

**KINGS COUNTY SUPREME COURT  
HELP CENTER – ROOM 123  
360 ADAMS STREET  
BROOKLYN, NY 11201**

This summary will **BRIEFLY** describe how to file an order to show cause with a temporary restraining order on a **new** case. It is not intended to be a substitute for legal research or representation. **ANYONE INTERESTED IN BEGINNING A LAWSUIT IS STRONGLY ENCOURAGED TO SEEK LEGAL COUNSEL. THE HELP CENTER CANNOT PROVIDE YOU WITH LEGAL ADVICE OR COMPLETE FORMS ON YOUR BEHALF.**

**HOW TO FILE AN ORDER TO SHOW CAUSE  
WITH A TEMPORARY RESTRAINING ORDER ON A NEW CASE**

**Filing Instructions**

1. Prepare the **Order to Show Cause with a Temporary Restraining Order** (see **Exhibit A**), **Verified Petition and Verification** (see **Exhibit B**), and **Affidavit of Emergency** (see **Exhibit C**). **HAVE ALL THREE DOCUMENTS NOTARIZED.** Fill out the **Part 130 Certification** (see **Exhibit D**). Add the Affidavit in Support, Affidavit of Emergency, and Part 130 Certification as exhibits to the Order. Label and attach all relevant exhibits.  
**NOTE: THERE ARE ADDITIONAL REQUIREMENTS WHEN ASKING FOR A TEMPORARY RESTRAINING ORDER (T.R.O.) IN YOUR ORDER. PLEASE REVIEW THE APPENDIX SECTION AT THE BACK OF THIS PACKET FOR GUIDELINES.**
2. Prepare the **Request for Judicial Intervention** (RJI) (see **Exhibit G**) and complete both sides of the form.
3. Bring your papers to the **County Clerk's Office (Room 189)**. Be prepared to pay the filing fee(s) of \$45\* for the Order, \$95\* for the RJI, and \$210 for the Petition.
4. Fill out the **Affidavit in Support of Notification** (see **Exhibit E**) and have notarized. Add as an exhibit.
5. The County Clerk will stamp your papers **PAID** and you can then submit them in the **Ex Parte Office (Room 295)** where they will be taken in, reviewed, and forwarded to a Judge for consideration. **KEEP COPIES OF ANY PAPERS YOU SUBMIT.**
6. If your Order is signed by the Judge, you must obtain a copy of it and have all the papers served on all parties in the manner directed by the Court. Ask the clerk in the Ex Parte office how that copy may be obtained. Be sure to come to court on the return date selected by the Judge promptly at 9:30 AM with your affidavit of service.

---

\* If you are filing as a Poor Person, you must complete the Poor Person request forms available at this office or on the Kings County Supreme Court website in the General Info / General Forms tab and submit them with your initial papers to the Ex Parte Office (Room 295).

# EXHIBIT A

**INSTRUCTIONS: FILL IN THE NAMES OF THE PARTIES AND THE INDEX NUMBER. COMPLETE THE BLANK SPACES NEXT TO THE INSTRUCTIONS PRINTED IN BOLD TYPE. PRINT AND USE BLACK INK ONLY.**

At IAS Part \_\_\_\_ of the Supreme Court of the State of New York, held in and for the County of Kings at the Courthouse thereof, 360 Adams Street, Brooklyn, New York, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PRESENT: HON. \_\_\_\_\_  
Justice of the Supreme Court

-----X

\_\_\_\_\_  
[FILL IN NAME(S)]                      Plaintiff(s)/Petitioner(s)                      Index No. \_\_\_\_/\_\_\_\_

-against-

**ORDER TO SHOW CAUSE  
WITH T.R.O. IN CIVIL ACTION /  
PROCEEDING**

\_\_\_\_\_  
[FILL IN NAME(S)]                      Defendant(s)/Respondent(s)

-----X

Upon reading and filing the affidavit / petition of \_\_\_\_\_

\_\_\_\_\_  
[YOUR NAME], sworn to /  
verified on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ [DATE THE AFFIDAVIT WAS SWORN TO  
BEFORE A NOTARY PUBLIC], and upon the exhibits attached to the affidavit, and [LIST OTHER  
SUPPORTING PAPERS, E.G., ADDITIONAL AFFIDAVITS, EXHIBITS]

\_\_\_\_\_  
\_\_\_\_\_

Let the plaintiff(s) / petitioner(s) / defendant(s) / respondent(s) **[CIRCLE ONE]** or  
his/her/their attorney show cause at IAS PART \_\_\_\_\_, Room \_\_\_\_\_, of this Court, to be held at the  
Courthouse, 360 Adams Street, Brooklyn N.Y., on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at  
\_\_\_\_\_ o'clock in the \_\_\_\_\_ noon or as soon as counsel may be heard why an order should not be  
made **[DESCRIBE WHAT YOU ARE ASKING THE COURT TO GRANT.]**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

for the reasons that **[BRIEFLY DESCRIBE THE REASONS FOR YOUR REQUEST]**

---

---

---

---

Pending the hearing of this motion it is ORDERED that **[INSERT THE ACTION YOU ARE ASKING THE COURT TO DIRECT OR STOP.]**

---

---

---

---

Sufficient cause appearing therefor, let personal service of a copy of this order, and the papers upon which this order is granted, upon the plaintiff(s) / petitioner(s) / defendant(s) / respondent(s) on or before the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ be deemed good and sufficient. An affidavit or other proof of service shall be presented to this Court on the return date directed in the second paragraph of this order.

ENTER

---

J.S.C.

# EXHIBIT B

**INSTRUCTIONS: FILL IN THE BLANK SPACES BELOW FOLLOWING THE DIRECTIONS GIVEN IN (BOLD PRINT). PRINT IN BLACK INK ONLY.**

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF KINGS

-----X

In the Matter of the Application of

\_\_\_\_\_

Index No. \_\_\_\_\_ / \_\_\_\_\_

**[FILL IN NAME(S)]** Petitioner(s)

-against-

**VERIFIED PETITION**

\_\_\_\_\_

**[FILL IN NAME(S)]** Respondent(s)

-----X

TO THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF KINGS:

The petition of **[YOUR NAME(S)]**

\_\_\_\_\_

respectfully shows to this Court as follows:

1. Your petitioner(s) resides at **[YOUR ADDRESS]** \_\_\_\_\_

\_\_\_\_\_

2. The respondent(s) is/are **[IDENTIFY THE RESPONDENT(S)]** \_\_\_\_\_

\_\_\_\_\_

3. **[DESCRIBE ALL FACTS CONCERNING YOUR CLAIMS IN THIS PROCEEDING, INCLUDING THE UNDERLYING EVENTS AND THE NATURE OF ANY ACTION OR DECISION TAKEN BY RESPONDENT(S) THAT YOU WISH TO CHALLENGE. ADD MORE PAGES IF NEEDED.]**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Attached hereto as Appendix/Appendices is/are copies of all relevant documents showing petitioner's right to win this case, including determination(s) issued by respondent(s) that have a bearing on this case and/or of which petitioner herein complains, if any. These documents are: **[IDENTIFY ALL SUCH DOCUMENTS, INCLUDING ALL WRITTEN DECISIONS OR DETERMINATIONS MADE BY RESPONDENT(S) THAT ARE PERTINENT TO THIS CASE AND ATTACH COPIES THEREOF. SEPARATELY MARK EACH SEPARATE DOCUMENT AS EXHIBIT A, EXHIBIT B, EXHIBIT C, ETC. EXPLAIN WHAT EACH EXHIBIT SHOWS]**. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following exhibits are attached **[IDENTIFY BY LETTER]** \_\_\_\_\_  
\_\_\_\_\_

8. A prior application \_\_\_\_has \_\_\_\_has not been made for the relief requested herein.  
**[CHECK ONE. CHECK THAT A PRIOR APPLICATION HAS BEEN MADE ONLY IF YOU SOUGHT**

**THE SAME RELIEF YOU ARE NOW SEEKING.]** The prior application was made **[DESCRIBE WHERE, WHEN, AND BY WHOM THE PRIOR APPLICATION WAS MADE, THE RESULT, AND WHY YOU ARE MAKING A SECOND APPLICATION.]** \_\_\_\_\_

WHEREFORE, your deponent prays that this Court **[DESCRIBE THE RELIEF YOU ARE REQUESTING - WHAT YOU ARE ASKING THE COURT TO DO FOR YOU]:** \_\_\_\_\_

Dated: Kings County, New York

\_\_\_\_\_, 20\_\_\_\_\_  
**[DATE SIGNED]**

\_\_\_\_\_  
Petitioner  
**[SIGN YOUR NAME BEFORE NOTARY PUBLIC]**

\_\_\_\_\_  
**[PRINT NAME]**

Sworn to before me on this \_\_\_\_\_ day

of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
**[PETITIONER'S ADDRESS & TELEPHONE NO.]**



## VERIFICATION

STATE OF NEW YORK )

ss:

COUNTY OF KINGS )

\_\_\_\_\_ **[YOUR NAME]**, being  
duly sworn, deposes and says: That I am the petitioner in this proceeding, that I have read the  
foregoing petition and know the contents thereof; that the same are true to my knowledge,  
except as to matters therein stated to be alleged on information and belief; and that as to those  
matters I believe them to be true. To the best of my knowledge, information, and belief, formed  
after an inquiry reasonable under the circumstances, the presentation of these papers or the  
contentions therein are not frivolous as defined in subsection (c) of section 130-1.1 of the Rules  
of the Chief Administrator (22 NYCRR).

\_\_\_\_\_  
Petitioner

**[SIGN YOUR NAME BEFORE A NOTARY PUBLIC]**

\_\_\_\_\_  
**[PRINT NAME]**

Sworn to before me on this \_\_\_\_\_ day

of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

# EXHIBIT C

**Instructions: Fill in the names of the parties and the Index Number. Complete the blank spaces next to the instructions printed in bold type. PRINT AND USE BLACK INK ONLY, SIGN YOUR NAME BEFORE A NOTARY PUBLIC.**

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF KINGS

-----X

\_\_\_\_\_  
**[FILL IN NAME(S)]                      Plaintiff(s) / Petitioner(s)**

Index Number \_\_\_\_\_ / \_\_\_\_\_

- against -

**AFFIDAVIT OF EMERGENCY**

\_\_\_\_\_  
**[FILL IN NAME(S)]                      Defendant(s)/ Respondents)**

-----X

STATE OF NEW YORK

COUNTY OF \_\_\_\_\_ **[COUNTY WHERE NOTARIZED]**        **ss;**

\_\_\_\_\_  
[YOUR NAME], being duly sworn,  
deposes and says:

1. I am the **plaintiff / petitioner / defendant / respondent [CIRCLE ONE]** in this **action / proceeding [CIRCLE ONE]**. I make this affidavit of emergency for the following reason

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

---

---

---

---

---

---

**[SIGN BEFORE A NOTARY PUBLIC]**

---

**[PRINT YOUR NAME]**

Sworn to before me on the

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

---

Notary Public

# **EXHIBIT D**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X

INDEX NO. \_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_  
Plaintiff/Petitioner

– against –

**Part 130 Certification  
Legal Back**

\_\_\_\_\_  
Defendant/Respondent

-----X

To the best of my knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the presentation of these papers or the contentions therein are not frivolous as defined in subsection (c) of section 130-1.1 of the Rules of the Chief Administrator (22 NYCRR).

\_\_\_\_\_  
**[SIGN YOUR NAME]**

\_\_\_\_\_  
**[PRINT NAME]**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
**[PETITIONER'S ADDRESS AND TELEPHONE NUMBER]**

# **EXHIBIT E**

**AFFIDAVIT / ATTORNEY'S AFFIRMATION IN SUPPORT OF NOTIFICATION**

INSTRUCTIONS: FILL IN THE BOX BELOW AND THE INDEX NUMBER. COMPLETE THE BLANK SPACES PRINTED IN BOLD BELOW FOLLOWING THE DIRECTIONS PROVIDED. PRINT AND USE BLACK INK ONLY.

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF KINGS

-----X

\_\_\_\_\_  
[FILL IN NAME(S)]

Plaintiff(s) / Petitioner(s)

Index Number \_\_\_\_\_ / \_\_\_\_\_

- against -

\_\_\_\_\_  
[FILL IN NAME(S)]

Defendant(s)/ Respondents)

-----X

STATE OF NEW YORK }

COUNTY OF \_\_\_\_\_ [INSERT COUNTY WHERE SIGNED]

\_\_\_\_\_  
[YOUR NAME], being duly sworn  
(AN ATTORNEY ADMITTED TO PRACTICE IN THE State of New York, duly affirms under  
penalty of perjury, if attorney), says:

1. I reside at \_\_\_\_\_  
[YOUR ADDRESS / OFFICE] in the County of \_\_\_\_\_  
[INSERT COUNTY OF RESIDENCE / OFFICE] and State of New York.

2. I am about to commence a special proceeding or submit an order to show cause containing a  
stay and / or restraining order for [BRIEFLY DESCRIBE THE REASONS WHY YOU WANT  
THE COURT TO GRANT YOUR REQUEST.]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**FILL IN EITHER PARAGRAPH 3 OR 4**

3. I have notified my opposition to appear in Part 72, 2<sup>nd</sup> Floor – Room 295 at 360 Adams Street, Brooklyn, NY,

a) **[WHEN DID YOU CALL OR FAX THEM?]**

On the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ am / pm  
DAY MONTH YEAR TIME

b) **[WHAT NUMBER DID YOU DIAL?]** \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

c) **[DID YOU RECEIVE A RESPONSE?] CIRCLE ONE: YES / NO**

**[IF YES, WRITE RESPONSE HERE AND INCLUDE THE NAME OF THE PERSON WITH WHOM YOU SPOKE.]**

\_\_\_\_\_  
\_\_\_\_\_

d) **[WHEN DID YOU TELL THEM TO APPEAR IN COURT? MUST BE A SPECIFIC TIME BETWEEN 9am – 12pm OR 2-3pm (e.g. 10:40AM)]**

On the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ am / pm  
DAY MONTH YEAR TIME

4. I believe that there will be significant prejudice by giving notice because: **[DETAIL REASONS]**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Has a previous application been made for this relief? **CIRCLE ONE: YES / NO**

**[IF YES, YOU MUST PROVIDE A DESCRIPTION OF WHERE, WHEN, AND BY WHOM THE REQUEST WAS MADE, THE RESULT, AND IF THE APPLICATION WAS UNSUCCESSFUL, WHY YOU BELIEVE YOU ARE ENTITLED TO APPLY AGAIN.]**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
[SIGN BEFORE A NOTARY PUBLIC, EXCEPT ATTORNEYS]

\_\_\_\_\_  
[NOTARY PUBLIC, IF APPLICABLE]

\_\_\_\_\_  
[PRINT YOUR NAME]

# EXHIBIT F

**AFFIDAVIT OF SERVICE**  
***After Commencement of Litigation***

Index No. \_\_\_\_\_/\_\_\_\_\_

\_\_\_\_\_ vs. \_\_\_\_\_

STATE OF NEW YORK, COUNTY OF KINGS ss:

\_\_\_\_\_ being sworn says, I am not a party to the action, am over 18  
years of age, and reside at \_\_\_\_\_

On \_\_\_\_\_, 20 \_\_\_\_\_, I served a true copy of the following papers, \_\_\_\_\_

which are attached to this affidavit, in the following manner:

**[CHECK ONE]**

☐ **PERSONAL SERVICE**

By personally delivering the papers to: \_\_\_\_\_  
[Person Served]  
at \_\_\_\_\_  
[Address]

The individual I served had the following: **[CHECK]**

☐ MALE      ☐ FEMALE      SKIN COLOR: \_\_\_\_\_      HAIR COLOR: \_\_\_\_\_  
☐ 21-34 yrs.    ☐ 35-50 yrs.    ☐ 51-61 yrs.    ☐ over 61 yrs.  
☐ 120-150 lbs. ☐ 151-181 lbs. ☐ Over 182 lbs. Approximate Height: \_\_\_\_\_  
Other Distinguishing Features: \_\_\_\_\_

☐ **MAIL**

By mailing the same in a sealed envelope with postage prepaid thereon, in a post office or official depository of the US.  
Postal Service within the State of New York addressed to the last known address of the addressee(s) as indicated below:

☐ **OVERNIGHT DELIVER SERVICE**

By depositing the same with an overnight delivery service in a wrapper properly addressed. Said delivery was made prior  
to the latest time designated by the overnight delivery service for overnight delivery. The delivery service used was

\_\_\_\_\_  
Name and Address of Person(s) served:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sworn to before me on the

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
**[SIGN BEFORE A NOTARY PUBLIC]**

\_\_\_\_\_  
**[PRINT YOUR NAME]**

# EXHIBIT G



# REQUEST FOR JUDICIAL INTERVENTION

UCS-840  
(rev. 11/24/2022)

\_\_\_\_\_ COURT, COUNTY OF \_\_\_\_\_

Index No: \_\_\_\_\_ Date Index Issued: \_\_\_\_\_

**For Court Use Only:**

**CAPTION** Enter the complete case caption. Do not use et al or et ano. If more space is needed, attach a caption rider sheet.

IAS Entry Date

Plaintiff(s)/Petitioner(s)

Judge Assigned

-against-

RJI Filed Date

Defendant(s)/Respondent(s)

**NATURE OF ACTION OR PROCEEDING** Check only one box and specify where indicated.

## COMMERCIAL

Business Entity (includes corporations, partnerships, LLCs, LLPs, etc.)  
Contract  
Insurance (where insurance company is a party, except arbitration)  
UCC (includes sales and negotiable instruments)  
Other Commercial (specify): \_\_\_\_\_

**NOTE:** For Commercial Division assignment requests pursuant to 22 NYCRR 202.70(d), complete and attach the **COMMERCIAL DIVISION RJI ADDENDUM (UCS-840C)**.

## MATRIMONIAL

Contested

**NOTE:** If there are children under the age of 18, complete and attach the **MATRIMONIAL RJI ADDENDUM (UCS-840M)**.

For Uncontested Matrimonial actions, use the Uncontested Divorce RJI (**UD-13**).

## REAL PROPERTY

 Specify how many properties the application includes: \_\_\_\_\_

Condemnation

Mortgage Foreclosure (specify): Residential Commercial

Property Address: \_\_\_\_\_

**NOTE:** For Mortgage Foreclosure actions involving a one to four-family, owner-occupied residential property or owner-occupied condominium, complete and attach the **FORECLOSURE RJI ADDENDUM (UCS-840F)**.

Partition

**NOTE:** Complete and attach the **PARTITION RJI ADDENDUM (UCS-840P)**.

Tax Certiorari (specify): Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

Tax Foreclosure

Other Real Property (specify): \_\_\_\_\_

## TORTS

Adult Survivors Act

Asbestos

Environmental (specify): \_\_\_\_\_

Medical, Dental or Podiatric Malpractice

Motor Vehicle

Products Liability (specify): \_\_\_\_\_

Other Negligence (specify): \_\_\_\_\_

Other Professional Malpractice (specify): \_\_\_\_\_

Other Tort (specify): \_\_\_\_\_

## SPECIAL PROCEEDINGS

Child-Parent Security Act (specify): Assisted Reproduction Surrogacy Agreement

CPLR Article 75 – Arbitration [see **NOTE** in **COMMERCIAL** section]

CPLR Article 78 – Proceeding against a Body or Officer

Election Law

Extreme Risk Protection Order

MHL Article 9.60 – Kendra's Law

MHL Article 10 – Sex Offender Confinement (specify): Initial Review

MHL Article 81 (Guardianship)

Other Mental Hygiene (specify): \_\_\_\_\_

Other Special Proceeding (specify): \_\_\_\_\_

## OTHER MATTERS

Certificate of Incorporation/Dissolution [see **NOTE** in **COMMERCIAL** section]

Emergency Medical Treatment

Habeas Corpus

Local Court Appeal

Mechanic's Lien

Name Change/Sex Designation Change

Pistol Permit Revocation Hearing

Sale or Finance of Religious/Not-for-Profit Property

Other (specify): \_\_\_\_\_

**STATUS OF ACTION OR PROCEEDING** Answer YES or NO for every question and enter additional information where indicated.

YES NO

Has a summons and complaint or summons with notice been filed?

If yes, date filed: \_\_\_\_\_

Has a summons and complaint or summons with notice been served?

If yes, date served: \_\_\_\_\_

Is this action/proceeding being filed post-judgment?

If yes, judgment date: \_\_\_\_\_

**NATURE OF JUDICIAL INTERVENTION** Check one box only and enter additional information where indicated.

Infant's Compromise

Extreme Risk Protection Order Application

Note of Issue/Certificate of Readiness

Notice of Medical, Dental or Podiatric Malpractice Date Issue Joined: \_\_\_\_\_

Notice of Motion

Relief Requested: \_\_\_\_\_ Return Date: \_\_\_\_\_

Notice of Petition

Relief Requested: \_\_\_\_\_ Return Date: \_\_\_\_\_

Order to Show Cause

Relief Requested: \_\_\_\_\_ Return Date: \_\_\_\_\_

Other Ex Parte Application

Relief Requested: \_\_\_\_\_

Partition Settlement Conference

Poor Person Application

Request for Preliminary Conference

Residential Mortgage Foreclosure Settlement Conference

Writ of Habeas Corpus

Other (specify): \_\_\_\_\_

<b>RELATED CASES</b> List any related actions. For Matrimonial cases, list any related criminal or Family Court cases. If none, leave blank. If additional space is required, complete and attach the <b>RJI ADDENDUM (UCS-840A)</b> .				
Case Title	Index/Case Number	Court	Judge (if assigned)	Relationship to instant case

  

<b>PARTIES</b> For parties without an attorney, check the “Un-Rep” box and enter the party’s address, phone number and email in the space provided. If additional space is required, complete and attach the <b>RJI ADDENDUM (UCS-840A)</b> .				
Un-Rep	Parties List parties in same order as listed in the caption and indicate roles (e.g., plaintiff, defendant, 3 <sup>rd</sup> party plaintiff, etc.)	Attorneys and Unrepresented Litigants For represented parties, provide attorney’s name, firm name, address, phone and email. For unrepresented parties, provide party’s address, phone and email.	Issue Joined For each defendant, indicate if issue has been joined.	Insurance Carriers For each defendant, indicate insurance carrier, if applicable.
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	
	Name: Role(s):		YES      NO	

I AFFIRM UNDER THE PENALTY OF PERJURY THAT, UPON INFORMATION AND BELIEF, THERE ARE NO OTHER RELATED ACTIONS OR PROCEEDINGS, EXCEPT AS NOTED ABOVE, NOR HAS A REQUEST FOR JUDICIAL INTERVENTION BEEN PREVIOUSLY FILED IN THIS ACTION OR PROCEEDING.

Dated: \_\_\_\_\_

Signature

Print Name

Attorney Registration Number

# APPENDIX

**UNIFORM RULES FOR THE NEW YORK STATE TRIAL COURTS (PART 202)**  
**(PART RELATING TO CIVIL PRACTICE)**

202.7 Calendaring of motions; uniform notice of motion form; affirmation of good faith.

(f) Any application for temporary injunctive relief, including but not limited to a motion for a stay or a temporary restraining order, shall contain, in addition to the other information required by this section, an affirmation demonstrating there will be significant prejudice to the party seeking the restraining order by giving of notice. In the absence of a showing of significant prejudice, the affirmation must demonstrate that a good faith effort has been made to notify the party against whom the temporary restraining order is sought of the time, date and place that the application will be made in a manner sufficient to permit the party an opportunity to appear in response to the application. This subdivision shall not be applicable to orders to show cause or motions in special proceedings brought under Article 7 of the Real Property Actions and Proceedings Law, nor to orders to show cause or motions requesting an order of protection under section 240 of the Domestic Relations Law, unless otherwise ordered by the court.



## **Section 202.7(f) of the Uniform Civil Rules for the Supreme and County Courts**

You must comply with this rule if there is an application for any injunctive relief, including, but not limited to a **Stay** or **Temporary Restraining Order (T.R.O.)** in your order.

### **One of the following is required:**

1. Contact the adverse party (otherside) to inform them of the time and date that you will be bringing the application to the Ex-Parte Office located at 360 Adams Street on the 2<sup>nd</sup> Floor in Room 295 (Example: 360 Adams Street – Rm 295, Brooklyn, NY 11201 at 9:00a.m. on June 6<sup>th</sup>, 2014). Parties must be noticed to appear **no later than 3:00p.m.**

(a) Prepare an additional affirmation or affidavit stating that you contacted the other party. Write the time, place and date you told them to appear and include their response, if any.

**NOTE: The presenting Attorney or party must be present in the Ex-Parte Department -Rm 295 on or before the time their adversary was noticed to appear, as the Judge may ask to see both sides for oral argument.**

**Or**

2. Cross-out the stay or TRO in your Order and initial the crossed out section.

**Or**

3. If there would be significant prejudice by contacting the adverse party, then you must write an additional affirmation or affidavit explaining the significant prejudice. Movant must be present in the Ex-Parte Department – Rm 295 as the Judge may require oral argument.