

At IAS Part Com 1 of the Supreme Court of the State of New York, held in and for the Kings County, at the Courthouse, 360 Adams Street, Brooklyn, New York on the 5<sup>th</sup> day of October, 2011.

PRESENT:

HON. C E DEMAREST,  
Justice.

In the Matter of the Petition to appoint a wind-up person for Lowbet Realty Corp., pursuant to Business Corporation Law §1108, or to dissolve Lowbet Realty Corp. pursuant to Business Corporation Law §1104-a or 1104 and appoint a wind-up person, and for ancillary relief including the appointment of a receiver for and the sale of the property owned by Lowbet Realty Corp.

Index No. 22533/2011

**ORDER TO SHOW CAUSE WITH  
TEMPORARY RESTRAINING ORDER**

Shau Chung Hu,

Petitioner,

-v-

Lowbet Realty Corp., Margaret Liu and all persons interested in Lowbet Realty Corp.,

Respondents.

KINGS COUNTY CLERK  
RECEIVED  
2011 OCT - 5 PM 2:36

Upon reading and filing the annexed verified petition of Kenneth M. Moltner verified October 5, 2011 and the exhibits thereto and the affirmation in support of the petition of Kenneth M. Moltner, Esq. dated October 5, 2011 and the exhibits annexed thereto, and sufficient grounds having been shown, it is

Let  
~~ORDERED~~, that Respondents Lowbet Realty Corp. and Margaret Lu and all persons interested in Lowbet Realty Corp. show cause before this Court, at IAS Part Com 1, Room 756

→ \_\_\_ of the Courthouse, 360 Adams Street, Brooklyn, New York on the 16<sup>th</sup> day of November, 2011 at 9:30 A.m, or as soon thereafter as counsel can be heard, why an order should not be made and entered (i)(a) having Lowbet Realty Corp's ("Lowbet") affairs wound up and the property that it owns sold or, if the Court finds it necessary (b) having Lowbet dissolved and its affairs wound up and the property that it owns sold, (ii) having a receiver (who is not Ms. Liu or affiliated with her) appointed to wind-up Lowbet and sell its property, (iii) issuing a Temporary Restraining Order and an injunction prohibiting Margaret Liu from accessing, using, or drawing from Lowbet's revenues and bank account(s) and having anyone do so on her behalf, from operating or managing Lowbet, and from transacting business on Lowbet's behalf; (iv) declaring that Mr. Hu owns 75% of Lowbet's stock and for distribution of the proceeds of sale of Lowbet in accordance therewith subject to a credit to Mr. Hu for monies that Ms. Liu has dissipated from Lowbet; (v) directing Ms. Liu to immediately provide access to Mr. Hu, or us on Mr. Hu's behalf, to Lowbet's books and records, and (vi) appointing an accountant, at Ms. Liu's expense, to examine Lowbet's books and records to determine, *inter alia*, whether and to what extent Ms. Liu has dissipated Lowbet's assets (vii) and granting Mr. Hu such other and further relief as to this Court may seem just and proper; and it is .

**ORDERED**, that pending the hearing and determination of the <sup>motion, the status</sup> petition that ~~Margaret Liu~~ ~~go shall be maintained in that the management company~~ is prohibited and restrained from accessing, using, or drawing from Lowbet's revenues and bank ~~currently managing the property shall continue to do~~ account, including by direct withdrawal or by incurring credit card or other charges payable by ~~so, unless otherwise directed by a justice of this~~ Lowbet, and having anyone do so on her behalf, from operating or managing Lowbet, and from ~~court. It is noted that a receiver had been previously~~ transacting business on Lowbet's behalf and that Margaret Liu shall, no later than \_\_\_ days from ~~appointed in a matrimonial action before Justice~~ the date of this order, provide S.C. Hu or his representative full and complete access to all of ~~Adams of this Court. Both parties applicants reside in China~~ Lowbet's books and records including but not limited to bank statements; and it is further ~~and neither party shall, therefore, participate in~~ the management of the Realty ~~without further~~ direction by a Justice of this Court.

STAY  
JSC  
CJL  
JSC

**ORDERED** that oral argument shall be required on the return date of this motion; and it

is further

*Let*

*petition*

~~ORDERED~~, that a copy of this order and the papers upon which it is based, shall be

→ served on or before *October 11,* 2011 and service by *certified* mail, postage prepaid, which service shall be deemed complete upon mailing, on the following shall be deemed good and sufficient service:

Glen Liu, Esq.  
Attorney for Respondent Margaret Liu  
~~401 Broadway, Suite 1010~~  
~~New York, NY 10013~~  
~~(212) 226-0182~~

And

Alexander P. Kelly, Esq.  
Attorney for Respondent Margaret Liu  
~~16 Court Street, 35<sup>th</sup> Floor~~  
~~Brooklyn, NY 11241~~  
~~(718) 422-0822~~

And

New York Department of State  
Statutory Agent for Service of Process for Lowbet  
~~One Commerce Plaza~~  
~~99 Washington Avenue~~  
~~Albany, New York 12231~~

And

New York State Department of Taxation and Finance  
ATT: Office of Counsel  
~~Building 9, W.A. Harriman Campus~~  
~~Albany, New York 12227~~

*and any other party entitled to notify.*  
~~and it is further~~

*publications* **ORDERED** that a copy of this order to show cause shall be published at least once in

*JSC* each of the three weeks before the time appointed for the hearing, in the

*Brooklyn Eagle*, and it is further


ORDERED that a copy of this order to show cause and the annexed verified petition shall be filed, within ten days after the order is entered, with the County Clerk's Office in the County of Kings; and it is further

~~ORDERED that answering papers, if any, shall be served on or before \_\_\_\_\_, 2011 and service by overnight mail, which service shall be deemed complete upon mailing, upon Bressler, Amery & Ross, P.C., 17 State Street, 34<sup>th</sup> Floor, New York, New York 10004, Attention: Kenneth M. Moltner, Esq., shall be deemed good and sufficient service; and it is further~~

~~ORDERED that petitioner's reply papers, if any, shall be served on or before \_\_\_\_\_, 2011 and service by overnight mail, which service shall be deemed complete upon mailing, shall be deemed good and sufficient service.~~

Ordered that answering papers are to be served

ENTER:



J.S.C.

**NON CAROLYN DEMAREST**

cc'd  
JSC  
Ordered filed with this court on  
or before November 7, 2011.