

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

----- X  
JOHN R. LUCKER, ELIZABETH A. LUCKER, :  
NANCY L. ROUSSEAU, LYNN COHEN and :  
FRAN GOLDSTEIN as representatives of a class :  
consisting of themselves and all others similarly :  
situated, :

Index No. 114818/2009-E

DEBRA A. JAMES

Plaintiffs,

PART 59

- against -

BAYSIDE CEMETERY, CONGREGATION :  
SHAARE ZEDEK, and COMMUNITY :  
ASSOCIATION FOR JEWISH AT-RISK :  
CEMETERIES, INC., :


**AFFIRMATION OF  
DOUGLAS A. SMITH**

Defendants.

----- X  
DOUGLAS A. SMITH, an attorney duly admitted to practice before this Court,  
hereby affirms under penalty of perjury pursuant to CPLR 2106 as follows:

1. I am a member of the bar of the State of New York and represent the Community Association for Jewish At-Risk Cemeteries, Inc. ("CAJAC").
2. I respectfully submit this affirmation in support of CAJAC's reply memorandum in connection with its Motion to Dismiss the Action in its Entirety Pursuant to CPLR 3211(a).
3. Attached hereto as Exhibit A are true and correct copies of Web pages taken from Congregation Shaare Zedek's Web site on February 15, 2010.

New York, New York  
February 15, 2010

  
\_\_\_\_\_  
Douglas A. Smith

# **EXHIBIT A**

## Congregation Shaare Zedek

Open the gates of righteousness for me, that I may enter them and praise God. *Psalms 118:19*

### Location

We are located at 212 West 93rd Street on the Upper West Side of Manhattan, between Broadway and Amsterdam Avenue. [Click here for a map of our location.](#)

Congregation Shaare Zedek  
212 West 93rd Street  
New York, NY 10025

Phone: 212-874-7005  
Fax: 270-817-7005

President: Richard Friedman - [president@sznyc.org](mailto:president@sznyc.org)  
Synagogue Administrator: Leslie Lampert - [office@sznyc.org](mailto:office@sznyc.org)  
Director of Family Learning: Elisheva Cohen - [ecohen@sznyc.org](mailto:ecohen@sznyc.org)

### Learn More

To receive our weekly announcements email, as well as notices about important congregational events, send an email to [announcements-subscribe@sznyc.org](mailto:announcements-subscribe@sznyc.org).

To join our mailing list, please call the synagogue office or email [office@sznyc.org](mailto:office@sznyc.org).

### Committee Chairs

Whatever your skills or interests, we would love for you to be involved at Shaare Zedek! To learn more about any of our committees, please contact any of the committee chairs listed below:

<b>Adult Education</b>	Leonard Brauner	<a href="mailto:adulted@sznyc.org">adulted@sznyc.org</a>
<b>Cemetery</b>	Russell Steinthal	<a href="mailto:cemetery@sznyc.org">cemetery@sznyc.org</a>
<b>Chesed</b>	Emma Haddad	<a href="mailto:chesed@sznyc.org">chesed@sznyc.org</a>
<b>Children's Programming</b>	Rachel Fremmer, Alison Wishengrad	<a href="mailto:children@sznyc.org">children@sznyc.org</a>

Services This Shabbat

Parashat Terumah

February 19-20

Candlelighting: 5:17 pm

Friday Night: 5:15 pm

Shabbat Morning: 9:30 am

Shabbat Afternoon: 5:00 pm

Shabbat Ends: 6:17 pm

For more information or service for future weeks, see [Prayer S](#)

<b>Fundraising</b>	Francine Holtzman	<a href="mailto:fundraising@snyc.org">fundraising@snyc.org</a>
<b>Kiddush</b>	Elisa Marcus	<a href="mailto:kiddush@snyc.org">kiddush@snyc.org</a>
<b>Membership</b>	Adam Wallach	<a href="mailto:membership@snyc.org">membership@snyc.org</a>
<b>Men's Club</b>	Nathan Freund, Peter Blumenstein	
<b>Real Estate</b>	Michael Bar	<a href="mailto:realestate@snyc.org">realestate@snyc.org</a>
<b>Religious Life</b>	Russell Steintal	<a href="mailto:religiouslife@snyc.org">religiouslife@snyc.org</a>
<b>Sisterhood</b>	Elaine Botterman, Fanny Freund, Ellen Reiss	<a href="mailto:sisterhood@snyc.org">sisterhood@snyc.org</a>
<b>Social Action/Social Justice</b>	Roz Paaswell	<a href="mailto:socialaction@snyc.org">socialaction@snyc.org</a>
<b>Website</b>	Russell Steintal	<a href="mailto:webmaster@snyc.org">webmaster@snyc.org</a>

## Board of Trustees

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Plaintiffs,

- against -

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AT-RISK CEMETERIES, INC.,

Defendants.

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AFFIRMATION OF DOUGLAS A. SMITH

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*Attorney for Community Association for Jewish At-Risk  
Cemeteries, Inc.*  
Douglas A. Smith

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