

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

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

AXIS AL-JUNDI, A/K/A HENRICH
ROCKE HARRIS, 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)

CITY 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, 1982, 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 "suggest[ing] upon the record" the fact of Mr. Rockefeller's death is dated November 7, 1979. 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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