

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

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PEOPLE OF THE STATE OF NEW YORK, SEAN MAHAR, as Interim Commissioner of the New York State Department of Environmental Conservation, and the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION,	:	
	:	Index No. 612789/2024
	:	<b>[PROPOSED]</b>
Plaintiffs,	:	<b>CONSENT JUDGMENT</b>
	:	
- against -	:	Hon. Joseph Farneti
	:	
ANTHONY LABRIOLA, A.L.A.C. REALTY, LLC and A.L.A.C. CONTRACTING CORP.,	:	
	:	
Defendants.	:	
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**WHEREAS** plaintiffs State of New York (the "State"), the New York State Department of Environmental Conservation (DEC) and its Commissioner (all three together, "Plaintiffs" or the "State") filed the summons and verified complaint ("Complaint," NYSCEF #1) in this action on May 23, 2024. Service of the Complaint on defendant Anthony Labriola ("Labriola") was complete as of June 3, 2024. Service of the Complaint on defendants A.L.A.C. Realty, LLC ("ALAC Realty") and A.L.A.C. Contracting Corp. ("ALAC Contracting") was complete as of May 23, 2024.

**WHEREAS** the Complaint alleges that Labriola and ALAC Realty, the record owner of real property at 420 Falmouth Road in West Babylon, Suffolk County (the "Site"), violated Environmental Conservation Law (ECL) Article 24, the Freshwater Wetlands Act (the "Act"), and DEC implementing regulations at 6 NYCRR § 663.4 by illegally conducting the following activities at the Site, within a

DEC-regulated freshwater wetlands adjacent area, without a DEC permit: clearing trees and other vegetation, placing fill and performing grading, and building a parking lot and storage facility for use by defendant ALAC Contracting, Labriola's construction business.

WHEREAS Defendants Labriola and ALAC Realty agreed to resolve these violations in a December 6, 2018 administrative consent order executed by the DEC Region 1 Director on behalf of the DEC Commissioner (the "Consent Order," NYSCEF #2). In the Consent Order, which Labriola signed on behalf of himself and ALAC Realty, they admitted to violating the Act and DEC implementing regulations, and agreed to pay DEC \$55,000 in civil penalties, with \$6,000 payable to DEC upon execution of the Consent Order, and the remaining \$49,000 suspended for so long as they strictly complied with the Consent Order. Among other things, the Consent Order initially directed Labriola and ALAC Realty to submit a restoration plan to DEC within 30 days and included several actions that would be taken by June 1, 2019: moving an existing fence in the regulated freshwater wetland adjacent area to a demarcation line designated in the Consent Order; removing all debris, fill, and commercial materials from east of the new fence; and revegetating all areas of disturbance east of the new fence with 30 native trees and 30 native shrubs, plantings, spaced and planted at an appropriate density in the restoration area, with additional seeding of the disturbed area; and ensuring that at least 75% of all plantings survive over a period of five growing seasons, with proof of planting survival submitted annually to DEC.

WHEREAS Labriola and ALAC Realty failed to comply with the Consent Order, and on August 5, 2020 agreed to an amendment under which they agreed with DEC to pay DEC an additional \$8,000 in civil penalties, and to modify the compliance timelines in the Consent Order. They agreed to move the fence and remove equipment and debris east of the new fence, by October 5, 2020. They agreed to perform the required planting at the Site east of the new fence.

WHEREAS the Complaint alleges that other than making partial penalty payments totaling a combined \$14,000, Labriola and ALAC Realty failed to comply with the Consent Order.

WHEREAS the first cause of action in the Complaint seeks to enforce the Consent Order, and to find Labriola and ALAC Realty jointly and severally liable for violating the Consent Order, as amended, and the Act. The first cause seeks a money judgment consisting in part of the outstanding \$41,000 civil penalty against Labriola and ALAC Realty under the Consent Order, as amended, plus applicable interest and other charges under State Finance Law § 18, from October 1, 2020. The first cause of action further seeks an additional statutory penalty of \$380,000 against Labriola and ALAC Realty, jointly and severally, or such other amount as the Court determines to be reasonable and appropriate, for their continuing violations of the Act through the filing of the Complaint. The first cause of action also seeks to enforce the injunctive requirements of the Consent Order by requiring that Labriola and ALAC Realty move the fence, remove materials east of the new fence, and perform required plantings within 60 days of notice of entry of a

judgment, and monitor survival of the plantings under DEC oversight over five growing seasons.

**WHEREAS** the second cause of action seeks a finding that ALAC Contracting is liable for violation of the Act from January 4, 2019, with each day since April 1, 2022 constituting a new and independent violation, by unpermitted storage of construction vehicles and other construction equipment in the wetland adjacent area of the Site. The second cause of action seeks to obtain a money judgment comprised of a statutory penalty of \$220,000 against ALAC Contracting, or such other amount as the Court determines to be reasonable and appropriate, for its continuing violation of the Freshwater Wetlands Act through the filing of this verified complaint. The second cause of action also seeks an injunction requiring ALAC Contracting to fully cooperate with remedial activities at the Site.

**WHEREAS** on June 13, June 28, August 6, August 19, September 6, September 25, October 8 and October 22, 2024, the parties submitted stipulations extending the time for Defendants to respond to the Complaint, in order to facilitate settlement discussions between the parties.

**WHEREAS** between June 28 and July 26, 2024, Defendants Labriola and ALAC Realty implemented remedial actions at the Site under DEC oversight in fulfillment of certain requirements of the Consent Order, as amended. Specifically, they: (1) placed a block wall roughly along the demarcation line identified in the Consent Order; (2) removed vehicles, construction equipment, and debris from the restoration area east of the newly-erected block wall; (3) planted 30 native trees,

and 30 native shrubs in the restoration area east of the newly-erected block wall, and supported the plantings with an irrigation system; and (4) applied perennial native seed mix approved by DEC to the restoration area east of the newly-erected block wall. The only remaining remedial requirements relate to monitoring the plantings for five growing seasons to ensure survival to restore the disturbed regulated areas on a long-term basis.

**WHEREAS** the parties wish to resolve this matter according to the following terms, without further litigation, and Plaintiffs have concluded that entry of this Consent Judgment is in the public interest.

**IT IS HEREBY STIPULATED, ORDERED, AND DECREED, as follows:**

**I. JURISDICTION AND VENUE**

1. This Court has jurisdiction over the subject matter of this action pursuant to provisions of ECL §§ 71-2303 and 71-2305 and Judiciary Law § 140-b. Defendants waive all objections and defenses they may have to the jurisdiction of the Court or to venue in this County. The Court shall have continuing jurisdiction to enforce the terms of this Consent Judgment and to resolve any disputes that may arise hereunder.

**II. APPLICABILITY**

2. The obligations of this Consent Judgment apply to and are binding upon the State and upon Defendants and their agents, heirs, successors, and assigns.

3. No transfer of ownership of the Site (defined in Section III below) or any portion thereof shall relieve Defendants of their obligation to ensure that the terms of this Consent Judgment are implemented.

### **III. DEFINITIONS**

4. Whenever the terms set forth below are used in this Consent Judgment, the following definitions shall apply:

- a. "DEC" shall mean the New York State Department of Environmental Conservation.
- b. "Defendants" shall mean Anthony Labriola, ALAC Realty and ALAC Contracting.
- c. "Site" shall mean 420 Falmouth Road, West Babylon, New York 11704, identified on the Suffolk County Tax Map as number 0100-160.00-01.00-030.000.

### **IV. DEFENDANTS' MONITORING OF PLANTING SURVIVAL UNDER DEC OVERSIGHT**

5. Defendants shall maintain in place the newly-erected block wall, or some similar barrier, at its current location at the Site for so long as Labriola and ALAC Realty continue to own, or maintain possession of, the Site.

6. Defendants shall, through at least December 31, 2028, regularly monitor the plantings in the restoration area of the Site to ensure that at least 75% of all plantings in the restoration area survive over a period of five growing seasons or replace any planting necessary to maintain the 75% planting survival requirement as set forth in paragraph 7 below.

7. Defendants shall submit an annual planting survivorship and species monitoring report ("Annual Plant Monitoring Report" or "Report") to DEC Region 1's Bureau of Ecosystem Health (R1BEH@dec.ny.gov) by December 31st of 2024, 2025, 2026, 2027, and 2028. Each Annual Plant Monitoring Report submitted to DEC shall include at least two representative photos of the restoration area, a list of trees or shrubs that died that year, a list of trees or shrubs planted as replacements for dead trees or shrubs, and a discussion of whether any additional native seeding was required to maintain the 75% minimum survival rate.

8. Should DEC find an Annual Plant Monitoring Report submitted to it by Defendants to be deficient and decline to approve it, DEC shall provide a written explanation of the basis or bases for its disapproval. Unless otherwise agreed with DEC, Defendants shall have thirty (30) days from DEC's response to re-submit a revised Annual Plant Monitoring Report addressing DEC's concerns. If DEC concludes that the re-submitted Report is still not approvable, Defendants shall continue to revise the Report as directed by DEC to make it approvable. However, Defendants shall be in violation of the requirement to submit an Annual Plant Monitoring Report as of the 31<sup>st</sup> day to re-submit.

9. Should DEC's response to the Annual Plant Monitoring Report include a recommendation for any particular measures to enhance the survival of plantings in the restoration area of the Site, Defendants shall implement such measures under DEC oversight by the end of the spring planting season (generally June 15) that immediately follows the date of the Report's submission.

10. Defendants authorize DEC, its agents and employees thereof to access the Site during ordinary business hours to inspect the location of the block wall and the condition of the plantings in the restoration area east of the block wall. Plaintiffs shall provide Defendants no less than 24-hour notice of their intent to inspect the Site.

#### V. MONETARY PENALTIES

11. Defendants agree to pay DEC monetary penalties falling into two categories: (a) previously suspended civil penalties under the Consent Order, as amended, due when Labriola and ALAC Realty first violated it on October 1, 2020, plus statutory interest from that date pursuant to State Finance Law § 18 (“Consent Order Penalties”); and (b) additional penalties for Defendants’ violations of the Act and DEC implementing regulations from execution of the modified Consent Order and through entry of this Consent Judgment (“Post-Consent Order Penalties”).

12. Consent Order Penalties. In satisfaction of their obligation to pay the Consent Order Penalties, Defendants Labriola and ALAC Realty, or their counsel, shall, by no later than November 15, 2024, mail a bank check in the amount of Forty-Six Thousand Eight Hundred and Fifty Dollars and Eight Cents (\$46,850.08) made out to “NYS Department of Environmental Conservation” with the following in the “memo” line: “C.O. R1-20180703-135. 420 Falmouth Road, West Babylon, NY” to Plaintiffs’ counsel at the following address:



Max Shterngel  
Assistant Attorney General  
New York State Office of the Attorney General  
Environmental Protection Bureau  
28 Liberty Street, 19<sup>th</sup> Floor  
New York, NY 10005

13. The Clerk shall enter judgment in the amount of Forty-Six Thousand Eight Hundred and Fifty Dollars and Eight Cents (\$46,850.08), minus any portion of the Consent Order Penalties amount already paid, against Defendants Labriola and ALAC Realty, upon application by Plaintiffs at any time after Labriola and ALAC Realty fail to make such payment under paragraph 12 above.

14. Post-Consent Order Penalties. Defendants shall pay Post-Consent Order Penalties of One-Hundred and Fifty Thousand Dollars (\$150,000) to DEC, of which Seventy-Five Thousand Dollars (\$75,000) shall be suspended (the "Suspended Penalty") for so long as Defendants strictly comply with the terms of this Consent Judgment, including: the plant monitoring and reporting requirements described in Section IV above; the requirement to pay the Consent Order Penalties in accordance with paragraph 12 above; and the requirement to pay the Seventy-Five Thousand Dollars payable portion in accordance with paragraph 15 below.

15. Within 14 days of the Effective Date (as defined in paragraph 35 below), or within three days of the Effective Date if the Effective Date is November 22, 2024 or later, Defendants or their counsel shall mail a bank check in the amount of Seventy-Five Thousand Dollars (\$75,000) made out to "NYS Department of Environmental Conservation" with the following in the "memo" line: "Freshwater Wetlands - 420 Falmouth Road, West Babylon, NY" to Plaintiffs' counsel at the

following address:

Max Shterngel  
Assistant Attorney General  
New York State Office of the Attorney General  
Environmental Protection Bureau  
28 Liberty Street, 19<sup>th</sup> Floor  
New York, NY 10005

16. The Clerk shall enter judgment in the amount of Seventy-Five Thousand Dollars (\$75,000), minus any portion of the Post-Consent Order Penalties amount already paid, against Defendants, upon application by Plaintiffs at any time after Defendants fail to make such payment under paragraph 15 above.

17. If Defendants fail to timely comply with any requirement of this Consent Judgment, including failing to make a timely payment to Plaintiffs as required by paragraphs 12 and 15, or failing timely to submit an Annual Plant Monitoring Report to DEC as required by Section IV above, Plaintiffs shall be entitled to make a written demand for any or all of the Suspended Penalty, to the extent not already paid, in accordance with paragraph 20 below. Once payment of the Suspended Penalty becomes due following such demand in accordance with paragraph 20, and after Defendants' right to challenge the basis for the demand has expired or been unsuccessfully exercised, Plaintiffs shall have the right to submit a money judgment to the Suffolk County Clerk for entry in the amount of Seventy-Five Thousand Dollars (\$75,000.00), or such lesser amount as may have been demanded by Plaintiffs, against Defendants.

18. After Defendants: (a) satisfy the requirements of Section IV of the Consent Judgment; (b) have paid the Consent Order Penalties of Forty-Six

Thousand Eight Hundred and Fifty Dollars and Eight Cents (\$46,850.08) to Plaintiffs; and (c) have paid the Seventy-Five Thousand Dollars (\$75,000) payable portion of the penalty and any portion of the Suspended Penalty that Plaintiffs have assessed that Defendants did not timely challenge, or the Court has upheld after timely challenge, Plaintiffs' counsel shall provide written confirmation that Defendants have fulfilled all the requirements of this Consent Judgment ("Completion Confirmation Letter"). Such Completion Confirmation Letter shall be transmitted solely by Assistant Attorney General Max Shterngel or another Assistant Attorney General. To the extent any portion of the Suspended Penalty remains outstanding, such portion of the Suspended Penalty shall be extinguished upon Defendants' receipt of the Completion Confirmation Letter.

19. The Suspended Penalty provided for in this Consent Judgment shall be in addition to any other rights, remedies, or sanctions available to the State and/or DEC for Defendants' violation of this Consent Judgment or applicable law.

#### VI. VIOLATION NOTIFICATIONS AND CHALLENGES

20. Plaintiffs shall notify Defendants of any violation of this Consent Judgment by issuing a notice of violation ("NOV") with a demand for the Suspended Penalty. If Plaintiffs issue an NOV, Defendants shall have 14 days from being served with such NOV to initiate a challenge as provided below. The Suspended Penalty shall be due and payable by Defendants 45 days after their time to initiate a challenge expires or, if Defendants timely initiate a challenge, within 45 days after a decision of the Court is entered which upholds, in whole or in part, the

challenged NOV.

21. Defendants shall have the right to challenge any NOV by motion on notice before this Court. In any such challenge, Plaintiffs' NOV shall be upheld unless Defendants meet their burden of demonstrating that the NOV was arbitrary, capricious or contrary to law under the standards applicable to a CPLR Article 78 challenge.

22. If Defendants fail to commence a challenge within 14 days in accordance with paragraph 20, Defendants waive their right to challenge the NOV and any associated assessment of penalties in this Court or any other forum.

23. In any motion brought pursuant to paragraph 21, service of the moving papers shall be made by electronic delivery to:

Max Shterngel  
Assistant Attorney General  
New York State Office of the Attorney General  
Max.Shterngel@ag.ny.gov

and

Craig Elgut  
Regional Attorney, Region 1  
New York State Department of Environmental Conservation  
Craig.Elgut@dec.ny.gov

Receipt by either shall constitute good service. Plaintiffs shall have the right to designate different or additional recipients by letter, without the need for amending this Consent Judgment.

**VII. SECURING ACCESS TO THE SITE IF IT IS LEASED**

24. To the extent the Site becomes occupied by one or more tenants other than ALAC Realty, ALAC Contracting, or an affiliate of any of these, Defendants

and their agents shall incorporate into any lease of the Site or of any portion of the Site the requirement that consultants or contractors of Defendants, and any DEC employees or agents, be provided with access to the Site during ordinary business hours, upon reasonable notice, for the purpose of monitoring compliance with Section IV of this Consent Judgment, in accordance with the time frames set forth above concerning Defendants' obligations under this Consent Judgment.

#### **VIII. POTENTIAL SALE OF THE SITE**

25. In the event that Defendants, voluntarily or pursuant to court order, undertake to sell, transfer, or otherwise convey the Site (or any portion of the Site), or any interest therein, prior to receiving a Completion Confirmation Letter, Defendants shall:

a. provide the purchaser, successor in title, or assignee of the Site with a copy of the following documents: (i) this Consent Judgment as approved by the Court; and (ii) any Annual Plant Monitoring Report submitted to DEC in accordance with Section IV of this Consent Judgment.

b. provide Plaintiffs with at least 20 business days written notice prior to executing a contract for such sale and shall then provide Plaintiffs with a copy of any such executed contract for sale, and if there is no such contract, provide Plaintiffs notice of such sale at least 30 business days prior to any closing for such a transaction, or auction for a compelled sale.

26. In any such sale, transfer, or conveyance, the contract of sale or another written agreement between Defendants and the purchaser, successor, or

assignee shall provide that the purchaser, successor in title, or assignee shall be required to comply with the injunctive obligations of Sections IV set forth in this Consent Judgment and all other terms and conditions of this Consent Judgment (save for the Monetary Penalties provisions of Section V).

27. Failure to impose the obligations set forth in this Consent Judgment into a future contract of sale of the Site does not release Defendants or the purchaser(s) of the Site, or of an interest therein, from its obligations hereunder.

28. Defendants and the successor(s) to its interest in the Site shall be jointly and severally liable for the implementation of all injunctive obligations set forth in this Consent Judgment even after any such sale, transfer or conveyance of the Site (or any portion of the Site).

#### **IX. NOTICES**

29. Defendants shall serve any communication pursuant to this Consent Judgment via email upon:

Max Shterngel  
Assistant Attorney General  
New York State Office of the Attorney General  
Max.Shterngel@ag.ny.gov

and

Craig Elgut  
Regional Attorney, Region 1  
New York State Department of Environmental Conservation  
Craig.Elgut@dec.ny.gov

and

Kevin Jennings  
Manager of DEC Region 1 Bureau of Ecosystem Health.

New York State Department of Environmental Conservation  
R1BEH@dec.ny.gov

30. Plaintiffs shall serve any communication pursuant to this Consent

Judgment via First Class Mail upon:

Anthony Labriola  
c/o Law Office of Steven Cohn, P.C.  
One Old Country Road, Suite 420  
Carle Place, New York 11514

with a courtesy email to Mitchell Goldklang, Esq. at mgoldklang@scohnlaw.com and Steven Cohn, Esq. at scohn@scohnlaw.com, and/or such alternative or additional counsel as Defendants shall designate.

#### **X. MISCELLANEOUS**

31. The provisions of this Consent Judgment shall bind Defendants, their successors and assigns, and, should Defendants file for bankruptcy, their trustees in bankruptcy.

32. This Consent Judgment shall constitute the entire agreement of Plaintiffs and Defendants with respect to settlement of the two causes of action in the Complaint. For the avoidance of doubt, this Consent Judgment does not settle any of Defendants' liability to DEC or to the State for any other violations not addressed in the Complaint.

33. If Defendants cannot comply with a deadline or requirement of this Consent Judgment because of a war, strike, riot, or other condition which was not caused by the negligence or willful misconduct of Defendants and which could not have been avoided by Defendants through the exercise of due care, Defendants shall

apply in writing to Plaintiffs as soon as practicable after obtaining knowledge of such fact and request an extension or modification of the deadline or requirement. If Defendants have timely applied in writing to Plaintiffs under this paragraph, Plaintiffs shall not unreasonably withhold their agreement to extend a deadline or modify a requirement or obligation of this Consent Judgment.

34. Defendants shall indemnify and hold DEC, the State and their representatives and employees harmless for all claims, suits, actions, damages and costs resulting from the acts and/or omissions of Defendants, intentional, negligent, or otherwise, of every nature and description, arising out of or resulting from the compliance or attempted compliance with the provisions of this Consent Judgment by Defendants or its employees, servants, agents, successors or assigns.

35. The effective date of this Consent Judgment ("Effective Date") is the date the Court-approved Consent Judgment, marked entered by the County Clerk, is filed on the NYSCEF docket.

36. Nothing contained in this Consent Judgment shall be construed as a release or waiver by the State or DEC of their rights to seek penalties and other relief for any violations of the ECL or other laws from Defendants or any other parties, except to the extent this Consent Judgment resolves such violations. For purposes of clarity, by fully complying with this Consent Judgment Defendants will resolve all of the violations arising from or otherwise concerning the allegations pled in the Complaint. If Defendants agree to this Consent Judgment but fail to complete the requirements of Section IV, Defendants shall remain subject to DEC and/or



State claims for violation of the Freshwater Wetland Act or other laws, except that Defendants shall not be subject to monetary penalties for any violations that have accrued through the Effective Date, other than the penalties provided by this Consent Judgment.

**XI. COMPLIANCE WITH FEDERAL TAX REPORTING REQUIREMENTS**

37. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, the Office of Attorney General of the State of New York ("OAG") is required to send to the Internal Revenue Service ("IRS") annually, a completed IRS Form 1098-F ("Fines, Penalties, and Other Amounts") with respect to any court order or settlement agreement (including consent judgments), that require a payor to pay an aggregate amount that OAG reasonably believes will be equal to, or in excess of, \$50,000 for the payor's violation of any law or the investigation or inquiry into the payor's potential violation of any law, including amounts paid for "restitution or remediation of property" or to come "into compliance with a law." OAG is further required to furnish a written statement, which provides the same information provided to the IRS, to each payor (i.e., a copy of IRS Form 1098-F). Failure to comply with providing IRS Form W-9 or Tax Identification Number ("TIN"), as described below, may subject parties to a penalty, per 26 U.S.C. §§ 6723, 6724(d)(3) and 26 C.F.R. § 301.6723-1.

38. In order to provide OAG with sufficient information to enable it to fulfill these reporting obligations to IRS, Defendants shall each:

- a. Complete an IRS Form W-9 ("Request for Taxpayer Identification

Number and Certification”), which is available at <https://www.irs.gov/pub/irs-pdf/fw9.pdf>;

b. Within 30 days of the Effective Date of this Consent Judgment (as defined in paragraph 35 above), email its completed IRS Form W-9 to Assistant Attorney General Max Shterngel at [max.shterngel@ag.ny.gov](mailto:max.shterngel@ag.ny.gov), or mail the completed IRS Form W-9 to the following address:

Max Shterngel  
Assistant Attorney General  
New York State Office of the Attorney General  
Environmental Protection Bureau  
28 Liberty Street, 19th Floor  
New York, NY 10005

c. In the event that a Defendant has certified in its completed IRS Form W-9 that it has applied for a TIN and that the TIN has not been issued to that Defendant within 30 days after the Effective Date of this Consent Judgment (as defined in paragraph 35 above), then that Defendant shall further:

(i). notify OAG by e-mailing Assistant Attorney General Max Shterngel at [max.shterngel@ag.ny.gov](mailto:max.shterngel@ag.ny.gov) of this fact within 45 days after the Effective Date of this Consent Judgment (as defined in paragraph 35 above); and

(ii). within five days of that Defendant's receipt of its TIN, provide that Defendant's TIN via email to Assistant Attorney General Max Shterngel at [max.shterngel@ag.ny.gov](mailto:max.shterngel@ag.ny.gov) or mail that Defendant's TIN to the following address:

Max Shterngel  
Assistant Attorney General  
New York State Office of the Attorney General  
Environmental Protection Bureau  
28 Liberty Street, 19th Floor  
New York, NY 10005

**XII. SIGNATORIES**

39. The parties may execute this Consent Judgment in counterparts and by electronic signature. Copies of signatures, including copies transmitted electronically, shall be treated as originals.

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**AGREED TO:**

Date: 11/1/24

**LAW OFFICE OF STEVEN COHN, P.C.**

*Attorneys for Defendants*


By: 

Steven Cohn, Esq.  
Mitchell Goldklang, Esq.  
One Old Country Road, Suite 420  
Carle Place, New York 11514  
Tel: (516) 294-6410  
scohn@scohnlaw.com  
mgoldklang@scohnlaw.com

Date: 10/31/24

**ANTHONY LABRIOLA  
A.L.A.C. REALTY LLC  
A.L.A.C. CONTRACTING CORP.**

*Defendants*

By: 

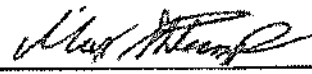
Anthony Labriola, for himself and as  
Authorized Signatory for A.L.A.C. Realty  
LLC and A.L.A.C. Contracting Corp.

Date: Nov. 1, 2024

**LETITIA JAMES**

**Attorney General of the  
State of New York**

*Attorney for Plaintiffs People of the State of  
New York, Sean Mahar, as Interim  
Commissioner of the New York State  
Department of Environmental Conservation,  
and the New York State Department of  
Environmental Conservation.*

By: 

Andrew J. Gershon  
Senior Enforcement Counsel  
Max Shterngel  
Assistant Attorney General  
Environmental Protection Bureau  
28 Liberty Street, 19th Floor  
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**SO ORDERED AND ADJUDGED:**

Date: 11/16/2024

ENTER:

  
Hon. Joseph Farneti