

ENDORSED
ORDER

WITHERS BERGMAN LLP
Hollis Gonerka Bart (HB-8955)
Brian Dunefsky (BD-3554)
Dara G. Hammerman (DH-1591)
Azmina Jasani (AJ-4161)
430 Park Avenue, 10th Floor
New York, New York 10022
212.848.9800 (p)
212.848.9888 (f)
Attorneys for defendant Gagosian Gallery, Inc.

This application for an OSC is denied because (1) third-party plaintiff failed to demonstrate a need to proceed by order to show cause rather than motion, and (2) third-party plaintiff failed to include a memorandum of law addressing pertinent legal issues, including its claim entitlement to attorney's fees.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Case No.: 11 CIV 1679 (DLC)

SAFFLANE HOLDINGS LTD., and
ROBERT WYLDE,

Plaintiffs,

-against-

GAGOSIAN GALLERY, INC.,

Defendant.

**ORDER TO SHOW CAUSE FOR
DEFAULT
AGAINST THIRD-PARTY
DEFENDANT
CHARLES COWLES**

[Signature]
11/17/11

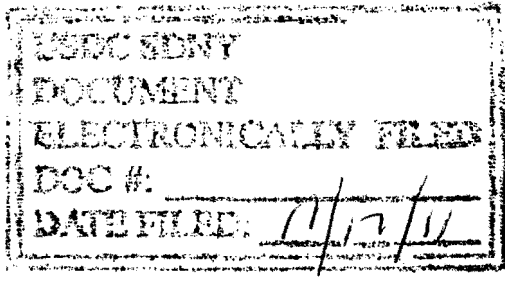
GAGOSIAN GALLERY, INC.,

Third-Party Plaintiffs,

-against-

CHARLES COWLES,

Third-Party Defendant.



Upon the affidavit of Dara G. Hammerman, sworn to on this ___ day of November, 2011, and the exhibits annexed thereto, it is:

ORDERED, that the above-named defendant Charles Cowles show cause before a motion term of this Court, in Room 15B, United States Courthouse, 500 Pearl Street, New York, New York on _____, 2011 at _____ a.m., or as soon thereafter as counsel might be heard, why an order should not be issued in favor of Gagosian Gallery, Inc., pursuant to Rule 55.1 of the

Civil Rules for the Southern District of New York and Rule 2 of the Default Judgment Procedure of this Court, directing that a default judgment be entered against Charles Cowles; and it is further

ORDERED that service of a copy of this order and annexed affidavit and exhibit upon the defendant Charles Cowles at his last known address at 84 Mercer Street, New York, New York 10012 or his counsel before __:00 p.m., _____, 2011 shall be deemed good and sufficient service thereof.

DATED: _____
New York, New York

United States District *for*

FAX Cover Sheet

Date: November 17, 2011

To:

Aaron Richard Golub, Esq.
Nehemiah Salomon Glanc, Esq.
Aaron Richard Golub, Esquire, PC
34 East 67th Street, 3rd Floor
New York, NY 10065
Fax: (212)-838-4869

Hollis Anne Bart, Esq.
Brian Dunefsky, Esq.
Dara Gilwit Hammerman, Esq.
Withers Bergman, LLP
430 Park Avenue, 10th Flr.
New York, NY 10022
Fax: (212) 848-9888

Re: Safflane Holdings, Ltd., v. Gagosian Gallery, Inc.
11 Civ. 1679 (MHD)

Endorsed order: "This application for an OSC is denied because (1) third-party plaintiff fails to demonstrate a need to proceed by order to show cause rather than motion, and (2) third-party plaintiff fails to include a memorandum of law addressing pertinent legal issues, including its claimed entitlement to attorney's fees."

From: Magistrate Judge Michael H. Dolinger
United States District Court
Southern District of New York
500 Pearl Street, Room 1670
New York, New York 10007-1312

FAX (212) 805-7928

TELEPHONE NUMBER (212) 805-0204

This document contains 2 pages, including this cover sheet.