

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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YOEL WEISSHAUS,

Plaintiff,

11 – CV – 6616 (RKE)

-against-

PORT AUTHORITY OF NEW YORK  
AND NEW JERSEY,

**DEFENDANT’S DECLARATION  
IN SUPPORT OF ITS MOTION  
TO DISMISS AND TO STAY  
PROCEEDINGS**

Defendant.  
-----X

Kathleen Gill Miller, Esq., in support of the defendant, The Port Authority of New York and New Jersey’s (the “Port Authority”) motion to dismiss, or in the alternative, to stay proceedings states that she is an attorney admitted to practice law in this Court and declares under penalty of perjury pursuant to Fed. R. Civ. P. § 1746 that the following are true and accurate copies of the record:

1. Exhibit A Amended Complaint
2. Exhibit B Complaint
3. Exhibit C Summary Order of the Second Circuit, dated September 20, 2012
4. Exhibit D Judge Batts’ Order of Dismissal, dated October 24, 2011
5. Exhibit E Judge Preska’s Order Denying Reconsideration, dated December 8, 2011
6. Exhibit F Judge Holwell’s Opinion and Order in *Automobile Club of New York, Inc. v. The Port Authority of New York and New Jersey*, 11 – CV – 6746, dated February 6, 2012
7. Exhibit G Affidavit of Mark Muriello and Exhibits, sworn to November 2, 2011
8. Exhibit H Affidavit of Karen Eastman and Exhibits, sworn to November 3, 2011
9. Exhibit I Affidavit of Michael Fabiano and Exhibits, sworn to November 4, 2011

10. Exhibit J Reply Affidavit of Michael Fabiano and Exhibits, sworn to November 29, 2011
11. Exhibit K Excerpts from the Port Authority's Memorandum of Law in Opposition to Plaintiff's Motion to Compel in *Automobile Club of New York, Inc. v. The Port Authority of New York and New Jersey*, 11 – CV – 6746
12. Exhibit L The Port Authority's Capital Plan Summary 2014 – 2023

Dated: New York, New York  
May 8, 2014

James M. Begley, Esq.  
*Attorneys for Defendant*  
The Port Authority of New York  
and New Jersey



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