

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

Application of The Japanese Educational Institute  
of New York,

Petitioner.

For an order approving the sale of assets pursuant to  
N-PCL §§ 510 and 511.

Index No. 06-103400

IAS Part 13

Hon. Sheila Abdus-Salaam

**NOTICE OF MOTION**

**SPECIAL NOTICE PURSUANT TO CPLR § 2221: THE RELIEF REQUESTED  
HEREIN INCLUDES LEAVE TO REARGUE AND LEAVE TO RENEW A PRIOR  
DETERMINATION OF THIS COURT**

- MOTION BY: Objector-Respondent-Intervenor Japanese School of New York  
PTA (“PTA”).
- MOTION AGAINST: Petitioner Japanese Educational Institute of New York (“JEI”).
- DATE, TIME AND PLACE OF MOTION: July 25, 2006, at 9:30 a.m. in the forenoon of that day, or as soon  
thereafter as counsel can be heard, at the Motion Support Office  
Courtroom (Room 130), at the Courthouse of the Supreme Court  
of the State of New York, New York County, located at 60 Centre  
Street, New York, New York, 10007.
- SUPPORTING PAPERS: Affirmation of Arthur R. Block dated July 6, 2006 (“Block  
Affirmation”); Affidavit of Emil F. Jachmann sworn to on July  
5, 2006; and the exhibits annexed thereto and all of the pleadings  
and proceedings heretofore had herein.
- RELIEF REQUESTED: An order pursuant to CPLR § 2221 granting leave to reargue this  
Court’s Decision dated May 31, 2006 (“Decision”) and its Order  
dated July 6, 2006 (“Order”), and upon reargument issuing a  
supplemental order providing for the enforcement and  
implementation provisions described in the annexed Block  
Affirmation and making an award to the PTA of expert appraiser  
fees and of reasonable attorneys’ fees arising from litigation of  
issues of valuation and standing;
- An order pursuant to CPLR § 2221 granting leave to renew the  
Decision and the Order, and upon renewal issuing a supplemental  
order providing for the enforcement and implementation  
provisions described in the annexed Block Affirmation and

making an award to the PTA of expert appraiser fees and of reasonable attorneys' fees arising from litigation of issues of valuation and standing;

An order pursuant to N-PCL § 511 and common law making an award to the PTA of expert appraiser fees and of reasonable attorneys' fees arising from litigation of issues of valuation and standing; and

An order granting the PTA such other and further relief as the Court may deem just and proper.

ANSWERING PAPERS: Answering papers, if any, shall be served upon the undersigned no later than seven (7) days before the return date for this motion, pursuant to CPLR 2214(b).

Dated: New York, New York  
July 6, 2006

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