

At Special Term of the  
Supreme Court of the State of  
New York, County of Orange  
on the \_\_\_\_ day of November, 2004

Present: Hon.

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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.

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ORDER TO SHOW CAUSE

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Upon the annexed petition of Sam Sloan duly verified the 8<sup>th</sup> day of November 2004 and upon the original petitions and upon all of the papers and proceedings had herein, it is hereby

ORDERED, that the respondents show cause before this Court at a Special Term thereof to be held at the County Courthouse in Orange County at 255 Main Street, Goshen, NY 10924 in Room \_\_\_\_ on the \_\_\_\_ day of November, 2004 at \_\_\_\_ AM of that day or as soon thereafter as counsel can be heard why an order should not be made and entered herein:

1. Freezing the account at Key Bank in New Windsor which contains the \$513,000

realized as proceeds of the sale of the Building in New Windsor until a hearing can be had. Other bank accounts such as the account to pay employee salaries should not be affected by this freeze.

2. A temporary restraining order and a preliminary and permanent injunction restraining and enjoining Beatriz Marinello, Tim Hanke, Steven Shutt and Elizabeth Shaughnessy from taking any actions at all with respect to the USCF until a hearing can be had. Beatriz Marinello, Tim Hanke, Steven Shutt and Elizabeth Shaughnessy 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 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 enjoining Kenneth M. Chadwell from harassing the Board, contacting the Board, or filing or threatening to file any lawsuit to compel the USCF to move to Crossville.

6. An order removing Beatriz Marinello, Tim Hanke, Stephen Shutt and Elizabeth Shaughnessy from the Board of the United States Chess Federation and barring them from running for the USCF Executive Board in the future.

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

Pending a hearing before this court, it is hereby

#### ORDERED

1. The account at Key Bank which contains the \$513,000 realized as proceeds of the sale of the building in New Windsor is frozen until a hearing can be had. Other bank accounts such as the account to pay employee salaries should not be affected by this freeze.

2. A temporary restraining order and a preliminary and permanent injunction is hereby issued restraining and enjoining Beatriz Marinello, Tim Hanke, Steven Shutt and Elizabeth Shaughnessy from taking any actions at all with respect to the USCF until a hearing can be had. Beatriz Marinello, Tim Hanke, Steven Shutt and Elizabeth Shaughnessy 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 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 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.

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 on the United States Chess Federation by personal delivery to their officers at 3068 Route 9W, New Windsor, New York and upon the other respondents by certified mail on or before the \_\_\_\_ day of November 2004 be deemed good and sufficient service thereof.

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J. S. C.