

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ARIL AL-JUMAI, et al.,

Plaintiffs

-against-

ESTATE OF OSWALD, et al.,

Defendants

TS CIV 1398
AFFIRMATION

STATE OF NEW YORK) ss.:
COUNTY OF ERIE)

IRVING C. MAGSEMAN, JR., an attorney duly admitted to practice in the State of New York and before this Court, under penalty of perjury, affirms as follows:

1. That I am the attorney for the Defendant, MARL FETZLE, in the above action and make this affirmation in response to the plaintiffs' motion relating to procedure and scheduling of trials for plaintiffs' reprimals damages.

2. That I am strongly opposed to the proposal of class counsel that four trials be held to determine the reprimals damages of all plaintiffs and such results be used to determine damages for all plaintiffs who suffered reprimals. I also object to the contention that such trials include awards for both punitive and compensatory damages and that it is proper or necessary that reprimals damage trials involve evidence before the jury of "the entire picture of what went on at Attica that day". I also take issue with class counsel's assertion in her affirmation of February 9, 1974 that all plaintiffs suffered a "commonality of experiences".

Identifier

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