

At the IAS Motion Part 17 of the Supreme Court of the State of New York held at the Courthouse in and for the County of New York, located at 60 Centre Street, New York, New York, on the 23 day of June 2020.

PRESENT:

Hon: SHELOMO S. HAGLER, J.S.C.  
Justice

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

-----X  
SULLIVAN PROPERTIES, L.P.,  
Plaintiff,

Index No.: 153974 /2020

-against-

ORDER TO  
SHOW CAUSE

BARIS DINCER,

Defendant.  
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Upon the reading and filing of the Affirmation of Emergency of Shari S. Laskowitz, Esq., dated June 4, 2020 and the exhibits annexed thereto, the affidavit of Paul Regan, sworn to on the 2<sup>nd</sup> day of June 2020, and the exhibits annexed thereto, the affidavit of Andres Reynoso, sworn to on the 3<sup>rd</sup> day of June, 2020, the affidavit of Adnan Utic, sworn to on the 4<sup>th</sup> day of June 2020, the affidavit of Alexis Brandon, sworn to on the 11<sup>th</sup> day of April 2020, the affidavit of Miwako G. Messer, sworn to on the 2<sup>nd</sup> day of June, 2020, the affidavit of Daniel Rispoli, sworn to on the 4<sup>th</sup> day of June, 2020, accompanying Memorandum of Law and the accompanying Summons and Complaint,

LET the Defendant Baris Dincer or his attorney, show cause before this Court at IAS Part 17, Room 235, to be held on June 23, 2020 at 11 o'clock in the fore/afternoon of that day or as soon thereafter as counsel can be heard, why an order should not be entered: granting Plaintiff, in accordance with Article 20 of the subject lease and applicable law, a Preliminary Injunction enjoining Baris Dincer ("Defendant"), from: (i) smoking in the Building hallways and

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leaving cigarette butts in the hallways; (ii) conducting any sort of work in his apartment - construction or otherwise - that could damage the Building or any Building-wide systems; (iii) threatening other residents in any manner, including, but not limited to, screaming at them or throwing liquid substances on their apartment doors and breaking apartment windows; and (iv) otherwise continuing his course of conduct that is endangering the health, safety and well-being of other residents at 111 Sullivan Street, New York, New York; and it is

**ORDERED** that pending the hearing ~~and determination~~ of this motion, the Defendant and his guests, agents, servants, employees and/or representatives are enjoined from: (i) smoking in the Building hallways and leaving cigarette butts in the hallways; (ii) conducting any sort of work in his apartment - construction or otherwise - that could damage the Building or any Building-wide systems; (iii) threatening <sup>violence to</sup> other residents in any manner, including, but not limited to, ~~screaming at them or~~ throwing liquid substances on their apartment doors and breaking apartment windows; and (iv) ~~otherwise continuing his course of conduct that is endangering the health, safety and well-being of other residents at 111 Sullivan Street, New York, New York; and~~ it is

**FURTHER ORDERED** that sufficient <sup>cause being alleged</sup> ~~reason appearing~~ therefore, let service of this Order and attached supporting papers and exhibits, together with the Summons and Complaint, be made upon the Defendant Baris Dincer, 111 Sullivan Street, Apt. 2BR, New York, New York 10012, pursuant to the CPLR be deemed good and sufficient service if made on or before June 30, 2020; and it is

**FURTHER ORDERED** that opposition papers, if any, shall be served on or before 7/21, 2020; reply papers, if any, shall be served on or before 8/4, 2020.

Oral Argument  
Directed

ENTER:

JSC

J.S.C.

**SHLOMO S. HAGLER, J.S.C.**

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