

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/13/2022

KIT-YIN SNYDER AND RICHARD HAAS,

Plaintiffs,

Case No. 1:22-cv-03873

v.

ORDER TO SHOW CAUSE
AND TEMPORARY
RESTRAINING ORDER

ERIC ADAMS, Mayor of the City of New York, in his official capacity, THE CITY OF NEW YORK, NEW YORK CITY DEPARTMENT OF DESIGN AND CONSTRUCTION, NEW YORK CITY DEPARTMENT OF CULTURAL AFFAIRS, NEW YORK CITY DEPARTMENT OF CORRECTION, NEW YORK CITY PUBLIC DESIGN COMMISSION,

Defendants.

UPON the reading and filing of the annexed Declaration of Richard Haas, sworn to on May 11, 2022, and the exhibits annexed thereto; the annexed Declaration of Kit-Yin Snyder, sworn to on May 10, 2022, and the exhibits annexed thereto; the annexed Declaration of Jan Lee, sworn to on May 4, 2022, and the exhibits annexed thereto; the Declaration of Kerri Culhane, sworn to on May 3, 2022, and the exhibits annexed thereto, the Declaration of Robert S. Friedman, sworn to on May 11, 2022, and the accompanying Memorandum of Law; and all prior pleadings and proceedings herein,

LET the parties or their attorneys show cause before this Court at 500 Pearl Street, New York, New York on May 18, 2022 at 4 A.M./P.M., or as soon thereafter as counsel can be heard, why an Order should not be entered pursuant to Fed. R. Civ. P. 65(a) enjoining Defendants Eric Adams, The City of New York, New York City

Department of Design and Construction, New York City Department of Cultural Affairs, New York City Department of Correction and New York City Public Design Commission (collectively, "Defendants") from taking any actions to alter, deface, modify, mutilate, destroy, distort and/or demolish the works of visual art (the "Artwork") by Plaintiffs Kit-Yin Snyder and Richard Haas (collectively, "Plaintiffs") located at or around the Manhattan Detention Center, 124-125 White Street, New York, New York (the "MDC") in violation of 17 U.S.C. § 106A (the "Visual Artists Rights Act") and copyright law.

SUFFICIENT CAUSE BEING SHOWN IT IS HEREBY ORDERED THAT,

~~pending the outcome of this Order to Show Cause, Defendants are hereby temporarily enjoined pursuant to Fed. R. Civ. P. 65(b) from performing any demolition work of the MDC or the Artwork~~ *restrained from altering, defacing, modifying, mutilating, destroying, or demolishing the Artwork until and including May 18, 2022.*

LET service of a copy of this Order, together with the papers upon which it is granted, via Federal Express or other overnight courier to Zachary W. Carter, Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007 on or before the ___ of May, 2022, be deemed good and sufficient service thereof.

~~LET~~ *shall* answering papers, if any, be served no less than seven (7) days before the *filed at or before 10 a.m. on May 17, 2022 and reply papers shall be filed at or before 6pm on May 17, 2022.* return date of this order to show cause.

ENTER:

[Signature]

Hon. _____ J.S.C.

*Issued at 10:07 a.m.
5/13/22*

USDJ