

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MACHNE MENACHEM, INC.

Plaintiff,

AFFIRMATION OF
JACOB HERZOG

-v.-

IN SUPPORT OF
PLAINTIFF'S
APPLICATION FOR A
PROTECTIVE ORDER

MENDEL HERSHKOP, MEIR HERSHKOP, AARON
HERSHKOP, (a/k/a "Lelli"), SHNEUR
HERSHKOP, (a/k/a "Gadi"), LEVI HARTMAN,
SHMUEL HEBER & YOSEF GOLDMAN.

Defendants.

- - - - - x
JACOB HERZOG, under penalties of perjury pursuant to Title
18, United States Code, §1746, hereby affirms and says:

1. During the last week of June, 1997, I testified as a
witness in this Court during a hearing in this case involving the
defendants. There is a chance I will be called again as a witness
if this case goes to trial.

2. I am an orthodox jew and I have lived in the Crown
Heights Jewish Community for over 13 years with my wife and five
children. I also attend religious services in the Crown Heights
Community.

3. I know that after I testified this Court issued an order
against the defendants in this case.

4. Ever since I testified in this case members of the
Hershkop family and their friends have harassed and tried to
intimidate me because I was a witness in this case and because
there is the chance that I will be called as a witness in this
case again.

5. I frequently read from the Torah during services that are conducted during the week at the main synagogue at 770 Eastern Parkway, Brooklyn, New York, which I will call "the main synagogue" throughout this affirmation.

6. Several times when I was attending services LELLI HERSHKOP and, in particular MEIR HERSHKOP, have yelled at me during such services that I should "get out of shul". On one occasion MEIR HERSHKOP yelled at me "your time will come".

7. During Succos, at about midnight on October 17, 1997 I witnessed an assault on my friend Eliezar Sandhaus and was threatened by the same man who assaulted Mr. Sandhaus. He was a friend of LELLI HERSHKOP.

8. Mr. Sandhaus and I were walking home from the dancing in the streets that occurs during Succos in the vicinity of Montgomery Street and Kingston Avenue, in the Crown Heights Community in Brooklyn.

9. I saw LELLI HERSHKOP walking with two men. The first, who committed the assault I will refer to as JOHN DOE and the second I will refer to as RICHARD ROE. Based on the clothing he was wearing I do not believe that RICHARD ROE was a member of the Lubavitch Community.

10. At first all three men, LELLI HERSHKOP, JOHN DOE and RICHARD ROE were looking at Mr. Sandhaus and myself. Then LELLI HERSHKOP and RICHARD ROE kept walking toward where the dancing was going on. JOHN DOE walked toward Mr. Sandhaus and me.

11. First JOHN DOE came to me and bunched up his fists under my face and asked me what my name was.

12. Then JOHN DOE turned to Mr. Sandhaus and asked him the same thing. They exchanged words while they were face-to-face. As this happened JOHN DOE began kicking him in the legs several times until he fell down. Then JOHN DOE left.

13. After this attack, Mr. Sandhaus and I walked to where the dancing was going on and tried to report this incident to the police.

14. I also know a man named SHOLOM HOROWITZ and I know he is a friend and an associate of the HERSHKOP family.

15. Within the week after I testified in the hearing in this case HOROWITZ told me that I had earned the "wrath of the Hershkops."

16. In September, 1997 he also told me that my friend Eliezar Sandhaus deserved to be brutally beaten for having testified against the HERSHKOPS.

17. During the Shemini Atzeres services, on October 22-23, 1997, I was attending services at the main synagogue. I walked outside of the main synagogue because there was a commotion.

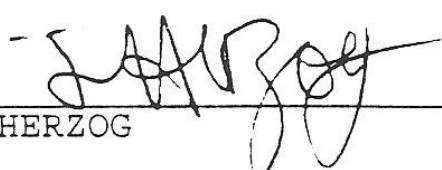
18. LEVI HARTMAN, who I know is a son-in-law to MEIR HERSHKOP, came to me when I got outside. HARTMAN had become violent and then started to scream at me about my testimony in this case being a cause of the commotion and began to shove me repeatedly with both hands on my chest and stomach until I ran back into the main synagogue to get away from him.

19. I know that there was a conference in this case in late February, 1998. Within a week after that conference LELLI HERSHKOP was sitting behind me while I was in the main synagogue. During the services he called me an informer several times in Yiddish and then said to me, in Hebrew, "for the informers there is no hope".

20. Most recently on March 21, 1998, MEIR HERSHKOP came to me and in Yiddish, told me in substance, in Yiddish, that Yakov Spritzer and Meir Schreiber were no good for me and that they should not have tried to get me involved in this case. MEIR HERSHKOP also told me that I should send a letter to this Court to tell it that I didn't want anything to do with either Mr. Spritzer or Mr. Schreiber and that I regretted having anything to do with them.

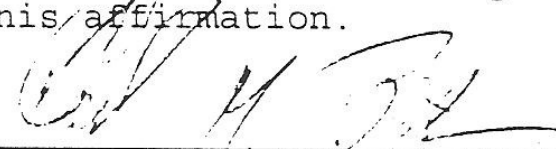
21. I believe that all the actions against me by these members of the HERSHKOP family and some of its friends are the result of my having been a witness against them during the hearing last year and because there is a chance I may be a witness against them again. When many of these events took place other members of the Crown Heights Jewish Community have been present.

Dated: April 9, 1998
New York, New York



JACOB HERZOG

On the 5th day of April, 1998
Jacob Herzog identified himself
to me and thereafter signed
this affirmation.



Carl M. Bornstein, Notary Public