

At I.A.S Part \_\_\_\_\_ of the  
Supreme Court of the State of  
New York, held in and for the  
County of New York, at the  
Courthouse thereof, 80 Centre  
Street, New York, NY, on the  
\_\_\_\_\_ day of \_\_\_\_\_, 2016

PRESENT: HON. \_\_\_\_\_  
Justice of the Supreme Court

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

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In the Matter of a Proceeding under Article 70 of the CPLR  
for a Writ of Habeas Corpus,

THE NONHUMAN RIGHTS PROJECT, INC., on  
behalf of KIKO,

Petitioner,

-against-

**ORDER TO SHOW CAUSE &  
WRIT OF HABEAS CORPUS**

Index No.:

CARMEN PRESTI, individually and as an officer and  
director of The Primate Sanctuary, Inc., CHRISTIE E.  
PRESTI, individually and as an officer and director of  
The Primate Sanctuary, Inc., and THE PRIMATE  
SANCTUARY, INC.,

Respondents.

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TO THE ABOVE NAMED RESPONDENTS:

PLEASE TAKE NOTICE, That upon the annexed Verified Petition of Elizabeth Stein,  
Esq. and Steven M. Wise, Esq. (subject to *pro hac vice* admission), with Exhibits and  
Memorandum of Law, dated January 6, 2016, and upon all pleadings and proceedings herein, let  
the Respondents CARMEN PRESTI, individually and as an officer and director of The Primate

Sanctuary, Inc., CHRISTIE E. PRESTI, individually and as an officer and director of The Primate Sanctuary, Inc. and THE PRIMATE SANCTUARY, INC., or their attorneys, SHOW CAUSE at I.A.S. Part \_\_\_\_\_, Room \_\_\_\_\_, of this Court to be held at the Courthouse located at 80 Centre Street, New York, New York 10013, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 at \_\_\_\_\_ o'clock in the \_\_\_\_\_ of that day, or as soon thereafter as counsel can be heard, why an Order should not be entered granting Petitioner, The Nonhuman Rights Project, Inc. (“NhRP”), the following relief:

- A. Upon a determination that Kiko is being unlawfully detained, ordering his immediate release and transfer forthwith to an appropriate primate sanctuary;
- B. Awarding the NhRP the costs and disbursements of this action; and
- C. Such other and further relief as this Court deems just and proper.

It is THEREFORE:

ORDERED THAT, Sufficient cause appearing therefore, let service of a copy of this Order and all other papers upon which it is granted upon CARMEN PRESTI, individually and as an officer and director of The Primate Sanctuary, Inc., CHRISTIE E. PRESTI, individually and as an officer and director of The Primate Sanctuary, Inc. and THE PRIMATE SANCTUARY, INC. by personal delivery, on or before the \_\_\_\_\_ of \_\_\_\_\_, 2016, be deemed good and sufficient. An affidavit or other proof of service shall be presented to this Court on the return date fixed above.

IT IS FURTHER ORDERED, that answering affidavits, if any, must be received by Elizabeth Stein, Esq., 5 Dunhill Road, New Hyde Park, New York 11040, and electronically filed with the NYSCEF system, no later than the \_\_\_\_\_ of \_\_\_\_\_, 2016.

Dated: \_\_\_\_\_  
New York, New York

\_\_\_\_\_  
Honorable

ENTER: