

EXHIBIT F

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF KINGS: NON-HOUSING PART 52

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AGUDAS CHASIDEI CHABAD OF THE
UNITED STATES,

Index No. L&T 106105 KLT 2011

Petitioner-Licensors,
- against -

**RESPONSE TO
NOTICE TO ADMIT**

CONGREGATION LUBAVITCH, INC. ("CLF"),
et. al.,

Respondents-Licensees.

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CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF KINGS: NON-HOUSING PART 52

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MERKOS L'INYONEI CHINUCH,

Index No. L&T 106106 KLT 2011

Petitioner-Licensors,
- against -

CONGREGATION LUBAVITCH, INC. ("CLF"),
et. al.,

Respondents-Licensees.

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CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF KINGS: NON-HOUSING PART 52

-----X

MERKOS L'INYONEI CHINUCH,

Index No. L&T 106107 KLT 2011

Petitioner-Licensors,
- against -

CONGREGATION LUBAVITCH, INC. ("CLF"),
et. al.,

Respondents-Licensees.

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Petitioners-Licensors AGUDAS CHASIDEI CHABAD OF THE UNITED STATES and
MERKOS L'INYONEI CHINUCH, hereby reply to the Respondents' Notice to Admit, as
follows:

Petitioners object to the Notice to Admit requests for information concerning religious issues which are clearly beyond the justiciable scope of the summary proceedings. Indeed, in a related ejectment action encaptioned Merkos L'Inyonei Chinch, Inc. et al. v. Sharf, Congregation Lubavitch, Inc., et. al. concerning the same premises, to wit, 770 Eastern Parkway and 784-788 Eastern Parkway, Brooklyn, N.Y., owned by the respective Petitioners herein, the Appellate Division, at 59 A.D.3d 403 (2nd Dept., 2009) acknowledged the well settled rule that "Civil disputes involving religious parties or institutions may be adjudicated without offending the First Amendment as long as neutral principles of law are the basis of their resolution." and ruled that the Supreme Court, Harkavy, J.S.C. had properly denied the occupants' application to dismiss the action as non-justiciable. The Appellate Division further stated that "Property disputes between rival religious factions may be resolved by courts, despite the underlying doctrinal controversy, when it is possible to do so on the basis of neutral principles of law (citations omitted.)" 59 A.D.3d at 407. That is the precise situation in the case at bar.

The Respondents' Notice to Admit is replete with numerous requests whose sole purpose is a blatant attempt to inject religious issues into the dispute at hand, thus supporting the Respondents assertion that there is a religious dispute before the court which is non-justiciable. However, and since the proceedings can be determined and adjudicated solely upon neutral principles of law, the Respondents' religious information requests are clearly improper.

1A. With respect to Request to Admit no. 1A, admit that Exhibit "1" was identified as Exhibit A at the deposition.

B. With respect to Request to Admit no. 1B, admit the statement concerning Rabbi Shemtov.

C. With respect to Request to Admit no. 1C, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 1 is a true and accurate reproduction of a document from 1967, including how it appears on an electronic website. Petitioners also object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

D. With respect to Request to Admit no. 1D, Petitioners object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

E. With respect to Request to Admit no. 1E, Petitioners object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

F. With respect to Request to Admit no. 1F, Petitioners lack sufficient knowledge to admit or deny as to whether the second page of Exhibit 1 is a true and accurate reproduction of a page of Holy Talks 5728. Petitioners also object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

G. With respect to Request to Admit no. 1G, Petitioners lack sufficient knowledge to admit or deny as to whether page 116 of Holy Talks 5728 is a page of the second gathering delivered on the Sabbath following the High Holidays of 5728. Petitioners also object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

H. With respect to Request to Admit no. 1H, Petitioners lack sufficient knowledge to admit or deny as to whether the third page of Exhibit 1 is a true and accurate reproduction of

page 121 of the Holy Talks 5728. Petitioners also object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

I. With respect to Request to Admit no. 1I, Petitioners object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a translation. Petitioners also object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

J. With respect to Request to Admit no. 1J, Petitioners lack sufficient knowledge to admit or deny as to whether the first expansion of the main Synagogue at 770 Eastern Parkway into 784 Eastern Parkway had just been completed and that the High Holiday services of the year 5728 had been held in the newly expanded synagogue.

K. With respect to Request to Admit no. 1K, Petitioners lack sufficient knowledge to admit or deny the content of this request, but Petitioners acknowledge that Mr. Aaron Klein participated in the efforts to expand the Synagogue.

2A. With respect to Request to Admit no. 2A, admit that Exhibit “2” was identified as Exhibit B at the deposition.

B. With respect to Request to Admit no. 2B, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 2 is a true and accurate reproduction of the cover page of volume 3 of the “Holy Talks” of the Lubavitcher Rebbe from 5738 from creation, including how it appears on an electronic website. Petitioners also object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

C. With respect to Request to Admit no. 2C, Petitioners object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

D. With respect to Request to Admit no. 2D, Petitioners object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

E. With respect to Request to Admit no. 2E, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 2 is a true and accurate reproduction of page 441 of Holy Talks 5738 v3 delivered in the main Synagogue at 770 Eastern Parkway on the last Sabbath of the year 5738. Petitioners also object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

F. With respect to Request to Admit no. 2F, Petitioners lack sufficient knowledge to admit or deny as to whether the fifth page of Exhibit 2 is a true and accurate reproduction of page 470 of Holy Talks 5728. Petitioners also object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

G. With respect to Request to Admit no. 2G, Petitioners object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a translation. Petitioners also object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

3A. With respect to Request to Admit no. 3A, admit the statement concerning the Certificate of Incorporation.

B. With respect to Request to Admit no. 3B, the content of the document (Exhibit 3) is apparent to the reader.

C. With respect to Request to Admit no. 3C, the content of the document (Exhibit 3) is apparent to the reader.

D. With respect to Request to Admit no. 3D, admit that Rabbi Menachem M. Schneerson succeeded Rabbi Joseph Isaac Schneersohn as Rebbe in 1950 and was the only successor as Rebbe.

4A. With respect to Request to Admit no. 4A, admit that Exhibit "4" was identified as Exhibit D at the deposition.

B. With respect to Request to Admit no. 4B, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 4 is a true and accurate reproduction of four select pages of "The History of Chabad in the United States," by Rabbi S. Levine, publication.

C. With respect to Request to Admit no. 4C, the content of the document is apparent to the reader, and the Petitioners object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a translation.

D. With respect to Request to Admit no. 4D, the content of the document is apparent to the reader, and the Petitioners object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a translation.

E. With respect to Request to Admit no. 4E, admit the statement as to the Sixth Rebbe.

F. With respect to Request to Admit no. 4F, denial.

G. With respect to Request to Admit no. 4G, Petitioners lack sufficient knowledge to admit or deny as to whether the fifteen (15) pages collectively annexed as Exhibit 5 is a true and accurate reproduction of two exhibits admitted into evidence at the Gourary trial.

H. With respect to Request to Admit no. 4H, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 6 is a true and accurate reproduction of a portion of the Dec. 3, 1985 testimony of Rabbi Krinsky at the Gourary trial.

I. With respect to Request to Admit no. 4I, admit the statement concerning Rabbi Yehuda Krinsky.

J. With respect to Request to Admit no. 4J, admit the statement concerning Rabbi Yehuda Krinsky.

K. With respect to Request to Admit no. 4K, admit the statement concerning Rabbi Yehuda Krinsky.

L. With respect to Request to Admit no. 4L, denial.

M. With respect to Request to Admit no. 4M, denial.

N. With respect to Request to Admit no. 4N, denial.

O. With respect to Request to Admit no. 4O, denial.

P. With respect to Request to Admit no. 4P, denial.

5A. With respect to Request to Admit no. 5A, admit that Exhibit "7" was identified as Exhibit E at the deposition.

B. With respect to Request to Admit no. 5B, denial. Portions of the text of the three page letter annexed as Respondents' Exhibit 7 are missing.

C. With respect to the Request to Admit no. 5C:

(i) the content of the actual written document (Exhibit 7) is apparent to the reader.

(ii) the content of the actual written document (Exhibit 7) is apparent to the reader.

(iii) the content of the actual written document (Exhibit 7) is apparent to the reader.

D. With respect to Request to Admit no. 5D, admit that the statements contained in Rabbi Shemtov's letter to Jeffrey Buss, Esq., dated January 11, 2005, remain true until today.

6A. With respect to Request to Admit no. 6A, admit that Exhibit "8" was identified as Exhibit G at the deposition.

B. With respect to Request to Admit no. 6B, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 8 is a true and accurate reproduction of a March 2006 article published by The Jewish Chronicle.

C. With respect to Request to Admit no. 6C, admit that The Jewish Chronicle is a newspaper publication in the United Kingdom, but Petitioners lack sufficient knowledge to admit or deny as to whether it is a prominent Jewish Newspaper.

D. With respect to Request to Admit no. 6D:

(i) do not admit the content of the article.

(ii) do not admit the content of the article.

7A. With respect to Request to Admit no. 7A, admit that Exhibit "9" was identified as Exhibit H at the deposition.

B. With respect to Request to Admit no. 7B, admit that the exhibit labeled "W-1" was used during the discovery phase of the proceedings; but Petitioners lack sufficient

knowledge to admit or deny as to whether the exhibit labeled “W-1” is a true and accurate reproduction of a hand-written letter by Rabbi Leibel Groner.

C. With respect to Request to Admit no. 7C, the Petitioners object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a translation.

D. With respect to Request to Admit no. 7D, admit that Rabbi Groner was a member of the Rebbe’s secretariat; but the Petitioners lack sufficient knowledge to admit or deny that Rabbi Groner “sent,” Exhibit 9, and if he did, in what capacity.

E. With respect to Request to Admit no. 7E, Petitioners lack sufficient knowledge to admit or deny as to whether the lower portion of the first page of Exhibit 9 is a true and accurate reproduction of a letter to the Gabbaim authorizing the construction.

F. With respect to Request to Admit no. 7F, the Petitioners object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a translation.

G. With respect to Request to Admit no. 7G, Petitioners lack sufficient knowledge to admit or deny as to whether the second page of Exhibit 9 is a fair and accurate reproduction of a report of a meeting of Agudas Chasidei Chabad.

H. With respect to Request to Admit no. 7H, Petitioners admit that it appears that the Rebbe reviewed the report; but the Petitioners object to this improper Request for Admissions, because Petitioners are not required to admit or deny as to the authenticity of a translation.

I. With respect to Request to Admit no. 7I, denial; but acknowledge that Respondents’ Exhibit “10” is a copy of a Supplemental Affidavit In Opposition of Rabbi Mendel Sharfstein affirmed on September 11, 2014.

J. With respect to Request to Admit no. 7J, acknowledge that Rabbi Mendel Sharfstein was the Director of Operations for the Merkos L'Inyonei Chinuch, which includes the responsibility to oversee the premises of 770 and 784-788 Eastern Parkway.

K. With respect to Request to Admit no. 7K, denied.

8A. With respect to Request to Admit no. 8A, admit that Exhibit "11" was identified as Exhibit I at the deposition.

B. With respect to Request to Admit no. 8B, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 11 is a true and accurate reproduction of two letters signed by members of Agudas Chasidei Chabad in June 1987.

C. With respect to Request to Admit no. 8C:

(i) the content of the document (Exhibit 11) is apparent to the reader, and the Petitioners object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a translation.

(ii) the content of the document (Exhibit 11) is apparent to the reader, and the Petitioners object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a translation.

D. With respect to Request to Admit no. 8D, the content of the document (Exhibit 11) is apparent to the reader.

E. With respect to Request to Admit no. 8E, admit that the election for the Gabbaim was held; but Petitioners are uncertain as to the date thereof and cannot confirm or deny that the elections were conducted in June.

9A. With respect to Request to Admit no. 9A, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 12 is a true and accurate reproduction of a letter dated 28 Cheshvan 5756. Petitioners also object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a translation.

B. With respect to Request to Admit no. 9B, the content of the document (Exhibit 12) is apparent to the reader.

C. With respect to Request to Admit no. 9C, the content of the document (Exhibit 12) is apparent to the reader.

10A. With respect to Request to Admit no. 10A, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 13 is a true and accurate reproduction of a letter dated 28 Cheshvan 5756.

B. With respect to Request to Admit no. 10B, Petitioners object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a translation.

C. With respect to Request to Admit no. 10C, the content of the document (Exhibit 13) is apparent to the reader.

11A. With respect to Request to Admit no. 11A, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 14 is a true and accurate reproduction of notice of elections on the stationery of the Vaad Hakahal of Crown Heights, dated Iyar 5747.

B. With respect to Request to Admit no. 11B, Petitioners lack sufficient knowledge to admit or deny as to whether the election was held on May 31, 1987.

12A. With respect to Request to Admit no. 12A, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 15 is a true and accurate reproduction of a letter on the stationery of the Beth Din of Crown Heights, dated New Month of Tamuz 5747.

B. With respect to Request to Admit no. 12B, the content of the document (Exhibit 15) is apparent to the reader. Petitioners also object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a translation.

C. With respect to Request to Admit no. 12C, Petitioners admit that elections took place and the activity of the Gabbaim but lack sufficient knowledge to admit or deny the time frame.

D. With respect to Request to Admit no. 12D, Petitioners admit that the Gabbaim stepped down but lack sufficient knowledge to admit or deny the time frame.

13A. With respect to Request to Admit no. 13A, admit that Exhibit "16" was identified as Exhibit B at the deposition.

B. With respect to Request to Admit no. 13B, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 16 is a true and accurate reproduction of a letter on the stationery of the Beth Din of Crown Heights, dated Thursday 23 Cheshvan 5756.

C. With respect to Request to Admit no. 13C, the content of the document (Exhibit 16) is apparent to the reader.

D. With respect to Request to Admit no. 13D, Petitioners lack sufficient knowledge to admit or deny.

E. With respect to Request to Admit no. 13E, Petitioners lack sufficient knowledge to admit or deny.

F. With respect to Request to Admit no. 13F, denial, except to the extent that some individuals who prayed in 770 prior to November 1995 were the same individuals who continued to pray in 770 after November 1995.

G. With respect to Request to Admit no. 13G, admit the statement concerning the formation of the corporation known as Congregation Lubavitch, Inc.

14A. With respect to Request to Admit no. 14A, admit that Exhibit "17" was identified as Exhibit J at the deposition.

B. With respect to Request to Admit no. 14B, admit that Exhibit 17 is a true and accurate reproduction of a letter dated January, 1996.

C. With respect to Request to Admit no. 14C, the content of the document (Exhibit 17) is apparent to the reader.

D. With respect to Request to Admit no. 14D, Petitioners lack sufficient knowledge to admit or deny.

15A. With respect to Request to Admit no. 15A, denied.

B. With respect to Request to Admit no. 15B, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 18 is a true and accurate reproduction of a letter dated Thursday 23 Cheshvan 5756.

C. With respect to Request to Admit no. 15C, the content of the document (Exhibit 18) is apparent to the reader.

D. With respect to Request to Admit no. 15D, Petitioners lack sufficient knowledge to admit or deny as to whether subsequent to this letter Rabbi Katz elected not to serve alongside the new Gabbaim but Rabbi Pinson did serve with them.

16A. With respect to Request to Admit no. 16A, admit the statement concerning the transcript of the Testimony of Rabbi Mendel Sharfstein on December 10, 2007.

B. With respect to Request to Admit no. 16B, the content of the transcript (Exhibit 19) is apparent to the reader.

C. With respect to Request to Admit no. 16C, admit that Merkos was ousted from its premises prior to 1997.

D. With respect to Request to Admit no. 16D, the content of the transcript (Exhibit 19) is apparent to the reader. Petitioners also note that the testimony took place on December 10, 2007 not in 1987.

E. With respect to Request to Admit no. 16E, the content of the transcript (Exhibit 19) is apparent to the reader. Petitioners also note that the testimony took place on December 10, 2007 not in 1987.

F. With respect to Request to Admit no. 16F, admit the statement concerning Agudas.

17A. With respect to Request to Admit no. 17A, admit that Exhibit "20" is a true and accurate reproduction of a letter on the stationery of Merkos L'Inyonei Chinuch dated November 4, 1996.

B. With respect to Request to Admit no. 17B, the content of the document (Exhibit 20) is apparent to the reader.

C. With respect to Request to Admit no. 17C, admit that the individuals to whom the letter reproduced in Exhibit 20 is addressed, were renovating the offices at 302-304 Kingston Avenue on or before November 4, 1996 without authorization from Merkos.

D. With respect to Request to Admit no. 17D, admit the statement concerning the offices at 302-304 Kingston Avenue.

E. With respect to Request to Admit no. 17E, Petitioners lack sufficient knowledge to admit or deny as to whether the individuals to whom the letter reproduced in Exhibit 20 is addressed, continued to renovate the offices at 302-304 Kingston Avenue after November 4, 1996; however admits that those individuals occupied that space without authorization from Merkos.

F. With respect to Request to Admit no. 17F, admit the statement concerning the offices at 302-304 Kingston Avenue.

18A. With respect to Request to Admit no. 18A, admit that Exhibit "21" was identified as Exhibit I at the deposition.

B. With respect to Request to Admit no. 18B, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 21 is a true and accurate reproduction of an unedited transcript of a sicha delivered by the Rebbe on 29 Shevat 5747. Petitioners also object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

C. With respect to Request to Admit no. 18C, Petitioners object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a translation.

D. With respect to Request to Admit no. 18D, Petitioners object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

E. With respect to Request to Admit no. 18E, Petitioners object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a translation. Petitioners also object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

F. With respect to Request to Admit no. 18F, Petitioners object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

G. With respect to Request to Admit no. 18G, Petitioners object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

19A. With respect to Request to Admit no. 19A, admit that Exhibit "22" was identified as Exhibit H at the deposition.

B. Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 22 is a true and accurate reproduction of booklet, entitled "Beis Rabbeinu Shebebabel".

C. With respect to Request to Admit no. 19C, Petitioners object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

20. With respect to Request to Admit no. 20, Petitioners object to this improper Request for Admissions because they are not required to admit or deny as to the authenticity of a

translation. Petitioners also object to this improper Request for Admissions because it seeks information concerning religious issues that are totally beyond the scope and nature of this summary proceeding.

21A. With respect to Request to Admit no. 21A, admit that Exhibit "24" was identified as Exhibit C at the deposition.

B. With respect to Request to Admit no. 21B, admit the statement concerning Rabbi Yehuda Krinsky.

C. With respect to Request to Admit no. 21C, the content of the document (Exhibit 24) is apparent to the reader.

22A. With respect to Request to Admit no. 22A, admits that Exhibit "25" was identified as Exhibit D at the deposition.

B. With respect to Request to Admit no. 22B, the content of the document (Exhibit 25) is apparent to the reader.

C. With respect to Request to Admit no. 22C, Agudas and Merkos have claimed an exemption also based on the premises being used as a house of worship.

23A. With respect to Request to Notice Admit no. 23A, admit that Exhibit "26" was identified as Exhibit Y at the deposition.

B. With respect to Request to Admit no. 23B, the content of the document (Exhibit 26) is apparent to the reader.

C. With respect to Request to Admit no. 23C, the content of the document (Exhibit 26) is apparent to the reader.

D. With respect to Request to Admit no. 23D, denial; however admit that at times Congregation Lubavitch Inc. paid a portion of the insurance.

24A. With respect to Request to Notice Admit no. 24A, admit that Exhibit “27” was identified as Exhibit X at the deposition.

24B. With respect to Request to Notice Admit no. 24B, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 27 is a true and accurate reproduction of a bank statement for an account of Congregation Lubavitch for March 29 through April 30 1996.

24C. With respect to Request to Notice Admit no. 24C, Petitioners lack sufficient knowledge to admit or deny as to whether the period covered by the statement reproduced in Exhibit 27 is from a time that Rabbi Katz and Rabbi Pinson were acting as Gabbaim in the Synagogue at 770.

24D. With respect to Request to Notice Admit no. 24D, Petitioners lack sufficient knowledge to admit or deny as to whether the account of Congregation Lubavitch for which this statement was issued was maintained under the Tax ID number of Agudas Chasidei Chabad.

25A. With respect to Request to Admit no. 25A, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit “28” is a true and accurate reproduction of Plaintiff’s Trial Brief dated December 2, 1985 filed in Gourary.

B. With respect to Request to Admit no. 25B, the content of the document (Exhibit 28) is apparent to the reader.

C. With respect to Request to Admit no. 25C, the content of the document (Exhibit 28) is apparent to the reader.

26A. With respect to Request to Admit no. 26A, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit “29” is a true and accurate reproduction of the decision in Gourary; and notes that the content of the document (Exhibit 29) is apparent to the reader.

B. With respect to Request to Admit no. 26B, denial; however admits that Judge Sifton ruled that the contents of the library (which were in dispute) were held by Agudas in trust for the members of the Chabad Chasidic community.

C. With respect to Request to Admit no. 26C, admit that Judge Sifton's ruling was affirmed by the United States Court of Appeals by the Second Circuit.

27A. With respect to Request to Admit no. 27A, admit that Exhibit "30" was identified as Exhibit F at the deposition.

B. With respect to Request to Admit no. 27B, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "30" is a true and accurate reproduction of an excerpt from the testimony of Rabbi Yehuda Krinsky at the Gourary trial in December 1985.

C. With respect to Request to Admit no. 27C, the content of the document (Exhibit 30) is apparent to the reader.

28A. With respect to Request to Admit no. 28A, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "31" is a copy of page 114 of "Beis Chayenu", "House of our Life", publication.

B. With respect to Request to Admit no. 28B, Petitioners object to this improper Request for Admissions, because Petitioners are not required to admit or deny as to the authenticity of a translation.

C. With respect to Request to Admit no. 28C, the content of the document (Exhibit 31) is apparent to the reader.

D. With respect to Request to Admit no. 28D, the content of the document (Exhibit 31) is apparent to the reader.

E. With respect to Request to Admit no. 28E, the content of the document (Exhibit 31) is apparent to the reader.

F. With respect to Request to Admit no. 28F, Petitioners admit that the building that was purchased in the summer of 1940 was 770 Eastern Parkway and that the contemplated use for that building included that it serve as a residence of the Lubavitcher Rebbe as well as a synagogue.

29A. With respect to Request to Admit no. 29A, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "31A" is a true and accurate reproduction of Plaintiff's Exhibit 409 at the Gourary trial.

B. With respect to Request to Admit no. 29B, Petitioners object to this improper Request for Admissions, because Petitioners are not required to admit or deny as to the authenticity of a translation.

C. With respect to Request to Admit no. 29C, Petitioners lack sufficient knowledge to admit or deny as to whether the third page of Exhibit 31A is a true and accurate reproduction of a portion of the transcript of Rabbi Krinsky's testimony, and the content of the document (Exhibit 31A) is apparent to the reader.

30A. With respect to Request to Admit no. 30A, Petitioners lack sufficient knowledge to admit or deny as to whether the image in the box on the left side of Exhibit 32 is a true and accurate reproduction of a letter, dated Eve of Shabbat Shoftim 5720.

B. With respect to Request to Admit no. 30B, Petitioners object to this improper Request for Admissions, because Petitioners are not required to admit or deny as to the authenticity of a translation.

C. With respect to Request to Admit no. 30C, admit that in 1960 there was a construction project to expand the existing synagogue space to include what was previously the driveway of 770 Eastern Parkway.

D. With respect to Request to Admit no. 30D, the content of the document (Exhibit 32) is apparent to the reader.

E. With respect to Request to Admit no. 30E, the content of the document (Exhibit 32) is apparent to the reader.

F. With respect to Request to Admit no. 30F, the content of the document (Exhibit 32) is apparent to the reader.

31A. With respect to Request to Admit no. 31A, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "33" is a copy of an article published in Moshiach Weekly Magazine.

B. With respect to Request to Admit no. 31B, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit 33 includes a true and accurate copy of a receipt as well as a picture of a letter of thanks.

C. With respect to Request to Admit no. 31C, the content of the document (Exhibit 33) is apparent to the reader.

D. With respect to Request to Admit no. 31D, the content of the document (Exhibit 33) is apparent to the reader.

E. With respect to Request to Admit no. 31E, the content of the document (Exhibit 33) is apparent to the reader.

32. With respect to Request to Admit no. 32, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "34" appears to comprise two additional receipts for donations, because as noted by Respondents the document is unclear.

33A. With respect to Request to Admit no. 33A, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "35" is a true and accurate reproduction of a letter from the Office of the Mayor of the City of New York.

B. With respect to Request to Admit 33B, Petitioners lack sufficient knowledge to admit or deny as to whether Congregation Lubavitch expanded into the basement and first floor of 784 Eastern Parkway in 1967.

C. With respect to Request to Admit no. 33C, Petitioners lack sufficient knowledge to admit or deny the content of this request, but Petitioners acknowledge that Mr. Aaron Klein participated in the efforts to expand the Synagogue.

34A. With respect to Request to Admit no. 34A, Admit that the Respondents' annexed documents bearing Bates Stamps PET 00173-00195, inclusive (Exhibit 36) were produced by Petitioners during disclosure.

B. With respect to Request to Admit no. 34B, the content of the document (Exhibit 36) is apparent to the reader.

C. With respect to Request to Admit no. 34C, denial insofar as during discovery the Petitioners directed the Respondents to the available public records in the Gourary litigation which appears to include the Respondents' document Exhibit 31A, the content of which is apparent to the reader.

D. With respect to Request to Admit no. 34D, the content of the document (Exhibit 36) is apparent to the reader.

E. With respect to Request to Admit no. 34E, Petitioners lack sufficient knowledge or information to admit or deny the content of this request as to whether Mr. A. Kelin and Mr. A. Klein are the same individual.

F. With respect to Request to Admit no. 34F, the content of the document (Exhibit 36) is apparent to the reader.

G. With respect to Request to Admit no. 34G, the content of the document (Exhibit 36) is apparent to the reader.

H. With respect to Request to Admit no. 34H, the content of the document (Exhibit 36) is apparent to the reader.

I. With respect to Request to Admit no. 34I, Petitioners note that Exhibit 36 was provided to the Respondents prior to the Respondents' depositions of Petitioners' witnesses, and the Respondents failed to request an explanation of same.

35A. With respect to Request to Admit no. 35A, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "37" is a true and accurate reproduction of three notes written by Mr. Aaron Klein to the Rebbe.

B. With respect to Request to Admit no. 35B, Petitioners admit that each of the three notes bears a handwritten response from the Rebbe.

C. With respect to Request to Admit no. 35C, the content of the document (Exhibit 37) is apparent to the reader.

36. With respect to Request to Admit no. 36, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "38" is a true and accurate reproduction of a note written by Mr. Aaron Klein to the Rebbe.

37. With respect to Request to Admit no. 37, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "39" is a true and accurate reproduction of a response from the Rebbe to Rabbi Katz upon being informed of the election of the new Gabbaim for 770 in 1969.

38. With respect to Request to Admit no. 38, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "41" is a true and accurate reproduction of a note written by Rabbi Katz to the Rebbe relating to the expansion in 1973-1974.

39. With respect to Request to Admit no. 39, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "42" is a true and accurate reproduction of a portion of the fund-raising materials used to solicit funds for the expansion of the shul in 1987 through 1995.

40. With respect to Request to Admit no. 40, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "43" is a true and accurate reproduction of a receipt that was issued to a donor to the building campaign.

41. With respect to Request to Admit no. 41, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "44" is a true and accurate reproduction of a transcript of a radio interview of Rabbi Krinsky conducted on April 9, 2006.

42. With respect to Request to Admit no. 42, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "45" is a true and accurate reproduction of an election announcement of the 1999 election of Gabbaim for 770.

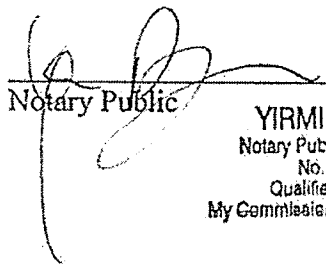
43A. With respect to Request to Admit no. 43A, Petitioners lack sufficient knowledge to admit or deny as to whether Exhibit "46" is a true and accurate reproduction of an election announcement of the 2002 election of Gabbaim for 770.

B. With respect to Request to Admit no. 43B, Petitioners lack sufficient knowledge to admit or deny as to whether the elections for Gabbaim were also held in 2009 and in 2010.



Rabbi Yehuda Krinsky,
Chairman of the Board of Directors and Secretary of
Petitioner, Merkos L'Inyonei Chinuch, and, Member
of the Board of Directors and Secretary of Petitioner,
Agudas Chasidei Chabad of United States

Affirmed to before me this
7th day of May, 2015



Notary Public

YIRMI BERKOWITZ
Notary Public - State of New York
No. 015EE191424
Qualified in Kings County
My Commission Expires August 11, 2016