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BY HAND

September 9, 2025

Arduino Marinelli, Chairperson  
Commissioner Melanie Cassens  
Commissioner Brandon S. Kurz  
Port Washington Water Pollution Control District  
70 Harbor Road  
Port Washington, NY 11050

Dear Chairperson Marinelli and Commissioners:

Please be advised that on September 3, 2025, Nassau County Supreme Court Justice Eileen C. Daly-Sapraicone issued a temporary restraining order in the matter of Sombrotto v. Port Washington Water Pollution Control District and the Board of Commissioners, providing, among other things, that:

ORDERED, that pending the determination of the within application, no member of the Board of Commissioners of the Port Washington Water Pollution Control District, either in their individual capacity, and/or through a wholly owned limited liability company, and/or through any other entity in which said member has an interest in any capacity, may possess and/or acquire a pecuniary interest in any license to use and/or occupy real property owned by the Port Washington Water Pollution Control District.

A copy of the September 3, 2025 order is attached.

Very truly yours,

*Steven G. Leventhal*

**SUPREME COURT – STATE OF NEW YORK  
COUNTY OF NASSAU**

**PRESENT: HON. EILEEN C. DALY-SAPRAICONE,  
JUSTICE OF THE SUPREME COURT**

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**In the Matter of the Application of  
STEPHEN G. SOMBROTTO,  
Petitioner,**

**TRIAL/IAS, PART 19  
Index No.:609866/2025**

**For a Judgment Pursuant to Article 78 of the CPLR**

**INTERIM ORDER**

**-against-**

**PORT WASHINGTON WATER POLLUTION  
CONTROL DISTRICT and the BOARD OF  
COMMISSIONERS OF THE PORT WASHINGTON  
WATER POLLUTION CONTROL DISTRICT,  
Respondents.**

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This matter having come before the Court on September 3, 2025<sup>1</sup>, and the Petitioner, STEPHEN G. SOMBROTTO (hereinafter, Petitioner) having appeared *pro se* and being sworn, and Respondents, PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT and the BOARD OF COMMISSIONERS OF THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT (hereinafter collectively, Respondents) having appeared through counsel, and Petitioner having commenced the instant proceeding by the filing of a Notice of Petition and Petition with Exhibits (NYSCEF Docket Entry Nos. 1 – 10)(hereinafter, Motion Sequence No. 001) and Respondents having filed a Notice of Motion to Dismiss Petition, Affirmation, Exhibits, and Memorandum of Law in Support (NYSCEF Docket Entry Nos. 14 – 17)(hereinafter, Motion Sequence No. 002) and Petitioner having filed opposition to Respondent's motion (NYSCEF Docket Entry Nos. 22 – 37) and Petitioner having amended his Verified Petition on June 25, 2025 (NYSCEF Docket Entry Nos. 40 – 49)(hereinafter, Motion Sequence No. 003) and having requested certain temporary relief, and the Respondents having filed a Supplemental Affirmation (NYSCEF Docket Entry Nos. 62 – 65) in support of the relief requested in Motion Sequence No. 002, and the Petitioner having filed Supplemental Affirmations with various exhibits (NYSCEF Docket Entries No. 66 – 70; 72 – 75; 78 – 82) and the parties having made their respective arguments to the Court, it is hereby

**ORDERED**, that based upon the Petitioner's filing of an Amended Verified Petition (NYSCEF Docket Entry Nos. 38 – 49), to which there has been no filing by the Respondent pursuant to CPLR Section 7804, the Clerk of this Court is hereby directed to mark Motion

<sup>1</sup> This Court previously heard oral argument on June 18, 2025 and July 1, 2025. Petitioner *pro se* appeared and was sworn on both dates. Respondents appeared through counsel on both dates. Both parties presented argument to the Court on the record on June 18, 2025 and July 1, 2025.

Sequence No. 001 as withdrawn, and Motion Sequence No. 002 as denied as MOOT; and it is further

**ORDERED**, that operative pleading before this Court is Petitioner's Amended Verified Petition (NYSCEF Docket Entry Nos. 38 – 49)(Motion Sequence No. 003); and Respondents shall move pursuant to the procedure set forth in CPLR Section 7804 on or before September 15, 2025; and it is further

**ORDERED**, that should Respondents move to dismiss the Petitioner's Amended Verified Petition (NYSCEF Docket Entry Nos. 38 – 49), then the following briefing schedule shall be observed:

Moving papers by September 15, 2025;

Any opposition papers shall be filed to NYSCEF by September 29, 2025;

Any reply papers shall be filed to NYSCEF by October 14, 2025;

Petitioner's Amended Verified Petition and Accompanying Order to Show Cause (Motion Sequence No. 003) shall be returnable before this Court on October 20, 2025; and it is further

**ORDERED**, that Petitioner *pro se* and counsel shall appear for oral argument on the return date of October 20, 2025 at 10:00 a.m. at Supreme Court, Nassau County, Courtroom 3001; and it is further

**ORDERED**, that there shall be no adjournment of the oral argument on October 20, 2025 without leave of Court; and it is further

**ORDERED**, that pending the determination of the within application, no member of the Board of Commissioners of the Port Washington Water Pollution Control District, either in their individual capacity, and/or through a wholly owned limited liability company, and/or through any other entity in which said member has an interest in any capacity, may possess and/or acquire a pecuniary interest in any license to use and/or occupy real property owned by the Port Washington Water Pollution Control District.

The foregoing constitutes the order of this Court. All applications not specifically addressed herein are denied at this time.

Dated: September 3, 2025  
Mineola, New York

ENTER:

  
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HON. EILEEN C. DALY-SAPRAICONE, J. S. C.