

C

At IAS Part Com I of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse, 360 Adams Street, Brooklyn, New York, on the 16th day of December, 2008

P R E S E N T:

HON. HON. CAROLYN E. DEMAREST

Justice

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WILMOS FRIEDMAN, HERMAN KAHAN, ZIGMOND BRACH, JOSE MASRI, ERVIN ROSNER, MORRIS FRIEDMAN, JOSEPH EPSTEIN, HERMAN LANDAU, MOSES SPIELMAN and all others similarly situated,

Index No. 33487 08

Plaintiffs,

ORDER TO SHOW CAUSE

-against-

CYL CEMETERY, INC., CONGREGATION YETEV LEV D'SATMAR, INC., CHEVRE KADISHE D'SATMAR, a division of CONGREGATION YETEV LEV D'SATMAR, INC., CONGREGATION YETEV LEV D'SATMAR OF KIRYAS JOEL, INC., CENTRAL CONGREGATION YETEV LEV D'SATMAR, INC., RABBI EZRIEL GLUCK, JOSEPH WEISS, MOSES WITRIOL, NEW YORK STATE POLICE, DAVID MARKOWITZ, CHAIM ELIEZER GROSS, JOEL KAUFMAN, DAVID EKSTEIN, ELIAS HOROWITZ, and SHLOMO WERTZBERGER,

Defendants.

KINGS COUNTY CLERK
FEE PD \$ 45 00
Law Agent

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Upon reading and filing plaintiffs' Verified Complaint, affirmed on December 15, 2008, the Affirmation of David B. Hamm, Esq., dated December 15, 2008, and the Affirmations, Affidavits and other Exhibits annexed thereto,

→ Let defendants show cause at IAS Part Com Fat Room 756, at the Courthouse, located at 360 Adams Street, Brooklyn, New York, on the 30 day of January, 2009, at 9.30 o'clock in the Forenoon of that day, or as soon thereafter as counsel can be heard, why an order should not be made and entered herein, pursuant to CPLR Article 63, granting a preliminary injunction barring defendants and each of them from interfering, directly or indirectly, with plaintiffs'

rights and those of all others similarly situated, established by Certificates issued by the Congregation Yetev Lev D'Satmar, Inc. at 150-152 Rodney Street in Brooklyn, to burial in the Kiryas Joel Cemetery, and their rights pursuant to permits issued by the said Congregation for the erection of headstones in the Kiryas Joel Cemetery, and from withholding services incidental and necessary to the exercise of such rights; ~~and~~

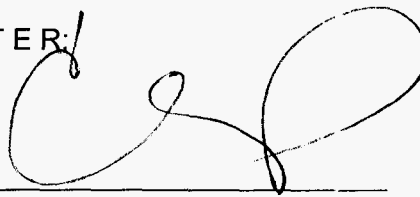
STAY
CRP
JSC
ORDERED, that pending the hearing of this motion, defendants are restrained from interfering, directly or indirectly, with plaintiffs' rights, ~~and those of all others similarly situated~~ established by Certificates issued by the Congregation Yetev Lev D'Satmar, Inc. ~~at 150-152 Rodney Street in Brooklyn, to burial in the Kiryas Joel Cemetery, and their rights pursuant to permits issued by the said Congregation for the erection of headstones in the Kiryas Joel Cemetery,~~ and from withholding services incidental and necessary to the exercise of such rights; ~~and it is further~~

Prin to April 1, 2006

LET PERSONAL
ORDERED, ~~that~~ service of a copy of this Order to Show Cause and the papers upon which it is based, together with the Summons and Complaint herein, a) with respect to the individual defendants, ~~pursuant to CPLR 308(1), (2) or (3);~~ b) with respect to defendant corporations, ~~pursuant to CPLR 314 or Business Corporation Law section 306;~~ and c) with respect to defendant New York State Police, ~~pursuant to CPLR 309,~~ on or before January 14, 2009, shall be considered good and sufficient service.

14 Jan

ENTER:



J.S.C.

HON. CAROLYN E. DEMAREST