

GLASSER, United States District Judge:

On May 6, 1997, the plaintiffs, a not-for-profit Corporation and Yaakov Spritzer, filed a complaint against seven named defendants consisting of 167 paragraphs extending over 50 pages and asserting eleven claims as follows: **I)** RICO, pursuant to 18 U.S.C. 1962(b); **II)** RICO, pursuant to 18 U.S.C. § 1962(d); **III)** RICO, pursuant to 18 U.S.C. § 1962(c); **IV)** RICO, pursuant to 18 U.S.C. § 1962(d); **V)** Tortuous Interference with Contractual Relations; **VI)** Fraud; **VII)** Conversion; **VIII)** Unfair Competition; **IX)** Breach of Fiduciary Duty; **X)** Assault; **XI)** Intentional damages to property. To characterize the complaint as prolix, replete with hearsay and irrelevancies, would be charitable.

(From Judge Glassers final Verdict against Spritzer)



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MACHNE MENACHEM, INC.

Plaintiff,

-v.-

AFFIRMATION OF
ELIEZER SANDHAUS

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

IN SUPPORT OF
PLAINTIFF'S
APPLICATION FOR A
PROTECTIVE ORDER

Defendants.

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ELIEZER SANDHAUS, 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 a hearing in this Court involving the defendants in
this case. There is a chance I will be called again as a witness
if this case goes to trial

2. I am an orthodox jew. I have lived with my wife and
family, which now includes eight children, in the Crown Heights
Lubavitch Community since 1973. I also pray in the Crown Heights
Community, almost all of the time at the main synagogue of the
Lubavitch Community at 770 Eastern Parkway, Brooklyn, New York.

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

4. Since then members of the HERSHKOP family and persons
associated with them 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. During the Succos holiday, at about midnight on October 17, 1997, I was assaulted by an associate of LELLI HERSHKOP.

6. My friend Jacob Herzog and I were on the way home from the dancing in the streets that takes place during Succos in the vicinity of Montgomery Street and Kingston Avenue, in the Crown Heights Community in Brooklyn.

7. We stopped at the corner of Kingston Avenue and President Street and were talking with each other. I then saw LELLI HERSHKOP walking with two men, one of these I call JOHN DOE and the second I will call RICHARD ROE.

8. As the three men walked past us, I heard LELLI HERSHKOP refer to Mr. Herzog and me as informers in Hebrew and then say in English "they testified against us." I heard LELLI HERSHKOP use the word "mossrim" which is the plural of the word "informer" in Hebrew and refers to someone who gives up another Jew to authorities.

9. Then LELLI HERSHKOP and RICHARD ROE kept walking toward where the dancing was. JOHN DOE walked toward Mr. Herzog and me.

10. First JOHN DOE went very close to Mr. Herzog and asked him what his name was. Mr. Herzog told him.

11. Then JOHN DOE turned to me and asked me what my name was. I asked him "who are you to ask me my name." At that point JOHN DOE began kicking me in the legs and feet. I fell down. Then JOHN DOE left the area and walked away in the same direction that I had seen LELLI HERSHKOP and RICHARD ROE go.

12. I recovered after a few minutes and then I and Mr. Herzog began walking toward the crowd around the dancing.

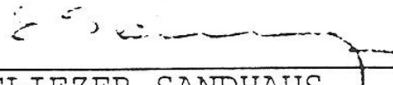
13. Eventually, I found the police near the crowd where the dancing was going on. I reported the assault to the police but they said there was nothing they could do at the time. One of the police mentioned "the Hershkop boys."

14. After we got to the area of the dancing Mr. Herzog and I saw JOHN DOE again. I went up to him and asked him why he assaulted me. He said to me in Hebrew "for the informers there is no hope" and began kicking me again. I defended myself and then RICHARD ROE separated us.

15. Recently, on March 30, 1997, LELLI HERSHKOP said the same thing to me again. I had just completed a banking transaction at the Banco Popular at the corner of Eastern Parkway and Nostrand Avenue, Brooklyn, New York.

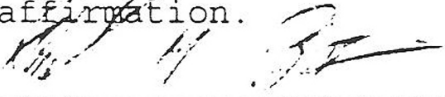
16. As I was leaving I passed LELLI HERSHKOP. As I passed he said to me in Hebrew, "for the informers there is no hope" and then he called me "rubbish" in Hebrew.

Dated: April 5, 1998
New York, New York



ELIEZER SANDHAUS

On this 5th day of April, 1998
Eliezer Sandhaus appeared before me,
identified himself and signed
this affirmation.



CARL M. BORNSTEIN
Notary Public, State of New York
No. 31-4713614
Qualified in New York County
Commission Expires February 28, 1999