

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION - SECOND DEPARTMENT

Sam Sloan

Petitioner

INDEX No. 2004-7739

-against-

Beatriz Marinello, Tim Hanke, Stephen Shutt,  
Elizabeth Shaughnessy, Randy Bauer, Bill Goichberg,  
Kenneth M. Chadwell and United States Chess Federation

Respondents.

2005-03754

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APR 21 11:23:39

FEE EXEMPT

N/C

ORDER TO SHOW CAUSE

Upon the annexed petition of Sam Sloan duly verified the 20th day of April 2005 and upon the original petitions and upon all of the papers and proceedings had herein, it is hereby

#1

ORDERED, that the respondents show cause before this Court at 45 Monroe Place, Brooklyn, NY 11201 on the 2nd day of <sup>May</sup> ~~April~~, 2005 at 9:30 AM of that day or as soon thereafter as counsel can be heard why an order should not be made and entered herein:

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1. A freeze on all the bank accounts of the United States Chess Federation at Key Bank in Newburgh and elsewhere until a hearing can be had.
2. A temporary restraining order and a preliminary and permanent injunction restraining and enjoining Beatriz Marinello, Tim Hanke, Steven Shutt, Elizabeth Shaughnessy and Randy Bauer from taking any actions at all with respect to the USCF. Beatriz Marinello, Tim Hanke,

Steven Shutt, Elizabeth Shaughnessy and Randy Bauer may not hire employees, fire employees, buy anything, sell anything, enter into contracts, write checks or pay or receive money or do anything at all with respect to the United States Chess Federation.

3. A temporary restraining order and a preliminary and permanent injunction restraining and enjoining the United States Chess Federation or its officers or employees from doing anything to effectuate a move to Crossville, Tennessee or to anywhere else outside of the State of New York absent the order of this court.

4. An order enjoining Beatriz Marinello and Tim Hanke from signing any check or transferring any funds of the United States Chess Federation.

5. An order directing Beatriz Marinello and Elizabeth Shaughnessy to return to the USCF all expense money they have received from the USCF except for money for expenses incurred while attending regular scheduled quarterly meetings of the Executive Board.

6. An order removing Beatriz Marinello, Tim Hanke, Steven Shutt, Elizabeth Shaughnessy and Randy Bauer from the Executive Board of the United States Chess Federation and disqualifying and barring them from future membership on the Board of the United States Chess Federation.

7. An order removing the names of Randy Bauer, Steven Shutt and Elizabeth Shaughnessy from the ballot of the United States Chess Federation for the board election to be held in July

2005.

8. An order disqualifying Michael J. Matsler or the law firm of Rider, Weiner, Frankel & Calhelha, PC from representing the defendants herein.

9. *For person relief*

10. Such other and further relief as may be deemed just and equitable.

Pending a hearing before this court, it is hereby

**ORDERED**

1. The USCF accounts at Key Bank in Newburgh and all other banks are frozen until a hearing can be had.
2. A temporary restraining order and a preliminary and permanent injunction is hereby issued restraining and enjoining Beatriz Marinello, Tim Hanke, Steven Shutt, Elizabeth Shaughnessy and Randy Bauer from taking any actions at all with respect to the USCF until a hearing can be had. Beatriz Marinello, Tim Hanke, Steven Shutt, Elizabeth Shaughnessy and Randy Bauer may not hire employees, fire employees, buy anything, sell anything, enter into contracts, write checks or pay or receive money or do anything at all with respect to the United States Chess Federation.
3. A temporary restraining order and a preliminary and permanent injunction is hereby issued

restraining and enjoining the United States Chess Federation or its officers or employees from doing anything to effectuate a move to Crossville, Tennessee or to anywhere else outside of New York State absent an order of this court.

4. Beatriz Marinello and Tim Hanke are hereby enjoined from signing any check or transferring any funds of the United States Chess Federation in New York State.

5. Beatriz Marinello and Tim Hanke and their employees and agents are hereby ordered and directed to return to Key Bank in New Windsor any funds of the USCF which they may have transferred out of New York State.

6. All further actions are stayed pending a hearing on this motion.


7. THE MOTION FOR LEAVE TO PROCEED AS A POOR PERSON IS GRANTED.

Sufficient Cause appearing therefore, it is further

ORDERED, that Service of a Copy of this Order to Show Cause, together with a copy of the papers upon which it is granted <sup>pursuant to CPLR 2103(b)(1)(3) or (b)</sup> on the law firm of Rider, Weiner, Frankel & Calhella, <sup>respondents</sup> PE on or before the 22 day of April, 2005 be deemed good and sufficient service thereof.

Dated: Brooklyn NY  
April 21, 2004

J. S. C.

  
Gabriel M. Kraemer  
Associate Justice  
Appellate Division: 2nd Department