

needs to be updated
in UCMS (7/21)

NO FROM SEQUENTIAL 1
ORIGINAL RETURN DATE 7/26/21
RELIEF OTRO

In the Supreme Court
of the State of New York in and for the
County of Nassau at the Courthouse
located at 100 Supreme Court Drive,
Minneola, New York 11501,
on the 20th day of July, 2021.

PT 4

Hon Randy Sue Marber

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

In the matter of the Application of
WILLIAM J. O'REILLY,

Petitioner,

For an Order Pursuant to Section 7502(c) of the
Civil Practice Law and Rules for a Temporary
Restraining Order and Preliminary Injunction in
Aid of Arbitration,

-against-

ANDREA MACKRIS,

Respondent.

Index No. 609048/21

**ORDER TO SHOW CAUSE
WITH TEMPORARY
RESTRAINING ORDER**

UPON the Verified Petition of William J. O'Reilly ("Petitioner") and the exhibits thereto,
dated July 15, 2021; the affirmation of Fredric S. Newman, duly sworn on July 15, 2021; and
Petitioner's Memorandum of Law in Support of Petitioner's Order to Show Cause for a
Preliminary Injunction and Temporary Restraining Order; and no previous application having been
made for the relief requested herein in accordance with New York Civil Practice Law and Rules §
7502(c); and good cause and urgent need having been shown, it is hereby

ORDERED that Respondent Andrea Mackris show cause before this Court at the
courthouse of the New York State Supreme Court, Nassau County Courthouse, located at 100
Supreme Court Drive, Minneola, New York 11501, at Part 4, Room , before the Honorable

Randy Sue Marber, on the 26th day of July, 2021, at 3:00 p.m., *Via TEAMS* or as soon

thereafter as counsel can be heard, why an ORDER should not be entered, pursuant to New York Civil Practice Law and Rules § 7502(c):

- (i) restraining and enjoining Respondent Andrea Mackris from taking any and all actions that would constitute a breach of the terms of that certain Confidential Settlement Agreement and General Release ("Settlement Agreement"), a copy of which is Exhibit A of the Verified Petition, agreed to by Petitioner and Respondent in October 2004, and
- (ii) granting such other and further relief as the Court shall deem appropriate; and it is further

ORDERED that pending the hearing and determination on this motion, Respondent, and her successors, agents or assigns, are enjoined from:

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- (i) engaging in any conduct in breach of the October 2004 Settlement Agreement, specifically the confidentiality provisions of Paragraph 7 of said agreement, and it is further

ORDERED that papers in opposition to this motion, if any, shall be served on counsel for Petitioner, Hoguet Newman Regal and Kenney, LLP, 60 East 42nd Street, 48th Floor, New York, NY 10165, by Federal Express or equivalent carrier and, if counsel has appeared, by e-filing on the NYSCEF system, on or before the 23 day of July, 2021; and it is further

ORDERED that reply papers in further support of this motion, if any, shall be served on Respondent by Federal Express or equivalent carrier and by e-filing on the NYSCEF system, on or before the 26 day of July, 2021; and it is further

ORDERED that sufficient cause having been alleged therefor, and good cause having been shown, that service upon Respondent pursuant to CPLR § 308 (1), (2) or (4) is impracticable, *of the order to show cause and petition shall be pursuant to on or before July 21, 2021, and by Certified Mail, at Respondent's last known address by July 21, 2021.*

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service of a copy of this Order together with copies of the papers upon which it was signed, along with all exhibits, upon the Respondent by email upon Diana Falzone, dfalzone47@gmail.com.

*RSR
JSC*

with a copy to Neil Rosenhouse, General Counsel of The Daily Beast,
Neil.Rosenhouse@thedailybeast.com, with service made by email on or before the ~~_____~~ day of
~~_____~~ 2021, be deemed good and sufficient.

Movant shall supply Teams link to any other necessary per files

ENTER:



J.S.C.

HON. RANDY SUE MARBER

ENTERED

Jul 21 2021

NASSAU COUNTY
COUNTY CLERK'S OFFICE