

At an IAS Part 63
of the Supreme Court of the State of
New York, held in and for the County
of New York, at the County Court
House, on the
17 day of December, 2021

PRESENT: The Hon. Laurence L. Love
Justice of the Supreme Court
HON. LAURENCE L. LOVE
J.S.C.

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

MS # 1: INJUNCTION

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THE PEOPLE OF THE STATE OF NEW YORK, by
LETITIA JAMES, Attorney General of
the State of New York,

**ORDER TO SHOW
CAUSE WITH TRO**

Petitioner,

Index No. 453970/21
IAS Part.

-against-

SONJIA POSH BOUTIQUE L.L.C., and TANDRIA FAULKNER
d/b/a PRESTIGIOUS MARKETING CONCEPTS, INC.,

Respondents.
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On reading and filing the attached Verified Petition and Affirmation of Hailey DeKraker, sworn to on December 15, 2021 and the exhibits attached thereto, and the Affirmation of Emergency, dated December 15, 2021, and on motion of LETITIA JAMES, Attorney General of the State of New York, attorney for the Petitioner, the People of the State of New York, it is:

~~ORDERED~~ ^{LET} that Respondents ^{OR THEIR COUNSEL} in the above-entitled proceeding appear and show cause

before IAS Part 63 of the Supreme Court, New York County, at the Courthouse therefore located at 80 Centre Room 122, in New York, New York 10007, on the 13 day of January

*via
Virtual
Teams
appearance*

2021 at 12:30 pm or as soon thereafter as counsel can be heard, why an order should not be entered, pursuant to New York Executive Law § 63(12), providing the following relief:

A. Permanently enjoining Respondents from violating Executive Law § 63(12), GBL Article 22-A, §§ 349 and 350, and from engaging in the fraudulent, deceptive, and illegal practices alleged herein, including enjoining Respondents from offering or accepting payment for any consumer goods which they do not have in their possession and available for sale;

B. Permanently enjoining Respondents from engaging in any consumer business within the State of New York until a \$100,000 performance bond is filed with the Attorney General by a surety or bonding company licensed by and in good standing with the New York State Department of Insurance, guaranteeing that Respondents comply with any injunction that may be entered herein, the proceeds of that bond to provide a fund for restitution to consumers defrauded or damaged by the past or future conduct of Respondents, and to ensure payment of penalties and costs herein;

C. Directing Respondents to provide an accounting to the Attorney General of the names and addresses of each consumer from whom Respondents collected sums for game consoles or other consumer electronic goods, and the amount of monies received from each consumer, whether such goods were delivered and the date of delivery and the amount of any refund provided to each consumer;

D. To the extent not previously provided, directing Respondents to provide an accounting to the Attorney General that identifies all assets for each Respondent and the names and addresses of all banks, savings and loan associations, brokerages, payment service providers (including but not limited to Apple Pay, PayPal, Venmo, and Zelle), and other financial depositories located inside and outside of New York at which Respondents maintain any account(s) or have the right to have funds credited to them in any account(s), together with the account numbers and titles;

E. Requiring Respondents to pay full restitution to consumers who have been harmed by their conduct and, after all consumers have been provided full restitution, providing restitution to any salesperson who has been harmed by Respondents' conduct;

F. Directing Respondents to disgorge all profits resulting from the illegal, deceptive, and fraudulent acts described herein;

G. Granting Petitioner civil penalties up to \$5,000 per violation for violations of GBL Article 22-A, pursuant to GBL § 350-d;

H. Granting Petitioner statutory costs in the amount of \$2,000 pursuant to New York Civil Practice Law and Rules § 8303(a)(6); and

I. Granting Petitioner such other and further relief as the Court deems just, equitable, and proper.

AND IT BEING FURTHER SHOWN by the Verified Petition, the Affirmation of Hailey DeKraker dated December 15, 2021 and the exhibits attached thereto, that sufficient cause for temporary injunctive relief exists under Executive Law § 63(12) and CPLR §§ 6301 and 6313; and

IT FURTHER APPEARING that Respondents continue to engage in illegal and fraudulent acts which will cause immediate and irreparable injury to individual consumers and the interests of the State of New York; and

IT FURTHER APPEARING that immediate and irreparable injury, loss and damage will result therefrom unless Respondents are restrained before a hearing can be held; and

IT FURTHER APPEARING that the potential dissipation of Respondents' assets would tend to render a judgment of restitution, disgorgement, damages, civil penalties, and costs

ineffectual, given the magnitude of Respondents' persistent and repeated fraud and illegality, and their record of wrongfully diverting or retaining funds, it is ~~further~~

ORDERED that pending the hearing of this proceeding, Respondents are temporarily restrained from advertising or accepting any new orders for goods that Respondents do not have in their possession and available for sale; and it is further

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ORDERED that Respondents are temporarily restrained from transferring, converting, or otherwise disposing of any assets that they own, possess or control; and it is further

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ORDERED that, within twenty-four (24) hours after service of this Order, Respondents provide to Petitioner a list that identifies all assets and the value of each asset for each Respondent and the names and addresses of all banks, savings and loan associations, brokerages, payment service providers (including but not limited to Apple Pay, PayPal, Venmo, and Zelle), and other financial depositories located inside and outside of New York at which they maintain any account(s) or have the right to have funds credited to them in any account(s), together with the account numbers and titles; and it is further

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ORDERED upon service of a copy of this Order, said bank(s), savings and loan association(s), brokerages, payment service provider(s), or other financial depositor(ies) identified by Respondents, are temporarily restrained from paying out, transferring, honoring drafts or checks against or setting off or assigning to itself or to any other person or firm such assets for each Respondent; and it is further

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ORDERED that upon service of a copy of this Order upon Aspire Federal Credit Union,¹ Aspire Federal Credit Union is temporarily restrained from paying out, transferring honoring drafts or checks against or setting off or assigning to themselves or to any other person or firm

¹ Aspire Federal Credit Union has reportedly merged with Pentagon Federal Credit Union.

such funds including, but not limited to, funds held in Aspire Federal Credit Union with account number [redacted] 54 held in the name of Prestigious Marketing Concepts, Inc., Sonjia Posh Boutique L.L.C., and/or Tandria Faulkner;

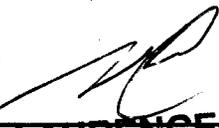
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ORDERED that answering papers, if any, be served on the Petitioner on or before the return date and time; and

SUFFICIENT CAUSE to me appearing therefore, *it is ordered that*

~~LET~~ service of a copy of this Order, and the papers on which it was granted, upon Respondents as follows *shall* be deemed good and sufficient service hereof *to be completed on* *or before 12/23/21.*

- (a) By overnight mail to Tandria Faulkner, in her personal capacity and in her capacity as owner of Prestigious Marketing Concepts, Inc. and Sonjia Posh Boutique L.L.C., at her last known address: 12 Marshall St. Apt. 7R, Irvington, NJ 07111;
- (b) By email to Paul P. Martin, Esq. (counsel for Prestigious Marketing Concepts, Inc. and Tandria Faulkner) at pmartinesq91@gmail.com;
- (c) By overnight mail to Paul P. Martin, Esq. at the Law Office of Paul Martin, 1825 Park Avenue, Suite 1102, New York, New York, 10035; and
- (d) By email to Prestigious Marketing Concepts, Inc., Sonjia Posh Boutique L.L.C. and Tandria Faulkner at prestigiousmc@gmail.com.

ENTER : 
HON. LAURENCE L. LOVE
J.S.C. J.S.C.

Dated: ~~New York, New York~~
_____, 2021

**ORAL ARGUMENT
DIRECTED**

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