

At Part 61 of the Supreme Court of the State of New York, held in and for the County of New York, at the Courthouse, 60 Centre Street, New York, NY on the 17th day of November 2023

BARRY R. OSTRAGER
JSC

Present: _____
Justice of the Supreme Court

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

-----X
In the Matter of the Application of

WYTHE BERRY LLC, THE WILLIAM VALE
HOTEL LLC, THE WILLIAM VALE FNB LLC,
AND NORTH 12 PARKING LLC,

Petitioners,

For an Order Staying Arbitration pursuant to
Article 75 of the CPLR

-against-

YOEL GOLDMAN,

Respondent.

-----X

Index No. 655683/2023

~~PROPOSED~~
ORDER TO SHOW CAUSE

Mot. Seq. 001

Upon the reading and filing of the Verified Petition, dated November 13, 2023 (the "Petition"), the exhibits annexed thereto, and the Memorandum of Law submitted herewith,

Let the Respondent, YOEL GOLDMAN ("Goldman"), show cause before this Court at Part 61, 60 Centre Street, New York, NY 10007, on the 14th day of December, 2023 at 2:00 p.m two o'clock remotely via Microsoft Teams ~~2:00~~ p.m. of that day, or as soon thereafter as counsel can be heard, why an Order should not be

issued pursuant to CPLR § 7503(b) granting the Petition and permanently staying the arbitration commenced by Goldman (the "Arbitration") as against only the petitioners, Wythe Berry LLC, The William Vale Hotel LLC, The William Vale FNB LLC, and North 12 Parking LLC (collectively, the "Petitioners").

Sufficient cause appearing therefore, it is hereby,

ORDERED, that delivery of a copy of this Order to Show Cause, together with the papers upon which it is based, to Goldman's counsel in the Arbitration, Dechert LLP, in person or by electronic mail so as to be delivered on or before November 20, 2023, shall be deemed good and sufficient service of the Order to Show Cause; and it is further

ORDERED that, pursuant to CPLR § 402, all responding papers in this proceeding shall be electronically filed and served upon attorneys for Petitioners through the NYSCEF System on or before the 28th day of November, 2023; and it is further

ORDERED that, pursuant to CPLR § 402, Petitioners' reply papers (if any) shall be electronically filed and served upon attorneys for Respondent through the NYSCEF System on or before the 4th day of December 2023. Any additional papers filed by either party shall include information on the status of the Arbitration and existing deadlines. ENTER,


BARRY R. OSTRAGER, J.S.C.

**BARRY R. OSTRAGER
JSC**

On or before December 4, 2023, movant shall efile a Joint Appearance Sheet containing the full caption of the case and complete contact information, including email addresses, for all parties participating in the December 14, 2023 appearance and identifying the party represented.