

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JOSHUA BRINN,

Plaintiff,

09 CV 1151

-against-

SYOSSET PUBLIC LIBRARY, MORRIS DUFFY  
ALONSO & FALEY, UTICA NATIONAL  
INSURANCE COMPANY, JUDITH LOCKMAN,  
Director of the SYOSSET PUBLIC LIBRARY  
in her individual and professional  
capacities, ROBERT GLICK, Trustee of  
the SYOSSET PUBLIC LIBRARY in his  
individual and professional capacities,

**AFFIDAVIT  
OF ROBYN NELSON**

Defendants.  
-----X

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


Robyn Nelson, being duly sworn, deposes and says:

1. I am a Claims Supervisor for Utica National Insurance Company (“Utica”). This Affidavit is based upon my personal knowledge of this matter and my review of Utica’s claim file.

2. On January 9, 2008, Plaintiff, Joshua Brinn (“Brinn”) filed a Notice of Claim (referred to in the Complaint as the “First Notice of Claim”) against the Syosset Public Library (“the Library”). See Notice of Claim annexed hereto as Exhibit 1.

3. Utica received a copy of the First Notice of Claim when the Library, which Utica insured, tendered a request for insurance coverage for the First Notice of Claim to Utica.

4. Along with the First Notice of Claim, Utica received a copy of a letter dated October 15, 2007, in which the Library suspended Brinn's library privileges. See Exhibit 2.
5. Utica denies the allegations contained in paragraph 29 of the Complaint.

  
/Robyn Nelson

Sworn to before me on this  
8<sup>th</sup> day of September, 2009

  
Notary Public

DENISE BARTLEY SOG  
NOTARY PUBLIC - STATE OF NEW YORK  
NO. 01SO4776592  
QUALIFIED IN SUFFOLK COUNTY  
MY COMMISSION EXPIRES FEB. 20, 2011