

At Part \_\_, of the Supreme Court of the State of New York, held in and for the County of Rockland, at

\_\_\_\_\_, \_\_\_\_\_, NY

on July 2, 2021.

Present: Hon. Sherril L. Eisenpress, J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ROCKLAND

-----X  
EVE MANCUSO, TERI GABEL,  
RAYMOND KOZMA, SUZANNE ROCHELEAU,  
SUSANNE FLOWER, and the NEW YORK  
CHAPTER, INC. OF THE  
ADIRONDACK MOUNTAIN CLUB, INC.,

Index No. 033635 /21

Petitioners/Plaintiffs,

ORDER TO SHOW CAUSE  
WITH TEMPORARY  
RESTRAINING ORDER

v.

ADIRONDACK MOUNTAIN CLUB, INC.,

Respondent/Defendant.  
-----X

Upon the reading and filing of the affirmation of Judith Bachman, Esq., dated July 1, 2021, the affidavit, sworn to July 1, 2021, of Petitioner/Plaintiff, Eve Mancuso, director, officer and member of Petitioner/Plaintiff NEW YORK CHAPTER, INC. OF THE ADIRONDACK MOUNTAIN CLUB, INC. ("NY ADK") and the exhibits thereto, the Verified Petition and Complaint, with exhibits, the Memorandum of Law, dated July 1, 2021, and upon all the pleadings, papers and proceedings heretofore had herein, let ADIRONDACK MOUNTAIN CLUB, INC. ("ADK"), as Respondent/Defendant, show cause before this Court at Part \_\_, thereof, to be held at the Rockland County Courthouse, located at 1. S. Main St New City, New York 10956, on the

7<sup>th</sup> day of July 2021 at 11:30 AM via Microsoft Teams, of that day or as soon thereafter as counsel can be heard

why an order should not be made:

- (i) Enjoining and restraining Respondent/Defendant from dissolving NY ADK as a chapter of ADK and a corporation organized and existing under the laws of the State of New York; establishing a new, unincorporated chapter for the benefit of existing and new members; eliminating the Board and Officer positions of NY ADK; expelling the individual Petitioners/Plaintiffs' from membership with ADK; expelling the individual Petitioners/Plaintiffs' from membership with NY ADK; and revoking the individual Petitioners/Plaintiffs' authority to act on behalf of NY ADK, including any enjoyment or decision-making as it relates to Camp Nawakwa and the direction of funds or financial accounts belonging to NY ADK; and
- (ii) restoring Petitioners/Plaintiffs to their status and rights as they were prior to June 26, 2021, including, but not limited to, restoring the individual Petitioners/Plaintiffs to their membership in NY ADK and restoring ADK and NY ADK as a chapter of ADK and being allowed to operate in the ordinary course including **preserving the health and safety of members** and the public and supervising camp usage.

IT IS FURTHER ORDERED that, pending the hearing of this motion,

- (i) ADK SHALL BE AND IS HEREBY RESTRAINED from taking any action with regard to dissolution of NY ADK, termination of membership of members of NY ADK, and any further interference with, or actions taken to the detriment of NY ADK or its members, officers or directors; and
- (ii) Petitioners/Plaintiffs SHALL BE AND HEREBY are restored to their status and rights as they were prior to June 26, 2021, including, but not limited to, restoring the individual Petitioners/Plaintiffs to their membership in NY ADK and restoring ADK and NY ADK as a chapter of ADK and being allowed to operate in the ordinary course including **preserving the health and safety of members** and the public and supervising camp usage.


~~IT IS FURTHER ORDERED that any papers in opposition to this application shall be filed and served on the Court's electronic filing system no later than \_\_\_\_\_~~

~~IT IS FURTHER ORDERED that any reply papers in further support of this Order shall be filed and served on the Court's electronic filing system no later than \_\_\_\_\_~~

Briefing schedule will be given on Return date.

SUFFICIENT CAUSE APPEARING THEREFORE, let service of a copy of this order together with the papers upon which it is based be made, on or before July 3, 2021, upon ADIRONDACK MOUNTAIN CLUB, at \_\_\_\_\_, the principal office of ADK, by overnight courier with copy by email; and that such service be deemed sufficient.

ENTER

  
 Hon. Thomas Zugibe as deputy  
 judge for The Hon. Sherri  
 L. Eisenpress