

At a DCM Part 22 of the Supreme Court of
the State of New York, County of Kings
held at the Courthouse thereof, located at
Brooklyn,

→ New York on April 12, 2011

HON _____

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In the Matter of the Application of
PETER J. ELLAMS,
a Member of GREEN PLANET LABS LLC,

Petitioner,

**ORDER TO
SHOW CAUSE**

for the Judicial Dissolution of
GREEN PLANET LABS LLC,
a New York limited liability company

Index No. 7412/11

-against-

GREEN PLANET LABS LLC and
SCOTT LAWRENCE SMITH,

Respondents.
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On the reading and filing of the petition of PETER J. ELLAMS ("Petitioner"),
verified on March 30, 2011, by which it appears that petitioner is the holder of fifty
(50%) percent membership interest of GREEN PLANET LABS LLC, a limited liability
company formed under the laws of the State of New York, and the company is doing
business at 63 Flushing Avenue, Unit 132, Brooklyn, New York 11205, and it being
alleged that a dissolution will be beneficial to the members inasmuch as, upon
information and belief, SCOTT LAWRENCE SMITH has misappropriated the assets of
GREEN PLANET LABS LLC and there is internal dissension and petitioner and
respondent SCOTT LAWRENCE SMITH are so divided that Petitioner deems it
beneficial to the interests of the members that the company be dissolved.;

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NOW, SUFFICIENT CAUSE BEING SHOWN THEREFORE, ~~it is hereby~~

LET

~~ORDERED THAT~~ GREEN PLANET LABS LLC and SCOTT LAWRENCE

SMITH, as well as all persons interested in the company show cause before this court, at

a ~~DCM~~ Part ^{Com Dist} , at the Courthouse, 360 Adams St, Brooklyn New York, on May 25, 2011, at 9:30 o'clock in ^{The forenoon or a soon thereafter} why the company should

not be dissolved pursuant to the rules and practices of this Court, ~~and it is further~~

~~ORDERED that pending the dissolution sought hereunder that a Receiver be appointed pursuant to Limited Liability Company Law §703 and CPLR § 6401 et seq. for the purpose wind up the affairs of GREEN PLANET LABS, LLC, and it is further~~

ORDERED that a copy of this order shall be published at least once a week in

each of the three weeks immediately preceding the time fixed herein for the hearing

thereon in the Brooklyn Eagle a newspaper published in

Brooklyn, New York, and a copy of this order be served personally upon the State Tax

Commission by certified mail, return receipt requested and personally upon GREEN

PLANET LABS, LLC. and upon respondents SCOTT LAWRENCE SMITH on or before

May 2, 2011, ~~and it is further~~

~~ORDERED that all creditors and other parties having contractual relationships with GREEN PLANET LABS LLC are hereby enjoined and restrained from beginning any action against the company or taking any actions outside the ordinary course of business which are detrimental to the business of GREEN PLANET LABS LLC, or from~~

slay
JSC

RF

{ ~~taking any proceedings in an action already commenced except as authorized by this~~
Court.

RF

ENTER:



, J.S.C.

NON. CAROLYN DEMAREST