

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, 60 Centre
Street, New York, NY, on the
____ day of _____, 2015

PRESENT: HON. _____
Justice of the Supreme Court

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

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 HERCULES and LEO,

Petitioner,

-against-

SAMUEL L. STANLEY JR., M.D., as President of
State University of New York at Stony Brook a/k/a
Stony Brook University and STATE UNIVERSITY
OF NEW YORK AT STONY BROOK a/k/a STONY
BROOK UNIVERSITY,

Respondents.

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

Index No.: 152 736/15

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), filed the _____ day of
_____, 2015, the exhibits and affidavits attached thereto, the Memorandum of Law in
support of the Verified Petition, and upon all pleadings and proceedings herein, the Respondents

SAMUEL L. STANLEY JR., M.D., as President of State University of New York at Stony Brook a/k/a Stony Brook University, and STATE UNIVERSITY OF NEW YORK AT STONY BROOK a/k/a STONY BROOK UNIVERSITY, or their attorneys, are hereby ORDERED to SHOW CAUSE at I.A.S. Part _____, Room _____, of this Court to be held at the Courthouse located at 60 Centre Street, New York, New York 10007, on the _____ day of _____, 2015 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 the Nonhuman Rights Project, Inc. ("Petitioner"), the following relief:

- A. Upon a determination that Hercules and Leo are being unlawfully detained, ordering their immediate release and transfer forthwith to Save the Chimps;
- B. Awarding Petitioner 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 SAMUEL L. STANLEY JR., M.D., as President of State University of New York at Stony Brook a/k/a Stony Brook University, and STATE UNIVERSITY OF NEW YORK AT STONY BROOK a/k/a STONY BROOK UNIVERSITY, and upon ERIC T. SCHNEIDERMAN, Attorney General of the State of New York, by personal delivery, on or before the _____ of _____, 2015, 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, no later than ____ of

_____, 2015. Reply papers, if any, must be served on or before the ____ day of _____,
2015.

Dated: _____, 2015
New York, New York

Honorable

ENTER: