

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JACOB TEITELBAUM, individually and as father to
CHILD A and CHILD B,

Plaintiff,

-against-

JUDA KATZ; CHAYA KATZ; JOEL TENNENBAUM,
BLUMA TENNENBAUM; DAVID RUBENSTEIN;
KIRYAS JOEL COMM AMBULANCE CRP; DISTRICT
FAMILY COURT OF ORANGE COUNTY 9TH JUDICIAL
DISTRICT; HON. ANDREW P. BIVONA; ATTY. MARIA
PETRIZIO; CHILDREN'S RIGHTS SOCIETY OF ORANGE
COUNTY; ATTY. KIM PAVLOVIC; ATTY JOHN FRANCIS
X. BURKE; CHILD PROTECTIVE SERVICES OF ORANGE
COUNTY; DEPARTMENT OF SOCIAL SERVICES OF
ORANGE COUNTY; CHRISTINE BRUNET; ATTY.
STEPHANIE BAZILEOR, JOHN DOES 1 THROUGH 95,
JANE DOES 1 THROUGH 20,

**ATTORNEY
DECLARATION**

12 CV 02858 (VB)

Defendants.

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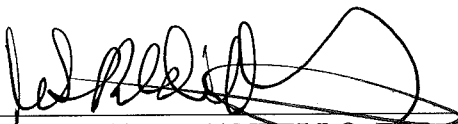
REBECCA BALDWIN MANTELLO, an attorney duly admitted to practice law before the
United States District Court for the Southern District of New York, declares the following to be
true under penalties of perjury pursuant to 28 U.S.C. §1746:

1. I am associated with the firm of Tarshis, Catania, Liberth, Mahon & Milligram,
PLLC, the attorneys for Defendants, CHILDREN'S RIGHTS SOCIETY OF ORANGE
COUNTY and ATTY. KIM PAVLOVIC. I am fully familiar with the prior proceedings and
papers filed in this action and I submit this Declaration in opposition to plaintiff's motion for an
Order pursuant to FRCP 15(b)(2) and (d) granting plaintiff leave to amend and supplement his
Amended Complaint and serve a Second Amended Complaint.

2. For the reasons set forth in Defendants' Memorandum of Law, I respectfully submit that the motion should be denied as against Defendants as futile. The proposed Second Amended Complain and the prior Amended Complaint contain the same allegations as to Children's Rights Society and Ms. Pavlovic with no new allegations as against them. The proposed Second Amended Complaint would not withstand another motion to dismiss and, therefore, is futile.

WHEREFORE, defendants respectfully request that plaintiff's motion for leave to amend his complaint be denied in its entirety, together with such other and further relief as to this Court is deemed just and proper.

Dated: Newburgh, New York
May 10, 2013


REBECCA B. MANTELLO, ESQ. (RM-1911)