

SUPREME COURT OF THE STATE OF NEW YORK
 COUNTY OF NEW YORK

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CAROLINA GILDRED, an individual,	:	INDEX No. 153554/2017
Plaintiff,	:	Hon. Gerald Lebovits
vs.	:	60 Centre Street, Room 556
	:	New York, New York 10007
MICHAEL D. FOSTER (aka DARREN M. FOSTER), an individual,	:	AFFIRMATION OF MICHAEL FOSTER
Defendant.	:	IN OPPOSITION TO
	:	COMPLAINANT'S OPPOSITION
	:	TO DEFENDANTS MOTION TO
	:	COMPEL ANSWERS TO
	:	DISCOVERIES DEEMED
-----	X	ADMITTED and to STRIKE
		PLAINTIFFS COMPLAINT

I, Michael Foster, am Pro Se Affiant of record for Defendant in the above-captioned matter. I provide this Affirmation pursuant to CPLR 2106 and hereby declare that the following is true and correct and that I could and would testify competently thereto.

1. I am aware of Plaintiff seeking to obtain Order of Court to deny defendant pending Motion to Compel Answers to Defendant Discoveries and to Strike plaintiff Complaint by the misconstrued premise that the Court's order dated June 15, 2018 (Docket No.

117) was anything but consistent with defendants 3rd consecutive "Motion for Summary Judgment" and further , I am aware that plaintiff refuse a courtesy copy at the recent Complainsce Hearing to the extent the clerk suggest a "Motion to Compel".

2. Plaintiff served Defendant with Plaintiff's First Interrogatories, First Requests for Admissions, First Requests for Production. The answers to Defendant made public and by emailor text to Plaintiffs, was sent in time according to Compliance Order and can be found here:

- https://tomgildred.info/A-4seth_rafkin_the_hero_esq_in_cart.html
- https://tomgildred.info/c-2seth_rafkin_the_hero_esq_in_cart.html
- https://tomgildred.info/A-2seth_rafkin_the_hero_esq_in_cart.html
- https://tomgildred.info/A-3seth_rafkin_the_hero_esq_in_cart.html
- https://tomgildred.info/A-4seth_rafkin_the_hero_esq_in_cart.html
- https://tomgildred.info/A-5seth_rafkin_the_hero_esq_in_cart.html
- https://tomgildred.info/b-1seth_rafkin_the_hero_esq_in_cart.html
- https://tomgildred.info/b-1seth_rafkin_the_hero_esq_in_cart.html
- https://tomgildred.info/c-1seth_rafkin_the_hero_esq_in_cart.html

regarding plaintiffs failure to respond to discovery, a true and correct copy of which is attached as Exhibit A hereto.


3. Plaintiff now claims that She did not receive Defendants interrogatories, requests for production and requests for admission which was Notarized and mailed during the week of February 28th. Instead Plaintiff claims Receipts of a US Postal mail but is affably asking my office, the Court to accept her story of "No

Content in the Postal Receipt". Copies of US-Postal was returned after multiple mailing are attached here to as Exhibit B.

I declare under penalty of perjury under the laws of the State of New York and the State of New Jersey the foregoing is true and correct.

Executed this 21st day of November, 2018 New York, NY.

SWORN BEFORE ME THIS
21 DAY OF November 2018


CUI YING LI
Notary Public, State of New York
No. 01L16303092
Qualified in New York County
Commission Expires May 12, 2022

Mr.


MICHAEL FOSTER
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