

At IAS Part ⁶⁰ 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 ^{15th} day of February 2013.

PRESENT:

HON. MARCY S. FRIEDMAN, J.S.C.

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Application of Joseph Yahudaii,

Petitioner,

In the Matter of the Application for Dissolution Of True Gate Holding, Ltd., a New York Domestic Corporation

v.

Mehry Noghrei

Respondent.

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Index No.: 654014/2012

**ORDER TO SHOW CAUSE
WHY INSOLVENT
CORPORATION SHOULD
NOT BE DISSOLVED AND
TO AMEND THE PETITION**

MOTION SEQUENCE # 003

UPON the Affidavit of Joseph Yahudaii, sworn to February 12, 2013, the proposed Amended Verified Petition of Joseph Yahudaii, dated February 12, 2013, let the Respondent, the Corporation, the State Tax Commission, Nourallah Baroukhian, and all persons interested in True Gate Holding, Ltd. (the "Corporation" or "True Gate"),

SHOW CAUSE, at IAS Part 60, Room 248, to be held in the Courthouse at 60 Centre Street, New York, New York on the 4th day of April 2013, at 10:00 A.M. of that day, or as soon thereafter as counsel can be heard,

WHY an Order should not be entered: (a) granting leave to the Petitioner to amend the Petition in the form annexed hereto; and (b) dissolving the Corporation;

IT BEING ALLEGED that the Corporation has no employees or assets, other than the mortgage sought to be foreclosed at issue in these proceedings, does no business, and has its office at 15 West 44th Street, New York, New York 10036, and that the sole, equal shareholders of the Corporation are deadlocked and the affairs of the Corporation are at a standstill, it is

ORDERED, that a copy of this Order be published at least once in each week for the three weeks immediately preceding April 4, 2013, the time appointed for the hearing, in one newspaper of general circulation published in the City of New York, County of New York,

namely, Daily News, that being the county in which the

office of the Corporation is ^{allegedly} located as of the date of the Order; *and the order shall also be published in conformity with this provision in Nassau County in New York, that being the county in which the office of the Corporation was allegedly located as set forth in the*

ORDERED, that a copy of this Order to Show Cause be served personally, or by mail,

in accordance with the provisions of §1106(c) of the Business Corporation Law, upon the State Tax Commission, the Respondent, the Corporation, Nourallah Baroukhian, and each person named in the petition, as a shareholder, creditor, or claimant, *and it is further*

ORDERED that a copy of this order to show cause shall and petition shall be filed pursuant to Business Corp. Law §1106(d).

ENTER,

Marcy Friedman
J.S.C.

MARCY S. FRIEDMAN, J.S.C.

~~ORDERED that opposition papers, if any, shall be served on the _____ on or before _____~~

Opposition papers shall be served by 3-14-13 *by NYSCEF and*
Reply papers, if any, shall be served by 3-29-13 *by mail*
All papers shall be served so received by above dates, and shall be e-filed, with hard copies to be filed with the Clerk of Part 60 at least three (3) days before the return date. Oral argument is required.

MJ

~~ORAL ARGUMENT DIRECTED~~

J.S.C.

petition dated 11-19-12.