

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

ANDREW CHAIT, on behalf of himself)
and all others similarly situated,)
)
Plaintiff,)
)
-against-)
)
WENDY LEE, EILEEN BURBRIDGE,)
MARY SCOTT, VERNA, ETTIE LEE,)
KEIKO FUJIWARA and JOHN DOE NOS. 1-25,)
)
Defendants.)
_____)

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AFFIRMATION
OF RISHI BHANDARI

I, Rishi Bhandari, an attorney admitted to practice before the courts of the State of New York, and not a party to this action, hereby affirm the following to be true under the penalties of perjury:

1. I am an attorney with the law firm Mandel Bhandari LLP, attorneys for Class Plaintiff Andrew Chait ("Plaintiff") in the above-caption action. I am familiar with the subjects of this Affirmation.

2. I hereby affirm that pursuant to Uniform Rule 202.7(f) (22 N.Y.C.R.R. § 202-7(f)) giving notice to Defendants of the application here for a preliminary injunction and temporary restraining order would result in significant prejudice to Plaintiff. As described more fully in these papers, including the Complaint and accompanying affirmation of Charles Zach, absent the immediate injunctive relief sought here, there will be nothing to prevent Defendants from transferring or otherwise dissipating Plaintiff's assets, in violation of New York law and causing her irreparable harm. This prejudice is why Plaintiff seeks a temporary restraining order pending a hearing on the request for a preliminary injunction.

3. Attached as Exhibit 1 is a true and correct copy of an Order dated December 13, 2023, in the case Blum v. Defendant 1, No. 3:23-cv-24734-MCR-HTC in the U.S. District Court for the Northern District of Florida (ECF Doc. No. 6).

4. Attached as Exhibit 2 is a true and correct copy of an Order to Show Cause and Granting Motion for Temporary Restraining Order dated March 18, 2024, in the case Shaya v. Nofs, 24-cv-10670-MAG-EAS in the U.S. District Court for the Eastern District of Michigan (ECF Doc. No. 4).

5. I hereby affirm pursuant to Uniform Rule of the Chief Administrator 130-1.1-a (22 N.Y.C.R.R. § 130-1.1, 130-1.1a) that, to the best of my knowledge, information and belief, formed after a reasonable inquiry under the circumstances, the following papers listed below and the contentions therein are not frivolous as defined in 22 N.Y.C.R.R. § 130-1.1(c):

- a. Complaint;
- b. Request for Judicial Intervention;
- c. Memorandum of Law in Support of Plaintiff's Motion for a Temporary Restraining Order and Preliminary Injunction;
- d. Affirmation of Andrew Chait in Support of Plaintiff's Motion for a Temporary Restraining Order and Preliminary Injunction;
- e. Affirmation of Charles Zach in Support of Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction;
- f. Proposed Order to Show Cause and Temporary Restraining Order.

6. Pursuant to CPLR § 2217(b), Plaintiff has not previously sought the relief sought by this motion brought by order to show cause, and there have been no prior motions or proceedings in this matter.

Dated: New York, New York
October 23, 2024

By: /s/ Rishi Bhandari
Rishi Bhandari, Esq.
Mandel Bhandari LLP
80 Pine Street, 33rd Floor
New York, NY 10005
Phone: (212) 269-5600 ext. 100

Attorney for Plaintiffs

Certification Pursuant to 22 NYCRR § 202.8-b

I, Rishi Bhandari, at attorney duly admitted to practice law before the courts of the State of New York, hereby certifies that this Memorandum of Law contains 424 words, excluding the parts exempted by § 202.8-b(b), and therefore complies with the word count limit set forth in 22 NYCRR § 202.8-b(a).

Dated: New York, New York
October 23, 2024

By: /s/ Rishi Bhandari
Rishi Bhandari, Esq.