

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

LEVI YODER, JONAS ZOOK, SAM ZOOK, JOHN L.
HERSHBERGER, MENNO S. HERSHBERGER, URIE
HERSHBERGER, MENNO L. GLICK, ANDY A. MILLER,
DANNIE L. SWARTZENTRUBER, MOSIE SWARTZENTRUBER,
PETER D. SWARTZENTRUBER, BISHOP HARVEY MILLER,
and BISHOP MOSE MILLER,

Plaintiffs,

Civil Case No.:

7:09-cv-00007
(NPM/GHL)

- against -

TOWN OF MORRISTOWN, LANETTA KAY DAVIS, in her
official capacity; FRANK L. PUTMAN, in his official capacity;
HOWARD WARREN, in his official capacity; DAVID STOUT, III,
in his official capacity; MARK BLANCHARD, in his official
capacity; CHRISTOPHER COFFIN, in his official capacity; and
GARY TURNER, in his official capacity,

Defendants.

DECLARATION

April J. Laws, hereby declares under penalties of perjury:

1. I am associated with the law firm of Lemire Johnson, LLC, attorneys for the Defendants in the above-referenced action. I am familiar with the facts and procedural history of this action.

2. I respectfully submit this Declaration in support of Defendants' motion for leave to amend their Answer pursuant to FRCP 15(a) to clarify and supplement an Affirmative Defense.

3. Attached hereto as Exhibit "A" is a true and accurate copy of Plaintiffs' Complaint, dated January 6, 2008.

4. Attached hereto as Exhibit "B" is a true and accurate copy of Defendants' Answer,

dated March 17, 2009.

5. Attached hereto as Exhibit "C" are true and accurate copies of electronic communications between counsel for parties, Messrs. Johnson and Hirschhorn regarding amending pleadings.

6. Attached hereto as Exhibit "D" is a copy of Defendants' proposed Amended Answer.

WHEREFORE, Defendants respectfully request that the Defendants' motion pursuant to pursuant to FRCP 15(a) be granted in its entirety, and for such other and further relief as the Court deems appropriate.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 17th day of February, 2012.

s/April J. Laws

April J. Laws (517148)