

CITY COURT OF THE CITY OF WHITE PLAINS
COUNTY OF WESTCHESTER

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JOHN MCFADDEN

Index #SP1502/07

Petition,

AFFIDAVIT OF
JOHN MCFADDEN

-against-

ELENA SASSOWER

Respondent.

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John McFadden, being first duly sworn, deposes and says:

1. I am the petitioner in the above caption matter. As such, I am fully familiar with the facts and circumstances surrounding this matter and hereinafter set forth.

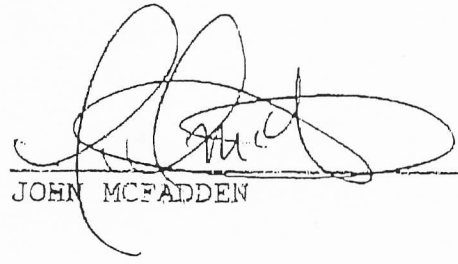
2. I have read the affirmation of Leonard A. Sclafani, Esq., in support of petitioner's motion to dismiss respondent's defenses.

3. I have also read the affirmation of Leonard A. Sclafani, Esq. entitled "Petitioner's Reply and Opposition to Cross-Motion".

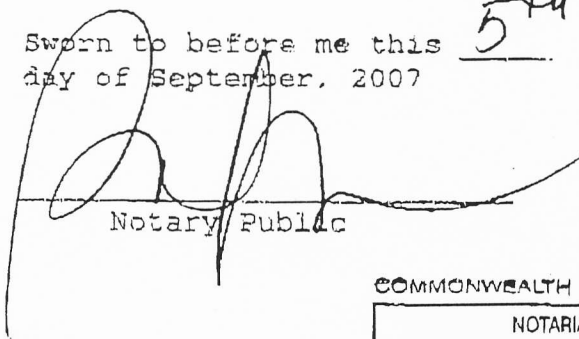
4. I know the contents thereof to be true of my own

personal knowledge except those allegations which, by their content, are obviously solely within the personal knowledge of Leonard A. Sclafani.

5. I incorporate by reference herein all of the statements and allegations contained in Mr. Sclafani's above identified affirmations as if they were fully set forth fully hereinafter.


JOHN MCFADDEN

Sworn to before me this 5th
day of September, 2007


Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
JENNIFER L. LOPEZ, NOTARY PUBLIC
WEST READING BOROUGH, BERKS COUNTY
MY COMMISSION EXPIRES DEC, 28, 2008