

M.S. [Signature]

At IAS Part ~~50~~⁵⁷ of the Supreme Court of the State of New York, held in and for the County of New York, located at the Courthouse, Room ~~111A~~⁶²³, 111 Centre Street, New York, New York, on ~~March~~^{April} 3, 2017

Hon. ~~David B. Cohen~~

HON. JENNIFER G. SCHECTER

April 3

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

SUMMER ZERVOS,

Plaintiff,

v.

DONALD J. TRUMP,

Defendant.

Index No. 150522/2017

Hon. ~~David B. Cohen~~ HON. JENNIFER G. SCHECTER

Motion Seq. No. 002

ORDER TO SHOW CAUSE WHY THE EXTENSION OF TIME TO RESPOND TO THE COMPLAINT PURSUANT TO CPLR 2004, BIFURCATION OF THE MOTION TO DISMISS BRIEFING, AND A STAY OF DISCLOSURE PURSUANT TO CPLR 2201 AND 3214(B) SHOULD NOT BE GRANTED

Upon the accompanying affirmation of Christine A. Montenegro, dated March 27, 2017, together with the exhibits annexed thereto, and the accompanying memorandum of law, and for good cause having been shown, it is hereby:

ORDERED that plaintiff Summer Zervos ("Zervos") ^{or counsel} shall ^{appear and} show cause before this Court, located at the Courthouse at 111 Centre Street, County of New York, State of New York, at IAS Part ~~50~~⁵⁷, Room ~~111A~~⁶²³ on the ~~17th~~^{17th} day of ~~March~~^{May} 2017, ^{at 2:30 p.m.} or as soon thereafter as counsel can be heard, why an Order should not be made and entered granting defendant President Donald J. Trump: (i) an extension, pursuant to CPLR 2004, of 60 days of all dates in the February 2, 2017 stipulation between the parties ("February 2 Stipulation") (Dkt. No. 5); (ii) bifurcation of

his CPLR 3211 motions to dismiss, so that the threshold issue of whether the United States Constitution bars this Court from adjudicating this action against President Trump during his Presidency will be briefed and resolved first, and deferring and preserving all other CPLR 3211 motions that must or may be filed until after that threshold issue is resolved and all appeals exhausted; and (iii) a stay of disclosure pursuant to CPLR 2201 and 3214(b) until all CPLR 3211 motions are fully resolved by the Court;

IT IS FURTHER ORDERED that service of a copy of this Order to Show Cause, together with all of the supporting papers upon which it is based, made upon Zervos's counsel via the Court's Electronic Filing System on March 27, 2017, shall be deemed good and sufficient service thereof;

IT IS FURTHER ORDERED that answering papers, if any, shall be served upon counsel for defendant via the Court's Electronic Filing System on or before the 10th day of April, 2017;

IT IS FURTHER ORDERED that reply papers, if any, shall be served on Zervos's counsel via the Court's Electronic Filing System on or before the 20th day of April, 2017; and

IT IS FURTHER ORDERED that the time for defendant to answer or move with respect to the complaint is hereby ~~stayed~~ ^{pending the hearing} until a decision has been issued on this Order to Show Cause. ^{extended in accordance with the parties' stipulation.}

ORAL ARGUMENT REQUIRED.

ENTER:

[Signature]
J.S.C.
HON. JENNIFER G. SCHECTER

J.S.C.

Working copies of all motion papers must be delivered to the Court (111 Centre St., Room 623) by April 25, 2017 at 12:45pm.

Pursuant to 3221(a) should be MSC # 18 Doc # 18 J.S.C.