

JUDGE FAILLA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

J.B. NICHOLAS,

Plaintiffs,

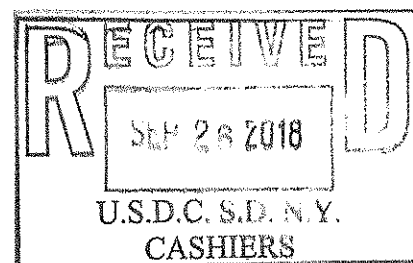
-against -

DONALD J. TRUMP, President, United States;
WILLIAM B. LONG, Administrator, Federal
Emergency Management Agency,

Defendants.

18CV8828

AFFIRMATION IN
SUPPORT



JB Nicholas, Kristine Rakowsky and Liane Nikitovich swear the following under
the penalty of perjury:

1. We are the Plaintiffs in the above-captioned action. We offer this
Affirmation in Support of the annexed Motion for a Preliminary Injunction prohibiting
Defendants from broadcasting compulsory Presidential Alerts on citizens' cellular
telephones that they are required to receive, read and acknowledge. The compulsory
Presidential Alert messaging system violates Plaintiffs' rights under the First, Fourth and
Fourteenth Amendments.

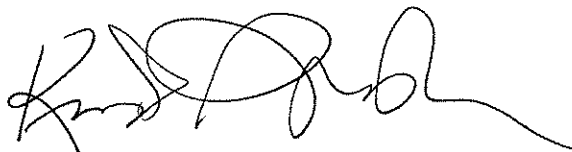
2. We incorporate into this Affirmation each and every allegation made in our Complaint. Based on those factual allegations, Defendants broadcast of compulsory Presidential Alerts violates our rights under the First Amendment to be free from compelled listening and our Fourth Amendment right to be free from unreasonable seizures.

3. If the Court does not believe the factual allegations in our Complaint are sufficient to prove that compulsory Presidential Alerts violate our Constitutional rights, we ask the Court to hold a fact-finding hearing at which we can testify and orally supplement the allegations we've made in our Complaint.

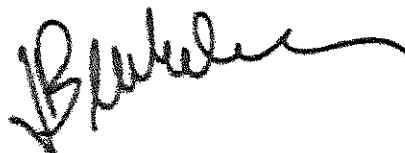
WHEREFORE, the Court should grant Plaintiff's Motion for a Preliminary Injunction, or schedule a fact-finding hearing.

DATED: Sept. 25, 2018
New York, New York

Pursuant to, and in accordance with, 28 USC § 1746: We swear the foregoing under the penalty of perjury:



KRISTINE RAKOWSKY
Plaintiff, *Pro Se*



JASON B. NICHOLAS
Plaintiff, *Pro Se*



LANE NIKITOVICH
Plaintiff, *Pro Se*