At the ~~I.A.S. Part~~ the Ex Parte Motion Office of the Supreme Court of the State of New York, 60 Centre Street, City and State of New York on the 27th day of February, 2014.

HON. RICHARD F. BRAUN
J.S.C.

Present:
HON. _____ J.S.C.

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

In the Matter of an Inquiry by ERIC T. SCHNEIDERMAN, Attorney General of the State of New York, Petitioner, Pursuant to Article 23-A of the New York General Business Law in regard to the acts and practices of 15 BROAD STREET, LLC; 15 BROAD STREET MANAGERS, LLC; AFRICA ISRAEL INVESTMENTS LTD.; AI PROPERTIES AND DEVELOPMENTS (USA) CORP.; AI HOLDINGS (USA) CORP.; BOYMELGREEN FAMILY LLC; PINCAS COHEN and JESHAYAHU BOYMELGREEN, Respondents, in promoting the issuance, distribution, exchange, advertisement, negotiation, purchase, investment advice, or sale of securities in or from New York State.	**ORDER PURSUANT TO GENERAL BUSINESS LAW § 354** **Index No.:** 450431/14 **Date Filed:**

Upon reading and filing the annexed affidavit of Elissa Rossi, Assistant Attorney General, dated February 27, 2014 and its exhibits; and the accompanying memorandum of law, dated February 27, 2014; and upon the application of ERIC T. SCHNEIDERMAN, Attorney General of the State of New York, for an order pursuant to General Business Law ("GBL") § 354;

IT BEING SHOWN that the New York Attorney General has determined to commence an action under Article 23-A of the GBL against the above-captioned Respondents and that, upon information and belief, certain Respondents' testimony, and production of certain books and records is material and necessary to the New York Attorney General's investigation; and

IT BEING SHOWN therefrom that it is this Court's duty to grant the New York Attorney General's application for an order, pursuant to GBL § 354, directing the persons mentioned in the application to appear before the Justice of the Supreme Court of referee designated in such order and answer such questions as may be put to them or to any of them, or to produce such papers, documents and books it is hereby

ORDERED that "document" is used herein in the broadest sense of the term and means all records and other tangible media of expression of whatever nature however and wherever created, produced or stored (manually, mechanically, electronically or otherwise), including without limitation all versions whether draft or final, all annotated or nonconforming or other copies, electronic mail (e-mail), instant messages, text messages, Blackberry or other wireless device messages, voicemail, calendars, date books, appointment books, diaries, books, papers, files, notes, confirmations, accounts statements, correspondence, memoranda, reports, records, journals, registers, analyses, plans, manuals, policies, telegrams, faxes, telexes, wires, telephone logs, telephone messages, message slips, minutes, notes or records or transcriptions of conversations or Communications or meetings, tape recordings, videotapes, disks, and other electronic media, microfilm, microfiche, storage devices, press releases, contracts, agreements, notices and summaries; that any non-identical version of a document constitutes a separate document within this definition, including without limitation drafts or copies bearing any notation, edit, comment, marginalia, underscoring, highlighting, marking, or any other alteration

of any kind resulting in any difference between two or more otherwise identical documents; and that in the case of documents bearing any notation or other marking made by highlighting ink, the term document means the original version bearing the highlighting ink; and it is

ORDERED that Respondent 15 Broad Street, LLC, by its Custodian of Records, appear before ~~the Honorable~~ STEVEN E. LIEBMAN, SPECIAL REFEREE, ~~Justice~~ of the Supreme Court, or any other Justice or Referee of this Court as may be directed, in Room 641, at the courthouse located at 60 Centre Street, New York, New York, or at any other place as this Court may direct, as follows: on the 24th of March, 2014, at 10 a.m./~~p.m.~~, and on any adjourned date and time thereafter, to testify under oath, and answer such questions as may be put to them by the New York Attorney General or a designated Assistant Attorney General, concerning the authenticity or location of certain documents; and to turn over originals, wherever located, whether in their possession or control, or if the originals are unavailable, copies of:

(i) All documents relating to Respondent's efforts to secure a Permanent Certificate of Occupancy from the New York City Department of Buildings for the Downtown Condominium at 15 Broad Street, New York, New York;

(ii) The agreement entered into in November 2008 by AI Holdings (USA) Corp. and a foreign corporation which is referred to in Note 7(B)(1)(g) on page 61 of the document titled, "Africa Israel Investments Ltd., Financial Statements at December 31, 2008," which document appears on the website www.afigroup-global.com

(iii) All documents, including bank, financial or asset statements, relating to the $9,479,586 million escrow disclosed in the 18th Amendment to the offering plan for the Downtown Condominium;

(iv) Documents sufficient to identify each employee, agent or officer of Respondent who participated in or has knowledge of the renovation, construction, financing, marketing, sale, offer or management of the Downtown Condominium, as well as each individual's title, duties, responsibilities, and source of knowledge as to the Downtown Condominium;

(v) Documents sufficient to identify all individuals or entities who made or took part in the public offer and sale of real estate securities at the Downtown

Condominium, including the role of each such person or entity;

(vi) Documents sufficient to identify all past and current members of the board of managers of the Downtown Condominium who were designated by Respondent, along with each individual's affiliation with any of the Respondents and the dates during which each individual served on the Board of the Downtown Condominium;

(vii) All documents that relate to the board of managers of the Downtown Condominium and concern or reference securing a Permanent Certificate of Occupancy for same; and

(viii) Any and all other documents that may be requested by the New York Attorney General or a designated Assistant Attorney General during the course of this investigation; and it is further

ORDERED that Respondent 15 Broad Street Managers, LLC, by its Custodian of Records, appear before ~~the Honorable~~ STEVEN E. LIEBMAN, SPECIAL REFEREE _____, ~~Justice of the~~ Supreme Court, or any other Justice or Referee of this Court as may be directed, in Room 84B, at the courthouse located at 60 Centre Street, New York, New York, or at any other place as this Court may direct, as follows: on the 24th of March, 2014, at 10 a.m./~~p.m.~~, and on any adjourned date and time thereafter, to testify under oath, and answer such questions as may be put to them by the New York Attorney General or a designated Assistant Attorney General, concerning the authenticity or location of certain documents; and to turn over originals, wherever located, whether in their possession or control, or if the originals are unavailable, copies of:

(ix) All documents relating to Respondent's efforts to secure a Permanent Certificate of Occupancy from the New York City Department of Buildings for the Downtown Condominium at 15 Broad Street, New York, New York;

(x) The agreement entered into in November 2008 by AI Holdings (USA) Corp. and a foreign corporation which is referred to in Note 7(B)(1)(g) on page 61 of the document titled, "Africa Israel Investments Ltd., Financial Statements at December 31, 2008," which document appears on the website www.afigroup-global.com

(xi) All documents, including bank, financial or asset statements, relating to the $9,479,586 million escrow disclosed in the 18th Amendment to the offering

If yes, judgment date: _____

plan for the Downtown Condominium;

(xii) Documents sufficient to identify each employee, agent or officer of Respondent who participated in or has knowledge of the renovation, construction, financing, marketing, sale, offer or management of the Downtown Condominium, as well as each individual's title, duties, responsibilities, and source of knowledge as to the Downtown Condominium;

(xiii) Documents sufficient to identify all individuals or entities who made or took part in the public offer and sale of real estate securities at the Downtown Condominium, including the role of each such person or entity;

(xiv) Documents sufficient to identify all past and current members of the board of managers of the Downtown Condominium who were designated by Respondent, along with each individual's affiliation with any of the Respondents and the dates during which each individual served on the Board of the Downtown Condominium;

(xv) All documents that relate to the board of managers of the Downtown Condominium and concern or reference securing a Permanent Certificate of Occupancy for same; and

(xvi) Any and all other documents that may be requested by the New York Attorney General or a designated Assistant Attorney General during the course of this investigation; and it is further

ORDERED that Respondent Africa Israel Investments, Ltd., by its Custodian of Records, appear before the Honorable STEVEN E. LIEBMAN ~~SPECIAL REFEREE~~ ~~Justice~~ of the Supreme Court, or any other Justice or Referee of this Court as may be directed, in Room 641, at the courthouse located at 60 Centre Street, New York, New York, or at any other place as this Court may direct, as follows: on the 27th of March, 2014, at 10 a.m. ~~p.m.~~, and on any adjourned date and time thereafter, to testify under oath, and answer such questions as may be put to them by the New York Attorney General or a designated Assistant Attorney General, concerning the authenticity or location of certain documents; and to turn over originals, wherever located, whether in their possession or control, or if the originals are unavailable, copies of:

(xvii) All documents relating to Respondent's efforts to secure a Permanent Certificate of Occupancy from the New York City Department of Buildings for

the Downtown Condominium at 15 Broad Street, New York, New York;

(xviii) The agreement entered into in November 2008 by AI Holdings (USA) Corp. and a foreign corporation which is referred to in Note 7(B)(1)(g) on page 61 of the document titled, "Africa Israel Investments Ltd., Financial Statements at December 31, 2008," which document appears on the website www.afigroup-global.com

(xix) All documents, including bank, financial or asset statements, relating to the $9,479,586 million escrow disclosed in the 18th Amendment to the offering plan for the Downtown Condominium;

(xx) Documents sufficient to identify each employee, agent or officer of Respondent who participated in or has knowledge of the renovation, construction, financing, marketing, sale, offer or management of the Downtown Condominium, as well as each individual's title, duties, responsibilities, and source of knowledge as to the Downtown Condominium;

(xxi) Documents sufficient to identify all individuals or entities who made or took part in the public offer and sale of real estate securities at the Downtown Condominium, including the role of each such person or entity;

(xxii) Documents sufficient to identify all past and current members of the board of managers of the Downtown Condominium who were designated by Respondent, along with each individual's affiliation with any of the Respondents and the dates during which each individual served on the Board of the Downtown Condominium;

(xxiii) All documents that relate to the board of managers of the Downtown Condominium and concern or reference securing a Permanent Certificate of Occupancy for same; and

(xxiv) Any and all other documents that may be requested by the New York Attorney General or a designated Assistant Attorney General during the course of this investigation; and it is further

ORDERED that Respondent AI Properties and Developments (USA) Corp., by its Custodian of Records, appear before the Honorable STEVEN E. LIEBMAN SPECIAL REFEREE ~~Justice~~ of the Supreme Court, or any other Justice or Referee of this Court as may be directed, in Room 641, at the courthouse located at 60 Centre Street, New York, New York, or at any other place as this Court may direct, as follows: on the 24th of March, 2014, at 10 a.m./~~p.m.,~~

and on any adjourned date and time thereafter, to testify under oath, and answer such questions as may be put to them by the New York Attorney General or a designated Assistant Attorney General, concerning the authenticity or location of certain documents; and to turn over originals, wherever located, whether in their possession or control, or if the originals are unavailable, copies of:

(xxv) All documents relating to Respondent's efforts to secure a Permanent Certificate of Occupancy from the New York City Department of Buildings for the Downtown Condominium at 15 Broad Street, New York, New York;

(xxvi) The agreement entered into in November 2008 by AI Holdings (USA) Corp. and a foreign corporation which is referred to in Note 7(B)(1)(g) on page 61 of the document titled, "Africa Israel Investments Ltd., Financial Statements at December 31, 2008," which document appears on the website www.afigroup-global.com

(xxvii) All documents, including bank, financial or asset statements, relating to the $9,479,586 million escrow disclosed in the 18th Amendment to the offering plan for the Downtown Condominium;

(xxviii) Documents sufficient to identify each employee, agent or officer of Respondent who participated in or has knowledge of the renovation, construction, financing, marketing, sale, offer or management of the Downtown Condominium, as well as each individual's title, duties, responsibilities, and source of knowledge as to the Downtown Condominium;

(xxix) Documents sufficient to identify all individuals or entities who made or took part in the public offer and sale of real estate securities at the Downtown Condominium, including the role of each such person or entity;

(xxx) Documents sufficient to identify all past and current members of the board of managers of the Downtown Condominium who were designated by Respondent, along with each individual's affiliation with any of the Respondents and the dates during which each individual served on the Board of the Downtown Condominium;

(xxxi) All documents that relate to the board of managers of the Downtown Condominium and concern or reference securing a Permanent Certificate of Occupancy for same; and

(xxxii) Any and all other documents that may be requested by the New York Attorney General or a designated Assistant Attorney General during the course of this

investigation; and it is further

ORDERED that Respondent AI Holdings (USA) Corp., by its Custodian of Records, appear before the Honorable STEVEN E. LIEBMAN ~~Justice~~ SPECIAL REFEREE of the Supreme Court, or any other Justice or Referee of this Court as may be directed, in Room 641, at the courthouse located at 60 Centre Street, New York, New York, or at any other place as this Court may direct, as follows: 24th of March, 2014, at 10 a.m./~~p.m.,~~ and on any adjourned date and time thereafter, to testify under oath, and answer such questions as may be put to them by the New York Attorney General or a designated Assistant Attorney General, concerning the authenticity or location of certain documents; and to turn over originals, wherever located, whether in their possession or control, or if the originals are unavailable, copies of:

(xxxiii) All documents relating to Respondent's efforts to secure a Permanent Certificate of Occupancy from the New York City Department of Buildings for the Downtown Condominium at 15 Broad Street, New York, New York;

(xxxiv) The agreement entered into in November 2008 by AI Holdings (USA) Corp. and a foreign corporation which is referred to in Note 7(B)(1)(g) on page 61 of the document titled, "Africa Israel Investments Ltd., Financial Statements at December 31, 2008," which document appears on the website www.afigroup-global.com

(xxxv) All documents, including bank, financial or asset statements, relating to the $9,479,586 million escrow disclosed in the 18th Amendment to the offering plan for the Downtown Condominium;

(xxxvi) Documents sufficient to identify each employee, agent or officer of Respondent who participated in or has knowledge of the renovation, construction, financing, marketing, sale, offer or management of the Downtown Condominium, as well as each individual's title, duties, responsibilities, and source of knowledge as to the Downtown Condominium;

(xxxvii) Documents sufficient to identify all individuals or entities who made or took part in the public offer and sale of real estate securities at the Downtown Condominium, including the role of each such person or entity;

(xxxviii) Documents sufficient to identify all past and current members of the board of managers of the Downtown Condominium who were designated by

Respondent, along with each individual's affiliation with any of the Respondents and the dates during which each individual served on the Board of the Downtown Condominium;

(xxxix) All documents that relate to the board of managers of the Downtown Condominium and concern or reference securing a Permanent Certificate of Occupancy for same; and

(xl) Any and all other documents that may be requested by the New York Attorney General or a designated Assistant Attorney General during the course of this investigation; and it is further

ORDERED that Respondent Boymelgreen Family LLC, by its Custodian of Records, appear before the Honorable STEVEN E. LIEBMAN SPECIAL REFEREE, ~~Justice~~ of the Supreme Court, or any other Justice or Referee of this Court as may be directed, in Room 641, at the courthouse located at 60 Centre Street, New York, New York, or at any other place as this Court may direct, as follows: on the 24th of March, 2014, at 10 a.m./~~p.m.~~, and on any adjourned date and time thereafter, to testify under oath, and answer such questions as may be put to them by the New York Attorney General or a designated Assistant Attorney General, concerning the authenticity or location of certain documents; and to turn over originals, wherever located, whether in their possession or control, or if the originals are unavailable, copies of:

(i) All documents relating to Respondent's efforts to secure a Permanent Certificate of Occupancy from the New York City Department of Buildings for the Downtown Condominium at 15 Broad Street, New York, New York;

(ii) All documents, including bank, financial or asset statements, relating to the $9,479,586 million escrow disclosed in the 18th Amendment to the offering plan for the Downtown Condominium;

(iii) Documents sufficient to identify each employee, agent or officer of Respondent who participated in or has knowledge of the renovation, construction, financing, marketing, sale, offer or management of the Downtown Condominium, as well as each individual's title, duties, responsibilities, and source of knowledge as to the Downtown Condominium;

(iv) Documents sufficient to identify all individuals or entities who made or took part in the public offer and sale of real estate securities at the Downtown

Condominium, including the role of each such person or entity;

(v) Documents sufficient to identify all past and current members of the board of managers of the Downtown Condominium who were designated by Respondent, along with each individual's affiliation with any of the Respondents and the dates during which each individual served on the Board of the Downtown Condominium;

(vi) All documents that relate to the board of managers of the Downtown Condominium and concern or reference securing a Permanent Certificate of Occupancy for same; and

(vii) Any and all other documents that may be requested by the New York Attorney General or a designated Assistant Attorney General during the course of this investigation; and it is further

ORDERED that Respondent Pincas Cohen appear before the Honorable STEVEN E. LIEBMAN ~~SPECIAL REFEREE~~ ~~Justice~~ of the Supreme Court, or any other Justice or Referee of this Court as may be directed, in Room 641, at the courthouse located at 60 Centre Street, New York, New York, or at any other place as this Court may direct, as follows: on the 24th of March, 2014, at 10 a.m./~~p.m.,~~ and on any adjourned date and time thereafter, to testify under oath, and answer such questions as may be put to them by the New York Attorney General or a designated Assistant Attorney General.

ORDERED that Respondent Jeshayahu Boymelgreen appear before the Honorable STEVEN E. LIEBMAN ~~SPECIAL REFEREE~~ ~~Justice~~ of the Supreme Court, or any other Justice or Referee of this Court as may be directed, in Room 641, at the courthouse located at 60 Centre Street, New York, New York, or at any other place as this Court may direct, as follows: on the 24th of March, 2014, at 10 a.m./~~p.m.,~~ and on any adjourned date and time thereafter, to testify under oath, and answer such questions as may be put to them by the New York Attorney General or a designated Assistant Attorney General.

AND IT FURTHER APPEARING by the Affirmation of Assistant Attorney General

Elissa Rossi, with exhibits, and the Memorandum of Law that it is expedient and proper to grant certain preliminary injunctive relief against Respondents, pursuant to General Business Law § 354, because the alleged fraudulent practices threaten continued, immediate and irreparable injury to the purchasing public; it is further

ORDERED that, within five business days of the service of this order, Respondents shall call a meeting of the board of managers of the Downtown Condominium (the "Board"), to occur within 7 days of the service of this order; and it is further

ORDERED that, at the above-referenced meeting of the Board, Respondents shall direct their designees to the Board to introduce and vote for a resolution delegating to the independent committee of the board established in or about June 2008 (the "Independent Committee") power over all decisions and actions relating to the residential portion of the Downtown Condominium while this Section 354 proceeding is pending; this delegation of power shall be in addition to the powers already delegated to the Independent Committee; and it is further

ORDERED that within five business days after service of this Order, Respondents collectively deposition with the Court $470,000, reflecting the lowest amount Respondents represented was held in escrow pending issuance of a Permanent Certificate of Occupancy for the Downtown Condominium; and it is further

ORDERED that all Respondents, their principals, agents and employees are hereby restrained from withdrawing, or directing the withdrawal of, further funds from the escrow account described in the 18th Amendment to the offering plan for the Downtown Condominium; and it is further

ORDERED that all Respondents, their principals, agents and employees are hereby restrained from violating Article 23-A of the GBL and from engaging in the fraudulent,

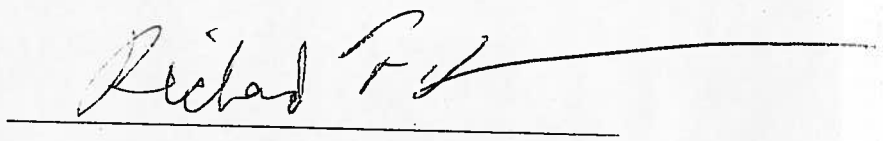
STATUS OF ACTION OR PROCEEDING: Answer YES or NO for EVERY question AND enter additional information where indicated.

	YES	NO	
Has a summons and complaint or summons w/notice been filed?	○	⊙	If yes, date filed: _____
Has a summons and complaint or summons w/notice been served?	○	⊙	If yes, date served: _____
Is this action/proceeding being filed post-judgment?	○	⊙	If yes, judgment date: _____

deceptive and illegal acts alleged in the accompanying Affirmation of Assistant Attorney General Elissa Rossi, with exhibits, and the Memorandum of Law; and it is further

ORDERED that all Respondents, and their principals, agents and employees, are hereby restrained from engaging in any act directly or indirectly relating to the offer, purchase, sale, issuance, advertisement, marketing, promotion, distribution, negotiation, exchange or transfer of securities in or from New York State.; and it is further

ORDERED that service by delivery and leaving with each Respondent a certified copy of this Order together with the papers upon which it was granted, or such alternate service as is consented to by Respondents, on or before the 5th of March, 2014, be deemed sufficient service thereof.



J.S.C.