


At an I.A.S. Part <sup>4</sup>~~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 27<sup>th</sup> day of May, 2009,

PRESENT: *Hon David B. Vaughan*

 **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, YOSHI 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

*DAV*  
**ORDER TO  
SHOW CAUSE**

*[Signature]*  
**KINGS COUNTY CLERK  
FEE PD \$ 45.00**

**UPON** the annexed affirmation of David M. Berger, Esq., dated May 26, 2009, the annexed affirmation of Dr. Harvey Lang, Chairman of the Petitioner Crown Heights Jewish Community Council, the annexed Amended Verified Petition, verified on May 26, 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 18<sup>th</sup> 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 4 of this Court to be held at the Courthouse thereof, located at 360 Adams Street, Brooklyn York, New York, on the 3<sup>RD</sup> 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/psak 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 nunc pro tunc 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;

(b) invalidating and nullifying the illegal elections held on May 24, 2009, and the results therefrom, as having been held in violation of the aforesaid award/psak;

(c) or, in the alternative, entering declaratory judgment declaring the illegal elections held on May 24, 2009, and the results therefrom, to be invalid and a nullity, nunc pro tunc, as if the elections never occurred, on the grounds of said elections having been unauthorized and replete with voter fraud and CHJCC election rules irregularities;

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

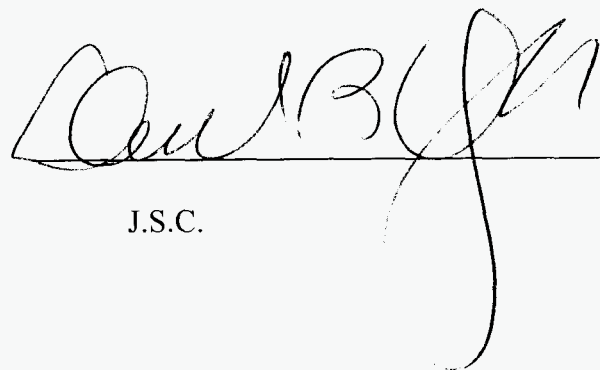
~~ORDERED, THAT PENDING THE HEARING OF THIS MOTION, the~~

Respondents and anyone acting in concert with them are hereby prohibited, enjoined and restrained from taking any action whatsoever to enforce or confirm the results of the May 24, 2009 elections that are the subject of this proceeding, including but not limited to any actions to install candidates, or to enter, take possession or attempt to control or disrupt the offices of the Crown Heights Jewish Community Center a/k/a Vaad Hakohol of Crown Heights, and/or the Petitioners operation and control of said offices, ~~and it is further~~

**SUFFICIENT CAUSE APPEARING THEREFORE,** LET <sup>PERSONAL</sup> 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' counsel ~~by overnight delivery service,~~ on or before the 28<sup>th</sup> day of May, 2009.

ENTER,

  
J.S.C.