

At the Commercial Part 8 of the Supreme Court of the State of New York, County of New York, at the Courthouse at 60 Centre Street, New York, New York on the 20 day of Dec, 2018

PRESENT:

HONORABLE Lynn Kotler, J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

by **HON. MARTIN SHULMAN** J.S.C.

TAXIFLEET MANAGEMENT LLC, AJB TAXI MANAGEMENT INC., 521 WEST 21ST ST. MANAGEMENT CORP, WINNERS GARAGE INC., WESTWAY TAXI MANAGEMENT LLC, CAROLYN PROTZ, RICHARD CHOW, NIOLOAE HENT and WILLIAM GUERRA,

Petitioners,

For a Judgment Pursuant to Article 78 of the Civil Practice Law and Rules

-against-

THE STATE OF NEW YORK, THE CITY OF NEW YORK, THE NEW YORK CITY TAXI & LIMOUSINE COMMISSION, and MEERA JOSHI, in her capacity as the Commissioner of the New York City Taxi and Limousine Commission.

Respondents.

Index No. 161920/18

ORDER TO SHOW CAUSE WITH TEMPORARY AND PRELIMINARY RESTRAINTS

MS #001: P.I

UPON THE ANNEXED COPY OF THE VERIFIED PETITION, sworn to on December 19, 2018, together with supporting affidavits and exhibits, and the accompanying memorandum of law, and upon all the pleadings and proceedings had herein;

LET the Respondents the State of New York, the City of New York, the New York City Taxi and Limousine Commission and Meera Joshi (collectively, "Respondents"), or their

attorneys, appear and show cause before the undersigned at the Courthouse, ⁸⁰60 Centre Street, Room 278, New York, New York, on the 3rd day of January, 2018 at 10 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard;

WHY and Order should not be made and entered, precluding Respondents from taking any action to enforce Article 29-C of the New York State Tax Law prior to respondent the New York City Taxi and Limousine Commission passing and enacting rules and regulations governing Article 29-C of the New York State Tax Law, including, but not limited to, rules that would allow medallion taxicab drivers to charge passengers the tax imposed by Article 29-C of the New York State Tax Law;

Pending the hearing of this motion, it is:

J.S.C.

~~Further~~ ^{that} ORDERED Respondents are prohibited from taking any action to enforce Article 29-C of the New York State Tax Law;

Sufficient ^{cause being alleged in} ~~reason appearing~~ therefor, ~~let~~ ^{Ordered that personal service,} service of a copy of this Order to Show Cause, ^{including the verified petition,} together with the papers upon which it is granted, upon Respondents' counsel, via e-mail, on or before the 20th day of December, 2018, be deemed good and sufficient service. An affidavit or other proof of service shall be presented to this Court on the return date directed in the second paragraph of this order.

ENTER,


HON. MARTIN SHULMAN S.C.
J.S.C.