

At an IAS Part 43 of the Supreme Court of the State of New York, held in and for the County of the New York at the Courthouse located at 60 Centre St., New York on the 7th day of Aug., 2025.

PRESENT:
Hon. **HON. ROBERT R. REED**, Justice
J.S.C.
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

JONY HEREDIA, PERSONALLY AND AS THE ADMINISTRATOR OF THE ESTATE OF ROSANNA MONTEAGUDO, INDIVIDUALLY AND DERIVATIVELY ON BEHALF OF LANCO BROKERAGE CORP.,

654613/2025

Plaintiffs,

ORDER TO SHOW CAUSE

--against--

MS # 001

LANCO BROKERAGE CORP., JESUS ACOSTA, KENIA TAVAREZ, JOHN DOE #1-5, JANE DOE #1-5, XYZ CORP. #1-5,

Defendants

Upon reading and filing the annexed Affirmation by William A. Garcia, Esq., dated July 29, 2025, the Affidavit of JONY HEREDIA, sworn to on JULY 28, 2025, the Verified Complaint dated JULY 28, 2025, and the exhibits annexed thereto, **LET** the Defendants or their attorneys show cause before this Court at an IAS Part 43 to be held in and for the County of NEW YORK, at the courthouse located at 60 CENTRE STREET RM 222, New York, on the 1st day of OCTOBER, 2025 at 2:30 PM or as soon thereafter as counsel can be heard, **WHY** an Order should not be entered pursuant to CPLR §6301, §6311 and §6313:

- a. Compelling Defendants, their agents, and attorneys to provide Plaintiffs with full access to all books and records of the corporations, including, but not limited to, corporate, financial, and management records of the corporation during the pendency of this action;
- b. Enjoining Defendants from selling, transferring, assigning, converting, disposing, mortgaging, encumbering, or otherwise diminishing the value of the assets of the corporation;
- c. Enjoining Defendants from using the assets of Lanco Brokerage Corp., including any portion of the approximately \$500,143.96 paid by New York Life Insurance Company to LANCO upon the death of Rosanna Monteagudo, to pay for Defendants' legal costs and expenses related to this litigation without the written consent of the Plaintiffs;
- d. Compelling Defendants to declare and pay all dividends to which Plaintiffs are entitled as shareholders of Lanco Brokerage Corp., including any accrued and unpaid dividends, during the pendency of this action;
- e. Enjoining Defendants from interfering with Plaintiffs' rights as shareholders of LANCO, including the rights to enter the place of business of the corporate defendants and to manage, operate, and direct the business of the corporation;
- f. Compelling Defendants to allow Plaintiff to participate fully in the management and operation of Lanco Brokerage Corp., including but not limited to attending and voting at meetings of the board of directors and shareholders, and participating in all management decisions;
- g. Appointing a temporary receiver pursuant to CPLR Article 64 to take charge of the property, assets, and business operations of Lanco Brokerage Corp. during the pendency of this action, with such powers and duties as the Court deems just and proper;
- h. Compelling Defendants, their agents, and attorneys to provide Plaintiff with a complete and full accounting of all finances of the corporation, including all assets, liabilities, income, and expenses during the pendency of this action;
- i. Granting Plaintiffs all such further relief as the Court deems just and proper.

IT IS ORDERED THAT, pending the hearing and determination of this Order to Show

Cause for a preliminary injunction, Defendants are hereby ENJOINED, STAYED AND RESTRAINED from selling, transferring, assigning, converting, disposing, mortgaging,

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encumbering, using or otherwise diminishing the value of the \$500,143.96 paid by New York Life Insurance Company to Lanco Brokerage Corp. upon Rosanna Monteagudo's death, and from using any money or assets of Lanco Brokerage Corp. to pay for Defendants' legal fees and expenses in connection with this litigation.

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IT IS FURTHER ORDERED THAT, sufficient cause being alleged therefore, let

personal service of a copy of this Order, the papers and exhibits upon which it is based, and the Verified Complaint, be made upon the Defendants on or before the 14th day of

August, 2025; and it is further ORDERED that answering papers, if any, must be served and Filed by September 22, 2025.

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