

At an IAS Part _____ of the Supreme Court of the State of New York, held in and for the County of Queens, at the Courthouse located at 88-11 Sutphin Blvd., Jamaica, New York on the _____ day of _____, 2016

PRESENT: HON.: _____

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

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SFS DEPOT, INC.,

Index No.:

Plaintiff,

-against-

**EMERGENCY ORDER
TO SHOW CAUSE**

GRACE PROPERTIES LLC,

Defendant.
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UPON READING AND FILING the annexed affidavit of LONG GUANG LIN, the president of the plaintiff named herein, sworn to on the 8th day of August 2016, the affirmation of Arnold W. Drucker, Esq., dated the 10th day of August, 2016, with the exhibits annexed thereto, the annexed memorandum of law, and upon all of the pleadings and proceedings had herein,

LET the defendant, Grace Properties LLC, or their counsel show cause at an IAS part _____ of the Supreme Court of the State of New York, County of Queens, located at 88-11 Sutphin Boulevard, Jamaica, New York on the ____ day of August, 2016, at 2:00 p.m. in the afternoon of that day, or as soon thereafter as counsel can be heard,

WHY AN ORDER SHOULD NOT BE MADE AND ENTERED HEREIN:

1. Granting a Temporary Restraining Order and preliminary injunction against the defendant and all persons known and unknown acting on its behalf or in concert with it, in any manner or by any means, from taking any action to terminate the plaintiff's lease and/or to commence or maintain summary proceedings to evict the plaintiff or to otherwise interfere with the plaintiff's possession of the premises located at 131-37B 41st Avenue, Flushing, New York 11355 (the "premises"), pending the disposition of this motion pursuant to CPLR §§ 6301, 6311 and 6313; and

2. Declaring and determining the plaintiff's right to exercise its option to renew the subject lease pursuant to its express terms and conditions, and issuing an Order declaring that the plaintiff's exercise of its option to renew its lease is valid and enforceable; and

3. Granting such other and further relief as the Court deems just and proper under the circumstances.

IT IS ORDERED that pending the Court's decision on this motion, the defendant, (its agents, servants, representatives and all other persons, known or unknown, acting on its behalf or in concert with it, and any person having knowledge of this action) are enjoined, stayed and restrained from taking any action to evict the plaintiff, to terminate the plaintiff's lease and/or to commence or maintain summary proceedings or to otherwise declare a default or take any action adverse to the plaintiff's rights or otherwise disturb the plaintiff's possession of the premises;

IT IS FURTHER ORDERED that service of a copy of the within Order to Show Cause, together with the Summons and Complaint and all of the supporting papers upon which this

motion is based upon the defendants on or before the ____ day of August, 2016 by certified mail, return receipt requested, be deemed good and sufficient service thereof;

IT IS FURTHER ORDERED that opposing papers, if any, be served by _____ delivery upon plaintiff's counsel ____ days in advance of the return date of the motion.

ENTERED:

J.S.C.