

At an IAS Part 23 of the Supreme Court of the State of New York, County of New York, at the Courthouse thereof located at 60th St, New York, New York on the 13th day of September, 2011.

021858

PRESENT: HON. RICHARD F. BRAUN
J.S.C. J.S.C.

013321

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

-----X
JOHN M. FIFE and
CHICAGO VENTURE PARTNERS, L.P.,

Plaintiffs,

- v -

ALLAN KLEPFISZ,

Defendant.

FEE PAID
SEP 12 2011
Index No 102230-2011
NEW YORK COUNTY CLERK
ORDER TO SHOW CAUSE
EX PARTE'S OFFICE
FOR THE DEPARTMENT OF MORTUARY AFFAIRS

-----X
PLEASE TAKE NOTICE THAT THE PURPOSE OF THIS HEARING IS TO PUNISH THE ACCUSED DEFENDANT FOR A CONTEMPT OF COURT AND SUCH PUNISHMENT MAY CONSIST OF FINE OR IMPRISONMENT OR BOTH ACCORDING TO LAW.

**WARNING
YOUR FAILURE TO APPEAR IN COURT MAY RESULT IN YOUR IMMEDIATE ARREST AND IMPRISONMENT FOR CONTEMPT OF COURT.**

UPON the annexed affirmation of David Rivera, dated September 12, 2011, together with the annexed exhibits and all of the prior papers, pleadings and proceedings in this action,

LET the Defendant or counsel appear and Show Cause before the Supreme Court of the State of New York located at 60th St, Room 418, New York, New York, at an IAS Part thereof, on the 13th day of October, 2011, at 10:30 a.m., or as soon thereafter as counsel may be heard,

why an Order should not be made and entered:

(1) Directing that the judgment-debtor defendant ^{be held in Contempt or in t} _{alternativ} appear to give testimony as to his assets within thirty (30) days of this order or face sanctions and/or punishment for contempt including costs and fees and, in addition thereto, that (2) the defendant be directed not to dispose of any assets currently in his possession, and that (3) any firm, person, financial institution, or real estate entity holding any of the defendant's assets shall not sell, liquidate, transfer, dispose of or remove said asset(s) belonging to or owned by the named debtor and/or defendant herein pending a hearing on this matter at a date to be scheduled by this Court, and it is further

ORDERED that pending a hearing on the above matter that the defendant is restrained from selling, liquidating, transferring, disposing or removing any assets belonging to said defendant/debtor; and it is ^{up to the amount of \$1,302,197.01} _^

JSC
S.S.C.

ORDERED that service of a copy of this Order and the papers upon which it is based be made on or before the ^{15th} day of September, 2011, by delivering a copy of said Order and papers Personally Delivered upon defendant by personal service pursuant to C.P.L.R. § ^{308C1)} ~~311(a)(1)~~ on defendant and that said service shall be deemed sufficient.

Oral Argument
Directed

JSC

ENTER

J.S.C.