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PUBLIC

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION, THIRD JUDICIAL DEPARTMENT**

In the Matter of
the Application
- of -

STUART G. SELKIN, MD

Petitioner,

- against -

**THE STATE BOARD FOR PROFESSIONAL
MEDICAL CONDUCT, a board under the
auspices of the New York State Department of Health,**

Respondent.

**ORDER TO
SHOW CAUSE**

Docket #:

for a judgment pursuant to CPLR Article 78.

Upon the annexed petition of **STUART G. SELKIN, MD**, verified on the 28th day of October, 1999, the annexed affirmation of **PAMELA L. SELKIN, ESQ.**, affirmed on the 28th day of October, 1999, the annexed Memorandum of Law, dated October 28, 1999, Determination and Order No. **BPMC 99-122**, dated June 1, 1999, Determination and Order No. **BPMC 99-122 (ARB)**, dated September 10, 1999, and upon all of the papers and proceedings previously had herein.

Let Respondent or its attorneys show cause before the Supreme Court, Appellate Division, Third Judicial Department, Justice Building, Albany, New York, on the 22nd day of **November**, 1999, at **9:30 A.M.**

(a) why a Judgment should not be made and entered annulling the determination of the Administrative Review Board (ARB) Order No. **BPMC 99-122**; and

(b) why an order should not be made and entered staying enforcement of the determination of the Administrative Review Board (ARB) Order No. **BPMC 99-122**, pending determination of this proceeding.

atm

atm

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~~Pending determination by the Court of the proceeding brought on by this Order to Show Cause, is further,~~

ORDERED, that, pending determination of the motion for a stay brought on by this Order to Show Cause, Respondents ^{is} ~~are~~ hereby temporarily stayed from enforcing the order of the Administrative Review Board (ARB) Order No. BPMC 99-122, and it is further

ORDERED, that the motion brought on by this Order to Show Cause shall not be orally argued unless counsel are notified to the contrary by the Clerk of the Court.

Sufficient cause appearing therefore, service by personal service or by overnight mail upon the Respondent by serving the Division of Legal Affairs, Department of Health, ^{Empire State Plaza} ~~Coming Tower~~, Albany, of this Order and the papers annexed hereto on ^{or} ~~at~~ before ~~November~~ ¹, 1999 shall be deemed sufficient.

Dated: October 28, 1999
 Buffalo, New York

* New York 12237 and upon
 the office of the Attorney
 General, 120 Broadway,
 24th Floor, New York,
 New York 10271

Enter:

Ann T. Mikoll
 Justice of the Supreme Court
 Appellate Division
 Third Judicial Department
 HON. ANN T. MIKOLL