

At I.A.S. Part 53 of the Supreme Court  
of the State of New York, held in  
and for the County of New York,  
at the County Courthouse thereof,  
located at 60 Centre Street, New York,  
NY, on the 28 day of February, 2024

Present: Hon. Andrew Borrok  
J.S.C

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: COMMERCIAL DIVISION

-----X  
WV PARTNERS LLC,

Plaintiff,

- against -

HUDSON PRIVATE  
CORP.,

Defendant.  
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Index No. 654392/2023

**ORDER TO SHOW CAUSE  
PURSUANT TO NY CPLR §§  
6301, 6311 OR IN THE  
ALTERNATIVE 6201(3)**

UPON READING AND FILING of the Affirmation of Miriam G. Bahcall, dated February 22, 2024, the Affirmation of Craig Phares, dated February 21, 2024, together with the exhibits annexed thereto, Plaintiff WV Partners LLC's ("Plaintiff") Memorandum of Law of in Support its Order to Show Cause Seeking an Injunction or in the Alternative an Order of Attachment, dated February 22, 2024, and upon all the pleadings and proceedings heretofore had herein,

**AND** it being alleged that:

1. A cause of action for a money judgment exists in favor of Plaintiff against Defendant Hudson Private Corp. ("Hudson") for the principal sum of \$14,144,154.10 as of August 31, 2023, plus unpaid interest thereon,
2. Plaintiff is entitled to recover that sum exceeding all counterclaims known to it;

3. It is likely that Plaintiff will succeed on the merits and will suffer irreparable harm absent interim relief; and/or

4. Hudson, with intent to defraud its creditors or frustrate the enforcement of a judgment that is likely to be rendered in Plaintiff's favor, has assigned, disposed of, encumbered or secreted property, or removed it from the state, or is about to do any of these acts.

LET Defendant Hudson SHOW CAUSE at a hearing before this Court, at IAS Part 53, Room 238, of this Court located at 60 Centre Street, New York, NY, on the 2<sup>nd</sup> day of April, 2024 at 9:30 am/pm or as soon thereafter as counsel can be heard, by Zoom or in person, why an Order should not be entered pursuant to Articles 62, 63, and 32 of the Civil Practice Law and Rules ("CPLR"):

1. Granting a preliminary injunction:

- a. Requiring Hudson and its officers, agents, attorneys and employees to pay to Plaintiff, within three (3) business day of the date of this Order all proceeds, monies or funds ("Proceeds"), not previously transferred to Plaintiff, received or collected on account of, related to, pursuant to, or in connection with any of the following: (i) the motion picture productions entitled: "Bombshell" and/or "Ghostbusters: Afterlife", (ii) the Settlement Agreement dated July 8, 2022 between Hudson, Plaintiff and Bron Creative USA, Corp. ("Settlement Agreement"), and/or (iii) the enforcement of Affidavit in Support of Confession of Judgment ("Confession of Judgment") executed by Bron Creative simultaneously with the Settlement Agreement, and/or any judgment entered pursuant to the Confession of Judgment;
- b. Enjoining Hudson and its officers, agents, attorneys and employees from dissipating, transferring, encumbering, conveying, removing or disposing any Proceeds, including any additional Proceeds received or collected after the entry of this Order; and
- c. Requiring Hudson and its officers, agents, attorneys and employees to pay any additional Proceeds to Plaintiff within three (3) business days of receipt; and

- d. Directing Hudson to provide, within three (3) business day of the date of this Order, a sworn accounting of all Proceeds received or collected to date, specifying the amount, the date received or collected, and current location of the Proceeds.

2. Granting an Order of Attachment:

- a. Securing monies owed to Plaintiff for the sum of \$14,144,154.10 as of August 31, 2023, plus unpaid interest thereon (the "Funds");
- b. Directing deposit of the Funds into the Court; and

3. Granting such other and further relief that the Court deems just and proper, including the costs and attorneys' fees incurred in asserting this action.

**IT IS HEREBY ORDERED** that, pending the issuance of a final judgment in this action, Defendant Hudson and its officers, agents, attorneys and employees are directed to pay to Plaintiff, within three (3) business day of the date of this Order, all Proceeds received or collected by Hudson and not previously transferred to Plaintiff; and it is further

**ORDERED** that, pending the issuance of a final judgment in this action, Defendant Hudson and its officers, agents, attorneys and employees are enjoined and prohibited from dissipating, transferring, encumbering, conveying, removing or disposing any Proceeds, including but not limited to any additional Proceeds received or collected after the entry of this Order; and it is further

~~**ORDERED** that, pending the issuance of a final judgment in this action, Hudson and its officers, agents, attorneys and employees are directed to (i) pay to Plaintiff, within three (3) business days of receipt, any and all additional Proceeds received or collected, and (ii) notify Plaintiff and its counsel of receipt of any additional Proceeds within three (3) business days of receipt, and it is further~~

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**ORDERED** that, Hudson shall provide, within three (3) business day of the date of this Order, a sworn accounting of all Proceeds received and/or collected to date, specifying the amount,

the date each amount was received or collected, and current location of the Proceeds; and it is further

**ORDERED**, that an Order of Attachment is hereby granted pursuant to CPLR § 6201(3); and it is further

**ORDERED**, that the amount to be secured by this Order, including any interest, shall be for the sum of \$14,144,154.10 as of August 31, 2023, plus unpaid interest thereon, costs, and sheriff's fees and expenses; and it is further

**ORDERED** that, sufficient reason having been shown therefor, pending the issuance of a final judgment in this action, Defendant Hudson shall deposit the Funds into the Court pursuant to CPLR § 2601; and it is further,

**ORDERED**, that all persons served with this Order shall be and hereby are forbidden to make or suffer any sale, assignment or transfer of, or any interference with the Funds, or pay over or otherwise dispose of any such debt, to any person other than the sheriff, except upon direction of the sheriff or pursuant to a court order; and it is further

**ORDERED**, that all garnishees upon whom a copy of this Order is served are directed to serve the statement required by CPLR § 6219, by hand or overnight delivery upon the sheriff and Robert Kirshenberg, located at One Vanderbilt Avenue, New York, NY 10017, counsel for Plaintiff, within five days after levy; and it is further

~~**ORDERED** that personal or overnight service of a copy of this Order to Show Cause and the papers upon which it is based, upon either defendant or its counsel, on or before \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, \_\_\_\_\_, shall be deemed good and sufficient service thereof; and it is further~~

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Ma Fritz accepted service on 10/24/24. (AM)

**ORDERED**, that ~~service of a copy of this Order Defendant Hudson by~~ E-filing or overnight service, together with the papers upon which it is granted, on or before \_\_\_\_\_, be deemed ~~good and sufficient~~ service thereof. Opposition papers, if any, shall be served by upon counsel for the Plaintiff, Robert Kirshenberg, located at One Vanderbilt Avenue, New York, NY 10017, so as to be received by 5 ~~a~~m./p.m. on or before March 22, 2024.

*Ordered, that money shall paid an additional in the amount of \$5,000 in support of the attachment by March 22, 2024 @ Jm.*

Dated: New York, New York  
2/28, 2024

ENTER:

*A*  
J.S.C.

**HON. ANDREW BORROK**  
J.S.C.