

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

SUNDEEP SINGH SUCHDEV, LUCAS SHAPIRO,
SHRUTI PAREKH, JESSICA TURNER, LILI
SALMERON, and SANJEEVAN THARMARATNAM

Plaintiffs,

-against-

JUDITH GRUNBAUM, MOSHE DEUTSCH, SAMUEL
GRUNBAUM, and YHT MANAGEMENT INC.,

Defendants.

NOTICE OF APPEAL

Index No.
518435/2020

PLEASE TAKE NOTICE that Plaintiffs Sundeep Singh Suchdev, Lucas Shapiro, Shruti Parekh, Jessica Turner, Lili Salmeron, and Sanjeevan Tharmaratnam hereby appeal to the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, from the attached Order of the Supreme Court, Kings County (Rivera, J.), dated March 8, 2021, and from each and every part thereof.

Dated: Brooklyn, New York
March 15, 2021

Yours, etc.,

/s/ Stephanie R. Rudolph

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-and-

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Attorneys for Plaintiffs

At an I.A.S. Trial Term, Part 52 of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse, located at Civic Center, Borough of Brooklyn, City and State of New York on the 4th day of March, 2021

P R E S E N T:

Hon. Francois A. Rivera

SUNDEEP SINGH SUCHDEV,
LUCAS SHAPIRO, SHRUTI
PAREKH, JESSICA TURNER, LILI
SALMERON, and SANJEEVAN
THARMARATNAM

Plaintiff(s),

Index No. 518435-2020

**ORDER ON
MOTION SEQ. #1**

-against-

JUDITH GRUNBAUM, MOSHE DEUTSCH,
SAMUEL GRUNBAUM
and YHT MANAGEMENT INC.

Defendant(s)

Recitation, as required by CPLR §2219(a), of the papers considered in the review of this motion to consolidate:

<u>Papers</u>	<u>Numbered</u>
Order to Show Cause/Notice of Motion and Affidavits/Affirmations Annexed.....	1-43
Answering Affidavits/Affirmations.....	45-75
Reply Affidavits/Affirmations.....	101-103
Memoranda of Law.....	
Sur Reply.....	107-112

Upon the foregoing cited papers, the Decision/Order on this request for a Temporary Restraining Order/Preliminary Injunction is as follows:

ORDERED, that Plaintiffs' request for a temporary restraining order/preliminary injunction is granted in part and denied in part, as follows:

- a) That portion of the Plaintiffs’ motion seeking injunctive relief enjoining Defendants from violating NYC Administrative Code §25-10 was decided by prior Order dated February 8, 2021 (NYSCEF Doc. No. 104); and
- b) That portion of Plaintiffs’ motion seeking injunctive relief with respect to the interior surveillance cameras at 70 South Elliot Place, Brooklyn, New York (“Building”) is granted solely to the extent that Defendants are enjoined, pending a final determination on the merits, from maintaining cameras which capture any persons entering or exiting any bathrooms in the Building. Defendants may maintain surveillance cameras which record any other common areas of the Building, including, but not limited to, the hallways, the kitchen, the living room and the backyard; and
- c) All other relief sought in Plaintiffs’ Order to Show Cause is denied.

ORDERED, that a copy of this order with notice of entry be served upon all parties in the action within 7 days hereof.

This constitutes the Decision and Order of the Court.

For clerks use only
 MG____
 MD____
 Motion Seq. #_____

E N T E R



J.S.C

Supreme Court of the State of New York

Appellate Division: Second Judicial Department

Informational Statement (Pursuant to 22 NYCRR 1250.3 [a]) - Civil

Case Title: Set forth the title of the case as it appears on the summons, notice of petition or order to show cause by which the matter was or is to be commenced, or as amended.	For Court of Original Instance
Sundeep Singh Suchdev, Lucas Shapiro, Shruti Parekh, Jessica Turner, Lili Salmeron, and Sanjeevan Tharmaratnam <p style="text-align: center;">- against -</p> Judith Grunbaum, Moshe Deutsch, Samuel Grunbaum, and YHT Management Inc.	Date Notice of Appeal Filed
	For Appellate Division

Case Type	Filing Type
<input checked="" type="checkbox"/> Civil Action <input type="checkbox"/> CPLR article 75 Arbitration <input type="checkbox"/> Action Commenced under CPLR 214-g	<input checked="" type="checkbox"/> Appeal <input type="checkbox"/> Original Proceedings <input type="checkbox"/> CPLR Article 78 <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Labor Law 220 or 220-b <input type="checkbox"/> Public Officers Law § 36 <input type="checkbox"/> Real Property Tax Law § 1278
<input type="checkbox"/> CPLR article 78 Proceeding <input type="checkbox"/> Special Proceeding Other <input type="checkbox"/> Habeas Corpus Proceeding	<input type="checkbox"/> Transferred Proceeding <input type="checkbox"/> CPLR Article 78 <input type="checkbox"/> Executive Law § 298 <input type="checkbox"/> CPLR 5704 Review

Nature of Suit: Check up to three of the following categories which best reflect the nature of the case.

<input type="checkbox"/> Administrative Review	<input type="checkbox"/> Business Relationships	<input type="checkbox"/> Commercial	<input type="checkbox"/> Contracts
<input type="checkbox"/> Declaratory Judgment	<input type="checkbox"/> Domestic Relations	<input type="checkbox"/> Election Law	<input type="checkbox"/> Estate Matters
<input type="checkbox"/> Family Court	<input type="checkbox"/> Mortgage Foreclosure	<input type="checkbox"/> Miscellaneous	<input type="checkbox"/> Prisoner Discipline & Parole
<input checked="" type="checkbox"/> Real Property (other than foreclosure)	<input type="checkbox"/> Statutory	<input type="checkbox"/> Taxation	<input type="checkbox"/> Torts

Appeal	
Paper Appealed From (Check one only):	If an appeal has been taken from more than one order or judgment by the filing of this notice of appeal, please indicate the below information for each such order or judgment appealed from on a separate sheet of paper.
<input type="checkbox"/> Amended Decree <input type="checkbox"/> Amended Judgement <input type="checkbox"/> Amended Order <input type="checkbox"/> Decision <input type="checkbox"/> Decree	<input type="checkbox"/> Determination <input type="checkbox"/> Finding <input type="checkbox"/> Interlocutory Decree <input type="checkbox"/> Interlocutory Judgment <input type="checkbox"/> Judgment
<input checked="" type="checkbox"/> Order <input type="checkbox"/> Order & Judgment <input type="checkbox"/> Partial Decree <input type="checkbox"/> Resettled Decree <input type="checkbox"/> Resettled Judgment	<input type="checkbox"/> Resettled Order <input type="checkbox"/> Ruling <input type="checkbox"/> Other (specify):
Court: Supreme Court	County: Kings
Dated: 03/08/2021	Entered: March 8, 2021
Judge (name in full): Hon. Francois A. Rivera	Index No.: 518435/2020
Stage: <input checked="" type="checkbox"/> Interlocutory <input type="checkbox"/> Final <input type="checkbox"/> Post-Final	Trial: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: <input type="checkbox"/> Jury <input type="checkbox"/> Non-Jury
Prior Unperfected Appeal and Related Case Information	
Are any appeals arising in the same action or proceeding currently pending in the court? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please set forth the Appellate Division Case Number assigned to each such appeal. 2021-01766 Where appropriate, indicate whether there is any related action or proceeding now in any court of this or any other jurisdiction, and if so, the status of the case: N/A	
Original Proceeding	
Commenced by: <input type="checkbox"/> Order to Show Cause <input type="checkbox"/> Notice of Petition <input type="checkbox"/> Writ of Habeas Corpus	Date Filed:
Statute authorizing commencement of proceeding in the Appellate Division:	
Proceeding Transferred Pursuant to CPLR 7804(g)	
Court: Choose Court	County: Choose County
Judge (name in full):	Order of Transfer Date:
CPLR 5704 Review of Ex Parte Order:	
Court: Choose Court	County: Choose County
Judge (name in full):	Dated:
Description of Appeal, Proceeding or Application and Statement of Issues	
Description: If an appeal, briefly describe the paper appealed from. If the appeal is from an order, specify the relief requested and whether the motion was granted or denied. If an original proceeding commenced in this court or transferred pursuant to CPLR 7804(g), briefly describe the object of proceeding. If an application under CPLR 5704, briefly describe the nature of the ex parte order to be reviewed. This is an appeal of a Decision and Order entered on March 8, 2021 granting in part and denying in part Plaintiffs' requested relief of a preliminary injunction and temporary restraining order.	

Informational Statement - Civil

Issues: Specify the issues proposed to be raised on the appeal, proceeding, or application for CPLR 5704 review, the grounds for reversal, or modification to be advanced and the specific relief sought on appeal.

The issue to be raised on appeal is whether the court below erroneously denied the requested relief of a preliminary injunction and temporary restraining order by not preliminarily enjoining Defendants and their principals, agents, servants, representatives, employees, and associates from: (1) surveilling Plaintiffs in the interior portions of the Subject House, including by using technology that records audio or video recordings; (2) removing, evicting, or attempting to remove or evict any Plaintiff from the Subject House without Court order enforced by a New York City Marshall; (3) harassing in any way any Plaintiff; (4) retaliating in any way against Plaintiffs for exercising any of their rights under New York's housing laws and participating in activities of a tenant association, including by commencing baseless or frivolous proceedings against Plaintiff; (4) removing any of Plaintiffs' property from the Subject House unless such Plaintiff has been duly evicted pursuant to a Court order; (5) communicating in any way with Plaintiffs concerning this action or any allegations herein outside the presence of counsel or by written communication; and (6) enjoining Defendant Samuel Grunbaum from coming within 50 feet of the Subject House.

Party Information

Instructions: Fill in the name of each party to the action or proceeding, one name per line. If this form is to be filed for an appeal, indicate the status of the party in the court of original instance and his, her, or its status in this court, if any. If this form is to be filed for a proceeding commenced in this court, fill in only the party's name and his, her, or its status in this court.

No.	Party Name	Original Status	Appellate Division Status
1	Sundeep Singh Suchdev	Plaintiff	Appellant
2	Lucas Shapiro	Plaintiff	Appellant
3	Shruti Parekh	Plaintiff	Appellant
4	Jessica Turner	Plaintiff	Appellant
5	Lili Salmeron	Plaintiff	Appellant
6	Sanjeevan Tharmaratnam	Plaintiff	Appellant
7	Judith Grunbaum	Defendant	Respondent
8	Moshe Deutsch	Defendant	Respondent
9	Samuel Grunbaum	Defendant	Respondent
10	YHT Management Inc.	Defendant	Respondent
11			
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20			

Attorney Information

Instructions: Fill in the names of the attorneys or firms for the respective parties. If this form is to be filed with the notice of petition or order to show cause by which a special proceeding is to be commenced in the Appellate Division, only the name of the attorney for the petitioner need be provided. In the event that a litigant represents herself or himself, the box marked "Pro Se" must be checked and the appropriate information for that litigant must be supplied in the spaces provided.

Attorney/Firm Name: Stephanie R. Rudolph / Communities Resist

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Party or Parties Represented (set forth party number(s) from table above): 1, 2, 3, 4, 5, 6

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Party or Parties Represented (set forth party number(s) from table above): 7, 8, 9, 10

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Party or Parties Represented (set forth party number(s) from table above): 7, 8, 9, 10

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

SUNDEEP SINGH SUCHDEV, LUCAS SHAPIRO,
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Plaintiffs

-against-

JUDITH GRUNBAUM, MOSHE DEUTSCH, SAMUEL
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Defendants

Index No. 518435/2020
Supreme Court
Kings County

AFFIRMATION OF SERVICE

Stephanie Rudolph, a member in good standing of the Bar of the State of New York, affirms as follows pursuant to CPLR 2016:

1. I am over the age of eighteen years of age and not a party to this action.
2. On March 15, 2021, I served a true and correct copy of the foregoing

NOTICE OF APPEAL AND INFORMATION STATEMENT, upon the following attorneys for Defendants via the Court's NYSCEF system:

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Paul N. Gruber
pgruber@borahgoldstein.com

/s/ Stephanie Rudolph
Stephanie Rudolph