

Civil Court of the City of New York

COUNTY OF New York

Part Small Claims

Index No. 187 SCNY 2014

W69

Elena Sassower
Claimant(s) / Plaintiff(s),
against
Anna Capellen
Defendant(s)

ORDER TO SHOW CAUSE

For vacate arbitration
(Relief Requested)
decision & restore

Upon the annexed Affidavit of Elena Sassower,

the above named Claimant(s)/Plaintiff(s)/Defendant(s), sworn to on May 27, 2015,
and upon all the papers and proceedings herein:

LET the Claimant(s)/Plaintiff(s)/Defendant(s) or the attorney(s) therefor show cause at:

The Civil Court of the City of New York
(Small Claims Part) (Special Term, Part I) (Commercial Claims Part)

Located at: 111 Centre St Room 353, New York, NY

County of: New York

on: August 20, 2015, at 6:10 AM/PM,

or as soon thereafter as counsel may be heard, why an Order should not be made:

vacating the arbitrator's decision and
restoring the case to the calendar

and/or granting such other and further relief as may be just.

PENDING the hearing of this Order to Show Cause and the entry of an Order thereon, let all proceedings in this action on the part of the Claimant(s)/Plaintiff(s)/Defendant(s), the attorney(s) and agents therefor and any Marshal or Sheriff of the City of New York for _____ be stayed.

SERVICE of a copy of this Order to Show Cause, and annexed Affidavit, upon the:

Claimant(s)/Plaintiffs(s)/Defendant(s) or named attorney(s):
(Judge to Initial)

Sheriff or Marshal:
(Judge to Initial)

- _____ by Personal Service by "In Hand Delivery"
- _____ by Certified Mail, R. R. R.
- by First Class Mail with official Post Office Certificate of Mailing

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- _____ by Certified Mail, R. R. R.
- _____ by First Class Mail with official Post Office Certificate of Mailing

on or before June 3, 2015, shall be deemed good and sufficient.

PROOF OF SUCH SERVICE may be filed with the Clerk in the Part indicated above on the return date of this Order to Show Cause or in the Clerk's Office before the return date of this Order to Show Cause.

Attorney(s):

Andrew Squire
379 Decatur St.
Brooklyn, NY 11233

Sheriff/Marshal:

[Signature]
MON. JOSE A. PADILLA, JR.

Date

Judge, Civil Court

Civil Court of the City of New York

[PLEASE PRESS HARD]

County of New York
Part Small Claims

Index Number 187 SCNY 2014

Elena Sassower
Plaintiff(s), Petitioner(s), Claimant(s)
against
Anna Capellen
Defendants, Respondent(s)

AFFIDAVIT IN SUPPORT OF
AN ORDER TO SHOW CAUSE

For vacate arb decision & restore
(Relief Requested)

State of New York, County of NY ss:

Elena Ruth Sassower, being duly sworn, deposes and says:
[Print your name]

(INITIALS)

1. Yes a) I am the party named as (Plaintiff)(Petitioner)(Claimant)(Defendant)(Respondent) in the above Party entitled proceeding.

2. Yes I request that the Court issue an Order for:
Request vacate arbitration decision & restore to the calendar

or grant such other relief as the Court may deem to be just and proper.

3. Yes I have a good defense/claim because:
Defense/Claim it is substantiated by a contract which is a signed lease agreement as well as by fact-specific correspondence (May 1, 2013 + May 17, 2013 letters to which respondent did not respond)

4. Yes I have a good excuse/reason because:
Excuse/Reason the arbitrator refused to read the contract + correspondence + otherwise commmaded his incompetence causing me to complain about him

5. Yes a) I have not had a previous Order to Show Cause regarding this Index Number.
Prior Order b) I have had a previous Order to Show Cause regarding this Index Number but I am making this further application because see annexed affidavit for details, etc.

Sworn to before me this 27th day of May, 2015
Signature of Court Employee and Title [Signature] SCC

(Sign Name) Elena Ruth Sassower
(Print Name) Elena Ruth Sassower
(Address) 10 Stewart Place Apt 2DE White Plains NY 10603
City, State, Zip Code Telephone Number
914-421-1200