

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

EAST END ERUV ASSOCIATION, INC.,
MARVIN TENZER, MORRIS TUCHMAN,
CLINTON GREENBAUM, ALAN H.
SCHECHTER, and CAROL SCHECHTER

Plaintiffs,

-against-

THE VILLAGE OF WESTHAMPTON BEACH,
CONRAD TELLER, individually and in his official
capacity as Mayor of the Village of Westhampton
Beach, TONI-JO BIRK, LEOLA FARRELL, JOAN
S. LEVAN, HANK TUCKER, each individually and
in their official capacities as Trustees of the Village
of Westhampton Beach, THE VILLAGE OF
QUOGUE, PETER SARTORIUS, individually and
in his official capacity as Mayor of the Village of
Quogue, RANDY CARDO, JEANETTE OBSER,
KIMBERLEY PAYNE, and TED NECARSULMER,
each individually and in their official capacities as
Trustees of the Village of Quogue, THE TOWN OF
SOUTHAMPTON, ANNA THRONE-HOLST,
individually and in her official capacity as Supervisor
of the Town of Southampton, NANCY S.
GRABOSKI, CHRISTOPHER R. NUZZI, JAMES
W. MALONE, BRIDGET FLEMING, each
individually and in their official capacities as
members of the Town Council of the Town of
Southampton

Defendants.

Index No. CV 11-0213

Hon. Leonard D. Wexler

**DECLARATION OF CAROL SCHECHTER PURSUANT TO 28 U.S.C. § 1746
IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, CAROL SCHECHTER, hereby declare under penalty of perjury:

1. I am a plaintiff in the above-captioned proceeding and I have been involved in the efforts to establish an eruv in Westhampton Beach and parts of Quogue and Southampton (collectively, the "Municipalities"). As such, I am familiar with the facts and circumstances set

forth herein. I submit this Declaration in support of Plaintiffs' Motion for Preliminary Injunction.

2. I maintain personal residences in New York, New York and in Westhampton Beach, New York.

3. In March of 2010, I and other observant Jews formed EEEA to work to establish the eruv.

4. If EEEA is not permitted to establish an eruv in the Municipalities, my family and I will continue to be denied the right to freely practice our religion.

5. I have six grandchildren, several of whom cannot walk to my synagogue in Westhampton Beach on their own and must ride in strollers. Because there is no eruv in Westhampton, I, or other members of my family, cannot go to synagogue and thereby fully observe Shabbat when my grandchildren visit me because someone has to stay home with the young children throughout Shabbat. I have resided in Westhampton Beach since 2003 and during that time have been unable to host my children and grandchildren on many weekends, when my husband, my children, or I were unable to remain in the house on the Sabbath to stay with the younger grandchildren who are unable to walk to synagogue. My grandchildren range in age from approximately 2 years to approximately 9 years old and accordingly, the younger ones cannot walk more than short distances unassisted. In addition, when they do visit, if I want to take them out for a walk or to visit friends on the Sabbath afternoon, a customary part of Sabbath practice, I cannot do so. These restrictions have prevented them from staying with us on the Sabbath, necessitating that they come for brief visits beginning Saturday night or on Sunday. An important part of Jewish family observance of the Sabbath is to spend the day and to enjoy the

Sabbath meals with the younger family members and to teach them about the Sabbath by example..

6. In the absence of an eruv, my family and I, along with many other members of the Jewish community in the Municipalities, are unable to fully observe all of the laws, rituals, and traditions that we sincerely believe are binding upon us and an essential part of our religious observance.

7. We are forbidden to “carry” (as such term is used in Jewish law) on Shabbat in the absence of an eruv. We cannot bring books, games, gifts, or food to friends’ houses, we cannot carry water, sunglasses, makeup, identification or medication (except in life-threatening situations), and we cannot take toys, teddy bears or dolls with us on walks around the neighborhood, even with the grandchildren who can walk on their own, except in a demarcated area on our own property. Because Jewish law permits the establishment of an eruv, Judaism is not a barrier to performing any of these actions. In fact specific rules and prayers associated with an eruv for the Sabbath are included in many Jewish Prayer Books as part of the regular preparations for the Sabbath. Rather, it is the Municipalities that are perpetuating these burdens. The Municipalities should not be permitted to stand in the way of our full and complete observance of our religious beliefs and exercise of our religious practices.

8. I have been personally involved in the establishment of an eruv in the Municipalities since 2008.

9. Officials from the Municipalities have expressed their opposition to the eruv since that time both in public and directly to me. For example, in response to a recent letter I wrote inquiring about the proposed eruv, Southampton Supervisor Anne Throne-Holst e-mailed me to inform me that “the Town’s ability to respond to the [Eruv] proposal thus far has been limited to

informing Verizon that issuing license agreements to permit the installation of lechis would be in conflict with the Town of Southampton's sign ordinance." Supervisor Throne-Holst attached Michael Sordi's November 16, 2010 letter to her email, and reiterated her belief that "it is the duty of the Town to defend its local laws" and stated that she is "committed to supporting the efforts of our attorneys in this regard."

10. I, therefore, respectfully request that this Court grant Plaintiffs' application for a preliminary injunction.

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

Executed on March 13, 2011.


CAROL SCHECHTER