

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

-----x Index No.: 601311/07
HERZFELD & RUBIN, P.C.,

Plaintiff,

-against-

JACOB SPRITZER, a/k/a/ YAAKOV SPRITZER YACKOV,

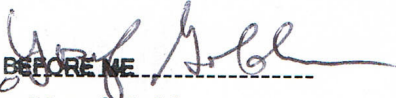
Defendant,
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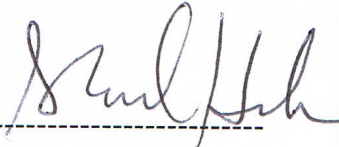
YOSEF GOLDMAN, SHMUEL HEBER, MENDEL HERSHKOP & MEIR
HERSHKOP, hereby affirms the following under penalties of perjury:

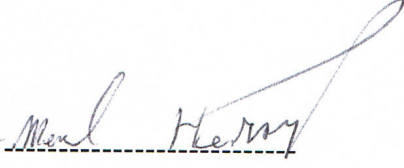
1. We are the directors of Machne Menachem Inc. a New York State non-for-profit Corporation.
2. We have never hired the law firm of Herzfeld & Rubin, P.C., to do any work for Machne Menachem Inc.
3. To the best of our knowledge Herzfeld & Rubin, P.C., has not done any work for Machne Menachem Inc.
4. Herzfeld & Rubin has never sent us any bills, invoices or statements for any work they claim they have done for us.
5. We have never signed any retainer or any fee agreement with Herzfeld & Rubin, P.C.
6. On January 28, 2010 (when this motion was received) Yosef Goldman has asked Mr. Edward Birnbaum the attorney for Herzfeld & Rubin for a copy of the fee agreement between Herzfeld & Rubin and Machne Menachem, He has not produced one.
7. Up until we received this motion to include Machne Menachem as a defendant, we were not aware of this lawsuit.
8. We never agreed or consented to a fee dispute arbitration, nor did we partake in any fee dispute arbitration, nor have we hired anyone to represent us in a fee dispute arbitration with Herzfeld & Rubin, P.C.
9. Machne Menachem Inc. was not part of the dispute between Herzfeld & Rubin, P.C. and Spritzer.

10. Spritzer has not been a Director or involved with Machne Menachem in any way since March 7, 2003.
11. Since Machne Menachem Inc. was not part of this arbitration, therefore the award is not binding on Machne Menachem Inc. in any way.
12. Therefore we are asking this court not to confirm this award and not to add Machne Menachem as a defendant in this case.

Dated: March 15, 2010



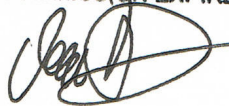




SIGNED AND SWORN BEFORE ME
ON 3-15-10
MARVIN FRUCHTER STATE OF NEW YORK
NO. 01FR24-4729298
QUALIFIED IN KINGS COUNTY
COMMISSION EXPIRES MARCH, 30, 2013

SIGNED AND SWORN BEFORE ME
ON 3-15-10
MARVIN FRUCHTER STATE OF NEW YORK
NO. 01FR24-4729298
QUALIFIED IN KINGS COUNTY
COMMISSION EXPIRES MARCH, 30, 2013

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Meir Hershkop

SIGNED AND SWORN BEFORE ME
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