

At a Special Term Part II of the Supreme Court of the State of New York, held at the Courthouse thereof, 60 Center Street, in the Borough of Manhattan, City and State of New York, on the 15th day of February, 1984

Present: Hon. JAWN A. SANDIFER
Justice, S. C.

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GEORGE SASSOWER,

Index No.
5774-1983

Plaintiff,

-against-

ERNEST L. SIGNORELLI, ANTHONY MASTROIANNI,
ALAN CROCE, ANTHONY GRYMALSKI, HARRY E.
SEIDELL, NEW YORK NEWS, INC., and
VIRGINIA MATHIAS,

Defendants.

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Upon the annexed affidavit of GEORGE SASSOWER, Esq., duly sworn to on 1st day of February, 1984, and all the pleadings and proceedings had heretofore herein let defendants, Alan Croce and Anthony Grymalski, or their attorney show cause before this Court at a Special Term Part I of the Supreme Court of the State of New York, County of New York, held at the Courthouse

thereof, 60 Center Street, in the Borough of Manhattan, City and State of New York, on the 7th day of February, 1984, at 9:30 o'clock in the forenoon of that day or as soon thereafter as Counsel may be heard why an Order should not be entered (1) vacating the Notice of Motion by the Suffolk County Attorney dated January 11, 1984, returnable February 24, 1984; alternatively (2) declaring null and void any purported claim to any claimed statutory stay pursuant to CPLR 3214(b) or vacating same; (3) accelerating the return date to February 13, 1984; (4) assessing costs against the Suffolk County Attorney the sum of \$25,000; (5) together with any other, further, and/or different relief as to this Court may seem just and proper in the premises.

SUFFICIENT cause having been shown, let a copy of this Order together with the papers upon which it is based be served on the offices of the attorneys for the respondents personally and on the Supreme Court of the State of New York, County of Suffolk by certified mail or before the 7th day of February, 1984, be deemed good and sufficient service, and it is further

ORDERED, that pending the return date of this motion and statutory stay purportedly claimed to exist by reason of the service of the aforementioned Notice of Motion be and the same is hereby vacated, and it is further

~~ORDERED, that opposing papers, if any, are to be served at least days before the return date of this motion with an additional five (5) days additional if service is by mail.~~

E N T E R

~~J.S.C.~~

JAWN A. SANDIFER
J.S.C.