

# EXHIBIT D

SUPREME COURT  
COUNTY OF ONTARIO STATE OF NEW YORK

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ROUTE 96 PROPERTIES, LLC.,

Plaintiff,

Index No.: 127226-2020

vs.

ADVENTURES IN MOVEMENT AND  
SENSATION, INC., and  
MARK KLYCZEK,

Defendants.

VERIFIED ANSWER

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Defendants by and through their attorney, Kenyon & Kenyon, Edward C. Kenyon, Esq., of counsel, in answer to the allegations set forth in Plaintiff's Complaint, respectfully allege:

1. Admits the allegations set forth in the following paragraphs of Plaintiff's complaint: 2, 4, 5, 6, 7, and 8
2. Denies the allegations set forth in the following paragraphs of Plaintiff's complaint: 3, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 21, 22, 23, 24, 26, 27, 28, 29, 30 and 31.
3. Lacks information and knowledge as to the truth or accuracy of the allegations set forth in paragraphs 1, 15, 20, 25 and 28 of Plaintiff's complaint and therefore denies same.
4. Denies each and every other allegation set forth in Plaintiff's complaint not heretofore admitted or denied.

**As and For A First Affirmative Defense**

5. Defendant Adventures in Movement and Sensation, Inc. was not properly served the Summons and Complaint in this matter.
6. Service of the Summons and Complaint was not made upon any of the specified individuals or agents described in NYS CPLR §311 (a)(1).
7. Upon information and belief, Service of the Summons and Complaint was not made pursuant to NYS BCL § 306 or §307.
8. Therefore, this Court lacks jurisdiction over Defendant Adventures in Movement and Sensation, Inc.

**As and For A Second Affirmative Defense**

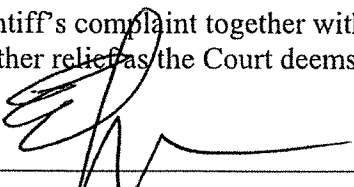
9. Defendant Mark Klyczek is a resident of the Commonwealth of Virginia.

10. Service of the Summons and Complaint was not made upon Defendant Mark Klyczek, personally.
11. Service of the Summons and Complaint was not made upon a person of suitable age and discretion within the State of New York.
12. Upon information and belief, Service of the Summons and Complaint was not made pursuant to any of the provisions of NYS CPLR §308.
13. Upon information and belief, the provisions of NYS CPLR §313 were not followed in effectuating Service upon Defendant Mark Klyczek.

As the Defendants are Answering, alleging lack of jurisdiction over the Defendants, the filing of this Answer is not intended, in any fashion, to admit to jurisdiction over the Defendants, or to impose jurisdiction thereon.

Wherefore, Defendants demand judgment dismissing Plaintiff's complaint together with the costs and disbursements of Defendants and such other and further relief as the Court deems just and proper.

Dated:



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Edward C. Kenyon, Esq.  
Attorney for Defendant  
Kenyon & Kenyon  
11 North Street  
Canandaigua, New York 14424  
Phone: (585) 394-2068  
Fax: (585) 394-5227  
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VERIFICATION

Mark Klyczek, being duly sworn deposes and says that he is the natural person Defendant in the above entitled action, and he is the President of the corporate Defendant, that he has read the foregoing Complaint and that the same is true as to his knowledge, except as to those matters alleged upon information and belief, and as to those matters he believes them to be true.

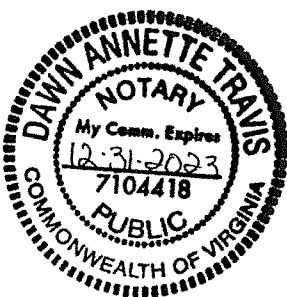
*Mark Klyczek*

Mark Klyczek

Adventures in Movement and  
Sensation, Inc.

*Mark Klyczek*

By: Mark Klyczek, President



Sworn to before me this  
6 day of Aug, 2020.

*Dawn Annette Travis*  
Notary Public