

At I.A.S. Part 83 of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse thereof, located at 360 Adams Street, Brooklyn, New York 11201 on the \_\_\_\_ day of April 2022

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

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In the Matter of the Application of :  
:  
STERLING PLACE BK-NY BLOCK :  
ASSOCIATION INC., NOÉMIE BONNET, :  
and DANIEL SALK, :  
:  
Petitioners, :  
:  
For Judgment Pursuant to Articles 63 and 78 of the :  
Civil Practice Law and Rules, :  
:  
- against - :  
:  
CITY OF NEW YORK, NEW YORK CITY :  
LANDMARKS PRESERVATION :  
COMMISSION, HOPE STREET CAPITAL LLC, :  
959 STERLING PLACE GROUND OWNER LLC, :  
and XYZ CORP./LLC, :  
:  
Respondents. :  
:  
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Index No. 510458/2022

**ORDER TO SHOW CAUSE**

**ORAL ARGUMENT REQUESTED**

Upon the annexed Affirmation of Michael S. Hiller, Esq. dated April 28, 2022, and all of the exhibits annexed thereto; the Affidavit of Noémie Bonnet, sworn to on April 26, 2022, and the exhibit annexed thereto; the Affidavit of Daniel Salk, sworn to on April 27, 2022, and the exhibit annexed thereto; the accompanying Memorandum of Law; and upon all of the prior pleadings and proceedings heretofore had herein;

LET Respondents show cause before the Supreme Court of the State of New York, County of Kings, at the Courthouse located at 360 Adams Street, Brooklyn, New York, on the \_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_ o'clock in the \_\_\_\_\_ noon of that day, why an order or judgment shall not be made and entered herein:

1. preliminarily enjoining, restraining, and precluding respondents Hope Street Capital LLC and 959 Sterling Place Ground Owner LLC, and any affiliates, agents, employees or others under their control (collectively, the “Developer”), directly or indirectly, from engaging, and/or causing others to engage, in any construction, demolition and/or excavation activity at or about: (i) the premises located at 955-959 Sterling Place, Brooklyn, New York and 914-920 Park Place, Brooklyn, New York (“Subject Properties”) (or other nearby addresses listed by the Developer in connection therewith); and/or (ii) any premises with respect to which permits or construction licenses and easements may have been obtained by the Developer in connection with the Subject Properties; and

2. granting Petitioners such other and further relief as this Court deems just and proper.

**TEMPORARY RELIEF PENDING HEARING**

**IT IS FURTHER ORDERED** that, pending the hearing and any further date as directed by the Court, the Developer is hereby enjoined, restrained and precluded, both directly and indirectly, from engaging, and/or causing others to engage, in any construction, demolition and/or excavation activity at or about: (i) the Subject Properties (or other nearby addresses listed by the Developer in connection therewith); and/or (ii) any premises with respect to which permits or construction licenses and easements may have been obtained by the Developer in connection with the Subject Properties; and

**SUFFICIENT CAUSE HAVING BEEN ALLEGED**, it is further ordered that a copy of Order to Show Cause and the papers upon which it is granted shall be served via electronic filing on NYSCEF on or before the \_\_\_ day of \_\_\_\_\_, 2022, upon the Respondents Hope Street Capital LLC and 959 Sterling Place Ground Owner LLC, through their counsel, Elizabeth Knauer, Esq. and Evan Preminger, Esq., Sive Paget Riesel, 560 Lexington Avenue, New York, New York 10022, [eknauer@sprlaw.com](mailto:eknauer@sprlaw.com) and [epreminger@sprlaw.com](mailto:epreminger@sprlaw.com); and upon Respondents City of New York and the LPC, through their counsel, Kerri A. Devine, Esq., Corporation Counsel, NYC Law Department, 100 Church Street, New York, New York 10007, [kdevine@law.nyc.gov](mailto:kdevine@law.nyc.gov); and

**IT IS FURTHER ORDERED** that answering papers, if any, shall be served upon Petitioners, through their counsel, Michael S. Hiller, Esq. and Jason E. Zakai, Esq., Hiller, PC, 641 Lexington Avenue, 29th Floor, New York, New York, 10022, [mhiller@hillerpc.com](mailto:mhiller@hillerpc.com) and [jzakai@hillerpc.com](mailto:jzakai@hillerpc.com), via electronic filing on NYSCEF, on or before on the \_\_\_ day of \_\_\_\_\_, 2022; and

**IT IS FURTHER ORDERED** that reply papers, if any, shall be served, via electronic filing on NYSCEF, upon the aforesaid counsel for Respondents, on or before the \_\_\_ day of \_\_\_\_\_, 2022.

ENTER,

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J.S.C.