

# Affidavit in opposition to defendants' motion to dismiss action against defendant Nelson A. Rockefeller

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

AXIL AL-JUNDI, A/K/A HENRICH  
ROOFT HANM, et al.,  
Plaintiffs,  
-against-  
NELSON A. ROCKEFELLER, et al.,  
Defendants.

AFFIDAVIT IN OPPOSITION  
TO DEFENDANTS' MOTION TO  
DISMISS PLAINTIFFS' COMPLAINT  
NELSON A. ROCKEFELLER  
75 Civ. 132 (JTS)

SUWEN OF NEW YORK :  
COUNTY OF NEW YORK :

ROBERT I. CANTOR, being duly sworn, deposes and says that:

1. I am an attorney duly admitted to the practice of law in the State of New York, represent the plaintiffs on their Motion to Compel Substitution herein, and am fully familiar with the relevant facts.

2. In his affidavit in support of defendants' motion to Dismiss against defendant Nelson A. Rockefeller, dated February 13, 1978, Mr. Stewart erroneously stated that he informed plaintiffs' attorneys of Mr. Rockefeller's death on November 7, 1979.

3. It is true that Mr. Stewart's affidavit (supporting) upon the record the fact of Mr. Rockefeller's death is dated November 7, 1978. In fact, however, the envelope in which said affidavit was mailed to Daniel Meyers, Esq., attorney for plaintiffs was postmarked on November 23, 1978. I have been informed by Mr. Meyers that he received the affidavit (along with a covering letter also dated November 7, 1979) on November 26, 1979, and that

Affidavit in opposition to defendants' motion to dismiss action against defendant Nelson A. Rockefeller, submitted by Robert Cantor in the United States District Court for the Western District of New York. Affidavit6 requests that the Court grant the plaintiffs' motion to substitute the Estate of Nelson A. Rockefeller as a defendant in the action and deny the defendants' motion to dismiss the action against Nelson A. Rockefeller.

## Identifier

NYSA\_W0100-21\_00024624

## Alternate Identifier

Case Files: 75 Civ. 132

## Source

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