

**New York Supreme Court
Appellate Division: Second Department**

In the Matter of

THE COUNTY OF ROCKLAND, EDWIN J. DAY in his capacity as County Executive of the County of Rockland, ROCKLAND COUNTY SOCIAL SERVICES DISTRICT, JOAN M. SILVESTRI in her capacity as Commissioner of the Rockland County Social Services District,

Petitioners/Plaintiffs-Respondents,

against

THE CITY OF NEW YORK, ERIC ADAMS in his capacity as Mayor of the City of New York, and MOLLY WASOW PARK in her capacity as the Commissioner of the New York City Department of Social Services,

Respondents/Defendants-Appellants,

and

PALISADES ESTATES EOM LLC, ARMONI INN & SUITES LLC d/b/a/ ARMONI INN & SUITES, and JOHNSON KIRCHNER HOLDINGS, LLC,

Respondents/Defendants,

and

NEW YORK STATE OFFICE OF TEMPORARY
DISABILITY AND ASSISTANCE,

Nominal Respondent/Defendant.

ORDER TO SHOW CAUSE

Docket No. [2023-04442](#)

Rockland County
Index No. 032065/2023

Upon the annexed affirmation of Kate Fletcher and the accompanying memorandum of law, both dated May 12, 2023, [and the papers annexed thereto,](#)

thereof, located

LET petitioners SHOW CAUSE BEFORE THIS COURT, at its courthouse[^]at 45 Monroe Place, Brooklyn, New York, 11201, on May 19, 2023, at 10:00 a.m., or as soon thereafter as counsel may be heard, why an order should not be made and entered:

- (1) Granting the City respondents leave to appeal from the order of Supreme Court, Rockland County (Zugibe, J.), dated and entered May 11, 2023, insofar as the order temporarily restrains and enjoins respondents from “transporting approximately 340 homeless adult individuals currently residing in a temporary shelter in New York City to the Armoni Inn & Suites Hotel situated in the County of Rockland” (the “temporary restraining order”);
- (2) Staying the temporary restraining order pending resolution of the City respondents’ appeal to this Court; and
- (3) Granting such other and further relief as may be just and proper.

SUFFICIENT CAUSE THEREFOR APPEARING, it is

~~ORDERED that pending the determination of this motion, Supreme Court’s temporary restraining order is stayed;~~

~~ORDERED that petitioners shall serve their answering papers, if any, so as to be received by the City respondents on or before _____, 2023;~~

TRO
stricken

ORDERED that service of a copy of this order to show cause and the
upon the counsel for all parties
papers upon which it was made by ~~overnight delivery or~~ electronic mail on or
before May 15, 2023, shall be deemed sufficient service thereof.

Dated: Brooklyn, New York
May 12, 2023



Associate Justice
Appellate Division, Second Department

NOTE: On the return date all motions and
proceedings are deemed submitted. Oral argument
is not permitted (22 NYCRR 1250.4[a][8]).