

Hon. Laura Jacobson
for David Vaughn

PRESENT:

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 thereof, at 360 Adams Street, in the Borough of Brooklyn, City of New York, on the 20th day of May, 2009,

**CROWN HEIGHTS JEWISH COMMUNITY COUNCIL, INC.
a/k/a VAAD HAKOHOL OF CROWN HEIGHTS , and
SHMUEL PLOTKIN and YAAKOV H. SUFRIN,
individually and on behalf of the CROWN HEIGHTS JEWISH
COMMUNITY COUNCIL, INC. a/k/a VAAD HAKOHOL OF
CROWN HEIGHTS**

Petitioners,

- against -

**YISROEL BEST, YISROEL SANDHAUS, YISROEL LANDAU,
KALMAN BIALESTOCK, FISHEL BROWNSTEIN, ZEV
CADAMER, YOSSI KELLER, YOSSEL MOTCHKIN, ELI
POLTAROK, YAACOV ROGALSKY, MENDEL SHAGALOV,
CHANINA SPERLIN, ZAKI TAMIR, URI NIAZOV,
R GERSHON CHAIMSON, MOTEL CHEIN, ZALMAN
LIPSKER, RYBORCH SPIELMAN,**

Respondents.

Index No.: 12468/09

**ORDER TO
SHOW CAUSE**

*by David Berger
caused, myself
for order to
show cause
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UPON the annexed affirmation of emergency of David M. Berger, Esq., dated May 19, 2009, the annexed Verified Petition of the CROWN HEIGHTS JEWISH COMMUNITY COUNCIL, INC. a/k/a VAAD HAKOHOL OF CROWN HEIGHTS ("CHJCC"), and SHMUEL PLOTKIN and YAAKOV H. SUFRIN, individually and on behalf of the CROWN HEIGHTS JEWISH COMMUNITY COUNCIL, INC. a/k/a VAAD HAKOHOL OF CROWN HEIGHTS, verified on May 19, 2009, the annexed award of the Beth Din of Crown Heights (the "Beth Din") in the rabbinical court proceedings between the Petitioners hereto and the Respondents hereto, signed

and acknowledged by the Judges/Arbitrators of the Beth Din on the 18th day of May, 2009, and upon all the papers and proceedings heretofore had herein:

LET the Respondents or their respective attorneys **SHOW CAUSE** before this Court at an I.A.S. Part ~~25~~⁴ of this Court to be held at the Courthouse thereof, located at 360 Adams Street, Brooklyn York, New York, on the 3rd day of JUNE, 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:

(a) pursuant to CPLR §7510, confirming the award of the judges/arbitrators of the Beth Din of Crown Heights and directing that judgment be entered thereon in this Court, in favor of Petitioners, prohibiting Respondents and all persons acting in concert with them from (i) holding, conducting or participating in the unsanctioned and illegal elections presently called for May 24, 2009, or any election thereafter, called to elect members to the Board of Directors of the Crown Heights Jewish Community Council a/k/a Vaad Hakohol of Crown Heights and to the position of Gabboim of Congregation Lubavitch at 770 Eastern Parkway, until further order of the Beth Din, and (ii) using in any manner the letterhead of the Crown Heights Jewish Community Council;

and (b) granting to Petitioners such other, further and different relief as this Court may deem to be just, proper and equitable.

ORDERED, THAT PENDING THE HEARING OF THIS MOTION, the Respondents and anyone acting in concert with them are hereby prohibited, enjoined and restrained from (i) holding, conducting or participating in the elections presently called for May 24, 2009, or any other election, called to elect members to the Board of Directors of the Crown Heights Jewish Community Council a/k/a Vaad Hakohol of Crown Heights and to the position of Gabboim of Congregation Lubavitch at 770 Eastern Parkway, and (ii) using in any manner the letterhead of the

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Crown Heights Jewish Community Council; ~~and it is further~~

~~HON. LAURA JACOBSON~~ **ORDERED** that pursuant to CPLR §§ 7502, 403 and 2214(b), a Verified Answer and supporting affidavits, if any, are required to be served upon the attorneys for the Petitioners at least two (2) days before the return date of this Order to Show Cause and Petition,

➔ **SUFFICIENT CAUSE APPEARING THEREFORE**, LET service of a copy of this Order and Verified Petition, together with the supporting Affirmation and Exhibits annexed thereto, be deemed due, timely and sufficient notice hereof if same are served upon the Respondents by personal service pursuant to CPLR §308, on or before the 22nd day of May, 2009.

ENTER,



J.S.C. HON. LAURA JACOBSON