

CONFORMED COPY

CITY COURT OF THE CITY OF WHITE PLAINS
COUNTY OF WESTCHESTER

CITY COURT OF
WESTCHESTER, NY

JOHN MCFADDEN

Petitioner

Index #SP 651/89

JUDGMENT-HOLDOVER

472 Clearmeadow Drive
East Meadow, New York 11554

Judgment Rendered
in Favor of Petitioner
Residing at
472 Clearmeadow Drive
East Meadow, NY 11554

-against-

DORIS L. SASSOWER

Respondent

283 Soundview Avenue
White Plains, NY 10606

and

COPY

ELENA SASSOWER

Respondent

16 Lake Street, Apt 2C
White Plains, NY 10603

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Petitioner having duly commenced this summary holdover proceeding on April 4, 1989 by service of the Notice of Petition and Petition filed herein upon the above-captioned respondents; and respondents having filed a motion with this Court seeking various forms of relief including dismissal of the proceedings based upon lack of subject matter jurisdiction and inadequate notice; and, by Decision and Order entered on September 18, 1989, this Court denied respondents' said motion; and petitioner having served and filed a motion for summary judgment herein on November 25, 1991; and, by Decision and Order dated December 19, 1991, this Court reserved decision on the said motion pending a determination by the United States Court of Appeals for the Second Circuit of an appeal that had been filed by respondents of decisions of the United States District for the Southern District of New York that denied respondents' motion for a new trial and granted sanctions against respondents for frivolous conduct in commencing and maintaining an action against the Board of Directors of the cooperative corporation that owns the premises the subject of the above captioned proceeding and the

Exhibit C-1

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building in which it was situated in which respondents alleged housing discrimination, a violation of New York Executive Law, estoppel and damages for severe emotional distress and also pending receipt by this Court of notification of the outcome of respondents' appeal; and the United States District Court for the Second Circuit having denied respondents' appeal and having affirmed the decisions of the United States District Court appealed from (except that, as to respondent Elena Sassower, the Court vacated the imposition of sanctions solely on the ground of said respondents' impoverished condition) and this Court having been notified of the said decision of the United States Court of Appeals on July 9, 2007, thereby rendering petitioner's pending motion for summary judgment ripe for adjudication in accordance with the above described December 19, 1991 Decision and Order of this Court; and this Court having now considered petitioner's motion for summary judgment *de novo* and, by Decision and Order entered herein on July 3, 2008, having granted petitioner's said motion;

NOW, on motion of petitioner, through his attorneys, Leonard A. Sclafani, P.C. in person, it is

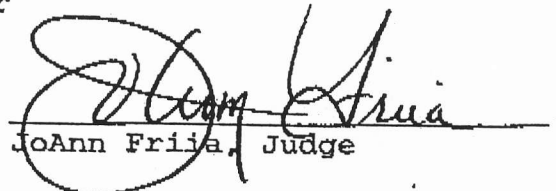
ADJUDGED, that the possession of the premises described in the petition herein, to wit, Unit 2C in the building known as 16 Lake Street, White Plains, New York, be awarded to the petitioner-landlord with \$55.00 costs of this proceeding, and it further

ADJUDGED, that a warrant of eviction issue, such issuance to be stayed to and including the 31st day of July, 2008

Dated: July 21, 2008

Enter

COPY


JoAnn Fria, Judge

CITY COURT OF THE CITY OF WHITE PLAINS
COUNTY OF WESTCHESTER

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JOHN MCFADDEN

CITY COURT OF
WHITE PLAINS, NY Index #SP 651/89

Petitioner

472 Clearmeadow Drive
East Meadow, New York 11554 (Address)

7000 JUL 11 A 10:12

WARRANT
HOLD OVER

-against-

DORIS L. SASSOWER

Respondent

283 Soundview Avenue
White Plains, NY 10606 (Address)

and

COPY

ELENA SASSOWER

Respondent

16 Lake Street, Apt 2C
White Plains, NY 10603 (Address)

-X

To

GREETING:

Whereas, John McFadden has made petition in due form in writing, and presented the same, duly verified, to this Court that he is the Petitioner-Overlandlord of the premises hereinafter described, and that on or about the 30th day of October, 1987, he granted possession to respondents of the premises known as Unit 2C in the building known as 16 Lake Street situate in the City of White Plains, State of New York; under a written occupancy agreement incident to a contract made by petitioner with respondents for the sale to respondents of petitioner's interest in the said premises for a term commencing on the 30th day of October 1987 which said term ended in May, 1988, which term has expired, and that the said respondents hold over and continue in possession of the same, without permission of the Landlord, after the expiration of respondents' term therein, and

Whereas, a notice of motion for summary judgment was duly

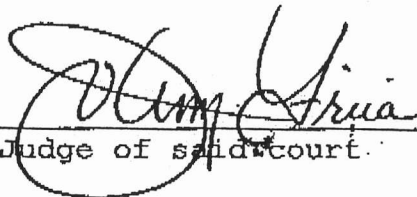
Exhibit C-2

CONFORMED COPY

made herein by petitioner, John McFadden, directed to respondents specifying the time and place of the hearing of the motion, and proof of service of the notice of motion was presented and upon the motion of petitioner for summary judgment, I did thereupon render final judgment awarding to Petitioner, among other things, the delivery of the possession of said property;

Therefore, in the name of the People of the State of New York, You are Commanded to remove respondents Doris Sassower and Elena Sassower from the said premises, and put the Petitioner in full possession thereof.

In Witness Whereof, I have subscribed to these presents, this 21st day of May, 2008



Judge of said court.

Pursuant to the command of the above Warrant, I have this day put the Petitioner into full possession of the premises above mentioned.

Dated this _____ day of _____, 2008

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