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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

BERGEN ROCKLAND ERUV ASSOCIATION,
YISROEL FRIEDMAN, S. MOSHE
PINKASOVITS, SARAH BERGER, MOSES
BERGER, CHAIM BREUER, YOSEF ROSEN,
and TZVI SCHONFELD

Plaintiffs,

-against-

THE BOROUGH OF UPPER SADDLE RIVER
Defendant.

Civ. No. 2:17-cv-05512-JMV-CLW

DECLARATION OF YEHUDAH L.
BUCHWEITZ IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO
DEFENDANT'S MOTION TO
DISMISS AND PLAINTIFFS'
REPLY IN SUPPORT OF MOTION
FOR PRELIMINARY
INJUNCTION

I, Yehudah L. Buchweitz, declare under penalty of perjury as follows:

1. I am a member of the Bar of the State of New York (admitted *pro hac vice* in New Jersey) and a partner at the law firm of Weil, Gotshal & Manges LLP, attorneys for Plaintiffs Bergen Rockland Eruv Association, Yisroel Friedman, S. Moshe Pinkasovits, Sarah Berger, Moses Berger, Chaim Breuer, Yosef Rosen, and Tzvi Schonfeld ("Plaintiffs") in this action.

2. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

3. I submit this Declaration in Support of Plaintiffs' Opposition to Defendant's Motion to Dismiss and Plaintiffs' Reply in Further Support of their Motion for Preliminary Injunction. The relevant facts regarding the merits of Plaintiffs' Motion for Preliminary Injunction and Defendant's Motion to Dismiss are set forth in the accompanying Memorandum of Law in Opposition to Defendant's Motion to Dismiss and Reply in Further Support of Plaintiffs' Motion for Preliminary Injunction, as well as the supporting Declarations of Rabbi Chaim Steinmetz, S. Moshe Pinkasovits, Kenneth Sullivan, and David Gudino, and the exhibits attached thereto.

4. A true and correct copy of the July 25, 2017 letter from the undersigned counsel to Robert T. Regan, Esq., is attached hereto as Exhibit K.

5. A true and correct copy of a video recording of the August 3, 2017 USR Town Council Meeting is attached hereto as Exhibit L. The relevant comments of Bruce S. Rosen, Esq., begin at 19:48 and 24:43 of the recording.

6. A true and correct copy of the minutes of a closed meeting of Mayor Joanne Minichetti, the USR Borough Council, Borough Administrator Theodore Preusch and Borough Attorney Robert T. Regan, Esq., on August 3, 2017, is attached hereto as Exhibit M.

7. A true and correct copy of a document that the undersigned counsel received from USR in response to an OPRA request, containing the handwritten notes of a USR official, is attached hereto as Exhibit N. The USR official's handwritten notes confirm that there are no documents, including electronic files or paper files, concerning efforts made by USR to enforce Ordinance 16-15 from October 2015 to the present, including but not limited to ordinance summons issued.

8. A true and correct copy of the November 13, 2017 letter from USR counsel Bruce Rosen, Esq., to Verizon counsel David Gudino, Esq., is attached hereto as Exhibit O.

9. A true and correct copy of Phil Murphy, *It's Time to Urgently Speak Out Against Anti-Semitism in all Forms*, TIMES ISRAEL, Oct. 19, 2017, is attached hereto as Exhibit P.

10. A true and correct copy of Cory Booker and Josh Gottheimer, *Anti-Semitism Has No Home in New Jersey*, RECORD, Nov. 3, 2017, is attached hereto as Exhibit Q.

11. A true and correct copy of Alfred P. Doblin, *Mahwah, Upper Saddle River Double Down on Eruv*, RECORD, Nov. 10, 2017, is attached hereto as Exhibit R.

12. A true and correct copy of Alfred P. Doblin, *Mahwah's Line in the Sand Over an Eruv*, RECORD, Oct. 26, 2017, is attached hereto as Exhibit S.

13. A true and correct copy of Alfred P. Doblin, *Eruv Wars V: The Mayor of Mahwah Strikes Back*, RECORD, Oct. 6, 2017, is attached hereto as Exhibit T.

14. A true and correct copy of Editorial, *Mahwah is Losing Its Way Over Pieces of PVC Pipe*, RECORD, Sept. 16, 2017, is attached hereto as Exhibit U.

15. A true and correct copy of Alfred P. Doblin, *No 'Knock-Knocks' or Orthodox Jews in Mahwah*, RECORD, Sept. 15, 2017, is attached hereto as Exhibit V.

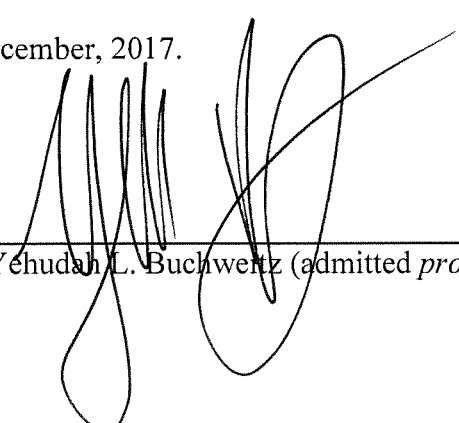
16. A true and correct copy of Alfred P. Doblin, *An Eruv Connects Mahwah to Clybourne Park*, RECORD, Aug. 11, 2017, is attached hereto as Exhibit W.

17. A true and correct copy of the complaint that Christopher S. Porrino, the Attorney General of New Jersey, filed against the Township of Mahwah and Mahwah Township Council, is attached hereto as Exhibit X.

18. A true and correct copy of the news release issued by the Office of the Attorney General of New Jersey regarding the lawsuit that the Attorney General of New Jersey filed against the Township of Mahwah, is attached hereto as Exhibit Y.

19. A true and correct copy of Julia Baum, *New Eruv Puts San Jose Jewish Community at Ease on Sabbath*, MERCURY NEWS (Nov. 6, 2017) is attached hereto as Exhibit Z.

I declare under penalty of perjury that the foregoing facts are true and correct. This declaration was executed on the 4th day of December, 2017.



Yehudah L. Buchwertz (admitted *pro hac vice*)