Money Gram, Money Order, Electronic Checks and Debit Cards are also accepted. You may also pay on-line through our secure website: WWW.PALMERPAY.COM.

Should payment fail to be made on time or payment arrangements not be set up within the above stated time period, we may review the matter for the possibility of recommending that our client take further civil action and depending on the state law, may choose to make a higher settlement request on behalf of our client. Big Kmart may in the future consider filing a lawsuit, in which case it will likely seek any available attorney's fees, court costs and other legal expenses throughout such litigation. Any defending party to such a lawsuit would likely be served by a process server with a summons requiring the party or the party's attorney to respond and/or appear in court to defend the action. If successful in any such litigation, we estimate that Big Kmart would be seeking a final judgment of damages, attorney's fees and court costs up to the maximum amounts allowed by law which could therefore, exceed the amount demanded above.

We strongly encourage you to make payment or set up payment arrangements within the time period requested above to avoid further civil requests.

Yours very truly,

A handwritten signature in black ink, appearing to read 'J. Palmer'.

James R. Palmer*
For the Firm

*Licensed in Florida and Texas only

Se Habla Español

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

ACS, PETITIONER,
VS.
ROBERT MALEK, RESPONDENT

COURT ISSUED
JUDICIAL SUBPOENA
DUCES TECUM

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK

TO: K MART, K MART OPERATIONS, LLC

WE COMMAND YOU, AND THAT ALL BUSINESS AND EXCUSES BEING LAID ASIDE, THAT YOU AND EACH OF YOU TO APPEAR AND ATTEND BEFORE THE FAMILY COURT OF THAT STATE OF NEW YORK, COUNTY OF KINGS AT 330 JAY STREET, BROOKLYN, NEW YORK 11201 ON _____ 2020 AT _____ AND AT ANY RECESSED OR ADJOURNED DATE TO GIVE TESTIMONY IN THIS ACTION AND THAT YOU BRING WITH YOU AND PRODUCE AT THE SAME TIME AND PLACE ANY AND ALL AUDIO AND/ OR VIDEO RECORDINGS, PICTURES, DOCUMENTS, ITEMS, POSSESSIONS OR THINGS THAT WERE A PART OF OR RELATED TO THE SHOPLIFTING INCIDENT THAT OCCURED ON 1-14-19 AT YOUR PREMISES BY MARGARET INGOGLIA, SEE ATTACHED.

TO PRODUCE BY _____ 2020 ORIGINAL DOCUMENTS FOR INPSECTION AND COPYING FROM THE PLACE SUCH ITEMS ARE ORIGINALLY MAINTAINED OR STORED ANY AND ALL AUDIO AND/ OR VIDEO RECORDINGS, PICTURES, DOCUMENTS, ITEMS, POSSESSIONS OR THINGS THAT WERE A PART OF OR RELATED TO THE SHOPLIFTING INCIDENT THAT OCCURED ON 1-14-19 AT YOUR PREMISES BY MARGARET INGOGLIA, SEE ATTACHED. TO BE DELIVERED BY _____ 2020 TO ROBERT MALEK, (FATHER OF SAID CHILDREN, MARGARET MALEK AND STEP FATHER OF JOE PALOMINO)ACS AND THE COURT AT 330 JAY STREET, BROOKLYN, NEW YORK 11201, COMPLETE AND ACCURATE COPIES OF CERTAIN :

AUDIO AND/ OR VIDEO RECORDINGS, PICTURES DOCUMENTS, ITEMS, POSSESSIONS OR THINGS THAT WERE A PART OF OR RELATED TO THE SHOPLIFTING INCIDENT THAT OCCURED ON 1-14-19. ALL RECORDS PRODUCED AND TAKEN IN REGARDS TO THIS

INCIDENT FROM THIS DAY TO PRESENT.

ALL EVIDENCE, WITNESSES AND TESTIMONY IN REGARDS TO THIS INCIDENT AND WHETHER OR NOT MARGARET INGOGLIA HAD HER CHILDREN WITH HER, IF SO HOW MANY, THEIR NAMES / DESCRIPTION, WHETHER OR NOT A CHILDS STROLLER WAS USED AS PART OF THE THEFT, WHETHER OR NOT THE CHILDREN WERE USED TO CONCEAL, DECOYS AND/OR DIRECTLY ASSISTED IN THE ATTEMPTED THEFT OF THE ITEMS FROM YOUR STORE.

WHETHER OR NOT MARGARET INGOGLIA PROVIDED A PHONE NUMBER THAT SHE WAS ABLE TO BE REACHED AT SUCH AS (347-372 7695, 347- 314 6420) OR A PHONE NUMBER THAT SHE WAS UNABLE TO REACHED AT , DISCONNECTED, ETC. WHAT THE PHONE NUMBER WAS, WHETHER OR NOT SHE GAVE KMART HER CURRENT ADDRESS IN MANHATTAN AT 371 7TH AVENUE OR HER OLD ADDRESS AT 1110 EAST 101 STREET, BROOKLYN, NEW YORK 11236.

DID SHE GO TO HER DIVERSIONARY PROGRAM, DID SHE REPAY ANY PART OF THE \$ 350. ? NOW IN YOUR CUSTODY AND ALL EVIDENCES , PHOTOS, AUDIOTAPES, NOTES, VIDEOS RECORDS, NOTES, WITNESSES AND WRITINGS WHICH YOU HAVE IN YOUR CUSTODY OR POWER CONCERNING THIS INCIDENT.

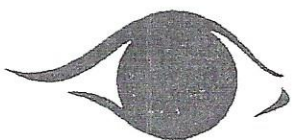
FAILURE TO COMPLY WITH THIS SUBPOENA IS PUNISHABLE BY CONTEMPT OF COURT AND SHALL MAKE YOU LIABLE TO FINE AND IMPRISONMENT AND FURTHER LIABLE TO THE PERSON ON WHOSE BEHALF THIS SUBPOENA WAS ISSUED AND ALL DAMAGES SUSTAINED BY REASON OF YOUR FAILURE TO COMPLY.

BY ORDER OF THE COURT _____

CLERK OF THE COURT

INCIDENT LOCATION : K MART, 1 PENN PLAZA, 250 WEST 34TH STREET, N.Y., N.Y. 10119

KMART AGENT FOR SERVICE OF PROCESS : CT CORPORATION SYSTEM, 28 LIBERTY STREET, N.Y.,N.Y. 10005



BEAU DIETL & ASSOCIATES

1 Penn Plaza
Suite 2611
New York, NY 10119

Tel: (212) 557-3334
Fax: (212) 557-4737
www.investigations.com

FIELD INVESTIGATIVE UNIT: CONFIDENTIAL REPORT

The material contained in this report is confidential. As such, the contents of this report may only be disclosed to those persons involved in the evaluation of claims or otherwise duly authorized to receive such information. The information contained in this report is provided to you for evaluation purposes only. No purpose other than the lawful evaluation of claims or other potential fraud that was expressly investigated is intended nor should any be inferred. If any information used in this report was obtained exclusively by searching databases, it must be verified prior to relying on it for evaluation purposes. This report is prepared in anticipation of potential litigation and is not subject to discovery.

Date : 5/15/19
Case Name : Miss. Margaret Ingoglia
Client : Walter Roesch and Associates
Subject : Investigate Petit Larceny
Address : 1 Penn Plaza, 250 W 34th St. New York, NY 10119

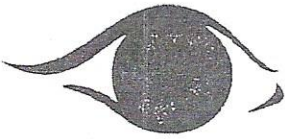
DETAILS OF THE INVESTIGATION

At 1100 hours on 4/24/19 Chief Investigator Ruggiero (CI) proceeded to K-Mart store 7749 located in Penn Station to speak with security agents regarding an incident that occurred 1/14/19 involving Margaret Ingoglia. Security agent present at location stated that security manager will not be in until tomorrow and they are unauthorized to release any information regarding any security events which occurred at the store.

At 1400 hours on 4/25/19 CI called K-Mart security at the aforementioned location and asked to speak to Patrick. Patrick stated that he was leaving his office and will not be back in until Tuesday, 5/2/19.

At 1100 hours on 5/2/19 CI proceeded to K-Mart store at the aforementioned location and spoke with an anonymous source at the security office. This source confirmed that Miss. Ingoglia was apprehended for shop lifting on 1/14/19 and not arrested for the incident. Source further explained that K-Mart has a program which allows shoplifters to make restitution and not be arrested for the crime as long as they complete the restitution and take a related course (diversion program). Anonymous source further indicated that Miss. Ingoglia stole a myriad of clothing items, mainly women's clothing, but some unspecified children's clothes were included in the theft. The items were recovered and kept by the store. Anonymous source included by stating that he would not release any further information and the only way to get a full accounting of the incident would be through the issuance of a subpoena by the inquiring party.

CI additionally further stated that a few months ago Miss. Ingoglia's attorney came into the store and inquired into the possibility of her being reinstated into the diversion program, as she apparently did not



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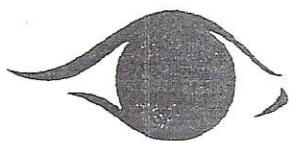
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complete it. The attorney further stated that she was concerned about another case that was pending however, gave no further explanation. CI did not recall exactly when the attorney came in "other than a few months ago."

INVESTIGATIVE REPORT: AUTHORIZED PERSONS ONLY

This report and any attachments, contain confidential and privileged information for the exclusive use by the client.

Disclosure, dissemination or any other use of this information may be unlawful and is strictly prohibited.



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New York, NY 10119

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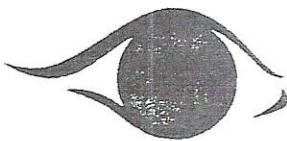
Sincerely,

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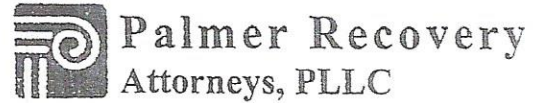
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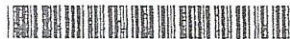
END OF REPORT



Palmer Recovery Attorneys, PLLC
Post Office Box 915389, Longwood, Florida 32791-5389



260 Wekiva Springs Rd., Suite 2090
Longwood, FL 32779-3699



Tuesday, March 19, 2019

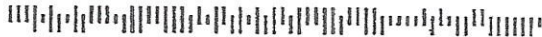
Toll Free (888) 572-5637
Telephone (407) 875-8032
Facsimile (407) 875-0739

Margart Ingoglia
1110 E 101st St 1
Brooklyn, NY 11236-4428

000002

Re: KMRT-NY
CDA-NTC2-DEF

File #: 9110794
PIN #: 6928



SECOND SETTLEMENT OFFER

Dear Margart Ingoglia:

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We strongly encourage you to make payment or set up payment arrangements within the time period requested above to avoid further civil requests.

Yours very truly,

A handwritten signature in black ink, appearing to read 'J. Palmer'.

James R. Palmer*
For the Firm

*Licensed in Florida and Texas only

Se Habla Español

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

C
RECEIVED

JAN 14 2020

KINGS COUNTY FAMILY COURT

ACS

PLANTIFF

INDEX NUMBER:

NN-19410,11-18 #26 E#23

against

ROBERT MALEK

DEFENDANT

AFFIDAVIT IN SUPPORT OF
ORDER TO SHOW CAUSE FOR
SUBPOENA UPON KMART

STATE OF NEW YORK COUNTY OF KINGS, ss :

ROBERT MALEK, BEING DULY SWORN DEPOSES AND SAYS :

1. I AM THE DEFENDANT AND THE MOVANT IN THIS ACTION. I MAKE THIS AFFIDAVIT FOR OSC FOR ISSUANCE OF SUBPOENA FOR THE FOLLOWING REASONS :

A. MARGARET INGOGLIA, MOTHER OF OUR CHILDREN, JOE PALOMINO AND MARGARET MALEK, SHOPLIFTED FROM KMART ON 1-14-19. SHE WAS DETAINED. PLEASE SEE EXHIBIT A. THE QUESTION NOW IS, SINCE MY CHILDREN WERE IN HER CUSTODY AND CARE, WERE THEY WITH HER WHEN SHE SHOPLIFTED ? WERE THEY EMPLOYED TO STEAL ? IF SO, THIS IS A CRIME UPON MY CHILDREN.

B. I AM REQUESTING A JUDICIAL SUBPOENA OF THE MANAGER OF KMART WHOM WAS ON DUTY AT THE DAY AND TIME OF THE SHOPLIFTING INCIDENT TO APPEAR AT THE SOONEST AVAILABLE DAY AND TIME AS ORDERED BY THE COURT TO INFORM IF MY CHILDREN WERE PRESENT AND IF THEY WERE EMPLOYED TO STEAL . IF MY DAUGHTER OR STEP SON WERE IN ANY WAY USED AS DECOYS OR SHIELDS TO CONCEAL THEFT OF ITEMS FROM STORE. IF MY DAUGHTERS STROLLER WAS USED AS A VEHICLE FOR THEFT OF THE STORE ITEMS.

C. I AM REQUESTING A SUBPOENA DUCES TECUM OF ALL VIDEO, AUDIO, DOCUMENTS IN REGARD TO THIS INCIDENT TO APPEAR AT THE SOONEST AVAILABLE DAY AND TIME AS ORDERED BY THE COURT TO INFORM IF MY CHILDREN WERE PRESENT AND IF THEY WERE

EMPLOYED TO STEAL. IF MY DAUGHTER OR STEP SON WERE IN ANY WAY USED AS DECOYS OR SHIELDS TO CONCEAL THEFT OF ITEMS FROM STORE. IF MY DAUGHTERS STROLLER WAS USED AS A VEHICLE FOR THEFT OF THE STORE ITEMS

B. IT IS IRRELEVANT AS TO WHAT MARGARET INGOGLIA THINKS ABOUT THIS SUBPOENA SINCE THIS HAS TO DO WITH THE WELFARE OF MY CHILDREN ONLY AS TO WHETHER OR NOT A CRIME WAS COMMITTED IN THEIR PRESENCE AND / OR EMPLOYED / ASSISTED TO STEAL. WE ALREADY KNOW MARGARET INGOGLIA SHOPLIFTED. AS TOLD TO ME BY A DETECTIVE, IF THE CHILDREN WERE WITNESSING THIS AND/OR EMPLOYED TO STEAL, THIS WOULD BE A CRIME UPON THEM FOR ENDANGERING THE WELFARE OF A CHILD. IT IS COMMONLY ACCEPTED PROTOCOL THAT CRIMINAL INVESTIGATIONS ARE TO BE HELD CONFIDENTIAL WITH THE PERSON SUBJECT TO THE CRIMINAL INVESTIGATION NOT BE TOLD BEFOREHAND ESPECIALLY WHEN IT COMES TO THE WELFARE OF CHILDREN. MARGARET INGOGLIA COULD POSSIBLY CONTACT KMART AND PLEAD FOR THEM TO PURGE THE EVIDENCE BY FINALLY PAYING THEM THE 350 REQUESTED AND NOT PAID. MARGARET INGOGLIA AS BO DIETL INVESTIGATOR INFORMED ME, DID NOT ATTEND HER DIVERSION PROGRAM EITHER AS REQUESTED BY KMART AS PART OF NOT BEING PROSECUTED. OUR FOCUS SHOULD BE ON FINDING OUT ASAP FOR THE WELFARE OF THE CHILDREN AND UPHOLD THEIR RIGHTS. THE MOTHER HAS NO STANDING AS TO WHETHER OR NOT THE COURT WISHES TO INVESTIGATE THIS MATTER FOR THE BENEFIT AND WELFARE OF THE CHILDREN. IT IS UP TO THE DISCRETION AND RESPONSIBILITY OF THE COURT AS TO WHETHER OR NOT TO INVESTIGATE THIS MATTER FOR THE CHILDRENS WELFARE. THE CHILDREN SHOULD HAVE RIGHTS TO BE PROTECTED FROM A CRIME COMMITTED WITH PROBABLE, GOOD CAUSE SHOWN TO THE COURT, REGARDLESS OF WHAT THE PARENTS THINK. EVEN MYSELF. I AM MARGARET MALEK'S FATHER AND JOE PALOMINOS STEP FATHER AND AM REQUESTING OF THE COURT TO PROTECT AND UPHOLD THEIR RIGHTS TO FIND OUT WHAT HAD OCCURRED IN REGARDS TO THEM. THIS IS NOT A PARENTAL ISSUE. THIS IS A CHILDRENS RIGHTS AND SAFETY ISSUE. YOU, THE JUDGE IS A MANDATORY REPORTER. EVEN IF I WERE TO ABANDON THIS ACTION, WHICH I AM CERTAINLY NOT, I STILL DO BELIEVE YOU HAVE TO INVESTIGATE / REPORT THIS MATTER, IRREGARDLESS OF WHAT THE PARENTS MAY THINK OR FEEL. THIS IS A SERIOUS ISSUE.

C. AT VISITATION ON 1-14-20, OUR NEW ACS WORKER, MRS. GARCIA, NOTED TO ME THAT MINNIE TOOK A TOY AWAY FROM ANOTHER CHILD AND I SHOULD SPEAK TO HER ABOUT THAT. SHE IS NOT DOING THIS AS BADLY AS SHE DID WHEN JOE FIRST MOVED IN WITH US. IT DID NOT EVER DISPLAY AS SUCH BEFORE IN ANY WAY. PLEASE VIEW EXHIBIT ~~A~~ B OF A CHURCH THAT I HAD GONE TO WITH MINNIE. I WILL BE REQUESTED A SUBPOENA OF THE PASTOR REGARDING ANY NEGATIVE INTERACTION HE WITNESSED OR HIS WIFE WITNESS WITH MINNIE AND ANY OTHER CHILD. HIS ANSWER WILL BE ALL POSITIVE. JOE WOULD BE REPEATEDLY STEALING FROM MINNIE HER TOYS WHEN HE CAME TO LIVE WITH US. PLEASE VIEW EXHIBIT C WHICH IS OF MY EMAIL TO PROSPECTIVE WORK CLIENTS FOR MARGARET INGOGLIA WHEN MARGARET BROUGHT MINNIE WITH HER FOR A BABYSITTING JOB WITH ANOTHER CHLD. IT WAS A DISASTER.....THIS WAS OUTLINED IN THE CONTEMPT OF COURT ADDENDUM THAT JUDGE WILLIAMS REFUSED TO EVEN LOOK AT. IT WAS 350 PAGES LONG. THIS CONTEMPT OF COURT ADDENDUM DISPLAYED ALL EVIDENCE OF JOE TAKING

FROM MINNIE. AND HERE ARE THE BROKEN SUNGLASSES WITH ME TODAY THAT MINNIE SAID JOE WILL TAKE FROM HER AND BREAK THEM.... HER WATCHES WERE TAKEN FROM HER, ETC. ANYTHING FROM HER DADDY WAS TAKEN FROM HER BY JOE AND HER MOTHER... IT IS NOT FOR ME TO CHANGE THIS BEHAVIOR THAT MARGARET AND JOE HAVE CREATED AND DESTROYING WITH. JOE AND MARGARET ARE BAD ROLE MODELS. VIEW EXHIBIT D WHICH IS WHERE MARGARET INGOGLIA ADMITS TO ACS THAT JOE HAD STOLEN FROM ME REPEATEDLY..... NOW ALSO VIEW WHERE MARGARET INGOGLIA IN THE 70 PCT LETTER, EXHIBIT E WHICH WE NEED A SUBPOENA ON THAT WAS ALSO SENT TO THE DAS OFFICE WHERE MARGARET INGOGLIA STATES THAT JOE WAS STEALING FROM TARGET AND BLAMED HIS FATHER. WHAT IS OF NOTE IS THAT MARGARET INGOGLIA NEVER BLAMED HIS FATHER OF THIS BEFORE AND THE TIME JOE WAS DOING THIS, MOTHER MARGARET WAS LIVING WITH JOE AND HIS FATHER.....

SO WHAT WE HAVE HERE IS MARGARET INGOGLIA STEALING FROM KMART.

JOE IS STEALING FROM TARGET AND SHE BLAMES THIS ON HIS FATHER WHILE SHE WAS LIVING WITH THEM

JOE IS STEALING FROM ME.

JOE IS STEALING FROM MINNIE AS THOROUGHLY OUTLINED IN MY FILED CONTEMPT OF COURT ADDENDUM AND WITNESSED HERE WITH THE BROKEN SUNGLASSES.

MINNIE IS NOW TAKING FROM OTHER CHILDREN....

THE PATTERN AND IMPACT WHEN ACS NOR THE COURT NOR THE ATTORNEY FOR THE CHILD BELIEVES ANYTHING I SAY.

MARGARET HAS ALSO STOLEN FROM ME MY PHONE AND JOE GAVE IT BACK TO ME IMMEDIATELY ON FEB 15, 2018 WHEN WE GOT BACK TOGETHER.

MARGARET HAS STOLEN FROM ME A 600 DOLLAR MONEY ORDER AND USED IT TO MOVE TO HARLEM, DIDN'T CONTACT OUR DAUGHTER AND I FOR A WHOLE MONTH AND WAS WITH ANOTHER MAN THERE.

DATE: 1-16-20

BY: [Signature]

ROBERT MALEK

SWORN TO BEFORE ME ON THE 16 DAY OF JANUARY, 2020

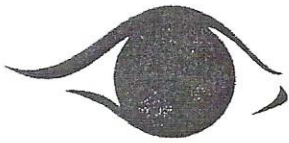
[Signature]

[Signature]

NOTARY PUBLIC **JAMES BLAIN**
Notary Public, State of New York
No. 04BL6277028
Qualified in Kings County
Commission Expires February 25, 2021

ROBERT MALEK

EXHIBIT A



BEAU DIETHL & ASSOCIATES

1 Penn Plaza
Suite 2611
New York, NY 10119

Tel: (212) 557-3334
Fax: (212) 557-4737
www.investigations.com

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Date : 5/15/19
Case Name : Miss. Margaret Ingoglia
Client : Walter Roesch and Associates
Subject : Investigate Petit Larceny
Address : 1 Penn Plaza, 250 W 34th St. New York, NY 10119

DETAILS OF THE INVESTIGATION

At 1100 hours on 4/24/19 Chief Investigator Ruggiero (CI) proceeded to K-Mart store 7749 located in Penn Station to speak with security agents regarding an incident that occurred 1/14/19 involving Margaret Ingoglia. Security agent present at location stated that security manager will not be in until tomorrow and they are unauthorized to release any information regarding any security events which occurred at the store.

At 1400 hours on 4/25/19 CI called K-Mart security at the aforementioned location and asked to speak to Patrick. Patrick stated that he was leaving his office and will not be back in until Tuesday, 5/2/19.

At 1100 hours on 5/2/19 CI proceeded to K-Mart store at the aforementioned location and spoke with an anonymous source at the security office. This source confirmed that Miss. Ingoglia was apprehended for shop lifting on 1/14/19 and not arrested for the incident. Source further explained that K-Mart has a program which allows shoplifters to make restitution and not be arrested for the crime as long as they complete the restitution and take a related course (diversion program). Anonymous source further indicated that Miss. Ingoglia stole a myriad of clothing items, mainly women's clothing, but some unspecified children's clothes were included in the theft. The items were recovered and kept by the store. Anonymous source included by stating that he would not release any further information and the only way to get a full accounting of the incident would be through the issuance of a subpoena by the inquiring party.

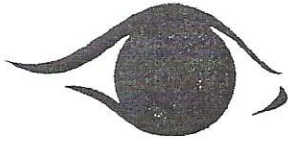
CI additionally further stated that a few months ago Miss. Ingoglia's attorney came into the store and inquired into the possibility of her being reinstated into the diversion program, as she apparently did not

1

INVESTIGATIVE REPORT: AUTHORIZED PERSONS ONLY

This report and any attachments, contain confidential and privileged information for the exclusive use by the client.

Disclosure, dissemination or any other use of this information may be unlawful and is strictly prohibited.



BEAU DIETL & ASSOCIATES

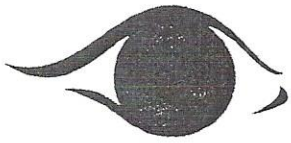
1 Penn Plaza
Suite 2611
New York, NY 10119

Tel: (212) 557-3334
Fax: (212) 557-4737
www.investigations.com

FIELD INVESTIGATIVE UNIT: CONFIDENTIAL REPORT

The material contained in this report is confidential. As such, the contents of this report may only be disclosed to those persons involved in the evaluation of claims or otherwise duly authorized to receive such information. The information contained in this report is provided to you for evaluation purposes only. No purpose other than the lawful evaluation of claims or other potential fraud that was expressly investigated is intended nor should any be inferred. If any information used in this report was obtained exclusively by searching databases, it must be verified prior to relying on it for evaluation purposes. This report is prepared in anticipation of potential litigation and is not subject to discovery.

complete it. The attorney further stated that she was concerned about another case that was pending however, gave no further explanation. CI did not recall exactly when the attorney came in "other than a few months ago."



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Case Status:

We believe we have completed the investigation requested to date. Should you wish that we conduct additional surveillance on the claimant perhaps during the weekdays or on another weekend, please contact our office.

It has been a pleasure to be of service to you and we look forward to being of continued service in the near future. If there are any questions or concerns related to this investigation, feel free to contact us at (212) 557 - 3334.

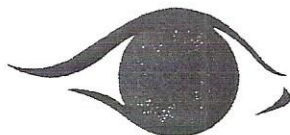
Sincerely,

Michael Ruggiero

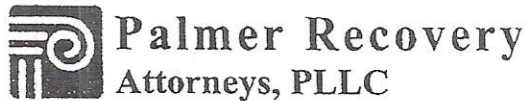
COO/ Chief Investigator
Beau Dietl & Associates

One Pennsylvania Plaza
Suite 2611
New York, NY 10119
Phone 212-557-3334
Fax 212-557-4737
www.investigations.com
sean@investigations.com

END OF REPORT



Palmer Recovery Attorneys, PLLC
Post Office Box 915389, Longwood, Florida 32791-5389



260 Wekiva Springs Rd., Suite 2090
Longwood, FL 32779-3699



Tuesday, March 19, 2019

Toll Free (888) 572-5637
Telephone (407) 875-8032
Facsimile (407) 875-0739

Margart Ingoglia
1110 E 101st St 1
Brooklyn, NY 11236-4428

000002

Re: KMRT-NY
CDA-NTC2-DEF

File #: 9110794
PIN #: 6928



SECOND SETTLEMENT OFFER

Dear Margart Ingoglia:

This Law Firm represents Big Kmart concerning its civil claim against you in connection with an incident in their store 7749 on 1/14/2019. You have failed to make full payment after written demand to do so.

Pursuant to N.Y. Gen. Oblig. Law § 11-105 "Larceny in mercantile establishments", Big Kmart may consider moving forward with a statutory civil damages claim against you.

At this time, our client is requesting that you settle this matter by making payment to us in the amount of \$350.00 within ten (10) days of the date of this letter. Please keep in mind that a \$0.00 installment fee is requested for each partial payment made. Therefore, if you desire, you may mail up to three (3) payments of at least \$116.67 each, which includes the installment fee, as long as the first \$116.67 payment is postmarked within 10 days of the date on this letter and the remaining two (2) payments are mailed within 30 and 60 days. Sixty days from full payment and clearance of funds, you will receive a written release of the statutory civil damages claim.

Payment should be made payable and mailed to Palmer Recovery Attorneys, PLLC, Post Office Box 915389, Longwood, Florida 32791-5389. Please include the file number shown above on your payment. If you wish to discuss alternative payment arrangements, you may call us at (888) 572-5637. MasterCard, Visa, American Express, Discover, Money Gram, Money Order, Electronic Checks and Debit Cards are also accepted. You may also pay on-line through our secure website: WWW.PALMERPAY.COM.

Should payment fail to be made on time or payment arrangements not be set up within the above stated time period, we may review the matter for the possibility of recommending that our client take further civil action and depending on the state law, may choose to make a higher settlement request on behalf of our client. Big Kmart may in the future consider filing a lawsuit, in which case it will likely seek any available attorney's fees, court costs and other legal expenses throughout such litigation. Any defending party to such a lawsuit would likely be served by a process server with a summons requiring the party or the party's attorney to respond and/or appear in court to defend the action. If successful in any such litigation, we estimate that Big Kmart would be seeking a final judgment of damages, attorney's fees and court costs up to the maximum amounts allowed by law which could therefore, exceed the amount demanded above.

We strongly encourage you to make payment or set up payment arrangements within the time period requested above to avoid further civil requests.

Yours very truly,

A handwritten signature in cursive script, appearing to read 'J. Palmer'.

James R. Palmer*
For the Firm

*Licensed in Florida and Texas only

Se Habla Español

EXHIBIT B



Christian Life Devotion

714 East 89th Street, Brooklyn, NY, 11236 – 718-483-6480
Senior Pastor Remy Jeanty, Jr.

January 1, 2019

Free Will Offering for the 2018 Calendar Year

Total Freewill Offering Received: **\$130.00**

Freewill Offered by:

Robert Malek
1110 E 101st Street
Brooklyn, NY 11236

You have given willingly in accordance with your love for Jesus Christ our Lord and Savior, just like the Macedonia church as recorded in 2 Corinthian 8:1-15 (NLTse) you did answer the call to generous giving, we the Board of Christian Life Devotion are encouraged by your generosity and faithfulness to that call.

The Treasurer states: that no goods or services were received by the donor in return for total freewill offering shown above.

Treasurer

Eliett Giron-Fowler - Trustee

EXHIBIT C

Re: Babysitting

From: margaretingoglia79@yahoo.com

To: rabushahla@gmail.com

Date: Tuesday, April 3, 2018, 10:42 PM EDT

No problem Rawan. I will tell Margaret. To be honest with you, Margarets son is new to our family. His father had custody of him from the ages of 6 - 14. He has been with us since Feb 15. I dont know exactly what is going between minnie and joe since we can't monitor the two of them every second. However I find tonight to be very disturbing to me. There is something wrong. I have never seen my daughter act the way she did tonight. Stubborn as far as wanting everything, yes. Not wanting to stop playing, yes. However, not sharing and taking from another child, NEVER. She used to give her toys to other children to play with her. I absolutely can't believe what happened this evening. I have had concerns about joe and now I have even more concerns. I have sadly updated Margarets profile to exclude our daughter. I can't believe this. My daughter was so wonderful with other children. I think joe is taking from her and causing this change. Anyway, thank you for being understanding and listening though it isn't your problem. Regardless, I didn't want you to think what was on margarets profile was deceptive. Like I said I have removed my daughter and am so deeply saddened that my daughters behavior has degraded to be like the selfish children she used to shy away from. This would have been as good for my daughter as your son. We have a problem now we didn't have before. Margaret will see you tomorrow. She is a very good mother. She can't bend and move around much on the floor due to her c section which, well, some are better than others. They didn't do it right which is why her stomach is still out. She has gotten it "checked out " before but she needs a second opinion. Her stomach isn't fat. There is something else going on in our opinion. If u need someone more athletic, I can help. However, margaret has a good heart and is a wonderful person. That I can assure you. It's what I love most about her. Please share this message with your husband. I didn't get a chance to shake his hand but I trust he will be kind to margaret as he trusts margaret will be kind to his son.

Sincerely,
Robert

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Rawan AbuShahla
Sent: Tuesday, April 3, 2018 9:58 PM
To: margaretingoglia79@yahoo.com
Subject: Re: Babysitting

Hi Robert,

It was as nice to meet you. Thank you for reaching out. We both think it would be better if Margaret comes alone tomorrow, while we would have loved to have Minnie and Kenan play together but I think they're both not ready.

We look forward to seeing Margaret tomorrow.

Best,

Rawan

On Tue, Apr 3, 2018 at 9:31 PM <margaretingoglia79@yahoo.com> wrote:

Hi rawan. We are both very sorry how our daughter behaved. Margaret is more than happy to come alone if you wish. If you prefer to cancel tomorrow, margaret understands.

I take responsibility being minnie's father how she behaved.

Sincerely,
Robert

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Rawan AbuShahla
Sent: Tuesday, April 3, 2018 8:37 PM
To: margaretingoglia79@yahoo.com
Subject: Re: Babysitting

Great - can you give me your number? Is this you +1 (929) 246-7673

On Tue, Apr 3, 2018 at 8:32 PM <margaretingoglia79@yahoo.com> wrote:

Looking for parking

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Rawan AbuShahla
Sent: Tuesday, April 3, 2018 6:51 PM
To: margaretingoglia79@yahoo.com
Subject: Re: Babysitting

Hi Margaret,

Earlier would be better, what'd work for you? As for pay, 12.50 works well for us as well. We're at [8731 123rd st, Richmond Hill](#)

Thank you and hope to see you soon!

Rawan

On Tue, Apr 3, 2018 at 6:42 PM <margaretingoglia79@yahoo.com> wrote:

Hi Rawan,

Ok. Certainly I'll come by with my daughter. I don't know what time you prefer to have your son to bed. I would say 9. However, I don't know if that's too late. Let me know if you need it to be earlier, etc.

Best,

Margaret

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Subject: Re: Babysitting

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What's a good time? Will you be bringing your daughter?

Best,

Rawan

On Tue, Apr 3, 2018 at 6:30 PM <margaretinggolia79@yahoo.com> wrote:

Hi rawan. Here is a picture of my daughter, also margaret.

Would you like to meet at your home, Mc Donalds or other nearby this evening in richmond hill? We live in canarsie and can drive over.

As far as pay, you offered between 10 and 15.

12.50 would be fine by the way.

Sincerely,
Margaret

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Re: Babysitting

From: Rawan AbuShahla (rabushahla@gmail.com)

To: margaretingoglia79@yahoo.com

Date: Tuesday, April 3, 2018, 11:58 PM EDT

Hi Robert,

Thank you for trusting such personal details with us, we wish you and your family the very best. All change is hard, and we hope you'll come out of this one strong.

We believe this arrangement will not work for our family, and so apologize for wasting your time and thank you for making the time to meet with us.

All the best to you, Margaret ret and little Mannie.

Rawan

On Tue, Apr 3, 2018 at 10:42 PM <margaretingoglia79@yahoo.com> wrote:

No problem Rawan. I will tell Margaret. To be honest with you, Margarets son is new to our family. His father had custody of him from the ages of 6 - 14. He has been with us since Feb 15.

I dont know exactly what is going between minnie and joe since we can't monitor the two of them every second. However I find tonight to be very disturbing to me. There is something wrong.

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Margaret will see you tomorrow. She is a very good mother. She can't bend and move around much on the floor due to her c section which, well, some are better than others. They didn't do it right which is why her stomach is still out. She has gotten it " checked out " before but she needs a second opinion. Her stomach isn't fat. There is something else going on in our opinion.

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Subject: Re: Babysitting

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Sincerely,
Margaret

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Babysitting

From: margaretingoglia79@yahoo.com

To: rabushahla@gmail.com

Date: Tuesday, April 3, 2018, 06:31 PM EDT

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Would you like to meet at your home, Mc Donalds or other nearby this evening in richmond hill? We live in canarsie and can drive over.

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12.50 would be fine by the way.

Sincerely,
Margaret

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.



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533.1kB

EXHIBIT D

Investigation
Progress Notes

*****WARNING*****
CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

CASE NAME: Ingoglia, Margaret
STAGE NAME: Ingoglia, Margaret

CASE ID: 26871553
STAGE ID: 32053847

Family Composition

- Margaret Ingoglia (BM)
- Joe Palominoingogl (sibling)
- Margaret Malek (maltreated CH)
- Malek, Robert (BF)- no longer apart of household composition

Interviews with Family Members (include descriptions of household members)

Margaret (BM)

- CPS was able to discuss the concerns of the report with the BM. The BM denies that the CH Joe pushed the CH Margaret down causing her to sustain marks and scratches to her forehead. The BM state that the CH Margaret was running around the room and hit her head on the end of a night stand in the room and subsequently got a little bruise as a result. CPS asked the BM if she was aware that police would be pursuing charges against the CH Joe and she broke down crying saying that this is the doing of Robert; the BF of the CH Margaret. The BM explained to CPS that just a week ago ACS took Robert to court and filed an Article X petition against him resulting in full stay away OOP's for both her and the CH Joe and a limited OOP for the CH Margaret as he is permitted to have visitation with the CH at the ACS officer in Brooklyn 3 times per week for 2 hours each session.) TIMES A WEEK. gentle giant?
- CPs asked the BM if Robert is the one who made this report to NYPD why is he accusing your son of harming the CH and how did he become aware of this information. The BM stated that the CH Joe and Robert does not have a good relationship and there has been moment in the past when the CH Joe has done things that he should not have done to Robert like still data and 300\$ from Robert. The BM described the CH Joe as a "gentle giant" and stated that he is such a good help when it comes to the CH. The BM denies that the CH has any anger issues or mental health illnesses and she stated that while she was still living with Robert the CH Joe was evaluated and there were no findings. The BM disclosed that some time in April the CH Joe expressed suicidal ideations due to the events that were occurring in the home between the BM and Robert as he blamed himself however he has been deemed to not be a danger to himself or others. WJW !!!
- CPS asked the BM if she was interested in preventive services and she stated that she was connected with Catholic Charities however she does not think the worker will travel to Manhattan to visit with her and the CHN. The BM stated that she does not want another worker.
- CPS asked the BM if the CH was medically evaluated for the head bump and she stated that the CH was not as she did not find it necessary.
- The BM stated that her assigned CPS observed the bruise and questioned the BM in how she sustained the bruise and then released the CH to her.
- The BM stated that she believes that because she left Robert that he is now trying to have her CHN removed from her care.

PROXIMITY
REPORT
+
DADS
STATEMENT
OF
ASSAULT.

Joe (CH)

- CPS was able to address the concerns of the report with the CH Joe and he denies ever pushing the CH down. CPS asked the CH Joe how did his sister sustain the bruise to her forehead and he stated that she was playing rough in the hotel room and ran into furniture. The CH Joe stated that he loves his sister dearly and would not ever hurt her.

EXHIBIT E

1/11/2016

MARGARET INGOGLIA

1110 EAST 101ST.

BROOKLYN, NEW YORK 11236

917-923-4243 / margaretingoglia79@yahoo.com

COMMANDING OFFICER

70 PRECINCT

154 LAWRENCE AVE.

BROOKLYN, NEW YORK 11230

Dear Commanding Officer of the 70th Precinct,

I have gone to your precinct with the hope and belief that your officers would protect my son, Joe Palomino Ingoglia D.O.B. 3-15-04, and I from being victimized further by his father. Sadly, no action has been taken by your officers. Henceforth, I am writing this letter to you. Please keep my address confidential in regards to my sons father, Juan Palomino, exhibit _____.

VICTIMS STATEMENT:

CRIMES COMMITTED RECENTLY AGAINST ME, MARGARET INGOGLIA, BY MY SONS FATHER, JUAN CARLOS PALOMINO:

1. ILLEGAL EVICTION

2. THEFT OF CONTROLLED SUBSTANCE (SCHEDULE 2)

3. LARCENY

1. On December 13, 2014, Juan Carlos Palomino unlawfully locked me out of my apartment that I lived at with him and our son, Joe Palomino for approx 100 days. Juan stole my keys from me that I paid for and refused to let me back into the apartment, with exception to get my belongings. He took some of my possessions and threw them out which my 11.5 year old son, Joe, witnessed and he stole from me my medication that I have a prescription for, oxycodone, which is a controlled substance.

- a) I lived there for more than 30 days
- b) I was an immediate family member
- c) I had cable there in my name, exhibit _____
- d) I worked as a mother and "housewife" there approx 8-9 hours every day.

WITNESS: MY SON, JOE PALOMINO.

CRIMES COMMITTED IN THE PAST AGAINST ME, MARGARET INGOGLIA, BY MY SON'S FATHER, JUAN CARLOS PALOMINO, FOR WHICH HE WAS ARRESTED FOR.

ASSAULT: EXHIBIT _____.

CRIMES COMMITTED IN THE PAST AGAINST MY MOTHER, BY MY SON'S FATHER, JUAN CARLOS PALOMINO.

ASSAULT: EXHIBIT _____.

CRIMES COMMITTED IN THE PAST BY MY SON'S FATHER, JUAN CARLOS PALOMINO, WHICH INCLUDED BEING CHARGED WITH ATTEMPTED MURDER, LARCENY, MARIJUANA POSSESSION.

EXHIBIT _____.

CRIMES COMMITTED RECENTLY AGAINST MY SON BY JUAN CARLOS PALOMINO:

1. ASSAULT

2. ENDANGERING THE WELFARE OF A CHILD

3. FORCING A CHILD TO AID AND ABET SHOPLIFTING / LARCENY

4. HARASSMENT

5. CRUELTY TO ANIMALS

1. Due to abuse of my son, I petitioned the family court and made a complaint with child protective services who sent me to your precinct. Family court issued my son an order of protection against his father, exhibit _____.

Before order of protection was issued, within the past 100 days I have lived with my son and his father, I have witnessed the following abuse of my son which encompassed the 5 crimes listed above:

I have seen Juan Carlos Palomino hit my son with his hands and objects such as his cane and a green back scratcher/combo shoe horn on other end. Also on the morning of december.13, 2015 at approximately 1am my son joe went into the living room to help his father with his medical needs while i was in the bedroom. I heard juan yelling at my son. Afterwards my son came into the bedroom and told me his father punched him in the arm because my son could not find the ben gay. His arm was red and a little swollen. My son told me not to say anything to his father as he was scared so i put rubbing alcohol on his arm to ease the pain and swelling. One morning while juan was getting our son joe ready for school in the living room i could hear from the bedroom his father yelling and cursing at my son. I could also hear my son saying stop and why are you pushing me. I as a mother though i am afraid of juan as he has attacked me and my own mother in the past (Jennie Ingoglia) of which I have police reports on, exhibits _____, came out of the room and demanded that he stop treating my son this way. He then got very nasty towards me and said that if i dont like it i could leave. I was scared to further defend my son or myself and did the next best thing at the time which was help my son put his outer wear on, give him a hug and kiss good bye and tell him i loved him. My son walked out sad and later told me that he walked to school crying but he wiped his tears when he got close to to his school so school officials would not ask questions. He also told me to try and stay out of it because he was afraid his father would hurt me for defending him. I also witnessed juan forcing my son joe to help him shoplift from stores such as duane reade on flatbush ave and parkside ave and target at the barkleys center on atlantic ave. If my son does not help his father shoplift his father becomes very mean and abusive both physically and verbally. I also witnessed juan hitting my son in the spine with his cane in the pioneer supermarket on parkside ave between ocean ave and flatbush ave. There are cameras in this store and it may have been caught on recording. This incident took place the beginning of november. 2015 at approximately 6pm. I have also witnessed juan forcing my son joe to be his nurse, demanding that he take his blood sugar readings , inject insulin and massage him. He wakes him up in the nighttime to have him perform these tasks and then yells at my son asking him why isnt he sleeping. He has criticized my son by telling him he is not helping him good enough or that he smells and forces him to take frequent showers. My son had a small turtle I bought for him in september 2015. In late October, it was missing. I asked my sons father about it and he said he threw it away because his son doesn't deserve it. My son is emotionally breaking down by calling himself stupid, i cant do anything right, no one would care if i disappeared, etc. I have given my son pep talks trying to convince him otherwise and let him know how much i love him and for him to think he's great. December.14, the day after juan threw me out, my son joe told me on the phone while at the day care he goes to that he couldnt take the abuse from his father juan c. palomino anymore. He asked me if i could pick him up from school the next day which was december.15, 2015 at 2:40PM so i could bring him to the police for help. When we went to your police station, your police officers would only make a report on just the last incident which was juan punching my son in the arm because he couldn't find the bengay. They called acs about it but they said they werent going to

investigate, undoubtedly because they weren't told all the details. Your officers then told me i must return my son to his abusive father with the exception of holding him overnight and bring him to brooklyn family court in the morning, which i did. When we went to file for an order of protection for my son we saw his father there also filing papers. When my son and I saw his father we both panicked and were scared to death. My son hid from his father in the womens restroom while I spoke to court officers about the situation. They then placed my son joe in the childrens room and the judge would decide who he goes home with. The judge who handled the case chose to put my son back with his father with an order of protection for my son against his father. I am concerned for the welfare and safety of my son while being with his father juan c.palomino.

AFTER THE ORDER OF PROTECTION WAS ISSUED, MY SONS FATHER, JUAN PALOMINO VIOLATED IT BY COMMITTING THE FOLLOWING:

1. CONTEMPT OF COURT
2. ENDANGERING THE WELFARE OF A CHILD
3. ASSAULT
4. INTIMIDATION
5. LARCENY

On december. 18, 2015 in court, it was ruled that i have visitation every saturday from 10am to 6pm. I have to keep my son longer because his father recieves dialysis and is not home at 6pm. When i called his father to see if he was home, he said yes. I tried to drop my son joe off at his fathers home on december 19 but my son began showing signs of fear, crying, trembling, dragging his feet and repeating " i dont want to go back, i dont want to go back. " I then asked my son what was wrong and he told me that the day they made him go back with his father from the court on december.18, his father around 11pm that night started beating my son up with the green plastic back scratcher/shoe horn. He said his father beat him because he was mad that he went with me to report the abuse. Then he also told me that on the morning of december.19 around 10am when he was getting ready for visitation with me he was waiting near the apartment door for his father and his father hit him in his spine with his cane because my son did not realize his father was ready and my son was in the way of the door. My son said once the door was opened his father pushed him out of way. When my son told me of the abuse since the order of protection was in place i immediately brought him to your 70th precinct to file a report but your officers said he had to go back to his father. They did say, however, that i had the right to take my son to the emergency room for his in grown toe nail that was infected due to medical neglect and hurt more cause his father injured it while beating him with the green plastic back scratcher on december.16. I brought him to long island jewish hospital and stood there all night with my son, waiting till morning to speak with a social worker. The social worker told

He that acc would investigate the matter in 2-4 hours but i have not even heard from them to this day, weeks later. There is medical neglect in regards to infections on both big toes, for which his father was supposed to make an appointment with a foot doctor of which his primary care doctor gave a referral for but his father neglects to make the appointment , leaving my son joe with ingrown toe nails, infection and pain. In addition, he's also supposed to take my son to an eye doctor as my son and his teacher are complaining that he can't see from far away but he never makes the appointment for my son, neglecting him. My son has told me his vision problems started after his father punched him in the eye which occurred before the order of protection was in place. His injured eye needs to be examined by an ophthamologist. Regardless, his father does nothing.

He keeps being forced to go home into the arms of his abuser giving less hope and causing him fear to report future abuse. I fear to have any contact with my son's father juan palomino. He insists that he must see me when i have to pick up my son. I told him to let my son come down to meet me by himself but he wont, even though he agrees at first to do so and then deceives me , causing me to leave without seeing my son. Juan Palomino is also suicidal / mentally unstable since he drinks rubbing alcohol daily and sucks on alcohol prep pads. Such may be the cause for him needing kidney dialysis. The judge also ordered that my son and I could have frequent talk and text conversations but his father monitors our conversations forcing my son to put me on speaker phone. I gave my son a recorder so he can record his father if he is abusing him. However, the school stole it from him and contacted his father. The school gave the recorder to his father. I have requested it back from his father, Juan Palomino. Regardless, he does not give it back to me or my son and makes my son have all conversations with me on speakerphone so he can listen and record with property that belongs to my son and I.

I went to your police precinct about Juan Palomino violating my sons order of protection but nothing was done. As a matter of fact, if you view the report written on december 19, 2015, you will see where an officer wrote the following three offenses:

1. criminal contempt
2. assault
3. endangering the welfare of a child

THEN, ALL THREE WERE CROSSED OUT AND INITIALED ! ALSO, UNDER QUESTION TO THE RIGHT AS TO WHETHER OR NOT THERE WAS AN ORDER OF PROTECTION IN PLACE, YOUR OFFICER INDICATED NO !? FURTHERMORE, PAGE 1 WAS MARKED PAGE 2 AND PAGE 2 WASN'T EVEN WRITTEN AS PAGE 1 OR 2, JUST BLANK. EXHIBIT _____.

VIOLATION OF COURT VISITATION ORDER:

Family court has issued unsupervised visitation to me every saturday between the hours of 10am - 6 pm. Exhibit _____. Juan Carlos Palomino is violating court order by only allowing me to pick up my son in his presence or he isn't allowing the visitation to take place. Due to this, I have been unable to see my son for the past three weeks. He allows my son walk to school by himself, demands that he go to stores for him, bank, etc., after dark by himself. However, at time of

sitation, he will not allow him to see me without him being there and demanding that only I can pick him up. The court order in no way gives him authority to make such provisions. He VIOLATES THE ORDER OF PROTECTION IN THIS MANNER AS WELL BY INTIMIDATING MY SON, FORBIDDING HIM TO EXIT THE BUILDING TO SEE HIS MOTHER WITHOUT HIM OR FOR MY SON TO MEET ANYONE ELSE BUT ME, AGAINST MY WISHES AND MY SONS WISHES.

ENDANGERING THE WELFARE OF A CHILD:

Juan Palomino has my son walk to school by himself and demands that he go to stores for him, bank, etc., after dark by himself.

OTHER WITNESSES TO MY SONS ABUSE OVER THE YEARS:

My mother, Jennie Ingoglia.

Joese half sister, Coralys, who no longer lives with Juan from another relationship Juan Carlos Palomino had.

TO NOTE:

Joe has 6 other half brothers and sisters Juan had with different women. No other child lives with him.

The neighbor of Juan Carlos Palomino, at apt. 3c had an order of protection against him.

Sincerely,

Margaret Ingoglia