

**EXHIBIT C**

F.C.A §§1017, 1027 Form 10-2 (9/2006)  
(Child Protective -- Order on Application for Temporary Removal of Child After Petition Filed)  
At a Term of the Family Court of the State of New York held in and for the County of Orange at Goshen, New York on April 29, 2010

P R E S E N T:

HON. ANDREW P. BIVONA  
Judge

.....  
IN THE MATTER OF  
[REDACTED] TEITELBAUM  
[REDACTED] TEITELBAUM

ORDER ON APPLICATION  
FOR TEMPORARY REMOVAL OF CHILD  
(After Petition Filed)

CHILDREN UNDER EIGHTEEN YEARS OF AGE  
ALLEGED TO BE NEGLECTED BY

DOCKET NO.: NN-2127/2128-10

MIRIAM TEITELBAUM  
JACOB TEITELBAUM

FF NO.: 55083

RESPONDENTS

.....  
**NOTICE: IF YOUR CHILD(REN) IS/ARE PLACED IN FOSTER CARE, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD(REN) AND YOUR CHILD(REN) MAY BE ADOPTED WITHOUT YOUR CONSENT.**

**IF YOUR CHILD(REN) STAY IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD.**

**IF SEVERE OR REPEATED ABUSE IS PROVEN BY CLEAR AND CONVINCING EVIDENCE, THIS FINDING MAY CONSTITUTE THE BASIS TO TERMINATE YOUR PARENTAL RIGHTS.**

APB

**THE NEXT COURT DATE IS:** <sup>May 5</sup> ~~JUNE 29~~, 2010 AT 1:30 P.M.

**THE PERMANENCY HEARING SHALL BE HELD ON:**<sup>1</sup> JUNE 29, 2010 AT 1:30 P.M.

A Petition under Article 10 of the Family Court Act having been filed with this Court alleging that the above-named children are:  neglected;

And the children:

having been removed prior to this hearing pursuant to Family Court Act:  §1024

<sup>1</sup>Specify a date certain not more than eight months from the date of removal. If the child has a sibling or half-sibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption. If the child is finally discharged from care on the scheduled date, the permanency hearing shall be cancelled.

And a preliminary hearing having been held by this Court pursuant to §1027 of the Family Court Act and the following persons having appeared to determine whether the child's interests require protection pending a final order of disposition:

- Children's attorney: Kim Pavlovic, Esq. of Children's Rights Society, Inc.
- Petitioner: David Darwin, Esq., County Attorney, by Stephanie Bazile, Esq., of counsel

The Court finds and determines that:

I. Criteria for Temporary Removal of Children:

A. The children were removed on an emergency basis, pursuant to Family Court Act §1024;

B. The children appear to so suffer from abuse or neglect by the  parents; and

C. Immediate removal or, if already removed, continued removal, of the children is necessary to avoid imminent danger to the children's life or health.

II. Required "Best Interests" and "Reasonable Efforts":

A. Continuation in, or return to, the children's home would be contrary to the best interests of the children because: the Respondent mother suffers from mental illness that renders her incapable of providing adequate guardianship and supervision to the subject child. Respondent mother currently hospitalized at New York Presbyterian Hospital. Respondent father did not close Children's Tylenol properly and subject child [REDACTED] age two (2) years and [REDACTED] age nine (9) months, were left in the home alone. Neighbors heard them crying and went to home. It wasn't until two (2) hours later that Respondent father went to look for the children.

This determination is based upon the following information:

Testimony of: Caseworker Christine Brunet

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the children from the home, and, if the children were removed prior to the date of this hearing, to return them home safely:

were made as follows: family was receiving preventive services through Berkshire Farms. A Preventive Services caseworker, Family Development Specialist and a housekeeping specialist were assigned to assist the family.

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This determination is based upon the following:

Testimony of: Caseworker Christine Brunet

III. Findings Regarding Alternatives to Removal to Foster Care:

A. Based upon the investigation conducted by the Commissioner of Social Services,

The following person is a  suitable relative with whom the children may appropriately reside: Chaya Katz.

Such person:

seeks approval as a foster parent in order to provide care for the children;

The following person is a  suitable person with whom the children may appropriately reside: David Rubenstein.

Such person:

seeks approval as a foster parent in order to provide care for the children;

B. Imminent risk to the children would not be eliminated by the issuance of a temporary order of protection or order of protection directing the removal of: the Respondents from the children's residence.

NOW, therefore, it is:

ORDERED that the application for  continued removal of the children is hereby  GRANTED; and it is further

ORDERED that pending further proceedings, the children shall be placed in the custody of:

the Commissioner of Social Services of Orange County; and it is further

ORDERED that if the child(ren) abscond from the above-named custodial person or facility, written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child, the docket number of this procedure, and the date on which the child ran away; and it is further

ORDERED that if the children remain in foster care or is directly placed pursuant to §1017 or §1055 of the Family Court Act, a permanency hearing shall be held on: June 29, 2010 at 130 p.m.

Dated: May 26, 2010

PLEASE PRINT NAME AND TITLE OF OFFICE OF THE CLERK OF COURT OF THE COUNTY OF ORANGE  
ENTERED IN THE CLERK'S OFFICE  
DATE OF ENTRY  
NEW YORK STATE CLERK OF COURT  
ORANGE CO.  
5-26-10

ENTER

S/ANDREW P. BIVONA

*Charles C. Williams*  
Clerk of the Family Court

Judge of the Family Court

**PURSUANT TO §1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE CHILDREN'S ATTORNEY UPON THE APPELLANT, WHICHEVER IS EARLIEST.**

Check applicable box:

- Order mailed on [specify date(s) and to whom mailed]: \_\_\_\_\_
- Order received in court on [specify date(s) and to whom given]: \_\_\_\_\_

IN THE MATTER OF

TEITELBAUM & TEITELBAUM

CHILDREN UNDER EIGHTEEN YEARS OF AGE ALLEGED TO BE NEGLECTED BY MIRIAM TEITELBAUM & JACOB TEITELBAUM

RESPONDENTS

PLEASE TAKE NOTICE:

- ( ) NOTICE OF ENTRY - that the within is a (certified) true copy of Order on Application for Temporary Removal of Child (After Petition Filed) entered in the office of the clerk of the within named Court on \_\_\_\_\_, 2010
- (✓) NOTICE OF SETTLEMENT - that an Order of which the within is a true copy will be presented for settlement before a Judge of the within named Court at Family Court on May 26, 2010 at 9:00 a.m. No personal appearance is required. Written comments on the accuracy of this order must be received by the Court no later than the above notice of settlement date.

STATE OF NEW YORK, COUNTY OF ORANGE

ROBIN LEE MUTH, being sworn, says: I am not a party to the action, am over eighteen (18) years of age and reside at Montgomery, New York.

On May 11, 2010 I am serving a true copy of the annexed Order on Application for Temporary Removal of Child (After Petition Filed) by mailing the

same in a sealed envelope with postage prepaid thereon in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last-known address of the addressee(s) as indicated below:

- Orange County Sheriff's Department, 110 Wells Farm Road, Goshen, NY 10924 (only if checked)
- Legal Aid Society of Orange County, Inc., Post Office Box 328, Goshen, NY 10924 (only if checked)
- Orange County Department of Social Services, 23 Hatfield Lane, Goshen, NY 10924
- Children's Rights Society, Inc., Law Guardian; 213 West Main Street, PO Box 1002, Goshen, NY 10924

Miriam Teitelbaum, 20 Getzel Berger Blvd., Apt. 104, Monroe, NY 10950

John F. X. Burke, Esq., 210 Main Street, POB 943, Goshen, NY 10924

*Robin Lee Muth*  
ROBIN LEE MUTH

Sworn to before me on May 11, 2010

*Susan F. Stewart*

SUSAN F. STEWART  
NOTARY PUBLIC, State of New York  
Qualified in Orange County  
No. 01 ST4528264  
Commission Expires June 30, 2010

COUNTY ATTORNEY OF ORANGE COUNTY - FAMILY LAW DIVISION  
Attorney for ORANGE COUNTY DEPARTMENT OF SOCIAL SERVICES  
ORANGE COUNTY COURTHOUSE  
285 MAIN STREET  
GOSHEN, NEW YORK 10924

DOCKET NO.:

FF NO.:

IN THE MATTER OF

TELEPHONE # [REDACTED] TELEPHONE # [REDACTED]

CHILDREN UNDER EIGHTEEN YEARS OF AGE ALLEGED TO BE NEGLECTED BY

TELEPHONE # [REDACTED] TELEPHONE # [REDACTED]

REGARDING

PLEASE TAKE NOTICE:

- (✓) NOTICE OF ENTRY - that the within is a (certified) true copy of Order on Application for Temporary Removal of Child (After Petition Filed) entered in the office of the clerk of the within named Court on MAY 26, 2010
- ( ) NOTICE OF SETTLEMENT - that an Order of which the within is a true copy will be presented for settlement before a Judge of the within named Court at Family Court on [REDACTED], 2010 at 9:00 a.m. No personal appearance is required. Written comments on the accuracy of this order must be received by the Court no later than the above notice of settlement date.

STATE OF NEW YORK, COUNTY OF ORANGE

ROBIN LEE MUTH, being sworn, says: I am not a party to the action, am over eighteen (18) years of age and reside at Montgomery, New York.

On MAY 28, 2010 I am serving a true copy of the annexed Order on Application for Temporary Removal of Child (After Petition Filed)

by mailing the same in a sealed envelope with postage prepaid thereon in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last-known address of the addressee(s) as indicated below:

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- Children's Rights Society, Inc., Law Guardian; 213 West Main Street, PO Box 1002, Goshen, NY 10924

John P. A. Durke, Esq., 20 Robert Barber Blvd., Apt. 101, Monroe, NY 10950

John P. A. Durke, Esq., 210 Main Street, POB 102, Goshen, NY 10924

Robin Lee Muth  
ROBIN LEE MUTH

Sworn to before me on MAY 28, 2010

Susan F. Stewart  
SUSAN F. STEWART  
NOTARY PUBLIC, State of New York  
Qualified in Orange County  
No. 01 ST4528264  
Commission Expires June 30, 2010

COUNTY ATTORNEY OF ORANGE COUNTY - FAMILY LAW DIVISION  
Attorney for ORANGE COUNTY DEPARTMENT OF  
SOCIAL SERVICES  
ORANGE COUNTY COURTHOUSE  
285 MAIN STREET  
GOSHEN, NEW YORK 10924