

At an Ex-Parte Part of the Supreme Court of the State of New York, held in and for the County of New York, at the courthouse located at 60 Centre Street, New York, New York on the 24 day of February 2021

HON. ALEX
HON. ALEXANDER M. TISCH

PRESENT: HON. _____
Justice, Supreme Court

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GRAPHNET, INC.,

Index No. 151622/2021

Plaintiff,

ORDER TO SHOW CAUSE

-against-

30 BROAD STREET VENTURE, L.L.C.

Defendant
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UPON, the annexed affidavit of GUY CONTE, sworn to on the 18 day of February 2021, the Emergency Affirmation of Marc J. Schneider dated February 18, 2021, the Summons and Complaint herein, and the Exhibits annexed thereto.

LET the Defendant 30 BROAD STREET VENTURE, L.L.C. or its attorneys, show cause before one of the Justices of this court, at 1AS Part 18, Room 623 of the Supreme Court of the State of New York in and for the County of New York, at 60 Centre Street, New York, New York on the 23 day of March 2021 at 11:00 A.M., or as soon thereafter as counsel can be heard, why an Order should not be made and entered (a) tolling and staying the running of the Notice to Cure issued by 30 Broad Street Venture, L.L.C ("Defendant") as against Graphnet, Inc. ("Plaintiff") and dated February 3, 2021 (the "Notice to Cure"); (b) staying termination of Plaintiff's tenancy pending the outcome of the above captioned action, and (c) staying

Defendant from commencing a summary proceeding or taking any other action to evict Plaintiff pending the determination of the above captioned action, and (d) such other and further relief as this Court deems just and proper; and it is further

ORDERED, that pending a hearing and determination of this Order to Show Cause: (i) the running of the Notice to Cure and the cure period set forth therein is hereby tolled and stayed, and (ii) Defendant is stayed from taking any steps to terminate Plaintiff's tenancy.

SUFFICIENT CAUSE ^{BEING ALLEGED} ~~APPEARING~~ THEREFORE, ^{IT IS ORDERED THAT} ~~LET~~ service of a true copy of this Order to Show Cause, together with the papers upon which it is based, and the summons and verified complaint upon the defendant, 30 BROAD STREET VENTURE, LLC, on or before the ^{25th} day of February 2021 shall be deemed good and sufficient service hereof. ^{by NYSCEF}

Handwritten initials "AT" in a circle with "JSC" written below it.

Handwritten notes: "Answering papers by March 12th" and "reply papers by March 9th".

Oral Argument Directed

JSC

ENTER:

Handwritten signature of Alexander M. Tisch.

2/24/21

J.S.C.

HON. ALEXANDER M. TISCH