

Re: #3

**PERSONAL APPEARANCES
REQUIRED ON THE RETURN DATE**

At the Supreme Court of the State of New York, County of Westchester, held at the Courthouse, 111 Dr. Martin Luther King Jr. Blvd., White Plains, NY, on the 14th day of August, 2014.

PRESENT: Hon. Alan D. Scheinkman, J.S.C.

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

SUPERIOR GUNITE,

Plaintiff,

-against-

YONKERS CONTRACTING COMPANY,
INC. AND ZURICH AMERICAN
INSURANCE COMPANY,

Defendants.

Index No.: 54272/13

**ORDER TO SHOW CAUSE FOR
LEAVE OF DEFENDANTS TO
AMEND PLEADINGS**

Upon the annexed affirmation of Michael F. McKenna, Esq., sworn to on the 12th day of August, 2014, the exhibits thereto, and all the prior papers and proceedings heretofore had, and for other good cause shown,

LET PLAINTIFF SHOW CAUSE BEFORE THIS COURT, at the Westchester County Courthouse, located at 111 Dr. Martin Luther King Jr. Boulevard, White Plains, New York 10601, on the 21st day of Apr, 2014, at 9:30 AM, or as soon as counsel may be heard, why an order should not be made pursuant to CPLR §§ 2214 granting the following relief:

1. Granting Defendants leave to amend their Answer and Counterclaim to the Complaint pursuant to CPLR 3025, in the form attached hereto; and
2. Granting Defendants such other and further relief as may be just, proper, and equitable.

SUFFICIENT CAUSE THEREFOR APPEARING, let service of a copy of this order, and

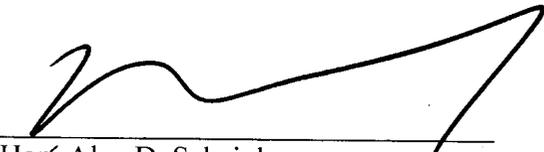
the other papers upon which this order is granted, upon the Plaintiff by

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on or before the 17 day of Apr, 2014 be

deemed good and sufficient. An affidavit or other proof of service shall be presented to this Court

on or before the return date of this order.



Hon. Alan D. Scheinkman
JUSTICE OF SUPREME COURT

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