

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

EAST END ERUV ASSOCIATION, INC.,
MARVIN TENZER, MORRIS TUCHMAN,
CLINTON GREENBAUM, ALAN H.
SCHECHTER, and CAROL SCHECHTER

Plaintiffs,

-against-

THE VILLAGE OF WESTHAMPTON BEACH,
CONRAD TELLER, individually and in his official
capacity as Mayor of the Village of Westhampton
Beach, TONI-JO BIRK, LEOLA FARRELL, JOAN
S. LEVAN, HANK TUCKER, each individually and
in their official capacities as Trustees of the Village
of Westhampton Beach, THE VILLAGE OF
QUOGUE, PETER SARTORIUS, individually and
in his official capacity as Mayor of the Village of
Quogue, RANDY CARDO, JEANETTE OBSER,
KIMBERLEY PAYNE, and TED NECARSULMER,
each individually and in their official capacities as
Trustees of the Village of Quogue, THE TOWN OF
SOUTHAMPTON, ANNA THRONE-HOLST,
individually and in her official capacity as Supervisor
of the Town of Southampton, NANCY S.
GRABOSKI, CHRISTOPHER R. NUZZI, JAMES
W. MALONE, BRIDGET FLEMING, each
individually and in their official capacities as
members of the Town Council of the Town of
Southampton

Defendants.

Index No. CV 11-0213

Hon. Leonard D. Wexler

DECLARATION OF ROBERT G. SUGARMAN, ESQ. PURSUANT TO 28 U.S.C.
§ 1746 IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY
INJUNCTION

1. I, ROBERT G. SUGARMAN, ESQ., hereby declare under penalty of perjury:
2. I am an attorney licensed to practice in New York. I am a partner in the law firm of Weil, Gotshal & Manges LLP, attorneys for Plaintiffs East End Eruv Association, Inc. (“EEEE”), Morris Tuchman, Clinton Greenbaum, Marvin Tenzer, Alan H. Schechter, and Carol Schechter (collectively “Plaintiffs”) in this action.
3. I submit this Declaration in support of Plaintiffs’ Motion for Preliminary Injunction. The relevant facts as to the merits of the application are set forth in the accompanying Plaintiffs’ Memorandum of Law in Support of Their Motion For A Preliminary Injunction; the Declarations of Marvin Tenzer, Morris Tuchman, Clinton Greenbaum, Alan Schechter, Carol Schechter, Rabbi Peretz Steinberg, William J. Balcerski, and Michelle Pincus, and the exhibits thereto; and the exhibits hereto.
4. Attached as Exhibit A is a true and correct copy of the May 23, 2008 letter from Rabbi Marc Schneier.
5. Attached as Exhibit B is a true and correct copy of the “Jewish People Opposed To The Eruv” Mission Statement.
6. Attached as Exhibit C is a true and correct copy of the article by Karl Grossman, Former Deputy Mayor Tired of Anti-Semitism, Leaving Westhampton Beach, The Southampton Press, August 11, 2008
7. Attached as Exhibit D is a true and correct copy of the article by Jessica DiNapoli, Tenafly Eruv Battle Resonates in Westhampton Beach, The Southampton Press, August 18, 2008.

8. Attached as Exhibit E is a true and correct copy of Westhampton Beach Local Ordinance 197-30.
9. Attached as Exhibit F is a true and correct copy of the article by Will James, Bid For an Eruv is Back on the Table, The Southampton Press, September 2, 2010.
10. Attached as Exhibit G is a true and correct copy of the article by Hallie D. Martin, Tucker Makes Bid For Top Post Trustee Says He Will Clean Up Police Department The Southampton Press, June 16, 2010.
11. Attached as Exhibit H is a true and correct copy of the article by Hallie D. Martin, Incumbent Birk Seeks Third Term, The Southampton Press, June 16, 2010.
12. Attached as Exhibit I is a true and correct copy of the article by Hallie D. Martin, Farrell Making First Bid for Office, The Southampton Press, June 16, 2010.
13. Attached as Exhibit J is a true and correct copy of the article Whopper of the Week, On the Beach Blog, September 2, 2010.
14. Attached as Exhibit K is a true and correct copy of a June 2009 campaign flyer bearing both Trustee Levan's and Trustee Tucker's names.
15. Attached as Exhibit L is a true and correct copy of the article by Joseph Berger, Orthodox Jews' Request Divides a Resort Village, The New York Times, June 22, 2008.
16. Attached as Exhibit M is a true and correct copy of the article by Jennifer Barrios, Nonprofit Gets Preliminary Oks for Hamptons Eruv, Newsday, October 31, 2010.

17. Attached as Exhibit N is a true and correct copy of Chapter 158 of the Quogue Village Code.

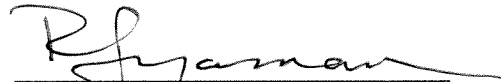
18. Attached as Exhibit O is a true and correct copy of section 6-602 of the New York Village Law.

19. Attached as Exhibit P is a true and correct copy of section 4-412 of the New York Village Law.

20. Attached as Exhibit Q is a true and correct copy of Section 330-203(B) of the Code of the Town of Southampton.

21. This declaration is made upon personal knowledge and is filed pursuant to 28 U.S.C. § 1746(2). I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 15, 2011


ROBERT G. SUGARMAN