

COM 11

At an IAS Part of the Supreme Court of the State of New York, County of Kings, held at the Courthouse, 360 Adams Street, Brooklyn, New York 11201, on February 8, 2018.

PRESENT: HON. Sylvia G. Ash
SUPREME COURT OF THE STATE OF NEW YORK JSC
COUNTY OF KINGS

GRAB IT CORP.,

Plaintiff,

- against -

MOISHE KATZ a/k/a MOSH KATZ and
SHOPPERS GLORY, INC.,

Defendants.

Index No. 502621/2018

**ORDER TO SHOW CAUSE
WITH TEMPORARY
RESTRAINING ORDER**

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UPON the Affirmation of Steven Y. Yurowitz, dated February 7, 2018, the Affidavit of Burech Spira, dated February 7, 2018, the Declaration of Sol Bernath, the Memorandum of Law in Support, together with any and all exhibits annexed thereto, and the pleadings and proceedings herein,

LET defendants Moishe Katz a/k/a Mosh Katz and Shoppers Glory, Inc. (the "Defendants"), show cause before this Court at the Courthouse, located at 360 Adams Street, Brooklyn, New York, at IAS Part COM 11, Room 541, on the 16th day of March, 2018, at 9:30 a.m./p.m., or as soon as counsel may be heard, why an Order pursuant to Article 62 and/or Article 63 of the New York Civil Practice Laws and Rules should not be made and entered herein in favor of Plaintiff in the above-captioned action enjoining and restraining the Defendants and their agents from (a) initiating any disputes with respect to any charges to their credit cards in relation to

transactions involving the Plaintiff and (b) taking any other action with respect to any credit card disputes already made in relation to transactions involving the Plaintiff.

stay

Sufficient reason appearing therefore, it is

Pending a hearing

ORDERED, that Defendants and their agents are hereby temporarily restrained, pursuant

to CPLR 6301, from (a) initiating any disputes with respect to any charges to their credit cards in

from May 2017 through Nov. 28, 2017

relation to transactions involving the Plaintiff and (b) taking any other action with respect to any

~~credit card disputes already made in relation to transactions involving the Plaintiff;~~

Pending a hearing

ORDERED, that the parties may take reasonable discovery in advance of the preliminary

injunction hearing, including with respect to requests for documents, on an expedited basis, and

otherwise pursuant to the procedure of the CPLR;

See attached short form order

~~ORDERED, that answering papers, if any, shall be served upon Plaintiff's counsel, Steven~~

~~Y. Yurowitz, Esq., Newman & Greenberg LLP, 950 Third Avenue, 32nd Floor, New York, New~~

~~York 10022, via overnight delivery at least ___ days prior to the return date hereof;~~

SUFFICIENT CAUSE THEREOF APPEARING, let service of a copy of this Order,

together with the papers upon which this Order is based, upon the Defendants' counsel, Jason J.

Delivered regular mail

Rebhun, Esq., via ~~overnight~~ delivery, on or before the 14th day of February, 2018, be deemed good

and sufficient service,

ENTER:



HON. SYLVIA G. ASH, JSC, J.S.C.

Comm-11

At an I.A.S. Trial Term, Part 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 8th day of Feb. 20 18

P R E S E N T :

Hon. ASH
Justice

GRAB H CORP.

Plaintiff(s)

Cal. No.

Index No. 502621/18

- against -

MOISHE KATZ


Defendant(s)

The following papers numbered 1 to read on this motion	Papers Numbered
Notice of Motion - Order to Show Cause and Affidavits (Affirmations) Annexed	
Answering Affidavit (Affirmation)	
Reply Affidavit (Affirmation)	
_____ Affidavit (Affirmation)	
Pleadings - Exhibits	
Stipulations - Minutes	
Filed Papers	

hearing for preliminary injunction set for 3/16/18 at 10:00 a.m. Parties to bring witnesses for testimony. Parties to exchange any documentary evidence no later than 3/9/18. Plaintiff must post an undertaking in the amt of \$50,000.00 within 2 weeks of today and provide As notice thereof.

For Clerks use only
MG _____
MD _____
Motion Seq. # _____

Plaintiff to provide As counsel with the addresses of Bernard Klein ? Y&M Deals Corp. if known.

ENTER

J.S.C.
HON. SYLVIA G. ASH, JSC