

At Part 53 of the Supreme Court of the  
State of New York, held in and for the  
County of New York, at the Courthouse,  
60 Centre Street, Borough of Manhattan,  
City and State of New York, on the  
22 day of May, 2020

PRESENT: The Honorable

Andrew Borrok, Justice.

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

-----X  
STATE OF NEW YORK,

Plaintiff,

Index No. 450713/2012

-against-

ROBERT H. VAN ZANDT,  
KIMMARIE GERVAZI VAN ZANDT,  
VAN ZANDT AGENCY, INC., BURKE & GRACE  
AVENUE CORP., EMPIRE BUILDERS OF NEW  
YORK, CORP., MIG OF WESTCHESTER INC.,  
ROCKWELL CONSULTING OF NY INC.,  
R.S. ENTERPRISES OF NEW YORK INC.,  
VAN ZANDT AGENCY OF WESTCHESTER, INC.,  
VAN ZANDT AGENCY OF BROOKLYN, INC.,  
JOHNNY GS, INC., UPSTATE LAND AND  
PROPERTIES LLC, 1314 BLONDELL AVE. CORP.,  
164-174 1ST STREET INC., 2472 WENNER PLACE  
CORP., 741 EAST 217TH STREET CORP.,  
BOLLER & BOSTON ROAD CORP., BRIDGEVIEW  
ESTATES CONDOMINIUMS H.O.A. INC.,  
LAUNDRY TIME OF NEW YORK INC., P.L.A.  
SERVICES, INC., SWING ON ME.COM INC., and  
VAN ZANDT REALTY INC.,

~~PROPOSED~~  
ORDER AND JUDGMENT  
ON CONSENT AGAINST  
ROBERT H. VAN ZANDT

Defendants,

-and-

PATRICIA A. VAN ZANDT and HELENE DALY,

Relief Defendants.

-----X

Upon the Consent to Judgment by Robert H. Van Zandt executed by defendant Robert H. Van Zandt on December 5, 2019, upon all the pleadings and all prior proceedings herein, and by the joint motion of the Plaintiff by the Office of the Attorney General of the State of New York

("OAG") and defendant Robert H. Van Zandt, all interested parties having been given notice and the opportunity to be heard, it is hereby

ORDERED, ADJUDGED AND DECREED that the defendant Robert H. Van Zandt or any other person acting under his control, individually or collectively, including family, agents, trustees, servants, employees, successors, heirs and assigns, whether acting individually or in concert with others, or through any corporate or other entity or device through which they may now or hereafter act or conduct business, are bound by the terms of this Order and Judgment on Consent; and it is further

ORDERED, ADJUDGED AND DECREED that judgment be entered in favor of the  
**A** Plaintiff and against defendant Robert H. Van Zandt, whose current address is 233 Longstreet Avenue, Bronx, New York 10465, for restitution and damages pursuant to N.Y. GBL § 353(3) and N.Y. Exec. L. § 63(12) in the amount of SIX MILLION DOLLARS (\$6,000,000.00),  
**X** together with interest on the unsatisfied portion thereof at the statutory rate of nine percent per annum from the date of entry until such judgment is satisfied in full, and that Plaintiff shall have execution thereon; and it is further

ORDERED, ADJUDGED AND DECREED that defendant Robert H. Van Zandt has waived and released any and all claims to all assets subject to the Order of Justice Joan A. Madden dated April 8, 2011, in the proceeding by the Attorney General pursuant to N.Y. GBL § 354 captioned *Matter of Eric T. Schneiderman v. Robert Henry Van Zandt, et al.*, Index No. 400889/2011, Supreme Court, New York County, including but not limited to the assets held in the accounts and safe deposit box described in that order; and it is further

ORDERED, ADJUDGED AND DECREED that defendant Robert H. Van Zandt has waived and released any and all claims to the \$100,000 proceeds of the sale to HD Tax Services Inc. of the business operated under the name of "Van Zandt Agency Inc.," which \$100,000 has

been paid to OAG out of an escrow account maintained by Brian K. Condon, Esq., as escrow agent for Robert H. Van Zandt; and it is further

ORDERED, ADJUDGED AND DECREED that all funds and other property that may be recovered by OAG pursuant to this Order and Judgement, including but not limited to assets subject to the Section 354 Order or the proceeds of the sale of the business operated under the name of "Van Zandt Agency, Inc.," shall be placed by the OAG into a distribution fund to be administered by OAG and that OAG shall have sole discretion to craft and implement a plan of distribution to defrauded investors of the restitution and damages awarded pursuant to this Order and Judgment on Consent; and it is further

ORDERED, ADJUDGED AND DECREED that defendant Robert H. Van Zandt is permanently restrained and enjoined from directly or indirectly engaging or attempting to engage in any manner in the issuance, exchange, sale, offer to sell, purchase, offer to purchase, promotion, negotiation, advertisement, provision of investment advice, investment management or distribution of any stocks, bonds, notes, evidences of interest or indebtedness, foreign currency orders, calls or options, or any other securities or commodities within or from the State of New York; and it is further

ORDERED, ADJUDGED AND DECREED that defendant Robert H. Van Zandt is permanently restrained and enjoined from directly or indirectly engaging or attempting to engage in any manner in the securities or commodities business within or from the State of New York as a broker, dealer, issuer, investment adviser or investment manager, or as an officer, director, principal, controlling person, agent, affiliated person, consultant or salesperson of a broker, dealer, issuer, investment adviser or investment manager; and it is further

ORDERED, ADJUDGED AND DECREED that defendant Robert H. Van Zandt is permanently restrained and enjoined from directly or indirectly engaging or attempting to engage

in any manner in the writing, publishing, preparing, selling, or distributing any letter or other literature advising, suggesting, or in any other manner communicating advice within or from the State of New York with respect to the purchase or sale of securities or commodities; and from forecasting, advising, or in any other manner suggesting either orally or in writing any method or methods to be used in connection with the purchase or sale of securities or commodities; and it is further

ORDERED, ADJUDGED AND DECREED that defendant Robert H. Van Zandt, his agents or assignees and all other persons acting to assist him, singly or collectively, shall be and hereby are permanently restrained and enjoined from forming or causing to form, or working for or in aid or assistance of, any entity for the purpose of soliciting investors, or causing investors or customers to invest in securities within or from the State of New York; and it is further;

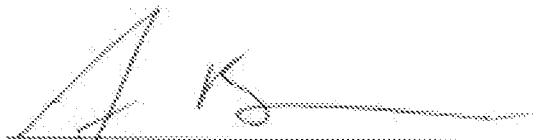
ORDERED that failure to comply with any provision of this Order and Judgment on Consent shall be deemed to be a violation of this Order and Judgment on Consent. Upon any such violation, OAG may take any and all steps available to enforce this Order and Judgment on Consent, including civil or criminal contempt; and it is further

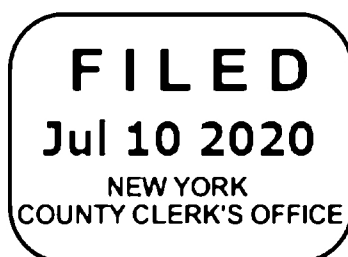
ORDERED that this Court shall retain jurisdiction of this action for the purpose of carrying out the terms of this Order and Judgment on Consent, or granting such further relief as the Court deems just and proper; and it is further

ORDERED that OAG be and hereby is permitted to make further applications for such

other and further relief as it appears to OAG is proper and necessary for the enforcement of this  
Order and Judgment on Consent.

ENTER

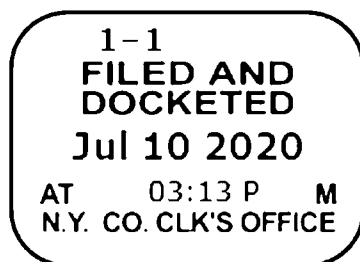
  
5/22/2020  
~~Judge Andrew Rosen~~ Andrew Rosen, J.S.C.



10 th Jul. 2020

  
Clerk

**JUDGMENT**



**Attorney General of the State of NY**  
**120 Broadway 23rd Floor**  
**New York, NY 10271**  
**212 416-8207**