

# Declaration of Banas, United States Court of Appeals for the Second Circuit, in the matter of Big Black, et al. vs. Mancusi (Karl Pfeil).

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT	
BIG BLACK, et al., Plaintiffs-Appellees,	DECLARATION
vs. MANCUSI (KARL PFEIL), Defendant-Appellant.	Docket No. 97-2912

PURSUANT to 28 U.S.C. § 1746, Mitchell J. Banas, Jr., an attorney and member in good standing of the Bar of the Second Circuit, hereby declares under penalty of perjury that:

1. I am an attorney at law and a member of the law firm of Drecksle & Co. Inc., LLP, attorneys for defendant-appellant Karl Pfeil. This declaration is based on the knowledge I have obtained in my capacity as Pfeil's counsel.

2. I make this declaration in response to plaintiffs-appellees' May 29, 1998 motion (received by me today) for permission "to file a final Brief on Appeal that refers directly to the documents and transcripts in the Record, in lieu of filing a 'Page Proof' Brief with such references first, followed by a 'Final' Brief with references to the Joint Appendix." See ¶ 1 of the affirmation of Nicholas M. Pink (the "Pink Affirmation").

3. Specifically, plaintiffs-appellees complain that "Appellant Pfeil did not file an Appendix when he filed his brief, and in fact, the Appendix has not yet been completed, let alone printed or filed." Pink Affirmation, ¶ 3. This complaint comes as a complete surprise to me given that the parties have

Exhibit A	Exhibit B	Exhibit C	Exhibit D
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Declaration of Banas in response to plaintiffs-appellees motion for permission to file a final brief, United States Court of Appeals for the Second Circuit, in the matter of Big Black, et al. vs. Mancusi (Karl Pfeil). The attached exhibits A-D contain a Stipulation and a proposal for a table of contents.

## Identifier

NYSA\_W0100-21\_00023445

## Alternate Identifier

Case Files: 97-2912

## Source

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