



STATE OF NEW YORK  
DEPARTMENT OF AGRICULTURE AND MARKETS  
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June 27, 2012

*Via Facsimile Only*

**TO:** Mona Engle, Esq

**SUBJECT:** Umka / Dog Purchased by Ms. Elena Zakharova

Dear Ms. Engel,

I am an attorney with the New York State Department of Agriculture and Markets (Department), which regulates pet dealers pursuant to Article 26-A of the Agriculture and Markets Law. This is in reference to Ms. Elena Zakharova, who on or about February 4, 2012, purchased a Brussels Griffon (Umka) from your client, Jeffrey Silverstein.

I've been advised by Ms. Zakharova's attorney, Susan Lask, Esq., that at the time of purchase, your client did not provide Ms. Zakharova with requisite papers on the dog, specifically, an information statement on the dog; notice regarding the sale of a dog; and a rabies information sheet. Your client also failed to provide registration documents and disclosure of animal pedigree registration.

Pursuant to Article 35-D of the General Business Law, these documents are to be provided to the purchaser of a dog at the time of purchase. Since Article 35-D affords dog purchasers certain rights regarding the purchase of dogs, the provisions of this law cannot be waived by a purchaser as a condition to receiving the aforementioned papers.

With this letter, I am requesting that your client provide the required documentation to Ms. Zakharova; otherwise, the Department may have no choice but to consider commencement of legal action to compel compliance.

Your anticipated cooperation is greatly appreciated.

Very truly yours,

/s Frederick Brian Arnold  
Frederick Brian Arnold, Esq.

Cc: Susan Lask, Esq.