

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

(SUBMITTED BY MOVING PARTY)

Date April 29, 2014

Title of Matter Ascentium Capital LLC v. Northern Capital Assoc XIII, L.P. ; Northern Learning Systems, Inc. Index/Indict # 1050481/2012

Appeal by As from decree of order judgment of Supreme Surrogate's Family County NY Court entered on 4-25, 2014

Name of Judge SHERWOOD Notice of Appeal filed on 4-28, 2014

If from: administrative determination, state agency _____

Nature of action or proceeding BREACH OF CONTRACT. ^{MONETARY} JUDGMENT entered NOV. 2013, & APPEAL therefrom filed Dec. 2013. UNDERTAKING on Appeal filed.

Provisions of order judgment appealed from granted to post-judgment injunctive decree Relief directing specific performance by As

This application by appellant respondent is for AN IMMEDIATE STAY OF THE SEVERAL & THIRD DECISAL PARAGRAPHS OF THE INJUNCTION (at pp. 16-17), & STAYING ENFORCEMENT OF THE INJUNCTION PENDING THE HEARING & DETERMINATION OF THIS APPEAL & THE APPEAL FROM THE JUDGMENT

If applying for a stay, state reason why requested URGENT. INJUNCTION orders specific performance by As tomorrow, which will harm As. IT NOT PREJUDICED BECAUSE THEIR MONETARY JUDGMENT IS SECURED BY APPEAL BOND

Has any undertaking been posted NOT IN THIS APPEAL. If "yes", state amount and type Yes in Appeal from Judgment

(PLR 5519(a)(2) BOND for full amount of outstanding judgment (\$1,472,879.98 as of 2/3/14)

Has application been made to court below for this relief NO If yes, state Disposition _____

Has there been any prior application herein in this court NO If "yes", state dates and nature _____

Has adversary been advised of this application YES Does he/she consent NO

Attorney for Movant

Attorney for Opposition

Name Jordan Greenberger, Esq.

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Appearing by in person for Ms

Kevin Wallau, Esq.

TROUTMAN SANDERS LLP

405 LEXINGTON AVE.

New York, NY 10174

212-704-6208

in person for K

(Do not write below this line)

DISPOSITION

Application for an interim stay
is granted.

Motion Date 5/16/14 Opposition 5/9 Reply 5/16

[Signature]
Justice DTR

6/29/14
Date

EXPEDITE _____ PHONE ATTORNEYS _____ DECISION BY _____

ALL PAPERS TO BE SERVED PERSONALLY.

[Signature]
Court Attorney