

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
ELENA RUTH SASSOWER, individually, and as
Coordinator of the Center for Judicial
Accountability, Inc., CENTER FOR JUDICIAL
ACCOUNTABILITY, INC. and The Public
as represented by them,

Index No. 05-19841

Plaintiffs,

-against-

THE NEW YORK TIMES COMPANY, The New
York Times, ARTHUR SULZBERGER, JR., BILL
KELLER, JILL ABRAMSON, ALLAN M. SIEGAL,
GAIL COLLINS, individually and on behalf of
THE EDITORIAL BOARD, DANIEL OKRENT,
BYRON CALAME, MAREK FUCHS, and
DOES 1-20,

AFFIDAVIT

Defendants.

-----X
George Freeman, being duly sworn, deposes and says:

1. I am Assistant General Counsel of The New York Times Company and am a member of the bar of the State of New York. I am fully familiar with the facts set forth herein.

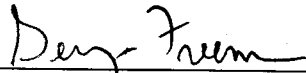
2. I submit this Affidavit in support of the Motion of Defendants The New York Times Company, Arthur Sulzberger, Jr., Bill Keller, Jill Abramson, Allan M. Siegel, Gail Collins and Byron Calame to Dismiss the instant Complaint.

3. Attached as Exhibit A hereto is a portion of the transcript of Confirmation Hearings on Federal Appointments before the U.S. Senate Judiciary Committee of May 22, 2003 at which Ms. Sassower was arrested.

4. Attached as Exhibit B hereto is transcript of the sentencing hearing on June 28, 2004 before Judge Brian Holeman of the Superior Court of the District of Columbia,

Criminal Division, in *U.S. v. Elena Sassower* at which Ms. Sassower, after being offered a suspended sentence, probation, certain other limitations and the requirement of an apology, did not accept such terms and was then sentenced to six months incarceration (p.1728).

Further affiant sayeth not.



George Freeman

Sworn and subscribed to before me
this 12th day of April 2006.


Notary Public

DEBORAH BESHAW
Notary Public, State of New York
No. 01BE5076817
Qualified in Kings County
Certificate on file in New York County
Commission Expires April 21, 2007