

HON. BERNARD J. GRAHAM

At an IAS Part of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse thereof located at 360 Adams Street Brooklyn, NY on the 24 day of Dec., 2015.

Present: Hon. David B. Vaughan

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

NYCTL ~~2008-A~~ TRUST, AND THE BANK OF
NEW YORK AS COLLATERAL AGENT AND
CUSTODIAN FOR THE NYCTL
2008-A TRUST,

Index No. [REDACTED] 2009

-against-

**EMERGENCY ORDER
TO SHOW CAUSE**

[REDACTED] ET AL

Defendant(s),

Upon the reading and filing of the Affirmation of R. Ariel Poltielov, Esq. dated December 24, 2015; affidavit of [REDACTED] dated December 23, 2015, all pleadings and supporting papers.

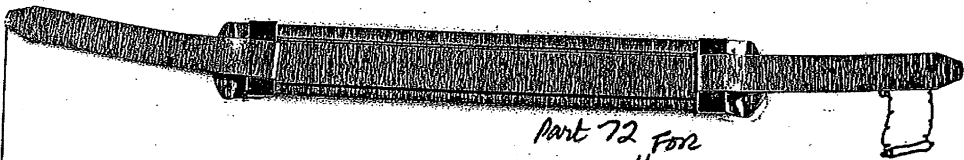
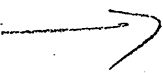
LET the Plaintiff, show cause before this court at Part 4, Room 969, to be held at the Courthouse, located at 360 Adams Street, Brooklyn, NY, on Jan 6th 2016 at 9:30 a.m. in the forenoon of that day, or as soon after as counsel can be heard, that an Order should not be made:

- a. Vacating a Default judgment;
- b. Vacating and setting aside the judgment of foreclosure and sale dated September 10, 2015;
- c. Vacating and setting aside any purported referee's computation heretofore had herein;

KINGS COUNTY CLERK
FEE PD \$ 45.00

Loi [Signature]

dt



Part 72 For 4

ORIGIN

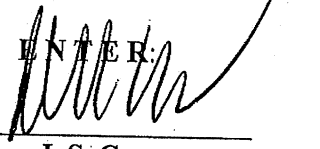
DBU-4

- d. Vacating and setting aside such order of reference as has heretofore been granted by the Court in this case;
- e. Ordering that pending a hearing or decision on this Order to Show Cause, that all proceedings on the part of the Plaintiff, his attorney and agents and any Sheriff or Marshal for the enforcement of any judgment be stayed, and income execution from Defendant's payroll be stayed;
- f. Ordering that pending a hearing or decision on this Order to Show Cause, that all proceedings or actions to transfer title through consummation of closing or transfer of title in any other means on the part of the Referee, Plaintiff, and their successors in interest of the property known as [REDACTED] Brooklyn, NY 11226, [REDACTED] [REDACTED] (hereinafter known as "Subject Property"), be stayed;
- g. Enjoining Plaintiff, his agents and employees any Sheriff or Marshall from removing and/or encumbering any assets of the defendant;
- h. Dismissing the instant action for improper service;
- i. Permitting Defendant [REDACTED] (hereinafter referred to as "[REDACTED]") to file a late answer;
- j. Permitting Defendant [REDACTED] to tender all amounts owed; and
- k. For other such relief this Court may deem appropriate.

Stays

ORDERED, that pending a hearing or decision on this Order to Show Cause, that all proceedings or actions to transfer title through consummation of closing or transfer of title in any other means on the part of the Referee, Plaintiff, and their successors in interest of the property known as [REDACTED] Avenue, Brooklyn, NY [REDACTED] Block [REDACTED] Lot [REDACTED] (hereinafter known as "Subject Property"), be stayed;

SUFFICIENT CAUSE therefore appearing, therefore, let service of a copy of this order, together with the papers upon which it was granted made by [REDACTED] to the Plaintiff's attorney WINDELS, MARX, LANE AND MITTENDORF LLP with address [REDACTED] [REDACTED], New York, NY 10013, Referee Haw Fai Lai, Esq with address [REDACTED] [REDACTED], [REDACTED] [REDACTED] Defendants New York City Department of Finance, with address [REDACTED] [REDACTED] [REDACTED] [REDACTED] and New York State Department of Taxation and Finance, with address [REDACTED] [REDACTED] on or before the 31st day of December, 2015 be deemed good and sufficient service.

ENTER:


J. S. C.

Hon. Bernard Graham

