

**SUMMARY STATEMENT ON APPLICATION FOR
EXPEDITED SERVICE AND/OR INTERIM RELIEF**

(SUBMITTED BY MOVING PARTY)

Date: November 18, 2019

Case # _____

Title Summer Zervos v. Donald J. Trump
of
Matter _____

Index/Indict/Docket # 150522/2017

Appeal by Defendant from Decree of Order Judgment of Supreme Surrogate's Family

County New York

Court entered on Mar. 20, 2018

Name of Judge Hon. Jennifer G. Schechter

Notice of Appeal filed on _____, 20____

If from administrative determination, state agency _____

Nature of Defamation
action
or proceeding _____

Provisions of order judgment decree appealed from denial of defendant's motion to dismiss the
complaint pursuant to CPLR 3211(a) or stay the action pursuant to CPLR 2201.

This application by respondent appellant is for an order granting stay of the trial court proceedings
pending the outcome of motion for reargument or leave to appeal.

If applying for a stay, state reason why requested A stay is necessary given the novel and important
Constitutional issues involved, the special considerations due the President's requests for
interlocutory appeals and to prevent irreparable harm.

Has any undertaking been posted No If "yes", state amount and type _____

Has application been made to court below for this relief No If "yes", state Disposition _____
Has there been any prior application here in this court Yes If "yes", state dates and nature On May 17, 2018, this Court denied defendant's
April 2 motion for a stay pending appeal of the trial court's order. However, this was prior to this Court's 3-2 split

decision, the long discovery hiatus in the trial court, and the stays granted to the President in similar cases by this

Court and the United States Courts of Appeal for the Second, Fourth, and D.C. Circuits.

Has adversary been advised of this application Yes Does he/she consent No

Attorney for Movant

Attorney for Opposition

Name Kasowitz Benson Torres LLP

Cuti Hecker Wang LLP

Address 1633 Broadway, New York, NY 10019

305 Broadway, Suite 607

New York, New York 10007

Tel. No. (212) 506-1700

(212) 620-2600

Appearing by _____

Marc E. Kasowitz (212) 506-1710

Mariann Wang (212) 620-2603

Christine A. Montenegro (212) 506-1715

Eric Hecker (212) 620-2602

Paul J. Burgo (212) 506-1865

Heather Gregorio (212) 620-2608

(Do not write below this line)

DISPOSITION

Application for interim stay is denied. Expedite motion.

Justice

11/18/19
Date

Motion Date 12/2 Opposition 12/2 Reply _____

EXPEDITE _____ PHONE ATTORNEYS _____ DECISION BY _____

ALL PAPERS TO BE SERVED PERSONALLY.

EW
Court Attorney