

TRADEMARK ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	Litigation		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Fourth Toro Family Limited Partnership		12/14/2010	LIMITED PARTNERSHIP: NEW YORK
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Wilenta Carting Inc.		
<b>Street Address:</b>	46 Henry Street		
<b>Internal Address:</b>	PO Box 2596		
<b>City:</b>	Secaucus		
<b>State/Country:</b>	NEW JERSEY		
<b>Postal Code:</b>	07096		
<b>Entity Type:</b>	CORPORATION: NEW JERSEY		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	2450379	H&H BAGELS	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>			
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
<b>Email:</b>	Maurice.mclaughlin@esqnj.com		
<b>Correspondent Name:</b>	McLaughlin & Nardi LLC		
<b>Address Line 1:</b>	37 Vreeland Avenue		
<b>Address Line 4:</b>	Totowa, NEW JERSEY 07512		
<b>NAME OF SUBMITTER:</b>	Helmer Toro		
<b>Signature:</b>	/Helmer Toro/		
<b>Date:</b>	12/31/2012		

OP \$40.00 2450379

**Total Attachments: 6**

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MCLAUGHLIN & NARDI, LLC  
Attorneys for Plaintiffs  
Wilenta Feed, Inc. and Wilenta Carting, Inc.  
37 Vreeland Avenue  
Totowa, New Jersey 07512  
(973) 890-0004

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW JERSEY

WILENTA FEED, INC., and WILENTA  
CARTING INC.,

Plaintiffs,

v.

HELMER TORO, AMY-DUKOFF  
TORO, THE FIRST TORO FAMILY  
LP, THE THIRD TORO FAMILY LP,  
THE FOURTH TORO FAMILY LP,  
THE FIFTH TORO FAMILY LP, THE  
SIXTH TORO FAMILY LP, 35 REAL  
ESTATE LP, GARDEN OPERATION  
REALTY LP, GARDEN OPERATION  
CORP., MANHATTAN WEST SIDE  
LP, MANHATTAN EMPLOYEE  
SERVICE, INC., WESTMILL LP,  
WINGATE LP, CITYWIDE  
SERVICING GROUP, INC., JERSEY  
EMPLOYEE SERVICE CORP,  
HUDSON SALES AND MARKETING,  
INC., UNITED PRODUCTION  
SERVICE, INC., YXZ III, INC., QRS II,  
INC., TUV V, INC., SRQ IV, INC.  
ABC ENTITIES 1-100, JOHN DOES  
and JANE DOES 1-100.

Defendants.

CIVIL ACTION NO.:

**COMPLAINT AND  
JURY DEMAND**

Plaintiffs, Wilenta Feed, Inc. and Wilenta Carting, Inc., by and through their attorneys,

McLaughlin & Nardi, LLC, complain of Defendants as follows.

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incurred and such other relief as the Court may deem just, proper, and appropriate under the circumstances.

Respectfully submitted,  
McLaughlin & Nardi, LLC  
Attorneys for the plaintiffs,  
Wilenta Feed, Inc. and Wilenta Carting, Inc.

by: /s/ Maurice W. McLaughlin  
Maurice W. McLaughlin  
A member of the firm

Dated: December 14, 2010

**JURY DEMAND**

Plaintiffs demand trial by jury.

McLaughlin & Nardi, LLC  
Attorneys for the Plaintiffs, Wilenta Feed, Inc. and  
Wilenta Carting, Inc.

by: /s/ Maurice W. McLaughlin  
Maurice W. McLaughlin  
A Member of the Firm

Dated: December 14, 2010

MCLAUGHLIN & NARDI, LLC  
 Attorneys for Plaintiffs  
 Wilenta Feed, Inc. and Wilenta Carting, Inc.  
 37 Vreeland Avenue  
 Totowa, New Jersey 07512  
 (973) 890-0004

**FILED**

JUL 09 2010

Barry P. Sarkisian, J.S.C.

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WILENTA FEED, INC., and WILENTA  
 CARTING INC.,

SUPERIOR COURT OF NEW JERSEY  
 LAW DIVISION - HUDSON COUNTY

Plaintiffs,

DOCKET NO: L-2633-10

CIVIL ACTION

v.

GARDEN OPEARTION  
 CORPORATION d/b/a H&H BAGELS,  
 GARDEN OPEARTION REALTY, LP,  
 and HELMER TORO

ORDER FOR JUDGMENT

Defendants.

J

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THIS MATTER BEING OPENED TO THE COURT by McLaughlin & Nardi, LLC, attorneys Plaintiffs, Wilenta Feed Inc., and Wilenta Carting Inc.; and upon notice to Jorge Delgado, Esq. attorney for Defendants, Garden Operation Corporation W/b/a H&H Bagels, Garden Operation Realty, LP., and Helmer Toro; and this matter having proceeded in a summary on confirmation of an Arbitration Award in accordance with N.J.S.A. 2A: 23B-22; and the Court having considered the papers submitted; and good cause being shown for the making and granting of this Order;

IT IS on this 9 day of July, 2010

HEREBY ORDERED as follows:

1. Defendants, Garden Operation Corporation d/b/a H&H Bagels, Garden Operation Realty, LP., and Helmer Toro are hereby ORDERED to be hereby adjudged to jointly and severally liable to pay Plaintiff, Wilenta Feed, Inc., the sum of \$148,369.08 interest, within thirty days from the date hereof.

*[Handwritten signature]*

2. Defendants, Garden Operation Corporation d/b/a H&H Bagels, Garden Operation Reality, LP., and Helmer Toro are hereby ORDERED to be hereby adjudged to be jointly and severely liable to pay Plaintiff, Wilenta Carting, Inc., the sum of \$49,498.95 plus interest, within thirty days from the date hereof.

3. Plaintiffs are hereby granted to leave to submit a certification for costs and counsel fees incurred within action within <sup>14</sup> ~~thirty~~ days from the date hereof *on notice to Defendants and any other person from whom to be paid with \$14,000 of their receipts by PWS Carting Inc.*

4. A true copy for of this Order for Judgment shall be served on Jorge Delgado, Esq., counsel for Defendants within 7 from hereof.

Opposed  
 Unopposed

*[Handwritten signature]*  
J.S.C.  
Barry P. Sarkisian

*\* per NJSA 2A: 23B-25(b)(c)*

*- FOR THE REASONS ON THE RECORD OF JULY 9, 2010*

cc from: 18:32 FAX 8732563641

NARDI

To: 9732563641

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**FILED**

NOV 03 2010

Barry P. Sardislan J.S.C

MCLAUGHLIN & NARDI, LLC  
Attorneys for Plaintiffs  
Wilenta Feed, Inc. and Wilenta Carting, Inc.  
37 Vreeland Avenue  
Totowa, New Jersey 07512  
(973) 890-0004

WILENTA FEED, INC., and WILENTA  
CARTING INC.,

Plaintiffs,

v.

GARDEN OPERATION  
CORPORATION d/b/a H&H BAGELS,  
GARDEN OPERATION REALTY, LP,  
and HELMER TORO

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - HUDSON COUNTY

DOCKET NO: L-2633-10

CIVIL ACTION

SECOND SUPPLEMENTARY ORDER FOR  
JUDGMENT

THIS MATTER BEING OPENED TO THE COURT by McLaughlin & Nardi, LLC, attorneys for the Plaintiffs, Wilenta Feed Inc., and Wilenta Carting Inc.; upon Plaintiffs' application for costs and counsel fees pursuant to arbitration award in accordance with the Court's Order of July 9, 2010; and upon notice to Brian Confino, Esq. and Carl B. Person, Esq., attorneys for Defendants, Garden Operation Corporation d/b/a H&H Bagels, Garden Operation Realty, LP., and Helmer Toro; and the Court having entered Judgment confirming the arbitration award; and the Court having awarded Plaintiffs costs and counsel fees in this case; and Defendants having appeared through counsel and opposed Plaintiffs' application for entry of the arbitration award; and the Court having considered the papers submitted and oral argument on July 9 2010 both opposing and in favor of confirming the arbitration award and awarding counsel fees; and good cause being shown for the making and granting of this Order;

IT IS on this 3rd day of November 2010

HEREBY ORDERED and ADJUDGED as follows:

05-2010 09:22 From:  
10/20/2010 15:32 FAX 9732573041

NARDY

To: 9732563641

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1. This Second, Supplementary Order for Judgment shall supplement and be in addition to the Order for Judgment entered by the Court on July 9, 2010.

2. Defendants, Garden Operation Corporation, Garden Operation Facility, LP., and Helmer Toro are hereby ORDERED and ADJUDGED to be jointly and severally liable to pay Plaintiffs, Wilenta Feed, Inc. and Wilenta Caring, Inc., the sum of \$29,352.47 as reimbursement of their costs and reasonable counsel fees incurred in this matter within 14 days from the date hereof (representing the amounts in the Certifications of Services dated July 14, 2010 and will supplement cost of 10/20/10 ~~2010~~), ~~plus interest from the date of~~

3. In the event that Defendants do not pay this sum to Plaintiffs within 14 days from the date hereof, Plaintiffs may submit further applications to the Court from time to time for their reasonable costs and counsel fees incurred in enforcing the Order for Judgment entered July 9, 2010, and this Second, Supplementary Order for Judgment.

4. A true copy for of this Second, Supplementary Order for Judgment shall be served on counsel for Defendants within 10 days from the date hereof via regular mail.

  
Honorable Barry P. Sarkisian, J.S.C.

Opposed  
 Unopposed