

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

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HSBC Bank USA, National Association as Trustee  
for Wells Fargo Asset Securities Corporation,  
Mortgage Asset-Backed-Pass-Through Certificates  
Series 2007-PA5,

Plaintiff,

-against-

Index No.: 850117/2013

**ORDER TO SHOW  
CAUSE CONTAINING  
A STAY**

Leo Tsimmer, Angelika Lee, Wells Fargo Bank, N.A.,  
Board Managers of Blair House Condominium,  
Capital One Bank (USA) N.A., Internal Revenue  
Service-United States of America, City of New York  
Department of Transportation Parking Violations  
Bureau, City of New York Environmental Control  
Board

“JOHN DOE”, “RICHARD DOE”, “JANE DOE”,  
“CORA JOE”, “DICK MOE” AND “RUBY POE”, the  
six defendants last names in quotation marks being  
intended to designate tenants or occupants in  
possession of the herein described premises or  
portions thereof, if any there be, said names being  
fictitious, their true name being unknown to plaintiff,  
Defendants.

-----X  
Upon the attorney affirmation of Jack L. Lester, Esq. dated, April 10, 2018, the  
affidavit of Leo Tsimmer dated, April 9, 2018, the affirmation of Jeffrey Dannenberg  
dated, April 10, 2018 and upon the pleadings heretofore had herein and the exhibits  
annexed thereto,

**LET** Plaintiff, HSBC Bank USA, National Association as Trustee for Wells  
Fargo Asset Securities Corporation, Mortgage Asset-Backed-Pass-Through Certificates  
Series 2007-PA5 (“HSBC”), show cause before this Court at an IAS Part 8 at the  
Courthouse thereof, located at 60 Centre Street, New York, New York on the \_\_\_ day of  
April, 2018 at 9:30 o’clock in the forenoon of that date or as soon thereafter as counsel

can be heard, why an Order should not be entered pursuant to §6301 and §6311 of the Civil Practice Law and Rules:

- 1) For a Preliminary Injunction enjoining the plaintiff, its agents, assigns or employees and Arthur Greig, Esq., Referee, from taking any action in auctioning the subject premises located at 200 East 58<sup>th</sup> Street, Apartment #16H, New York, New York 10022 (“premises”);
- 2) Preliminarily enjoining the plaintiff and/or Arthur Greig, Esq., Referee, or plaintiff’s attorney from taking any action or pursuing any proceeding to remove, impair and/or prejudice the Defendant’s rights in and to the subject premises during the pendency of this motion;
- 3) Granting the defendant a reasonable period to complete negotiations and to effectuate a settlement to this proceeding in accordance with the affirmation of Jeffrey Dannenberg, Esq. affirming that an agreement had been reached in principle allowing for the reinstatement of the mortgage;

SUFFICIENT REASON appearing therefore, it is:

**ORDERED**, that pending the hearing and determination of the within motion, the plaintiff, the Referee, Arthur Greig, Esq., and all other persons acting by and on behalf of the plaintiff are hereby enjoined from auctioning the subject premises, currently scheduled for auction on April 18, 2018 at 2:00 o’clock p.m. at the Supreme Court, New York County, 60 Centre Street, Room 130, New York, New York and/or taking any other action of proceeding to enforce the Judgment of Foreclosure and Sale against the defendant, and it is further

**ORDERED** that overnight delivery service of a copy of this Order, together with copies of the papers upon which it was made, to the plaintiff's attorneys, Stein Weiner and Roth, One Old Country Road, Suite 113, Carle Place, New York 11514, and the Referee, Arthur Greig, Esq., on or before the \_\_ day of April, 2018, shall be deemed good and sufficient service of this Order.

Dated: New York, New York  
April \_\_, 2018

ENTER:

\_\_\_\_\_  
J.S.C.

To: Gerald Roth, Esq.  
Stein Weiner & Roth, LLP  
One Old Country Road, Ste. 113  
Carle Place, NY 11514