

At a Special Term of the Supreme Court
held in and for the County of Erie, State
of New York, on the 10 day of May,
2017.

PRESENT: HON. Deborah Chimes, J.S.C.
Justice Presiding

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE
.....

ROSS M. CELLINO, JR.

Petitioner,

ORDER TO SHOW CAUSE

Index No. 2017-806178

-vs-

CELLINO & BARNES, P.C. and
STEPHEN E. BARNES,

Respondents.
.....

Upon reading and filing of the Verified Petition in the above matter, it
is hereby

ORDERED, that Respondents shall show cause before this Court on
May 19, 2017, at 9:30 a.m./p.m. why Cellino & Barnes, P.C. should not be
dissolved.

ORDERED, that upon good cause shown and because Cellino &
Barnes, P.C. is a law firm with assets uniquely different than a typical corporation,
all papers and pleadings in this matter, including the Petition and this Order to
Show Cause, shall be sealed pending further Order of this Court; and it is further

PAID NO/FEE
05/10/2017/ 09:45:50
ERIE COUNTY CLERK
RCPT # 17081417
I 2017806178


ORDERED, that pending further Order of this Court, the publication requirement under BCL § 1106 is temporarily dispensed with; and it is further

ORDERED, that pending further Order of this Court, the service requirement on the State Tax Commission pursuant to BCL § 1106 is temporarily dispensed with; and it is further

ORDERED, that Petitioner shall serve a copy of this Order to Show Cause, along with the Verified Petition, by hand delivery of two copies of such papers to the offices of Cellino & Barnes, P.C. at 350 Main Street, Suite 2500, Buffalo, New York, in a sealed envelope marked "**CONFIDENTIAL**" to the attention of Stephen E. Barnes, on or before the 10th day of May, 2017, and that service in such manner shall be deemed good and sufficient service on both Respondents; and it is further

ORDERED, that the response papers, if any, shall be served by hand delivery on May 15, 2017, upon Petitioner's attorneys, Connors LLP (Terrence M. Connors, Esq.) and Hodgson Russ LLP (Kenneth F. Friedman, Esq, and that such service shall be deemed sufficient; and it is further

ORDERED, that reply papers of Petitioner, if any, shall be served by hand delivery on May 17, 2017 upon the attorney(s) who has/have appeared for Respondents, and that such service shall be deemed sufficient.


HON. Deborah Chimes, J.S.C.

ENTER.

GRANTED

MAY 10 2017

BY 
LAURA RODGERS
COURT CLERK