

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

In the Matter of the Application of

Index No.:

**NOTICE OF
PETITION**

COMMITTEE TO PROTECT OUR LENOX HILL
NEIGHBORHOOD, INC., CIVITAS CITIZENS INC., 145
EAST 76TH STREET CORPORATION, EAST 76TH
REALTY CO., INC., 829 PARK AVENUE
CORPORATION, PARK AND 76TH ST. INC., 885 PARK
AVENUE CORPORATION, 863 PARK AVENUE, INC.,
PARK AVENUE AND SEVENTY-SEVENTH STREET
CORPORATION, 875 PARK AVENUE CORPORATION,
1065 LEXINGTON AVENUE CORPORATION, ANDREW
PEARCE, BARBARA MINTZ, ELIZABETH
HERKELRATH, WILLIAM HERKELRATH, HILARY
CECIL-JORDAN, LENORE PASSAVANTI, PIERRE VAN
BOCKSTAELE, and WENDY LEHMAN LASH,

Petitioners/Plaintiffs,

For a Judgment Pursuant to Article 78 and Sections 3001
and 6301 of the New York Civil Practice Law and Rules,

-against-

THE CITY OF NEW YORK, NEW YORK CITY
COUNCIL, NEW YORK CITY PLANNING
COMMISSION, LENOX HILL HOSPITAL and
NORTHWELL HEALTH, INC.,

Respondents/Defendants.

PLEASE TAKE NOTICE that upon the accompanying Verified Petition and Complaint,
verified December 8, 2025, and the exhibits annexed hereto, the Affirmation of George M. Janes,

dated December 8, 2025, and the exhibits thereto, the Affirmation of Fred Hyde, dated December 5, 2025, and the exhibits thereto, and the Affirmation of Lois Uttley, dated December 5, 2025, Petitioners COMMITTEE TO PROTECT OUR LENOX HILL NEIGHBORHOOD, INC., CIVITAS CITIZENS INC., 145 EAST 76TH STREET CORPORATION, EAST 76TH REALTY CO., INC., 829 PARK AVENUE CORPORATION, PARK AND 76TH ST. INC., 885 PARK AVENUE CORPORATION, 863 PARK AVENUE, INC., PARK AVENUE AND SEVENTY-SEVENTH STREET CORPORATION, 875 PARK AVENUE CORPORATION, 1065 LEXINGTON AVENUE CORPORATION, ANDREW PEARCE, BARBARA MINTZ, ELIZABETH HERKELRATH, WILLIAM HERKELRATH, HILARY CECIL-JORDAN, LENORE PASSAVANTI, PIERRE VAN BOCKSTAELE, and WENDY LEHMAN LASH, (collectively “Petitioners”), will make an application to the IAS Submission Part of this Court to be held at the Courthouse thereof, located at 60 Centre Street, Room 130, New York, New York, on the 12th day of January, 2026, at 9:30 a.m., or as soon after as counsel can be heard, for an order, pursuant to CPLR Article 78, vacating and annulling the zoning approvals granted by Respondents THE CITY OF NEW YORK, NEW YORK CITY COUNCIL and NEW YORK CITY PLANNING COMMISSION (collectively, the “City”) to Respondents LENOX HILL HOSPITAL and NORTHWELL HEALTH, INC. in connection with the proposed redevelopment and expansion of Lenox Hill Hospital on the grounds that they constitute illegal spot zoning and violate the State Environmental Quality Review Act and the City Environmental Quality Review; and for any other, further and different relief that the Court deems just, proper and fair.

PLEASE TAKE FURTHER NOTICE that pursuant to CPLR §7804 answering papers, if any, are to be served on the undersigned five (5) days before the return date of the Verified Petition and Complaint.

Petitioners designate New York County as the place of Trial. Pursuant to CPLR §§ 506(b) and 7804(b), venue is proper in New York County as the county within the judicial district where Respondents made the determinations complained of, the proceedings were brought and the material events otherwise took place. In addition, pursuant to CPLR § 503(a), venue is proper in New York County where Petitioners reside and/or have their principal places of business.

Dated: New York, New York
December 8, 2025

DAVIDOFF HUTCHER & CITRON LLP

By: /s/ Larry Hutcher
Larry Hutcher
Peter M. Ripin
Eric J. Przybylko
605 Third Avenue
New York, New York 10158
(212) 557-7200
Attorneys for Petitioners

To: Corporation Counsel of the City of New York
for The City of New York, New York City Council
and New York City Planning Commission
100 Church Street
New York, New York 10007

Lenox Hill Hospital
100 East 77th Street
New York, New York 10075

Northwell Health, Inc.
2000 Marcus Avenue
New Hyde Park, New York 11042

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SUMMONS

Plaintiffs designate
New York County as the
place of trial

The basis of venue is the
judicial district where the
determinations complained
of took place and the
residence/principal place of
business of the parties

Index No. _____

Date Purchased: _____

To the above-named defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on plaintiffs' attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York), and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the

complaint.

Dated: New York, New York
December 8, 2025

DAVIDOFF HUTCHER & CITRON LLP

By: /s/ Larry Hutcher

Larry Hutcher

Peter M. Ripin

Eric J. Przybylko

605 Third Avenue

New York, New York 10158

(212) 557-7200

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Attorneys for Petitioners

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