

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

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In the Matter of the Application of

Jennifer Waller, et al.,

Petitioners/Plaintiffs,

For a Judgment Pursuant to Articles 78, 30 and 63 of the Civil
Practice Law and Rules, and 42 USC §§ 1983 and 1988,

-against-

THE CITY OF NEW YORK, NEW YORK CITY MAYOR
MICHAEL BLOOMBERG, THE NEW YORK CITY POLICE
DEPARTMENT, NEW YORK CITY POLICE DEPARTMENT
COMMISSIONER RAYMOND KELLY, FIRE DEPARTMENT
OF THE CITY OF NEW YORK, FIRE DEPARTMENT OF
THE CITY OF NEW YORK COMMISSIONER SALVATORE
CASSANO, BROOKFIELD OFFICE PROPERTIES, INC.,
RICHARD B. CLARK, BROOKFIELD PROPERTIES, INC.
CHIEF EXECUTIVE OFFICER, et al.,

Respondents/Defendants.

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**ORDER TO SHOW
CAUSE AND
TEMPORARY
RESTRAINING
ORDER**

Filed:
November 15, 2011

Index No.:
_____/2011

RJI No.:

ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER

TO THE ABOVE NAMED RESPONDENTS/DEFENDANTS:

Upon the annexed ^{Verified Complaint} Affirmation of GIDEON ORION OLIVER, ESQ., one of
petitioners'/plaintiffs' attorneys associated with the New York City Chapter of the National
Lawyers Guild, sworn to on November 15, 2011, with the attached exhibits, and upon good
cause being shown,

Let the respondents/defendants show cause before this Court at IAS Part 46 in Room 204
at the New York County Supreme Court Courthouse at 60 Centre Street in the county, city and
71 Thomas

state of New York at 11:30 A.M./~~P.M.~~ on November 15, 2011, or as soon thereafter as counsel may be heard, why an Order should not be entered pursuant to CPLR Articles 78, 30 and 63 and 42 USC §§ 1983 and ~~1988~~ ^{temporary or} granting the preliminary relief requested below.

An answer and answering papers will be served on petitioners/plaintiffs' attorney by email by .M. on November , 2011.

A reply and reply papers will be served on respondents/defendants by email by .M. on November , 2011.

SUFFICIENT CAUSE APPEARING THEREFOR, let service of a copy of this order, and the papers upon which it is granted, on each of the New York City respondents/defendants, by delivering true copies of ~~said~~ ^{this order and the supporting} papers ~~to~~ ^{facsimile} by email to by 8:00 a.m., on or before the 15th day or November, 2011, be deemed good and sufficient.

SUFFICIENT CAUSE APPEARING THEREFOR, let service of a copy of this order, and the papers upon which it is granted, on each of the Brookfield Properties respondents/defendants, by delivering true copies of ~~said~~ ^{this order and the supporting papers} papers ~~to~~ ^{facsimile} by email to by 8:00 a.m., on or before the 15th day or November, 2011, be deemed good and sufficient.

IT IS FURTHER ORDERED, that, until this matter is heard on the date set forth above, respondents/defendants are prohibited from:

- (a) Evicting ~~lawful~~ protesters from ~~Liberty Park~~ ^{aka Liberty Park, exclusive of} Zuccotti Park; and/or ^{lawful arrests for criminal offenses}
- (b) Enforcing the ~~so-called~~ "rules" published after the occupation began or otherwise preventing protesters from re-entering the park with tents and other property previously utilized.

Dated: New York, New York
November 15, 2011

Enter,

Lucy Billings 11/15/11 6:30a.m.

J.S.C.

LUCY BILLINGS
J.S.C.

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