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At an I.A.S. Trial Term, Part of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse, located at Civic Center, Borough of Brooklyn, City and State of New York, on the 17 day of MAY 2010

P R E S E N T :
Hon. SCHMIDT
Justice

In matter of
POLANSKI
- against -
GEORGI

Plaintiff(s)

Defendant(s)

Cal. No.
Index No. 12233/10

The following papers numbered 1 to read on this motion	Papers Numbered
Notice of Motion - Order to Show Cause and Affidavits (Affirmations) Annexed	
Answering Affidavit (Affirmation)	
Reply Affidavit (Affirmation)	
_____ Affidavit (Affirmation)	
Pleadings - Exhibits	
Stipulations - Minutes	
Filed Papers	

Scheduled

GEORGI Respondent may not, pending a ~~final determination~~ ^{hearing} before the Court, sell, transfer, mortgage or encumber in any way the property 60 Polaski Street, unless with express written consent of Petitioner Polanski; and ^{he} may not take any action to impair, diminish or terminate Polanski's membership interest in ART Partners LLC until ~~final determination~~ ^{such} ~~by~~ ^{argument} ~~such~~ ^{date} Court; however, Respondent GEORGI may negotiate with any appropriate lender concerning refinancing of current mortgage but may not close any loan

For Clerks use only
MG _____
MD _____
Motion Seq. # _____

E N T E R

SCHMIDT
I.S.C.

HON. DAVID I. SCHMIDT

At an I.A.S. Term, Part com 2 of the Supreme Court of the State of New York, held in and for the County of Kings, 360 Adams Street, Brooklyn, NY 11201 on the 17th day of May, 2010

PRESENT:

Hon. D. SCHMIDT
Justice.

-----X
IN THE MATTER OF

ANDREW POLANSKI, INDIVIDUALLY, AND AS A MEMBER OF A & T PARTNERS, LLC,

ORDER TO SHOW CAUSE

PETITIONER,

~~NOTICE OF PETITION~~

-AGAINST-

Index No.:

12233/10

TINA GEORGI, INDIVIDUALLY, AND AS A MEMBER OF A & T PARTNERS, LLC,

RESPONDENT,

For an Order for Dissolution of A & T Partners, LLC, Pursuant to LLCL 702, and for other related relief, including Injunctive relief

KINGS COUNTY CLERK
FILED
JUN 17 10 1:25

-----X

Upon the reading and filing of the Verified Petition of Andrew Polanski, sworn to on

May 10, 2010, and the affirmation of Robert Margulies, dated May 11

2010, and the documents annexed hereto, and sufficient cause having been shown therein;

and any other party entitled to notice

778 LET THE RESPONDENT, Tina Georgi, show cause at an IAS Part 4 Room

~~544~~ of this Court to be held at the Courthouse thereof, located at 360 Adams Street, Brooklyn,

→ NY 11201 on the 2ND day of JUNE 2010 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

pursuant to LLCL 702:

1. Judicially dissolving A & T Partners, LLC, and,
2. Judicially declaring that certain unilateral acts of Respondent, including making a capital call in or about December 24, 2009, and electing to terminate the membership interest of Andrew Polanski on or about April 20, 2010 are null and void, and of no legal force and effect, and/or in the alternative,
3. Judicially declaring Petitioner's membership interest in A & T Partners, LLC to be 50% and equal to Respondent and that Respondent shall have no unilateral right or power to make a capital call upon Petitioner nor to diminish Petitioner's membership interest in A & T Partners, LLC., and
4. To compel Respondent to provide a full and complete accounting of all financial and real estate matters of A & T Partners, LLC., and
5. To compel the sale of the premises 60 Pulaski Street, Brooklyn, New York, and the subsequent distribution of the proceeds of same under judicial supervision, and/or in the alternative,
6. To judicially declare that each member shall remain members of A & T at their respective 50% membership interest, without Respondent having any unilateral power or right to impair, diminish or terminate Petitioner's membership interest, and it is further

ORDERED that Respondent is hereby enjoined (preliminary injunction) from doing any act ^{pending hearing of the order to Show Cause,}

and taking any action in her capacity as a 50% member of A & T Partners, LLC which in any way would affect, impair, diminish or terminate Petitioner's 50% membership interest in A & T Partners, LLC, including making a capital call, electing to reduce or eliminate petitioner's membership interest, or selling, leasing, mortgaging, assigning or transferring the LLCL asset 60

JMY
JSC
FROM PETITIONER'S ATTORNEY

Pulaski Street, Brooklyn, New York, ~~unless with the written consent of Petitioner, and~~

JSC

SUFFICIENT REASON APPEARING THEREFORE, let personal service pursuant to

CPLR §308 of a copy of this order ^{petition} together with the papers upon which it was granted, upon the

Respondent Tina Georgi ~~2750 East 64th Street, Brooklyn, New York 11234~~ ^{A+T Partners LLC, and any other party entitled to} and by hand delivery or notice

select method

overnight delivery upon Sheldon Eisenberger, Esq. ~~30 Broad Street, New York, New York 10004,~~

on or before the 25 day of MAY, 2010, be deemed good and sufficient service.

ENTER:

J. S. C.

HON. DAVID I. SCHMIDT