

**In Re: Bally Total Fitness of Greater New York, Inc.**

**Case No. 08-14818**

Attachment 4a

Suits, executions, garnishments, and attachments

Caption of suit	Case number	Court and Location	Nature of proceeding	Status or disposition
Abder Isa v Bally Total Fitness Corporation, Bally Total Fitness of Upstate NY, Inc. and Bally Total Fitness of Greater NY, Inc.	19899-08	Supreme Court, State of NY, County of Westchester	Premises Liability	New Lawsuit
Acar Ersan, Est. of Acar Ersan, Selma Ersan & Murat Ersan v. Bally Total Fitness Centers, Inc.a/b/a Jack LaLanne Fitness Centers, Inc.	31728-2001	Supreme Court of the State of New York, County of Queens	Premises Liability	Settled
AGT Crunch Acquisition LLC v. Bally Total Fitness Corp., Bally Total Fitness Holding Corp., Crunch Fitness International, Inc., Health & Tennis Corp. of New York, Inc., Jack La Lanne Fitness Centers, Inc., Soho Ho, LLC, Crunch LS, LLC, 708 Gym , LLC, West	Index No. 601684/07	Supreme Court of New York, County of New York	Miscellaneous (Breach of Contract)	Pending
Ahmet Ay v. Bally's Total Fitness, John Doe, Jane Doe, ABC Corp.	HUD-L-1456-08	Superior Court of New Jersey, Law Division: Hudson County	Negligence Claim	In Discovery
Andrew Hing v. Bally Total Fitness Corporation and Jack LaLanne Fitness Centers, Inc.	105419/03	Supreme Court of the State of New York	Premises Liability	Dismissed
Andrew Popalardo v. Bally Total Fitness	545652	Workers Compensation Board State of NY WC Board 111 Livingston St. Brooklyn, NY 11201	Workers Compensation Claim	Pending
Anna M. Gardella and Paul Gardella v Bally Total Fitness Corporation and Jack LaLanne Fitness Centers, Inc.	6080/08	Supreme Court, State of NY, County of Westchester	Negligence Claim	In Discovery
Antonia Boughton v. Bally Total Fitness	832660	Workers Compensation Board State of New York WCB PO Box 5205 Binghamton, NY 13902-5205	Workers Compensation Claim	Settled
Bally Total Fitness of Greater New York, Inc. f/k/a Jack La Lanne Fitness Centers, Inc. v. Prestige Bay Plaza Development Corp., Community Center Interior, LLC, Prestige Properties & Development Co., Inc. and Does 1-200, inclusive	Index No. 104747/08	Supreme Court of the State of New York, County of New York	Real Estate	Pending
Beatrice Jean V Bally Total Fitness Corp and 401 Hotel Reit, LLC	111303/2008	Supreme Court, State of NY, County of New York	Premises Liability	New Lawsuit
Benjamin Mitaritonna and Emilia Mitaritonna v. Bally Total Fitness Corporation	06-07944	Supreme Court of the State of New York County of Suffolk	Premises Liability	Dismissed
Blossom Clarke v Bally Total Fitness Corporation	12450/08	Supreme Court, State of New York, County of Queens	Premises Liability	In Discovery
Carlita Marte v Bally Total Fitness Corporation and Juaquin Cruz	17513-06	Supreme Court, State of NY, County of Bronx	Premises Liability	In Discovery
Constance Sparacino and Carlo Sparacino v. Bally Total Fitness and Bally Total Fitness Corporation	000418/2008	Supreme Court of the State of New York, County of Nassau.	Premises Liability	In Discovery

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Curt Stewart v. Bally Total Fitness Corporation and Jack LaLanne Fitness Centers, Inc.	218TSN2000	Supreme Court of the State of New York, County of New York,	Tort Claim	Dismissed
Cynthia C. Pryce v. Bally Total Fitness of Greater New York, Inc., Cleanfully Yours Building Maintenance, Inc. and All Out Building Services, Inc.	19727/08	Supreme Court of the State of New York, County of Westchester	Premises Liability	New Lawsuit
Cynthia Williams v. Bally Total Fitness, Bally Total Fitness Corporation, Bally Total Fitness of Greater New York, Inc., Bally Total Fitness of Upstate New York, Inc. and Bally Sports Clubs, Inc.	30339/08	Supreme Court of the State of New York, County of Bronx	Premises Liability	In Discovery
Damian Losardo v. Bally Total Fitness	30605134	Workers Compensation Board State of NY WC Board 41 N. Division St. Peekskill, NY 10566	Workers Compensation Claim	Settled
David Igneri v. Bally Total Fitness	SCK2626/2007	Civil Court, City of New York, County of New York	Small Claims	Judgment Entered
David Janofsky and Lucile Janofsky v Bally Total Fitness Corp, DBA Bally Total Fitness and Bally Total Fitness Corp DBA Bally	15458/2007	Supreme Court, State of NY, County of Queens	Premises Liability	In Discovery
Deborah Brock v Bally Total Fitness	23209-05	Supreme Court, State of New York, County of Bronx	Premises Liability	In Discovery
Diana Ferrito v Bally Total Fitness Corporation, Bally Total Fitness of Greater NY, Inc, Bally Sports Clubs, Inc. and Rosario "Doe"	110612/07	Supreme Court, State of NY, County of New York	Tort Claim	In Discovery
Diana Gorbach and Michael Gorbach v. Bally Total Fitness Corp., Bally Total Fitness of Greater New York, Inc., and John Doe a/k/a Ilya Doe	32504/2008	Supreme Court of the State of New York, County of Kings	Negligence Claim	New Lawsuit
Donald M. Daniels v Bally Total Fitness	I-2007-012331	Supreme Court, State of NY, County of Erie	Premises Liability	In Discovery
Felecia R. Hoskins v Bally Total Fitness Corporation, Bally Total Fitness Clubs, Jack LaLanne Fitness Centers, Inc., ABC Maintenance Company 1-5, John Does 1-5, XYZ Companies 1-5	L-1489-07	Superior Court of NJ, Law Division, Passaic County	Premises Liability	In Discovery
Frances Florentine and Edward A. Florentine v Bally Total Fitness of Wayne, Bally Total Fitness Corporation, et al.	ESX-L-5196-08	Superior Court, NJ Law Division, Essex County, NJ	Negligence Claim	New Lawsuit
Gregory C. Miglino, Jr., Executor of the Estate of Gregory C. Miglino, Sr., Deceased V Bally Total Fitness of Greater NY, Inc. and Bally Total Fitness Corporation	08-07729	Supreme Court, State of NY, County of Suffolk	Tort Claim	In Discovery
Heinz Von Ancken & Irene Von Acken v. Bally Fitness Clubs, Inc.	08-12079	Supreme Court of the State of New York, County of Suffolk	Premises Liability	In Discovery

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IDS Property Casualty Insurance Company as Subrogee of Mehboob Ebrahim and Bulzarbanu Ebrahim v. Angel Sanchez, Able Parking Services Ltd. d/b/a Valet Parking Systems, Dynasty Parking, Ltd. d/b/a Valet Parking Systems and Bally Total Fitness Corporation	034375/08	District Court of the County of Nassau, State of New York, First District: Civil Part	Premises Liability	In Discovery
Integrated Systems & Power, Inc. v. Vertical Club Corporation d/b/a Bally's	Index No. 7703CU	Civil Court of the City of New York	Miscellaneous (Breach of Contract)	Pending
Iris Santiago (afa Iris Malavet) vs. Bally Total Fitness of Greater New York, Inc., et al	BER-L-8088-07	Superior Court of New Jersey, Bergen County	Negligence Claim	In Discovery
Jacqueline Campos v Bally Total Fitness of Greater New York, Inc D/B/A Bally Total Fitness	031499	Civil Court, City of New York, County of Queens	Premises Liability	In Discovery
Janet Sandoval v. Bally Total Fitness	HUD-L-3763-07	Superior Court of New Jersey Hudson County Law Division	Premises Liability	Dismissed
Janice Linda Heard v Fordham Associates LLC and Bally's Total Fitness	6222/06	Supreme Court, State of NY, County of Bronx	Premises Liability	In Discovery
Jason Ellis v. Bally Total Fitness	SCK 1915/2008	Small Claims City Court, Brooklyn, NY	Tort Claim	Dismissed
Jean Noel v Bally Total Fitness	17015/08	Supreme Court, State of NY, County of Nassau	Premises Liability	New Lawsuit
Jean Pierre Bionet v Bally Total Fitness Corporation and Bally Total Fitness of Greater New York, Inc.	I	Supreme Court, State of New York, County of Kings	Negligence Claim	In Discovery
Jennifer Geoghegan v Bally Total Fitness Corporation and Holiday Health and Fitness Centers, Inc., et al.	16381/03	Supreme Court, State of NY, County of Kings	Premises Liability, Negligence Claim	In Discovery
Jennifer Hwang v Bally Sports Clubs, Bally Total Fitness Corp, Manhattan Sports Clubs, Inc and John Doe	101342/06	Supreme Court, State of NY, County of New York	Tort Claim	In Discovery
Judy Brown v Bally Total Fitness Corporation and Bally Total Fitness of Greater New York, Inc.	18270-07	Supreme Court, State of New York, County of Bronx	Premises Liability	In Discovery
Jung Soon Lee v Bally Total Fitness Corporation, Bally Total Fitness of Greater Ny., Inc, Bally Total Fitness Holding Corporation and Life Fitness, Inc.	305875/08	Supreme Court, State of NY, County of Bronx	Negligence Claim	In Discovery
Keith Groubert v. Jack LaLanne Fitness Centers, Inc. and Richard Kasparian	Case No. 23847/92	Supreme Court of New York	Employment	Pending
Kevin Record vs. Bally Total Fitness Corporation	7461/2007	Supreme Court of the State of New York, County of Suffolk	Premises Liability	Dismissed
Kevin Richardson v. Bally Total Fitness Coporation	080400245092007	District Court of Maryland for Baltimore County	Premises Liability	Dismissed
Lia Leong vs. Bally Total Fitness of Greater New York, Inc. & SERV Enterprise	25199/06	Supreme Court of the State of New York, County of Kings	Premises Liability	In Discovery

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Lisa Dunikowski v. Bally Total Fitness	Index No. SCK 5307/2008	Civil Court of the City of New York	Membership	Pending
Lisa Long v. Bally Total Fitness	522419	Workers Compensation Board State of NY WC Board 111 Livingston St. Brooklyn, NY 11201	Workers Compensation Claim	Settled
Lori Schlakman v. Bally Total Fitness	BER-L-2940-06	Superior Court of New Jersey, Law Division, Bergen County	Equipment Malfunction	Dismissed
Lorraine Capodieci, as Mother and Guardian of Christina B. Capodieci, an Infant Under the Age of 18 Years, and Lorraine Capodieci, Individually	15209/2000	Supreme Court, State of NY, County of Bronx	Negligence Claim	In Discovery
Lucia Federico v. Bally's Gym	11542/03	Supreme Court of the State of New York, County of Kings	Premises Liability	Dismissed
Luis J. Suarez Almonte v Bally Total Fitness Corporation	18891-07	Supreme Court, State of New York, County of Bronx	Premises Liability	In Discovery
Luis Oviedo v. Bally Total Fitness	237919	Workers Compensation Board State of NY WC Board 215 W. 125th St. New York, NY 10027	Workers Compensation Claim	Pending
Luz Dey Fuentes v. Reynald Valme and Bally Total Fitness of Greater New York	18930/06	Supreme Court, State of New York, County of Nassau	Negligence Claim	In Discovery
Marcelle Grassi and John Grassi, Individually and as Husband and Wife v Rainbow Racquet Club, LP, Bally Total Fitness Corporation, Bally Total Fitness of Upstate NY, Inc. and Bally Total Fitness of Greater NY, Inc.	2008-5604	Supreme Court, State of NY, County of Erie	Premises Liability	New Lawsuit
Marie Sander v. Bally Total Fitness Corporation and Jack LaLanne Fitness Centers, Inc.	08495/06	Supreme Court of the State of New York, County of Bronx.	Premises Liability	In Discovery
Maritza Pena v. Bally Total Fitness	513426	Workers Compensation Board State of NY WC Board 215 West 125th Street New York, NY 10027	Workers Compensation Claim	Settled
Massiel Villafuerte v. Bally Total Fitness Corporation, Bally Total Fitness Holding Corporation, Bally Total Fitness of Greater New York, Inc., Sunoco Properties, Inc. and Cleanfully Yours Building Maintenance, Inc.	13562/06	Supreme Court of the State of New York, County of Nassau	Premises Liability	Dismissed
Melvin A. Bentley and Monica Bentley v Bally Total Fitness Corporation and Bally Total Fitness of Greater New York, Inc.	17870-07	Supreme Court, State of New York, County of Kings	Negligence Claim	In Discovery
Merrick Reed as Adm. Of the Est. of Willie Reed v. Jack LaLanne Fitness Centers, Inc., et al.	2791/97	Supreme Court of the State of New York, County of Queens	Premises Liability	In Discovery

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Michael Brown v. Bally Total Fitness	801475	Workers Compensation Board State of New York WCB PO Box 5205 Binghamton, NY 13902-5205	Workers Compensation Claim	Settled
Min Bok Chang v Bally Total Fitness Corporation D/B/A Bally Total Fitness, Bally Total Fitness of Greater New York, Inc D/B/A Bally Total Fitness, and Bally Total Fitness	1967/2008	Supreme Court, State of New York, County of Kings	Premises Liability	In Discovery
Nadine Ramirez v. Bally Total Fitness	440708	Workers Compensation Board State of NY WC Board 168-46 91st Avenue, 3rd Floor Jamaica, NY 11432	Workers Compensation Claim	Settled
Pasquale Mellampe v Bally Total Fitness Corporation, Larry Leibowitz and Vandell Coltrane and cross claim by Leibowitz v Bally and Coltrane	307222/08	Supreme Court, State of NY, County of Bronx	Premises Liability	New Lawsuit
Pina Punzina and James Punzina v Jack LaLanne Fitness Centers Inc, Selv Enterprises LLC and MS Realty Corp.	12487/04	Supreme Court, State of NY, County of Kings	Premises Liability	Settled
Rayford Wayne Chappill v Bally Total Fitness Coproration	10904/05	Supreme Court, State of New York, County of New York	Negligence Claim	In Discovery
Reina Familia v. Bally Total Fitness	SCK3891/2007	City Court City of New York, Small Claims, Kings County	Small Claims	Dismissed
Rosanne Clemente v. Bally Total Fitness	40509213	Workers Compensation Board State of NY WC Board 220 Rabro Dr. Ste 100 Hauppague, NY 11788	Workers Compensation Claim	Settled
Rubin D. Hernandez v. Bally Total Fitness	688179	Workers Compensation Board State of NY WC Board 111 Livingston St. Brooklyn, NY 11201	Workers Compensation Claim	Pending
Rubin Hernandez v. Bally Total Fitness	608179	Workers Compensation Board State of NY WC Board 111 Livingston St. Brooklyn, NY 11201	Workers Compensation Claim	Pending
Sheldon & Helene Weiner v. Bally Total Fitness of Greater New York, Inc. & Bally Total Fitness Corporation	5071/08	Supreme Court of the State of New York, County of Nassau	Premises Liability	In Discovery
Sheryl Miller v Bally Total Fitness Corporation	0119740/01	Supreme Court, State of NY, County of New York	Premises Liability	In Discovery
Shoshana Shalhon v. Bally Total Fitness	20036/05	Supreme Court, Queens County, NY	Negligence Claim	Dismissed
Tamu Jones v Bally Total Fitness	16182/07	Supreme Court, State of NY, County of Kings	Premises Liability	In Discovery

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Tyeast Fullerton and Michael Fullerton v Bally Total Fitness Corp., Bally Total Fitness of Greater NY, Inc., Bally Sports Clubs, Inc., Bally's Health and Tennis Corp. and Jason Jacob	12431/08	Supreme Court, State of NY, County of Kings	Negligence Claim	In Discovery
Virginia Aquino v Bally Total Fitness Corporation and Bally Total Fitness of Greater New York, Inc.	302224/07	Supreme Court, State of New York, County of Bronx	Premises Liability	In Discovery
Wilhem Pete v. Bally Total Fitness	SC 01492/08.D1	District Court of Nassau County, Hempstead Part, New York	Small Claims	Dismissed
Zulema Matos v. Bally Total Fitness	547575	Workers Compensation Board State of NY WC Board 215 West 125th Street New York, NY 10027	Workers Compensation Claim	Settled