

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.

DECLARATION OF DAVID GUDINO, ESQ. PURSUANT TO 28 U.S.C. § 1746

I, David Gudino, hereby declare under penalty of perjury:

1. I am the Area Counsel-Mid-Atlantic North and South for Verizon, and, among other things, I provide legal support to the Field Operations organization of Verizon New Jersey Inc. (f/k/a New Jersey Bell Telephone Company). I have personal knowledge of the facts and circumstances set forth herein. Plaintiffs' counsel has requested that I provide this declaration, which I am aware will be submitted in connection with Plaintiffs' Motion for a Preliminary Injunction.

2. On November 1, 2017, I submitted a declaration in connection with the Opposition to Plaintiffs' Motion for a Preliminary Injunction (Dkt. No. 29-10) ("November 1 Declaration"). In paragraph 10 of the November 1 Declaration, I stated that "O & R has not sought the concurrence and approval of Verizon for the Plaintiffs or the Vaad haEruv to use the poles identified in Exhibit A to install lechis or construct an eruv, in any part of the Borough of Upper Saddle River." As of November 1, I was not aware that O & R had reached out to a

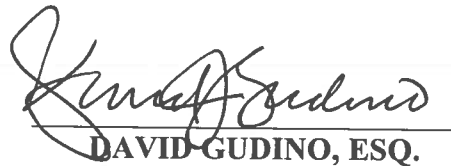
member of Verizon's engineering staff in July of this year. I have since become aware of this communication.

3. On November 13, 2017, counsel for Upper Saddle River sent me a letter requesting "that Verizon neither issue any license nor consent to any installation of lechis on poles owned by Verizon and/or managed under the Joint Use Agreement with Orange & Rockland Utilities, Inc.," stating that it would seek an injunction if Verizon does not comply with Upper Saddle River's request.

4. Verizon has a policy in place to allow for the installation of lechis subject to a standard set of terms and conditions to ensure, among other things, the safety of their installation and maintenance. Pursuant to this policy, Verizon has allowed for the installation of lechis in other communities in New Jersey and elsewhere. If not for the November 13, 2017 letter, Verizon would process any pole attachment application from the eruv proponents and would grant a license if all terms and conditions of Verizon's policy were met. In light of the letter from Upper Saddle River's counsel, it is Verizon's current intention to await a ruling of the Court in this case before taking further action.

5. I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 17, 2017.


DAVID GUDINO, ESQ.