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OJC
PT-41
9/8

At an I.A.S. Part ⁷² of the Supreme Court of the State of New York held in and for the County of Kings, at the Courthouse, at 360 Adams Street, Brooklyn, New York on the 28th day of August, 2009.

PRESENT:

Hon. HON. HERBERT KRAMER
J.S.C.

In the Matter of the Application of

MOSHE NEUMAN,

To confirm an Arbitration award in an arbitration between

Petitioner,

-and-

Jacob Chaimowitz individually and acting for A to Z Kosher, Corp and "JOHN DOE" being all entities in which Respondent has an interest,

Respondents.

Index No.: 21960/09

ORDER TO SHOW CAUSE

KINGS COUNTY CLERK
FEE PD \$ 45 00

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Upon the annexed affirmation of ISRAEL GOLDBERG, duly affirmed to on the 27th day of August, 2009 and the affidavit of MOSHE NEUMAN affirmed to on the 27th day of August, 2009, upon the exhibits annexed thereto and upon all other papers and proceedings heretofore had herein,

LET Respondent show cause before the Justice of the Supreme Court of the State of New York, County of Kings at an I.A.S. Part 41 thereof, located at 360 Adams Street, Rm. 741, Brooklyn, New York on the 8th of September 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 entered herein pending confirmation of the award of the Arbitrator:

- (a) Directing Respondent, his agents and/or assigns, and anyone acting on his behalf, to forthwith relinquish possession and tender/give immediate possession and control of 186-05 UNION TURNPIKE, FRESH MEADOWS, NEW YORK, 11366 and the A TO Z KOSHER, CORP. supermarket thereat to Petitioner; and
- (b) Granting Petitioner authority to manage and operate the day-to-day business operations of A TO Z KOSHER, CORP.; and
- (c) Directing Respondent to turn over to Petitioner all checkbooks, ledgers, records, and invoices of A TO Z KOSHER, CORP. used in the operation of the business
- (d) For such other and further relief as the Court deems just and proper.

STAY
Pending the hearing ~~and determination~~ of this Order to Show Cause, Petitioner is authorized to take possession of and manage the day to day operations of the business known as A TO Z KOSHER, CORP. at the premises located at 186-05 UNION TURNPIKE, FRESH MEADOWS, NEW YORK; and it is further

~~and determination~~
ORDERED that Pending the hearing ~~and determination~~ of this Order to Show Cause Respondent is enjoined from managing and operating the day to day business affairs of A TO Z KOSHER, CORP., including, but not limited to, the hiring and firing of employees, paying of bills in the ordinary course of business, and ordering merchandise, collecting and; it is further

ORDERED that Respondent shall forthwith turn over to Petitioner all checkbooks, ledgers, records, and invoices of A TO Z KOSHER, CORP. used in the operation of the business and; ~~it is further~~

JSL

SUFFICIENT REASON APPEARING THEREOF, let service of this Order to Show

Cause by personal service ~~and by electronic mail~~ upon Respondent and/or Counsel for
Respondent on or before the ~~10~~ day of ~~September~~ ^{August} ~~2009~~ be deemed good and sufficient
service.

31 - August
[Handwritten signature]

ENTER,

[Handwritten signature]

HON. HERBERT KRAMER
J.S.C.