

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

MELODY BUSINESS FINANCE LLC,

Plaintiff,

-against-

Index No. 651155/2020

**STIPULATION AND ~~PROPOSED~~**  
**ORDER**

PHILIP A. FALCONE; LISA M.  
FALCONE; EIGHTH STREET LLC;  
CROXTON 2 LLC; FIRST STREET LLC;  
LA BRAVA FARM LLC; VXA, LLC;  
WILD ORCHID FARM LLC; HARBINGER  
CAPITAL PARTNERS GP, L.L.C.;  
HARBINGER CAPITAL PARTNERS  
SPECIAL SITUATIONS GP, L.L.C.;  
CREDIT DISTRESSED BLUE LINE GP,  
L.L.C.; GLOBAL OPPORTUNITIES  
BREAKAWAY MM, L.L.C.; and THREE-  
HUNDREDTH STREET LLC,

Defendants.

WHEREAS, plaintiff Melody Business Finance LLC (“Melody”) commenced this action by summons and complaint on February 21, 2020, seeking, among other things, judgment directing delivery of certain collateral pledged to Melody;

WHEREAS, on the same date, Melody moved this Court for a preliminary injunction that, among other things, would order that the collateral “shall not be removed from the state, transferred, sold, pledged, assigned or otherwise disposed of until the further order of the court” (CPLR 7109); and

WHEREAS, the Court set the date for the hearing on Melody’s preliminary injunction motion for April 21, 2020, before the Honorable Justice Marcy Friedman.

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Melody Business Finance v Phillip A. Falcone et al (651155/2020) Stipulation and order

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for the respective parties that:

- 1. While plaintiff's motion for a preliminary injunction is pending, and until further order of the Court, defendants will not, and will not cause any third party to, remove from the state, transfer, sell, pledge, assign or otherwise dispose of any collateral pledged to Melody.

STIPULATED AND AGREED BY:

Dated: New York, New York  
February 24, 2020

**QUINN EMANUEL URQUHART & SULLIVAN, LLP**

**HOLWELL SHUSTER & GOLDBERG LLP**

s/Alex Spiro

s/Scott M. Danner

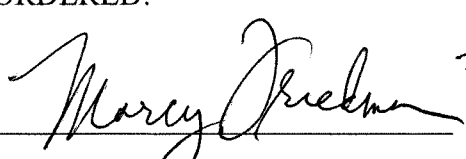
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*Attorneys for defendants*

*Attorneys for plaintiff*

SO ORDERED:

 2/27/20

J.S.C.

**MARCY S. FRIEDMAN, J.S.C.**