

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

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IN THE MATTER OF THE APPLICATION OF
HATIM BAKR ONE-THIRD OWNER OF THE
VENDING BUSINESS LOCATED AT 1528
BROADWAY, MANHATTAN,

INDEX NO.: 651293/2022

Petitioner,

VERIFIED
PETITION

-against-

AHMED M. SHAKER and ALI S. ALI,

Respondent.

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

The Petition of Hatim Bakr respectfully shows this court:

1. That the Petitioner and the Respondents are owners of a food vending business (food truck) located at 1528 Broadway (W. 45 Street) (the spot).
2. That your Petitioner, Hatim Bakr, purchased a one-third interest in the vending business (food truck) on July 16, 2020. Your Petitioner paid \$60,000.00 for his one-third interest. See copy of sales agreement (Partnership Agreement) attached hereto and made a part hereof.
3. That the Sales Agreement (Partnership Agreement) guaranteed the Petitioner to be able to work at the location (the spot) which was West 45th Street and Broadway.
4. Respondents have systematically and purposely excluded the Petitioner from working either on the food truck or at the location in violation of the Sales Agreement (Partnership Agreement).
5. That your Petitioner and the Respondents are the sole owners of the vending business (food truck). They would alternate weeks working at the location.
6. That your Petitioner has not worked at the location or on the food truck since September 2021.

7. That the Respondents have not given any money to the Petitioner since he last worked at the location which was in September of 2021.
8. That the location, West 45th Street and Broadway, i/f/o 1528 Broadway, is the location in which the Petitioner purchased an interest.
9. That statutory authority for dissolution of the Partnership Agreement comes from Partnership Law §62 (1) (b) where it says that a contract of partnership containing no stipulation as to the time during which it shall continue in force may be dissolved by either partner at his own will at any time.
10. That your Petitioner proceeds by way of Order to Show Cause because of the dire financial straits in which he finds himself.
11. No previous application has been made for the relief sought herein.

WHEREFORE, Petitioner respectfully requests an order of this Court:

- (a) Dissolving and/or Enforcing the Sales Agreement (Partnership Agreement);
- (b) Allowing the Petitioner to occupy the location of W. 45th Street & Broadway in front of 1528 Broadway;
- (c) Awarding the Petitioner his share of the profits from the vending business dating back to September 2021;
- (d) For such other and further relief as to this Court seems just, proper and equitable.

Dated: Bayside, New York
March 15, 2021


Robert Giusti, Esq.

