

At a 1AS Part 15 of the Supreme Court of the State of New York, held in and for the County of New York, at the Courthouse located at 60 Centre Street, New York, New York, on the 4TH day of April, 2014.

PRESENT:

HON. EILEEN A. RAKOWER

HON. _____, Justice

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

MAUREEN KOETZ, individually and on behalf of all others similarly situated,

Index No. 651023/2014

Plaintiff,

-against-

ORDER TO SHOW CAUSE

MARINA TOWER ASSOCIATES, L.P.,
GATEWAY PLAZA MANAGEMENT
CORP., THE BATTERY PARK CITY
AUTHORITY, and the LEFRAK
ORGANIZATION,

MOTIONSEQUENCE #

Defendants.

UPON reading and filing the annexed affirmation of Lucas A. Ferrara, dated April 3, 2014, together with the exhibits thereto, the accompanying Memorandum of Law, and upon all of the papers, and pleadings heretofore had herein,

NOW, upon the motion of Barbara Stoebel, let Plaintiff Maureen Koetz, Defendants, or her counsel **SHOW CAUSE** before the Hon. Rakower, a Justice of this Court, at the Courthouse located at, ~~60~~⁸⁰ Centre Street, in the City, State of New York, County of New York, on April 29, 2014, at ~~9:30~~^{10:30} a.m., or a soon thereafter as counsel can be heard, and show cause why an Order should not be made and entered herein:

- a. pursuant to CPLR §602, consolidating all related actions under the new designated caption *In re Gateway Plaza Residents Litigation*;
- b. appointing Newman Ferrara LLP and Morgan & Morgan, P.C. as Co-Lead Counsel in the proposed consolidated action;
- c. disqualifying the firm of Stanford Heisler, LLP ("Sanford Heisler") to act as counsel for plaintiffs and the Class in the proposed consolidated action; and
- d. together with such other and further relief in Plaintiff's favor as the Court deems just, equitable, and proper under the circumstances.

IT IS FURTHER ORDERED, that service of a copy of this order to show cause, and the papers upon which it is based, upon Plaintiff Koetz's counsel, Sanford Heisler, LLP, located at 1350 Avenue of the Americas, 31st Floor, New York, NY 10019, Defendants Marina Tower Associates, L.P., and Gateway Plaza Management LLC, located at 389 South End Avenue, New York, NY 10280, The Battery Park City Authority, located at One World Trade Financial Center, 24th Floor, New York, NY 10281, and The LeFrak Organization, located at 40 W. 57th St., 23rd Floor, New York, NY 10019, on or before April 8, 2014, by overnight mail or overnight courier service, shall be deemed good and sufficient service; and it is further

ORDERED, that any opposition to this application, if any, must be served upon Plaintiff's Stoebel's counsel, by overnight mail or overnight courier service, so as to be received on or before April 22, 2014; and it is further

ORDERED, that Stoebel's reply papers, if any, must be served upon all parties by overnight mail or overnight courier service, so as to be received on or before April 25, 2014.

Dated: New York, New York
April 4, 2014

ENTER:


JUSTICE OF THE SUPREME COURT

HON. EILEEN A. RAKOWER

Please provide courtesy copies of
all papers to Part 15

**ORAL ARGUMENT
DIRECTED**

J.S.C.