SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF WESTCHESTER

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

XXXX. Index XXXXX-20XX

Plaintiff,

  EMERGENCY

ORDER TO SHOW CAUSE

-against-   TO LIFT BANK RESTRAINT

AND GARNISHMENT

YYYYY,

Defendant.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

UPON the annexed affidavit of Defendant YYYYY, it is hereby

ORDERED that the Plaintiff or Plaintiff’s attorney show cause before me or one of the Judges of this Court, at/by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020\_\_\_\_\_, at 9 a.m., or as soon thereafter as the matter can be heard, why an Order should not be made vacating the judgment and dismissing the complaint or vacating the judgment and restoring the matter to the calendar or ordering a traverse hearing; and

ORDERED that this is an emergency filing because Defendant has funds in their bank account and/or income being garnished and those monies are needed for essentials;

ORDERED that pending the hearing on this matter, all restraints and executions are lifted and all enforcement stayed, and if the judgment is vacated ordering restitution of all sums garnished.

LET SERVICE of a copy of this Order and the papers on which it is based, be served by \_\_\_\_\_\_\_\_\_\_upon the Plaintiff’s attorney and by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_upon the sheriff on or before\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020.  Proof of service in the form of \_\_\_\_\_\_\_\_to be filed on or before 5:00 p.m. on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020.

Dated: \_\_\_\_\_\_\_\_\_\_\_, 2020       \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[city], New York  J.S.C.