## SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF SUFFOLK ELENA RUTH SASSOWER and DORIS L. SASSOWER, Individually and as Director and President, respectively

Individually and as Director and President, respectively, of the Center for Judicial Accountability, Inc., and CENTER FOR JUDICIAL ACCOUNTABILTY, INC., Acting *Pro Bono Publico*,

Plaintiffs,

AFFIDAVIT OF SERVICE For Summons with Notice

Index #10-12596

-against-

GANNETT COMPANY, INC., <u>The Journal News</u>, LoHud.com HENRY FREEMAN, CYNDEE ROYLE, BOB FREDERICKS, D. SCOTT FAUBEL, KEITH EDDINGS, DOES 1-10,

|   | Defendants. |
|---|-------------|
|   | x           |
| STATE OF NEW YORK<br>COUNTY OF NEW YORK | )<br>) ss:  |

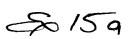
NINA BEST, being duly sworn, deposes and says:

I am over 18 years of age and not a party to this action. I reside in Manhattan, New York.

On August 31, 2010, at approximately 12:25 to 12:40 p.m., I served the attached Summons with Notice upon the above-named defendants. The address where these defendants were served is 1 Gannett Drive, White Plains, New York 10604:

I served the Summons with Notice in the manner indicated below:

- (1) <u>Upon the corporate defendants</u>, GANNETT COMPANY, INC., <u>The Journal News</u>, and <u>www.LoHud.com</u>: by delivering three true copies to Tony Simmons, who identified himself as Vice President of Operations. Mr. Simmons stated that he was authorized to accept service on behalf of the corporate defendants.
  - (2) Upon the individual defendants, HENRY FREEMAN, CYNDEE ROYLE, BOB



FREDERICKS, D. SCOTT FAUBEL, KEITH EDDINGS, and DOES 1-10, by substituted service:

A. <u>Delivery</u>: For each of the named individual defendants, I delivered true copies to Mr. Simmons, who stated he was authorized to accept service on behalf of all named individual defendants except unsure about defendant KEITH EDDINGS as he stated defendant EDDINGS no longer worked there and he had to check on it. After about 15 minutes I gave a copy of the Summons with Notice for defendant KEITH EDDINGS to the receptionist, Clair Coates whom afterwards directed me to leave the premises – which I did immediately. Ms. Coates summoned Mr. Simmons, who followed me outside the premises, tore it up and threw the pieces at me.

As for the unnamed defendant DOES 1-10, Mr. Simmons received from me three true copies of the Summons with Notice.

Mr. Simmons has the following characteristics. He is male, 5 feet 10 inches, 180 pounds and is 48 yeas of age. His skin is white, hair is brown, and he wears glasses. He stated he did not know whether any of the individual named defendants was in military service.

B. Mailing: For each of the five named individual defendants, I mailed a true copy of the Summons with Notice, by first-class mail, in five postpaid, sealed envelopes, properly addressed to each of them at 1 Gannett Drive, White Plains, New York 10604, which I understood from Mr. Simmons to be their actual place of business, except for defendant KEITH EDDINGS. Each envelope was additionally marked "personal & confidential", and bore, as the return address, Elena Sassower, 64 Towd Point Road, Southampton, New York 11968. All five envelopes were mailed from the main post office in White Plains, New York on August 31, 2010, at approximately 12:50 p.m., together with a sixth envelope, addressed to GANNETT COMPANY, INC., The Journal News, and LoHud.Com, containing three additional true copies

for them, and a further copy for the unnamed DOES 1-10.

NINA BEST

Sworn to before me this

day of September 2010

Notary Public

GLANCEEN SOPHIA VILLIAMS Nothiny Public - State of New York NO. Q1VN6218852

My Commission Expires \_\_\_\_\_\_\_

| SUPPLYK Cou   | rt SUFFORF County  | Index / case # \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \       | -12596   |  |
|---|--|--|--|--|
| ELENA RUTH SASSOL   | VER + DORIS J. SASSOUR ET M<br>Plaintiff   | AFF  | IDAVIT OF SERVICE  |  |
| CANNETT COMPOSING   | TWC, HENRY FREEVEN CYNDLE  | Notre et se  |  |  |
| AATP64 County, says: Deponent is not a  | State of: New York Ry<br>party herein; is over the age of 18 years and res   | YMOND C BLUN<br>sides in the State of New                | ed being sworn,  |  |
| On 8/3/10/8   | 3 W am/our at: NYS. Secretary of   | State 99 MEHING  | too Due ALBAM NT. 12/1   |  |
| Deponent served the with  | hin SUMON WITH NOTICE  |  |  |  |
| On: GANNETT C   | is TVC (herein   | after called the recipient)                              | herein named.  |  |
| Individual  | By delivering a true copy of each to said recipient pe<br>described in as said recipient therein   | rsonally; Deponent knew the per                          | rson so served to be the person  |  |
| Suitable Age person   | by delivering thereat a true copy of each to and discretion. Said premises is defendants Act   |  | person of suitable age<br>al Place of Business within the State  |  |
| Affixing to Door  | Actual Place of Residence Actual Place of Business, within the State Deponent was unable with due diligence to find defendant or person of suitable age and discretion thereat having called there   |  |  |  |
| Corporation or Partnership  | by delivering thereat a true copy of each to CHA MATTICE personally. Deponent knew said corporation / partnership so served to be the corporation / partnership described in said aforementioned document as said defendant and knew said individual to be 100000 Clear Clear thereof.   |  |  |  |
| Mailing   | Within 20 days of such delivery, or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known Actual Place of Residence Actual Place of Business, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "personal and confidential" and did not indicate on the outside, thereof by return address or otherwise that the communication was from an attorney or concerned an action against the defendant. |  |  |  |
| Description   | Male white skin black Female black skin gray yellow skin gray brown skin blond red skin red h  | n hair 21-35 Yrs<br>hair 236-50 Yrs<br>le hair 51-65 Yrs | ☐ Under 5' ☐ Under 100 Lbs ☐ 5'0"-5'3" ☐ 100-130 Lbs ☐ 5'4-5'8" ☐ 131-160 Lbs ☐ 5'9"-6'0" ☐ 161-200 Lbs ☐ Over 6' ☐ Over 200 Lbs |  |
|   | Other Identifying Features 645 Ses,  |  |  |  |
| Military Service I asked the person spoken to whether defendant was in active military service of the United States or the State of New York in any capacity whatever and received a negative reply. The source of my information and the grounds of my belief are the conversations and observations above narrated. |  |  |  |  |
| Subpoena Fee Te   | endered in the amount of   |  |  |  |
|   | V MYS Secretary of state   | As Avert For   | Strucy of Process  |  |
| Sworn to before me on   |  | Jelt   |  |  |
| Lekren 71   | 1.6  |  |  |  |

Henry J. Hughes
Notary Public State of New York
ID No. 01HU6197977
Qualified in Saratoga County
Commission Expires 12/08/20

114-769-W30

## State of New York - Department of State Receipt for Service

Receipt #: 201009080084 Date of Service: 08/31/2010

Cash #: 201009080074 Fee Paid: \$40 - CHECK

Service was directed to be made pursuant to: SECTION 306 OF THE BUSINESS CORPORATION LAW

Party Served: GANNETT CO., INC.

Plaintiff/Petitioner: SASSOWER, ELENA RUTH

Service of Process Address: C/O CT CORPORATION SYSTEM 111 EIGHTH AVENUE NEW YORK, NY 10011

> Secretary of State By CHAD MATICE