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**5. Notice to Take Deposition**

May be served together with the Answer to Complaint or within a reasonable amount of time thereafter.

CIVIL COURT: CITY OF NEW YORK  
COUNTY OF KINGS

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XYZ Receivables Management LLC,

Index No.

Plaintiff,

NOTICE TO TAKE DEPOSITION

- against -

John Doe,

Defendant.

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SIR/MADAM:

PLEASE TAKE NOTICE that, pursuant to Article 31 of the CPLR, the testimony of Plaintiff, as an adverse party will be taken before a Notary Public who is not an attorney, or employee of an attorney for any party or prospective party herein, and is not a person who would be disqualified to act as a juror because of interest, consanguinity or affinity to any party herein, at [ ADDRESS OF DEPOSITION ], on \_\_\_\_\_, 20\_\_, at 2:00PM, with respect to evidence material and necessary in the defense of this action.

That said person to be examined is required to produce at such examination the following items: all books, records, invoices, letters, memoranda, and other relevant documents regarding the subject of this action.

Dated: Brooklyn, New York

\_\_\_\_\_, 20\_\_

\_\_\_\_\_  
John Doe  
Defendant

[ YOUR ADDRESS ]

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