

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK-----X
MOSDOT SHUVA ISRAEL and BEN ZION
SUKY,

INDEX NO.: 156173/2014

Plaintiff,

-against-

PRE-ARGUMENT STATEMENT

ILANA DAYAN-ORBACH p/k/a ILANA
DAYAN, KESHET BROADCASTING LTD,
THE ISRAELI NETWORK, INC. and ISRAELI
TV COMPANY,Defendants.
-----X1. **Title of the Action:**

The full title is correctly and fully set forth in the above caption.

2. **Full Names of the Original Parties:**The full names of the parties are as set forth above. There have been no changes in
the parties.3. **Name, Address and Telephone Number of Counsel for Plaintiffs/Appellants
Mosdot Shuva Israel and Benzion Suky:**DALEY LAW, P.C.
1180 Avenue of the Americas, 8th Floor,
New York, NY 10036
(212) 843-40724. **Name, Address and Telephone Number of Counsel for Plaintiffs/Respondents
Ilana Dayan-Orbach and Keshet Broadcasting Ltd.:**PROSKAUER ROSE, LLP
11 Times Square, 17th Floor,
New York, NY 10036
(212) 969-3430

5. **Court and County from which the Appeal is Taken:**

Supreme Court, New York County

6. **Nature and Object of the Cause of Action:**

Action by Plaintiffs against Defendants for damages as a result of Defamation and Prima Facie Tort.

7. **Result Reached in the Court Below:**

The lower court, Jennifer G. Schechter, J.S.C., dismissed Plaintiffs' complaint upon Defendants Motion Seq. No. 1.

8. **Grounds for Seeking Reversal, Annulment or Modification:**

The lower court erred in finding that the court had no jurisdiction over the Defendants in New York; failing to direct limited discovery on the issue of jurisdiction; dismissing the prima-facie-tort cause of action on jurisdictional grounds; finding various matters not supported by the evidence; and dismissing the Plaintiffs action on the ground of forum non conveniens. The lower court also erred in permitting the Defendants to submit a supplemental affidavit months after the case had been fully briefed.

ATTORNEY CERTIFICATION

The undersigned hereby certifies that, to the best of the undersigned's knowledge, information and belief, formed after a reasonable inquiry under the circumstances, the presentation of the within Pre-argument Statement or the content contained herein are not frivolous as defined in 22 NYCRR §130.1(c).

Dated: February 9, 2016
New York, New York

DALEY LAW, P.C.

BY: 

M. TERESA DALEY, ESQ.

Attorneys for Plaintiffs Mosdot

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