

At IAS Part DIMP of the Supreme Court  
of the State of New York, held in and for  
the County Kings at the Courthouse, located at 360  
Adams Street, Brooklyn, New York,  
on the 24<sup>th</sup> day of June, 2016

PRESENT: Hon. Kathy J. King  
TSC

CARLOS SANCHEZ,

Index No. 006108/2015

**ORDER TO SHOW CAUSE  
FOR A TRO AND  
PRELIMINARY INJUNCTION**

Plaintiff,

-against-

ZALMON SCHWARTZ as trustee of the  
SCHWARTZ AND SCHWARTZ FAMILY TRUST  
AND ZALMON SCHWARTZ individually,

Defendants.

Upon reading the application brought by Order to Show Cause submitted on behalf of the proposed intervenors KATRIEL HAIM JANKOWITZ personally and as trustee of KESER TRUST and KESER TRUST, by their attorneys herein, TAMIR LAW GROUP, PC, consisting of the Affirmations of Zaki Isaac B. Tamir and the Affirmation of Katriel Haim Jankowitz, all dated June 22, 2016, and all proceeding heretofore had herein, *and sufficient reason appearing therefor*,

LET Plaintiff Carlos Sanchez, show cause at an IAS Part DIMP of this Court, to be held at the Courthouse thereof, located at 360 Adams Street, Brooklyn, New York, on the 27<sup>th</sup> day of

JULY, 2016, at 11:00 AM 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 CPLR § 6301, issuing a preliminary injunction:

KINGS COUNTY CLERK  
FILED 6/24/16

*Lois Ann DiStefano*

1. To restrain Plaintiff Carlos Sanchez from collecting any rents and/or monies stemming from the following premises 632 Halsey Street, Brooklyn, New York, 1869 Eastern Parkway, Brooklyn, New York and 89 Malcolm X Boulevard, Brooklyn, New York;
2. To restrain Plaintiff Carlos Sanchez from transferring any utilities, including but not limited to water, electricity and gas, into his name or any agent, employee or person acting in his interests from the following premises 632 Halsey Street, Brooklyn, New York, 1869 Eastern Parkway, Brooklyn, New York and 89 Malcolm X Boulevard, Brooklyn, New York;
3. Pursuant to CPLR § 1012 and/or CPLR § 1013, granting leave for the movant to intervene in this action;
4. Vacating the Order dated March 24, 2016 in the matter of Carlos Sanchez v. Zalmon Schwartz as trustee of the Schwartz and Schwartz Family Trust and Zalmon Schwartz individually bearing index number 006108/2015, that granted default judgment and ordering the New York City Register to expunge and delete from its records the deeds, dated June 11, 2010 for the following properties: 632 Halsey Street, Brooklyn, New York, 1869 Eastern Parkway, Brooklyn, New York and 89 Malcolm X Boulevard, Brooklyn, New York;
5. An Order to Dismiss The Instant action pursuant to CPLR 3211 (a)(10) as the court should not proceed in the absence of a person who should be a party.
6. To Order the Deed to the following premises 632 Halsey Street, Brooklyn, New York, 1869 Eastern Parkway, Brooklyn, New York and 89 Malcolm X Boulevard, Brooklyn, New York, be transferred back to Keser Trust; and
7. For all such other and further relief as this Honorable Court may deem just and proper.

*Sufficient reason appearing therefor,*

*stay*  
IT IS HEREBY ORDERED that, pending the hearing of this application Carlos Sanchez is immediately restrained from:

1. Collecting any rents and/or monies stemming from the following premises 632 Halsey Street, Brooklyn, New York, 1869 Eastern Parkway, Brooklyn, New York and 89 Malcolm X Boulevard, Brooklyn, New York;
2. Transferring any utilities, including but not limited to water, electricity and gas, into his name or any agent, employee or person acting in his interests from the following premises 632 Halsey Street, Brooklyn, New York, 1869 Eastern Parkway, Brooklyn, New York and 89 Malcolm X Boulevard, Brooklyn, New York; and
3. For all such other and further relief as this Honorable Court may deem just and proper.

*WJB*  
LET service of a copy of this Order, together with a copy of the papers upon which same is granted, upon the Plaintiff Carlos Sanchez on or before the 11<sup>th</sup> day of JULY, 2016, be deemed good and sufficient notice of this application and Order.

~~Opposition papers, if any, must be served upon the Defendant's counsel, so as to be received no later than 5 p.m. on \_\_\_\_\_, 2016, with courtesy copy via email to Isaac@tamirlawgroup.com.~~

ENTER,

*[Signature]*  
HON. KATHY S. KING  
JSC