

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ZVI HASS,

94 CV 2080

Petitioner,

MEMORANDUM

AND

-against-

ORDER

PARADISE MANOR BANQUET HALL INC.,
D/B/A PARADISE MANOR,

Respondent.

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CHARLES A. CRUM, ESQ.
Hertzfeld & Rubin
40 Wall Street
New York, New York 10005-2349
for petitioner.

PARADISE MANOR BANQUET HALL, INC.
C/O Alfonso Latino
6304 12th Avenue
Brooklyn, New York 11219-5212
respondent.

NICKERSON, District Judge:

Treating petitioner's letter of May 11, 1998 as a
request to bring a motion by order to show cause, the
Court denies the request. Local Civil Rule 6.1 states:

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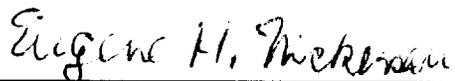
No ex parte order, or order to show cause to bring on a motion, will be granted except upon a clear and specific showing by affidavit of good and sufficient reasons why a procedure other than by notice of motion is necessary, and stating whether a previous application for similar relief has been made.

Petitioner has not made such a showing.

Petitioner's argument that this Court is governed in its procedures by the Civil Practice Law and Rules of the State of New York is unavailing. Petitioner is reminded that this is a federal court, and is referred to the Federal Rules of Civil Procedure, the Local Rules of the United States District Court for the Eastern District of New York, and this Court's rules of civil motion practice for the proper procedure by which to bring a motion.

So ordered.

Dated: Brooklyn, New York
May 13, 1998



Eugene H. Nickerson, U.S.D.J.