

**EXHIBIT N**

2012-10067

At a Term of the Family Court of the State of  
New York held in and for the County of Orange  
at Goshen, New York on May 17, 2012

PRESENT: HON. ANDREW P. BIVONA  
FAMILY COURT JUDGE

-----X  
IN THE MATTER OF THE COMMITMENT OF  
GUARDIANSHIP AND CUSTODY PURSUANT TO  
§384-b OF THE SOCIAL SERVICES LAW OF

ORDER WITHDRAWING PETITION

DOCKET NO.: B-347/348-12

██████████ TEITELBAUM  
██████████ TEITELBAUM

FF NO.: 55085

CHILDREN UNDER EIGHTEEN YEARS OF AGE  
ALLEGED TO BE THE CHILDREN OF MENTALLY  
ILL PARENTS

MIRIAM TEITELBAUM  
JACOB TEITELBAUM

RESPONDENTS

-----X

**Pursuant to §1113 of the Family Court Act an appeal must be taken within thirty (30) days of receipt of the Order by Appellant in Court, thirty-five (35) days from the mailing of the Order to the Appellant by the Clerk of the Court or thirty (30) days after service by a party or child's attorney upon the Appellant, whichever is earliest.**

A Petition having been duly filed with this Court pursuant to §384-b of the Social Services Law alleging that the above-named children are the children of mentally ill parents;

And the following interested party-intervenors were present and participated in the hearing: David Darwin, Esq., Orange County Attorney, by Stephanie Bazile, Esq., of counsel, attorney for the Petitioner; Kim Pavlovic, Esq. of Children's Rights Society, Inc., attorney for the above-named children; Maria Patrizio, Esq. of Legal Aid Society of Orange County, Inc., attorney for the Respondent, Miriam Teitelbaum; John F. X. Burke, Esq., attorney for the Respondent, Jacob Teitelbaum; the Respondents, Miriam Teitelbaum and Miriam Teitelbaum; and there having been no other appearances,

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NOW THEREFORE, IT IS HEREBY

ORDERED that the Termination of Parental Rights - Mental Illness Petition having been filed with this Court under Docket Number B-347/348-12 is hereby withdrawn and dismissed without prejudice.

SIGNED this                      day of    at Goshen, New York.

E N T E R

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HON. ANDREW P. BIVONA  
FAMILY COURT JUDGE

DOCKET NO.: B-347/348-12

FF NO. 55085

IN THE MATTER OF THE COMMITMENT OF GUARDIANSHIP AND CUSTODY PURSUANT TO SECTION 384-b OF THE SOCIAL SERVICES LAW OF TEITELBAUM & TEITELBAUM

CHILDREN UNDER EIGHTEEN YEARS OF AGE ALLEGED TO BE THE CHILDREN OF MENTALLY ILL PARENTS

MIRIAM TEITELBAUM
JACOB TEITELBAUM

RESPONDENTS

PLEASE TAKE NOTICE:

( ) NOTICE OF ENTRY - that the within is a (certified) true copy of

Order Withdrawing Petition

of the within named Court entered in the office of the clerk of the within named Court, 2012

(V) NOTICE OF SETTLEMENT - that an Order of which the within is a true copy will be presented for settlement before a Judge of the within named Court at Family Court on June 14, 2012 at 9:00 a.m. No personal appearance is required. Written comments on the accuracy of this order must be received by the Court no later than the above notice of settlement date.

STATE OF NEW YORK, COUNTY OF ORANGE

ROBIN LEE MUTH, being sworn, says: I am not a party to the action, am over eighteen (18) years of age and reside at Montgomery, New York.

On June 4, 2012 I am serving a true copy of the annexed

Order Withdrawing Petition

by mailing the same in a sealed envelope with postage prepaid thereon in a post office or official depository of the U.S. Postal Service within the State of New York, to the last-known address of the addressee(s) as indicated below:

[ ] Orange County Sheriff's Department, 110 Wells Farm Road, Goshen, NY 10924 (only if checked)

[V] Legal Aid Society of Orange County, Inc., Post Office Box 328, Goshen, NY 10924 (only if checked)

Orange County Department of Social Services, 23 Hatfield Lane, Goshen, NY 10924

Children's Rights Society, Inc., Child(ren's) Attorney; 213 West Main Street, PO Box 1002, Goshen, NY 10924

John F. X. Burke, Esq., 210 Main Street, POB 943, Goshen, NY 10924

Handwritten signature of Robin Lee Muth
ROBIN LEE MUTH

Sworn to before me on June 4, 2012

Handwritten signature of Susan F. Stewart

SUSAN F. STEWART
NOTARY PUBLIC, State of New York
Qualified in Orange County
No. 01ST4528264
Commission Expires June 30, 2014

COUNTY ATTORNEY OF ORANGE COUNTY - FAMILY LAW DIVISION
Attorney for ORANGE COUNTY DEPARTMENT OF SOCIAL SERVICES
ORANGE COUNTY COURTHOUSE
285 MAIN STREET
GOSHEN, NEW YORK 10924

**EXHIBIT O**

LOCAL LAW NO. 3 OF 1998

A LOCAL LAW RESCINDING LOCAL LAW NO. 13 OF 1980 AND AMENDMENTS THERETO, AND ENACTING IN ITS STEAD A NEW LOCAL LAW, PROVIDING FOR THE DEFENSE AND INDEMNIFICATION OF COUNTY OFFICERS AND EMPLOYEES WHILE ACTING WITHIN THE SCOPE OF THEIR EMPLOYMENT.

Be it enacted by the County Legislature of the County of Orange, State of New York as follows:

**SECTION 1. Legislative Intent.** The purpose of this Local Law is to provide legal and financial protection for those individuals serving the County of Orange (hereinafter the "County") from lawsuits and other proceedings which may be brought against them in their individual capacity for omissions or actions taken while acting within the scope of their employment. By enactment of this Local Law, the County does not intend to establish or enlarge any direct liability of the County, or to limit or otherwise abrogate any existing right or responsibility of the County or its officers or employees with regard to indemnification or legal defense.

**SECTION 2. Rescission of Local Law No. 13 of 1980 as adopted and amended.** Local Law No. 13 of 1980, and all amendments thereto, shall be and the same hereby is fully and completely rescinded, and shall be of no further force or effect only upon this Local Law becoming effective according to the provisions of the Constitution of the State of New York, the Municipal Home Rule Law, and all other applicable law and rules.

**SECTION 3. Definitions.** As used in this Local law, the following terms shall have the meanings indicated:

1. "Employee." Any person, whether or not compensated, holding a position by election, appointment or employment in the service of the County, or a volunteer expressly authorized by the appropriate County official to act for the benefit of the

County, including any of its Agencies, Boards or Commissions, but shall not include an independent contractor or any member of any District or Authority created by the County. The term "employee" shall include a former employee, an employee's estate, or a judicially appointed personal representative. For purposes of this Local Law, the term "employee" shall also include members, officers and other persons appointed to, or in the employment of, the Industrial Development Agency of the County.

2. "County Attorney." The duly appointed County Attorney or such Assistant County Attorney designated to act on behalf of the County Attorney.

**SECTION 4. County to provide for defense of employees.**

1. If an employee complies with the provisions of Section 6 of this Local Law, the County, through the Office of the County Attorney, or through any applicable insurance program maintained by the County, shall provide for the defense of the employee in any civil action or proceeding in any state or federal court, or any proceeding before an administrative agency, arising out of any alleged act or omission which occurred or is alleged to have occurred while the employee was acting within the scope of his or her public employment or duties. For purposes of this Local Law, the determination of whether an employee was acting within the scope of his or her employment will be made by the Chairman of the Legislature for Legislative Branch employees, and by the County Executive for Executive Branch employees, upon the advice of the Counsel to the Legislature and County Attorney respectively, consistent with then prevailing law. Notwithstanding the above, no act can be so determined to be within the scope of employment if the commission of such act resulted in a conviction of a Class A misdemeanor or higher crime under the New York State Penal Law or similar federal crime under Title 18 of the United States Code . This duty to provide for a defense shall not arise where such action or proceeding is brought by or on behalf of the County against such employee.

2. Subject to the conditions set forth in paragraph 1 of this Section, the employee shall be entitled in such action or proceeding to be represented by the County Attorney, or counsel designated by the County Attorney, at no cost to the employee. The employee shall be entitled to representation by private counsel of his or her choice in such action or proceeding at the expense of the County whenever the County Attorney determines, based upon an investigation and review of the facts and circumstances of the case and of the prevailing law, that a conflict of interest exists between the employee and the County, or whenever a Court of competent jurisdiction determines that a conflict of interest exists and that the employee is entitled to be represented by counsel of his or her choice at the expense of the County. Upon such a determination, the County Attorney shall notify the employee in writing that the employee is entitled to be represented by private counsel of his or her choice at the expense of the County. The County Attorney may require, as a condition of the payment of the fees and expenses of such private counsel, that appropriate groups of such employees be represented by the same counsel. If the employee or group of employees is entitled to representation by private counsel under the provisions of this Section at the expense of the County, the County Attorney shall so certify this to the County Executive, County Legislature, and the Director of the County's Risk Management Division. Attorney fees and litigation expenses shall be paid to such private counsel only to the extent of appropriate and reasonable rates prevailing in Orange County, as determined by the County Attorney. Such attorney fees and litigation expenses shall be paid by the County to such private counsel from time to time while such action or proceeding is pending, upon submission by the private attorney of a detailed bill itemizing a description of the work performed, the hours worked, the rate per hour, and disbursements. However, no extraordinary disbursements or fees shall be paid to such private counsel unless prior written consent of the County Attorney was obtained.

Payment shall also be subject to the audit and warrant of the Director of the County's Risk Management Division. Such private counsel shall conform to all record keeping and notifications required by the County Attorney and/or the Director of the County's Risk Management Division.

3. Any dispute with respect to representation of multiple employees by a single counsel, the reasonableness of attorney fees, or the amount of litigation expenses, shall be resolved by a Court of competent jurisdiction upon motion or by way of a special proceeding.

4. Where the employee delivers process and a written request for a defense to the County Attorney as required by Section 6 of this Local Law, the County Attorney shall take the necessary steps on behalf of the employee, including the retention of private counsel as provided in this Section, to avoid entry of a default judgment against the employee pending a resolution of any issue pertaining to the obligation of the County to provide a defense.

**SECTION 5. County to provide for indemnification of employees.**

1. If an employee complies with the provisions of Section 6 of this Local law, the County shall indemnify and save harmless the employee in the amount of any final judgment, order or decision obtained against such employee in any civil action or proceeding in any state or federal court, or any proceeding before an administrative agency, or in the amount of any County approved settlement of any such action or proceeding, arising out of any alleged act or omission which occurred or is alleged to have occurred while the employee was acting within the scope of his or her public employment. For purposes of this Local Law, the determination of whether an employee was acting within the scope of his or her employment will be made by the Chairman of the Legislature for Legislative Branch employees, and by the County Executive for Executive Branch employees, upon the advice of the Counsel to the

Legislature and the County Attorney respectively, consistent with then prevailing law. Notwithstanding the above, no act can be so determined to be within the scope of employment if the commission of such act resulted in a conviction of a Class A misdemeanor or higher crime under the New York State Penal Law or similar federal crime under Title 18 of the United States Code. This duty to indemnify shall not arise where such action or proceeding is brought by or on behalf of the County against such employee.

2. The amount of any such judgment, order, or decision obtained against such employee, or the amount of any County approved settlement, for which the County will indemnify and save harmless an employee consistent with this Section, includes any amounts designated as compensatory, special, punitive, or other damages, including sanctions, fines, costs and attorney fees.

3. Any proposed settlement of such action or proceeding, for which indemnification by the County is sought, shall be reviewed and approved only in accordance with Local Law No. 2 of 1985. No employee will be indemnified or saved harmless by the County in accordance with this Local Law in connection with any settlement unless such settlement is so reviewed and approved.

4. Upon the entry or finalization of such final judgment, order or decision against the employee, or upon the settlement of the action or proceeding, the employee shall cause a copy of such judgment, order, decision or approved settlement to be served personally, or by certified or registered mail, within thirty (30) days of the date of entry, finalization or settlement, upon the County Attorney. If such judgment, order, decision or settlement is not inconsistent with the provisions of this Local Law, the County Executive, upon the advice of the County Attorney, shall certify it for payment. As so certified, the judgment, order, decision or settlement shall be paid upon the audit and warrant of the Director of the County's Risk Management Division.

**SECTION 6. Conditions.**

1. The duty to defend, indemnify and save harmless as set forth by this Local Law shall be conditioned upon (1) delivery by the employee to the Office of the County Attorney of the original or a true and complete copy of any notice of claim, summons, complaint, process, notice, demand or pleading as soon as possible, but in no event later than ten (10) days after the employee is served with such document or prior to the return date of such document, whichever is sooner, and (2) the full cooperation of the employee in the defense of such action or proceeding, and in the defense of any action or proceeding against the County based upon the same or related acts or omissions, and in the prosecution of any appeals thereof. The above-noted delivery of said notices of claim, summonses, complaints, processes, notices, demands or pleadings shall be deemed as a request by the employee that the County provide for his or her defense and indemnification pursuant to this Local Law.

2. Consistent with this Local Law, the determination as to whether the County will defend and/or indemnify the employee, will be based upon an investigation of the facts and circumstances of the matter. The Chairman of the Legislature or the County Executive, in accordance with this Local Law, shall make this determination within a reasonable time after the completion of such investigation. Such determination shall be final, except as provided below.

3. Such determination shall be in writing and mailed promptly by the County Attorney to the employee. If the determination is adverse in whole or in part to the employee, it shall state the facts and reasons therefor.

4. A determination favorable to the employee may thereafter be revised and/or revoked for good cause. The revised determination, or the revocation of such determination, shall be in writing and mailed by the County Attorney promptly to the employee, and shall state the facts and reasons therefor.

5. A special proceeding brought pursuant to Article 78 of the New York Civil Practice Law and Rules shall be the exclusive method by which an employee aggrieved by a determination may seek review of the determination. If, as a result of such judicial review, the employee ultimately obtains a reversal of the determination, the County shall reimburse the employee for the attorney fees and costs charged the employee in obtaining the reversal, to the extent that such fees and costs were reasonable and necessary.

**SECTION 7. Limitation of benefits.** The benefits of this Local Law shall inure only to employees as defined herein and shall neither enlarge nor diminish the rights of any other party, nor shall any provision of this Local Law be construed to affect, alter or repeal any provision of the Workers' Compensation Law.

**SECTION 8. Effect on other laws.** This Local Law shall not in any way affect the obligation of any claimant to give notice to the County under Section 50-e of New York General Municipal Law, or any other provision of any law.

**SECTION 9. Applicability.** The provisions of this Local Law shall apply to all actions and proceedings then pending on the effective date of this Local Law, pursuant to Section 12 herein, or thereafter instituted.

**SECTION 10. Construction of provisions.** Except as otherwise specifically provided in this Local Law, the provisions of this Local Law shall not be construed in any way to establish or enlarge any direct liability of, or to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon, the County or any unit, entity, officer or employee of the County, or any right to a defense and/or indemnification provided for any County officer or employee by, in accordance with, or by reason of, any other provision of county, state or federal statutory, regulatory or common law.

**SECTION 11. Savings clause.** If any provision of this Local Law, or the application thereof to any person or circumstance, is held unconstitutional or invalid in part by any Court of competent jurisdiction, such holding of unconstitutionality or invalidity shall in no way affect or impair any other provision of this Local Law or the application of any such other provision to any other person or circumstance.

**SECTION 12. Effective date.** This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State as provided by law.

**EXHIBIT P**

UNITED STATES DISTRICT COURT  
for the  
Southern District of New York

Jacob Teitelbaum  
*Plaintiff*

Civil Action No.: **12-CV-2858**  
**JUDGE BRICCETTI (VB)**

v  
See Attached;  
*Defendant*

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff(s) attorney, whose name and address are:

**PRO SE JACOB TEITELBAUM  
5 LEIPNIK WAY # 102  
MONROE, NY 10950**

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J KRAJICK  
CLERK OF COURT

Date: May 16<sup>th</sup>, 2012



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*Signature of Clerk or Deputy Clerk*

JUDA KATZ; CHAYA KATZ; :  
JOEL TENNENBAUM; BLUMA :  
TENNENBAUM; DAVID :  
RUBENSTEIN; KIRYAS JOEL COMM :  
AMBULANCE CRP; DISTRICT FAMILY :  
COURT OF ORANGE COUNTY 9<sup>TH</sup> :  
JUDICIAL DISTRICT; HON. ANDREW :  
P. BIVONA; ATTY. MARIA PETRIZIO; :  
CHILDREN'S RIGHTS SOCIETY OF :  
ORANGE COUNTY; ATTY. KIM :  
PAVLOVIC; ATTY JOHN FRANCIS X. :  
BURKE; CHILD PROTECTIVE SERVICES :  
OF ORANGE COUNTY; CHRISTINE :  
BRUNET; ATTY. STEPHANIE BAZILEOR; :  
JOHN DOES 1 THROUGH 95; JANE DOES :  
1-20, :

**PRO SE OFFICE**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/20/12

JACOB TEITELBAUM, individually and as father to  
CHILD A and CHILD B,

**PLAINTIFF**

**-against-**

JUDA KATZ; CHAYA KATZ; JOEL TENNENBAUM;  
BLUMA TENNENBAUM; DAVID RUBENSTEIN;  
KIRYAS JOEL COMM AMBULANCE CRP; ATTY. MARIA  
PETRIZIO; CHILDREN'S RIGHTS SOCIETY OF ORANGE  
COUNTY; ATTY. KIM PAVLOVIC; ATTY JOHN FRANCIS  
X. BURKE; CHILD PROTECTIVE SERVICES OF ORANGE  
COUNTY; DEPARTMENT OF SOCIAL SERVICES OF  
ORANGE COUNTY; CHRISTINE BRUNET; ATTY.  
STEPHANIE BAZILEOR; JOHN DOES 1 THROUGH 95;  
JANE DOES 1 THROUGH 20,

**DEFENDANTS**

**CIVIL ACTION NO.**

**12-CV-2858 (VB)**

**AMENDED  
COMPLAINT**

**JURY TRIAL  
DEMANDED**

Plaintiff JACOB TEITELBAUM, appearing Pro Se, by way of complaint against the  
Defendants respectfully alleges as follows:

### **NATURE OF COMPLAINT**

1. Plaintiff is a resident in a Hasidic, ultra-Orthodox, closely-knit community where it is unheard of to go "outside of the community" for most matters, and especially to report a member of the community to CPS for child abuse or neglect when both parents live together. For some odd reason, there was an exception in this case, and individuals in the community both conspired with false allegations and went out of the community to misinform Defendant CPS, all in an effort to take away the Plaintiff's children. The cause of this harassment and intimidation from the community was the community's disagreement with a religious campaign that the Plaintiff has been involved in. Those individuals were not satisfied with taking the children away, but continued to intimidate Plaintiff in many other ways. Furthermore, these individuals have harassed and intimidated Plaintiff's wife numerous times. In this manner, the community has attempted to drive her to prevent Plaintiff from participating in his religious campaign, and even going so far as to force her to try to have Plaintiff removed from their home.
2. The Plaintiff, after considering his financial limitations, his limited comprehension of and ability to speak English, his limited knowledge of law, and his lack of political connections, believed that ignoring the situation would be the best option.
3. On or about August 2011, Plaintiff's wife resumed living in peace with Plaintiff, discontinuing any and all efforts to stop Plaintiff from his campaign. Subsequently, Plaintiff's wife once again became the target of both the previously mentioned individuals as well as Defendant DSS. In this light, Plaintiff notified through a motion the Family Court, stating that it was getting obvious that DSS had interests in this matter other than the well-being of the children. Shortly after those aforementioned individuals

and Defendant DSS stopped targeting Plaintiff's wife, they instead resumed their effort to convince her to join them in their efforts against the Plaintiff by offering her back her children if she would agree to separate from the Plaintiff. Family court denied Plaintiff's request to dismiss his attorney, who has refused Plaintiff's requests for denying charges and is instead fully compliant with DSS. This has left the Plaintiff with no other option than to seek remedy in this Court.

#### **JURISDICTION AND VENUE**

4. Plaintiff Jacob Teitelbaum, Child A, and Child B are residents of the Town of Monroe, County of Orange, State of New York.
5. Upon information and belief all of the above named Defendants are residents of or conduct business in the County of Orange, State of New York.
6. This action is brought pursuant, but not limited to, Federal Question, 28 U.S.C. § 1331 for violations of the constitutional amendments, and state and federal statutes and pursuant the law.
7. This court also has jurisdiction over this matter pursuant but not limited to, 42 U.S.C. § 1983, and § 1985.
8. Venue is a Southern district of the United States District Court of New York, since the Events alleged herein happened in Orange County, New York, and Plaintiff as well as defendants are residing or conducting business in Orange County, New York.

**PARTIES IN THIS COMPLAINT**

9. Plaintiff JACOB TEITELBAUM, is an individual over the age of 18 years, and is a citizen of the United States of America residing at 20 Getzel Berger Boulevard, Unit 104, Monroe, New York, 10950. Plaintiff is representing himself pro se, hereinafter referred to as "Plaintiff".
  - a. Plaintiff Child "A", represented by Plaintiff, is an individual, a minor child, and a resident of the state of New York, hereinafter referred to as "Child 'A'".
  - b. Plaintiff Child "B", represented by Plaintiff, is an individual, a minor child, and a resident of the state of New York, hereinafter referred to as "Child 'B'".
10. Defendant Juda Katz is a New York state resident located at 22 Hayes Court, Unit 201, Kiryas Joel, New York. Defendant Juda Katz is the brother in law to Plaintiff's wife and was once a foster parent to "Child 'A'".
11. Defendant Chaya Katz is a New York State resident located at 22 Hayes Court, Unit 201, Kiryas Joel, New York. Defendant Chaya Katz is sister to Plaintiff's wife and was once a foster parent to "Child 'A'".
12. Defendant Joel Tennenbaum is a New York state resident located at 16 Lizensk Boulevard, Unit 102, Kiryas Joel, New York. Defendant Joel Tennenbaum is brother to Plaintiff's wife and foster parent to Plaintiff's children.
13. Defendant Bhuma Tennenbaum is a New York state resident located at 16 Lizensk Boulevard, Unit 102, Kiryas Joel, New York. She is the wife of Joel Tennenbaum, sister-in-law to Plaintiff's wife, and foster parent to Plaintiff's children.

14. Defendant David Rubenstein is a New York state resident located at 4 Lamberg Ct., Unit 301, Kiryas Joel, New York. Defendant is a key member of Hatzalah, a volunteer Emergency Medical Service (EMS).
15. Defendant Kiryas Joel Comm Ambulance Corp. of Kiryas Joel, New York, upon information and belief is a New York state non-profit organization that operates at times interstate. Its primary location is 51 Forest Road, Village of Kiryas Joel, New York. Hereinafter, defendant will be referred to as "Hatzalah EMS".
16. Defendant Attorney Maria Petrizio acted as attorney for Plaintiff's wife in the Family Court Proceedings. Defendant attorney Petrizio may be served a summons at her primary office, which is located at 210 Main Street, P.O. Box 328, Goshen, New York, 10924. Hereinafter, this Defendant will be referred to as "Attorney Petrizio".
17. Defendant Children's Rights Society Inc., has its primary place of business located at 213 West Main St., P.O. Box 1002, Goshen, New York, 10924. This Defendant acted through its agent Attorney Kim Pavlovic as the law guardian for Plaintiff's children. The Defendant may be served a summons at their primary place of business, 213 West Main St., Goshen, New York, 10924. Hereinafter, Defendant will be referred to as "Attorney Pavlovic".
18. Defendant Attorney John Francis X. Burke holds his primary office at 210 Main Street, P.O. Box 943, Goshen, New York, 10924. This Defendant acted as attorney for Plaintiff in the Family Court proceedings. Defendant Attorney Burke may be served a summons at the location listed above. Hereinafter, this Defendant will be referred to as "Attorney Burke".

19. Defendant Child Protective Services of Orange County, New York, is a New York government entity located at 23 Hatfield Lane, Goshen, New York, 10924. This Defendant acted through its agents, including Christine Brunet, and may be served a summons at their primary place of business, which is 23 Hatfield Lane, Goshen, New York, 10924. Hereinafter, this Defendant will be referred to as "CPS".
20. Defendant Department of Social Services of Orange County, New York is a New York government entity located at Box Z, Quarry Road, Goshen, New York, 10924. This Defendant acted through its agent's attorney Stephanie Bazileor and Social Caseworker John or Jane Does. The Defendant may be served a summons at the Orange County Law Department Family Law Division, which is located at 285 Main Street, Goshen, New York, 10924. Hereinafter, Defendant Department of Social Services of Orange County, N.Y., will be referred to as "Social Services" or "DSS".
21. Defendants John Doe 1 through 95 and Jane Doe 1 through 20 were at all times relevant herein as part of the conspiracy against Plaintiff as of about March 2010 until now.

**Non Parties**

22. Miriam Teitelbaum, the wife of Plaintiff, is a key non-party and is a subject of proceedings of Defendant Family Court. Hereinafter she will be referred to as "Plaintiff's wife".
23. Ben Friedman, a friend of Plaintiff, is a non-party who was witness to some of the events described in the Statement of Facts.
24. Meir Tennenbaum is the father of Plaintiff's wife.

25. Mrs. Tennenbaum is the mother of Plaintiff's wife.
26. Rabbi Dr. Price is the Plaintiff's psychiatrist.
27. Orange County Family Court.

### STATEMENT OF FACTS

-----A

28. On or about March 2010, Plaintiff and his friend Mr. Ben Friedman got involved in a religious campaign against forced divorces that had been taking place through the use of illegal kidnapping in the community.
29. Upon information and belief, thereafter individuals in the community conspired to silence this campaign.

-----B

30. On or about April 14<sup>th</sup>, 2010, Defendant Chaya Katz arranged with Plaintiff's wife for the Defendant's children to visit Plaintiff's home in order to make an exchange of personal items. The exchange was to occur while the Plaintiff's wife was going to mikveh.
31. Defendant Chaya Katz's children came to the house as previously arranged in order to exchange the items.
32. Not suspecting anything, Plaintiff allowed Defendant Katz's children into the house.
33. Meanwhile, Plaintiff stepped outside the house with child 'A'. Child 'B' was sleeping in his crib and thus remained in the house with Defendant Katz's children.
34. Defendant Katz's children then abducted child 'B' from his crib.

35. Plaintiff re-entered the house once Defendant Katz's children left and noticed that child 'B' was missing from his crib.
36. Plaintiff then realized that Defendant Katz's children had abducted child 'B'.
37. Plaintiff and his wife [once back from mikveh] tried reaching Defendants Juda and Chaya Katz by calling them on the phone, but were unsuccessful.
38. Plaintiff and his wife then went to Defendants Juda and Chaya Katz's home to get the child back, and knocked at their door for about an hour.
39. Defendant Hatzalah EMS then arrived at Defendants Katzs' home.
40. Defendants Juda and Chaya Katz returned the child 'B' to Plaintiff and his wife.

-----C

41. On or about April 27<sup>th</sup>, 2010, Plaintiff's wife gave baby Tylenol to Child 'B'.
42. Soon thereafter, Plaintiff's wife found Child 'A' playing with the open baby Tylenol bottle.
43. Plaintiff's wife then called Defendant Hatzalah EMS so that they might determine whether Child 'A' had ingested the Tylenol.
44. Defendant David Rubenstein from Hatzalah EMS arrived at the home.
45. Defendant David Rubenstein said he would take Child 'A' to the hospital for a checkup. Plaintiff's wife would accompany Defendant Rubenstein and Child 'A' to the hospital.
46. Defendant David Rubenstein asked Plaintiff's wife to sign a consent that would allow Defendant Rubenstein to keep Child 'B' at his apartment until the Plaintiff's wife returned from the hospital the next day with Child 'A'.
47. Plaintiff's wife signed the consent for Defendant David Rubenstein.

48. Once the consent was signed, Defendant Rubenstein had another EMS member take the Child 'B' to his apartment.
49. Defendant David Rubenstein then abducted Plaintiff's wife with an ambulance, taking her and committing her to a mental institution.
50. Defendant David Rubenstein then gave Child 'A' to Defendants Juda and Chaya Katz.
51. Defendant David Rubenstein did not inform Plaintiff of the abduction of Plaintiff's wife or of her placement in the hospital.
52. Neither Defendant David Rubenstein nor Defendants Juda or Chaya Katz informed Plaintiff or his wife of Child 'A's' whereabouts.
53. On about April 28<sup>th</sup>, 2010, Defendant CPS confronted Plaintiff at his home.
54. At that time, Defendant CPS officially informed Plaintiff that they had removed his children.
55. Defendant CPS served Plaintiff with charges in the evening.
56. Defendant CPS charged Plaintiff with Child Neglect.
57. Plaintiff was charged without proper investigation.
58. Plaintiff was charged without probable cause.
59. Defendant CPS removed the children without imminent danger.

-----D

60. On or about May 5<sup>th</sup>, 2010, Family Court assigned to Plaintiff Defendant attorney John F.X. Burke.
61. Thereafter, Plaintiff asked Defendant attorney Burke to both deny the charges and prove to the Family Court that the charges were false.

62. Defendant attorney Burke refused to fight for Plaintiff, claiming he had received a deal from DSS.
63. Defendant attorney Burke insisted that, because of his deal with DSS, Plaintiff must plead guilty to the charges.
64. Plaintiff was recently informed that Defendant Attorney Burke had entered consent to all the charges without a fact finding hearing.
65. On the other hand, Plaintiff's wife received an ACD for the same charges.

-----E

66. On or about August 2010, through several phone calls made to the Plaintiff's wife, people in the community incited and obliged Plaintiff's wife to stop Plaintiff from completing his religious campaign.

-----F

67. On or about September 7<sup>th</sup>, 2010, Defendant DSS returned the children to Plaintiff and his wife.

-----G

68. On or about September 15<sup>th</sup>, 2010, Plaintiff performed a peaceful demonstration in Kiryas Joel as part of his religious campaign.

-----H

69. On or about September 16<sup>th</sup>, 2010, Child 'B' did not wake from his usual daytime nap.
70. Plaintiff's wife called Defendant Hatzalah EMS.

71. Defendant Hatzalah EMS took Child 'B' to Westchester Medical Center.
72. Thereafter, Defendant DSS removed the children from the Plaintiff's home once again.
73. According to a Court Order dated February 8<sup>th</sup>, 2012, a petition alleging a violation of the terms and conditions of the Order of Disposition [which had ordered that Plaintiff was to secure his medication out of the children's reach] was filed on October 25<sup>th</sup>, 2010.
74. Defendant Attorney Burke claims [in Feb 2012] that he does not have a copy of the petition.
  - a. According to the Court transcript dated Jan 12<sup>th</sup>, 2011, the matter was scheduled for trial on Jan 12<sup>th</sup>, 2011.
  - b. According to the Court transcript dated Jan 12<sup>th</sup>, 2011, petition was not read in Defendant Family Court.
75. According to the Court transcript dated Jan 26<sup>th</sup>, 2011, Defendant DSS stated they had not yet received the hospital records or the records from Defendant Hatzalah EMS regarding the September 16<sup>th</sup>, 2010, incident with child 'B' [the subpoena was served on January 21<sup>st</sup>, 2011].
76. Defendant Attorney Burke told Plaintiff that in order to get his children back he would need to admit that he failed to secure his medication. However, Plaintiff had never taken the medication. The medication bottle was unopened and contained within an unopened bag.
77. Meanwhile, Family Court adjourned Plaintiff's wife's trial to a later date of March 1<sup>0th</sup>.
78. Family Court stated that this situation was an accident and that Plaintiff's wife could not be blamed for an accident.

-----I

79. On or about September 26<sup>th</sup>, 2010, Meir Tennenbaum, Plaintiff's wife's father, visited Plaintiff's house.
80. Meir Tennenbaum then verbally harassed and embarrassed Mr. Ben Friedman, who was present at the Plaintiff's house, for being involved in the religious campaign.
81. Meir Tennenbaum then harassed Plaintiff for having a friendly relationship with Mr. Ben Friedman.
82. Meir Tennenbaum then ordered Plaintiff's wife to not allow Mr. Ben Friedman into her house anymore.
83. Since this time, Plaintiff's wife has resisted each time Plaintiff has wanted Mr. Ben Friedman to visit their house.
84. Also since this time, Plaintiff's wife has blocked all calls from anyone who is associated with the religious campaign, effectively preventing Plaintiff from receiving calls from those involved with the campaign.

-----J

85. On or about October 2010, Defendant DSS agreed to allow the *Payos opsheren* celebration of Child 'A' to take place at Plaintiff's home on October 11<sup>th</sup>.
86. On or about October 9<sup>th</sup>, Defendant DSS informed Plaintiff that they were not sure about allowing the celebration to take place at Plaintiff's home.
87. On or about October 10<sup>th</sup>, Defendant DSS informed Plaintiff that the celebration would only be allowed to take place at the home of Meir Tennenbaum.
88. Defendant DSS gave no reason for the sudden change in required location.

-----K

89. On or about July 2011, Defendant DSS informed Plaintiff that the court had ordered Plaintiff to leave his house every Friday for 1-½ hours, during the time that his wife would have visitation with the children. (Exhibit 'A')

-----L

90. On or about July 2011, Plaintiff's psychiatrist, Rabbi Dr. Price, informed Plaintiff and his wife that he saw no real necessity for Plaintiff taking the psychotropic medication that had been prescribed to Plaintiff at an earlier time under the direction of the Plaintiff's family.
91. Dr. Price also informed Plaintiff that as long as he insisted on continuing the religious campaign, Plaintiff would not get his children back.
92. Plaintiff's wife disagreed with Dr. Price, insisting that Dr. Price tell Plaintiff that he must take medication.
93. Plaintiff's wife's request was an effort to stop Plaintiff from his religious campaign through the use of medication. This tactic is a common one used in the Hasidic ultra-Orthodox community in order to gain control over someone, and was in fact the tactic that had resulted in the prescribing of the psychotropic medication to Plaintiff in the first place.

-----M

94. On or about July 18<sup>th</sup>, 2011, Defendant David Rubenstein, in conjunction with other Hatzalah EMS members, organized the abduction of the Plaintiff, forcing him into a mental institution (Bellevue Hospital Center).
95. On or about July 19<sup>th</sup>, 2011, Plaintiff was signed out of the hospital and returned to Kiryas Joel through the assistance of his friend Mr. Ben Friedman.
96. Bellevue Hospital released Plaintiff only on the condition that Plaintiff would not return to his own home.
97. Once Plaintiff returned to Kiryas Joel, Defendant Rubenstein and other Hatzalah members chased Plaintiff in the street, attempting to abduct him again.
98. Plaintiff then took cover by fleeing in a friend's car to his friend Ben Friedman's house.
99. Defendant Rubenstein and other Hatzalah EMS members continued to chase Plaintiff to said house.
100. Defendant Rubenstein attempted to open the door of the house without asking permission to enter.
101. When he was denied entry, Defendant Rubenstein intruded through the window, threatening that he would kidnap both Plaintiff's friend and Plaintiff if Ben Friedman would not open the door for Defendant Hatzalah EMS immediately.
102. Plaintiff's friend immediately called the N.Y. State Police.
103. N.Y. State Police arrived and did not allow Defendant Rubenstein or other Hatzalah EMS members to abduct or institutionalize Plaintiff.
104. Defendant Rubenstein and the other Hatzalah EMS members then left the scene.
105. Plaintiff then went to Arden Hill Hospital to be evaluated in order to prove that the allegations Defendant Hatzalah EMS were making against Plaintiff were false.

106. On or about July 19<sup>th</sup>, 2011, Arden Hill Hospital confirmed that there was no reason to institutionalize Plaintiff.
107. Arden Hill Hospital released Plaintiff on the condition that Plaintiff would not return to his own home.
108. Plaintiff then returned to his home.
109. Plaintiff's wife then called Defendant Hatzalah EMS, asking them to remove Plaintiff from the home and to return him to a mental institution.
110. Defendant Hatzalah EMS did not respond to her request.
111. Plaintiff's wife then called the N.Y. State Police, asking them to remove Plaintiff from the home.
112. N.Y. State Police informed Plaintiff's wife that they could not remove Plaintiff, and advised her that she could only have him removed through the family court system.

-----N

113. On or about July 2011, individuals in the community contact Plaintiff's wife again via telephone, attempting to incite her to separate from Plaintiff by moving out of the home into another apartment of her own. However, Plaintiff's wife refused.
114. Acting under the instructions of certain individuals within the community, Plaintiff's wife seized Plaintiff's Shabbas clothing.
115. Plaintiff firmly demanded that his wife return the clothing.
116. On or about August 2011, Plaintiff's wife demanded that those individuals in the community who possessed Plaintiff's clothes must return the clothing to her. Once she

received the clothing, she then gave the clothing back to her husband and resumed living in peace with Plaintiff.

-----O

117. On or about August 2011, through more telephone calls to Plaintiff's wife, individuals in the community threatened to abduct Plaintiff's wife and to force her into a mental institution because she had resumed living in peace with Plaintiff rather than attempting to deter Plaintiff from his religious campaign.
118. On or about September 8<sup>th</sup>, 2011, this threat was carried out. Defendant Hatzalah EMS abducted Plaintiff's wife from the street outside her home and forced her into a mental hospital (N.Y. Presbyterian, Westchester County).
119. Defendant Hatzalah EMS did not inform Plaintiff of abduction.
120. Defendant Hatzalah EMS [or the family] instructed the admitting hospital to not listen to Plaintiff or his agents whatsoever.
121. Plaintiff's wife was thus institutionalized for about two and a half weeks, lasting until late September 2011.
122. On or about September 12<sup>th</sup>, 2011, Plaintiff's wife called her mother Mrs. Tennenbaum to ask her why her mother had participated in said abduction.
123. Plaintiff's wife's father, Rabbi Meir Tennenbaum, interrupted the phone conversation, hysterically proclaiming that the Plaintiff's wife "...deserved it, because six weeks ago you told me that your husband is the problem, and now you are in peace with him and Mr. Friedman. I'm not afraid of your husband or Mr. Friedman."

-----P

124. On or about October 6<sup>th</sup>, 2011, after Plaintiff's wife had been released from the mental institution, Plaintiff's wife's parents -Meir and Mrs. Tennenbaum - had another heated discussion with Plaintiff's wife. During the conversation, they expressed their anger about her living in peace with Plaintiff as well as the fact that she was no longer trying to deter Plaintiff from his religious campaign.
125. Plaintiff's wife's parents then sent Defendant Hatzalah EMS to Plaintiff's home with the goal of once again abducting Plaintiff's wife and forcing her into a mental institution.
126. Plaintiff's wife then called the N.Y. state police.
127. Defendant Hatzalah EMS took Plaintiff's wife to Orange County Horton Medical Center, who released her the very same day once the Plaintiff contacted them to say that his wife was fine.

-----Q

128. On or about October 21<sup>st</sup>, 2011, Defendant DSS did not allow Plaintiff's children to visit Plaintiff in the men's section of the synagogue for *Simchas Torah* dancing with their father as all children do.
129. Defendant DSS then fought with Plaintiff's wife for having allowed the children to go into the men's section with Plaintiff for a mere few minutes.
130. Since that incident, Defendant DSS has prevented visitations from occurring at the Plaintiff's home; rather, visitations must occur at the office of DSS.

-----R

131. On or about November 4<sup>th</sup>, 2011, Defendant DSS shortened the length of Plaintiff's wife's scheduled visitation with her children without warning or explanation. When Plaintiff's wife inquired as to why the visitation was shortened and rightfully requested that she be granted the full agreed scheduled time, she was forcefully committed into Orange Regional Medical Center. Defendant DSS's justification for this action was that the Plaintiff's wife was "irritated."
132. In this case, Defendant DSS had hospitalized Plaintiff's wife on the eve of a weekend when no resident psychiatrist was there, requiring the hospital to keep her at the hospital until a doctor would be able to discharge her on Monday after verifying that there was no reason that she must stay there.

-----S

133. On or about Dec 27<sup>th</sup>, 2011, Plaintiff filed a motion with Family Court to stop Defendant DSS's politically motivated actions.
134. Plaintiff asked Family Court to make a determination through a fact finding hearing that the underlying involvement of the Defendant DSS in this matter was based on political reasons.
135. Plaintiff stated that Plaintiff's wife was now being targeted by the Defendant DSS, Defendant Hatzalah EMS, and those in the community in an effort to stop Plaintiff from his religious campaign. By saying this, Plaintiff alleged that this clearly demonstrated that Defendant DSS's actions were politically motivated.
136. On or about January 3<sup>rd</sup>, 2012, Defendant attorney Maria Petrizio called Plaintiff's wife and stated that Plaintiff would never get custody of the children because:

- a. Plaintiff had filed a motion;
- b. Plaintiff had a friendly relationship with Mr. Ben Friedman; and
- c. Plaintiff had not cooperated with Defendant Attorney Burke.

137. Defendant Attorney Petrizio also stated that should the subject of the Plaintiff's motion be raised in court the next day, then Plaintiff would have to say in court that he did not file this motion.

138. Defendant Attorney Petrizio also stated that Plaintiff's wife must choose between either separating from Plaintiff or giving up the right to her children forever.

-----T

139. On or about January 4<sup>th</sup>, 2012, Defendant DSS dropped the motion against Plaintiff's wife.

140. Plaintiff had attempted to obtain a transcript of the record of the court appearance for January 4<sup>th</sup> 2012.

141. Plaintiff was informed by Family Court that there was no record for any appearances on that day.

-----U

142. On or about January 4<sup>th</sup>, 2012, while in the Court building, Defendant attorney Petrizio suggested to Plaintiff's wife that she ignore and abandon Plaintiff because he had filed the above mentioned motion.

143. Defendant Attorney Petrizio then demanded to know what Plaintiff's wife had chosen of the two options she had been given during the previous day's conversation: whether Plaintiff's wife would separate from Plaintiff or give up her right to her own children.

-----V

144. On or about January 9<sup>th</sup>, 2012, Defendant Attorney Kim Pavlovic proposed in Court that the children be returned to Plaintiff's wife on the condition that Plaintiff would be evicted from the home.
145. Defendant Attorney Pavlovic stated that the major issue that would prevent the return of the children was the Plaintiff and that the Plaintiff's wife had been complying all along. Defendant Attorney Pavlovic also stated that only by evicting the Plaintiff could the situation be helped
146. Defendant Attorney Burke did not object.
147. Defendant DSS did not object to Defendant Attorney Pavlovic's proposal to return the children to Plaintiff's wife on the condition that Plaintiff was evicted from his home.
148. Family Court agreed and affirmed all of this.
149. As seen on the transcript, Family Court stated the following to the Plaintiff: "You must realize that apparently the difficulty lies with you, unless you are more amenable to the recommendations of the Department of Social Services. You know, there's an old saying. If you go along, you get along. Sometimes it's easier to comply with the requests of the Department of Social Services than it is to buck up against them. Do you understand what I mean?"

150. As seen on the transcript, Family Court then stated to Defendant DSS: "In the meantime I expect something to be done." In this case, Family Court was hinting that DSS should be keeping pressure on the Plaintiff.

-----W

151. After the Court session, Defendant Attorneys Petrizio and Burke demanded that Plaintiff leave his home immediately and for good.

152. Defendant Attorney Petrizio stated again to Plaintiff's wife that she would lose the children forever if she would not comply with their request to evict Plaintiff from the home.

153. On or about January 20<sup>th</sup>, 2012, Defendant Attorney Petrizio called Plaintiff's wife to insist that she file a motion that would evict Plaintiff from the home for several months. Defendant Attorney Petrizio said that this action would result in Plaintiff's wife getting the children back, and also stated again that Plaintiff's wife would lose her children forever if she did not file it. Defendant Attorney Petrizio very strongly pressured Plaintiff's wife to file this motion.

154. Thereafter, Plaintiff sent a letter to Family Court informing the Court of the intimidation his wife was experiencing. The letter also asked why this was happening.

155. On or about January 26<sup>th</sup>, 2012, Defendant Attorney Petrizio called Plaintiff's wife and asked what she had decided to do about evicting Plaintiff. In response, Plaintiff's wife said that she needed Plaintiff, especially if the kids were at home, and that it would be detrimental to her and to the well being of the children if the Plaintiff was not at home.

156. Defendant Attorney Petrizio continued to insist that Plaintiff's wife file a request to evict Plaintiff because the Family Court had already made up its mind not to return the children to Plaintiff. Defendant Attorney Petrizio also stated that the Court would not change its mind.
157. Thereafter, Defendant Attorney Maria Petrizio sent a letter to Plaintiff's wife dated February 9<sup>th</sup>, 2012, reiterating her previous warning that Plaintiff's wife should separate from Plaintiff to facilitate having the children returned to her custody. The letter further stated that if Plaintiff's wife decided to remain with Plaintiff, her parental rights could be terminated: that she would no longer be the legal parent of her own children and that the children could potentially be adopted by another party. (Exhibit 'B')

-----X

158. Plaintiff's first motion filed on or about December 27<sup>th</sup>, 2011, was returnable for January 17<sup>th</sup>, 2012.
159. As of January 17<sup>th</sup>, 2012, none of the Defendants had replied to the motion.
160. There is no document reflecting any written request for an extension to reply to this motion.
161. There is no record of any verbal request for an extension to reply to this motion.
162. On or about February 3<sup>rd</sup>, 2012, Plaintiff received a reply to his motion from Defendant DSS dated January 19<sup>th</sup>, 2012.
163. Plaintiff immediately wrote to Family Court asking if he could still reply to Defendant DSS's reply, as their reply was dated after the deadline had passed.
164. Family Court did not answer Plaintiff's question.

165. On or about February 10<sup>th</sup>, 2012, Plaintiff received Family Court's decision dated February 8<sup>th</sup>, 2012.
166. Family Court denied Plaintiff's motion, reasoning that it was frivolous.

-----Y

167. On or about January 17<sup>th</sup>, 2012, Plaintiff filed a 2<sup>nd</sup> motion requesting written clarification from Defendant DSS as to whether or not they wanted him to stop his involvement in the religious campaign for the interest of his children. Plaintiff also asked that, should Defendant DSS have no issue with his religious campaign, Defendant DSS give Plaintiff a written notification identifying the charges against him and explaining what Plaintiff would need to do in order to be compliant with those charges. This request was made with the ultimate goal of getting the children back.
168. On or about February 3<sup>rd</sup>, 2012, Plaintiff received the Defendant DSS's opposition papers for Plaintiff's 2<sup>nd</sup> motion.
169. Defendant DSS did not mention what requirements would need to be met in order for Plaintiff to get his children back.
170. On or about February 7<sup>th</sup>, 2012, Plaintiff replied to Defendant DSS's opposition papers to Plaintiff's 2<sup>nd</sup> motion. Plaintiff again requested an explanation of what the charges against him were and how he could comply with them. He also asked, again, about whether Defendant DSS required him to stop his involvement in the religious campaign.
171. On or about February 10<sup>th</sup>, 2012, Plaintiff received Defendant Court's decision in response to Plaintiff's 2<sup>nd</sup> motion dated February 8<sup>th</sup>, 2012.

172. Family Court stated that it would be advancing this motion and would render its decision immediately, although it was returnable by February 23rd, 2012.
173. Family Court further stated that Defendant DSS acted only to protect the children.
174. Family Court denied Plaintiff's 2<sup>nd</sup> motion, reasoning that it was frivolous.
175. Family Court failed to explain why Defendant DSS would not provide Plaintiff with what they required of him to comply with in order to get back the children.

-----Z

176. On or about Dec 27<sup>th</sup>, 2011, Plaintiff wrote to Family Court, dismissing the Court-assigned Defendant Attorney Burke.
177. On or about January 3<sup>rd</sup>, 2012, Plaintiff wrote to Family Court requesting an interpreter.
178. Plaintiff informed the Family Court that his case was not being properly communicated to the Court through Defendant Attorney Burke, and requested that an interpreter be allowed to help him present his pro se case.
179. On or about January 9<sup>th</sup>, 2012, Family Court ordered that Defendant Attorney Burke again represent Plaintiff.
180. Thereafter Plaintiff wrote once again to Family Court, unequivocally dismissing his attorney.
181. On or about January 17<sup>th</sup>, 2012, Plaintiff filed a 3<sup>rd</sup> motion that the Court should relieve Plaintiff's attorney, allowing Plaintiff to proceed Pro Se.
182. On or about February 10<sup>th</sup>, 2012, Plaintiff received Defendant Family Court's decision to Plaintiff's 3<sup>rd</sup> motion dated February 8<sup>th</sup>, 2012.
183. Family Court denied Plaintiff's motion to proceed Pro Se.

184. Family Court further directed Plaintiff not to send correspondence directly to the Court, and that Plaintiff may only communicate with the Court through his attorney.

-----AA

185. On or about January 25<sup>th</sup>, 2012, Defendant DSS filed a petition to terminate parental rights for Plaintiff and his wife based on mental illness.
186. Defendant DSS brought new claims of mental illness against Plaintiff.
187. On or about February 3<sup>rd</sup>, 2012, Plaintiff received Defendant DSS's motion dated January 25<sup>th</sup>, 2012, which stated that Plaintiff and his wife must be evaluated for mental illness.
188. On or about February 7<sup>th</sup>, 2012, Plaintiff filed opposition papers against both the Defendant DSS's motion for mental evaluation and their petition.
189. On or about February 17<sup>th</sup>, 2012, at the Family Court hearing on this matter, Defendant Attorney Burke did not object to the motion for mental evaluation.
190. Family Court ordered that both Plaintiff and his wife have a mental evaluation.

-----AB

191. On or about January 25<sup>th</sup>, 2012, during a scheduled visitation at Plaintiff's home, Defendant DSS's supervisor Mr. James screamed loudly and angrily at Plaintiff in the presence of Plaintiff's children.
192. Plaintiff's children became terrified and cried.
193. Thereafter, Plaintiff immediately wrote to Family Court about the visitation incident.

194. Plaintiff alleged that Defendant DSS was seeking to justify their new plan to return the children to only Plaintiff's wife [and not the Plaintiff] by creating a new theory that it would be harmful to the children for the Plaintiff to remain in the house.
195. Plaintiff also wrote to Defendant DSS about the incident.
196. Defendant DSS changed the Plaintiff's visitation supervisor.
197. Plaintiff is not currently having visitation because of the difficulties presented since this incident, as it regards his children.
198. Plaintiff is afraid a set up is being planned against him by Defendant DSS.

-----AC

199. On or about July 11<sup>th</sup>, 2011, Defendant Attorney Burke requested an interpreter on Plaintiff's behalf.
200. Family Court denied the request.
201. On or about January 3<sup>rd</sup>, 2012, Plaintiff wrote to Family Court, again requesting an interpreter.
202. Plaintiff does not fully understand the English language, nor does he know how to properly speak the English language.
203. Despite these facts, Family Court did not grant an interpreter to the Plaintiff.

-----AD

204. On or about January 2011, Plaintiff's children 'A' and 'B' were moved and began to reside at Defendants Joel and Bluma Tennenbaum's house.

205. Thereafter, Plaintiff child 'A' began to call Plaintiff's wife [their mother] as "Mrs. Teitelbaum" and not "mommy".
206. Instead, Plaintiff child 'A' called Defendant Bluma Tennenbaum "mommy."
207. Plaintiff child 'A' since claims that Plaintiff is not his father.
208. Plaintiff child 'A' since claims that his family name is not Teitelbaum.
209. Instead, Plaintiff child 'A' claims that his family name is Tennenbaum.
210. Plaintiff child 'A' resists getting in the car to attend visitation with his true mother, Plaintiff's wife.
211. Plaintiff child 'A' constantly fights with Plaintiff during visitations, rebelling against any request made by Plaintiff and overall refusing to be friendly or to enjoy the visit.
212. On or about October 2011, Plaintiff and his wife found a family in the community who were willing and able to foster Plaintiff's children.
213. Thereafter, upon information and belief, Defendants Joel and Bluma Tennenbaum discouraged said family from fostering Plaintiff's children.
214. Defendant Joel Tennenbaum claimed G-d punished Plaintiff by removing his children because of Plaintiff's involvement in the religious campaign.

-----AE

215. Upon information and belief, Defendant DSS and certain individuals in the community involved in the matter agreed to return Plaintiff's children to Plaintiff and stop all intimidation and accusation if Plaintiff would willingly stop his religious campaign against forced divorces.

216. However, it is the Plaintiff's belief that it is his religious obligation, as someone who obeys the true Torah teachings and principles, to continue with his peaceful religious campaign. Jewish history is full of events where certain people have tried to change fundamental principles of the Torah and others have fought against that change. It is also documented that those people who have fought against changing the true principles of the Torah have met much resistance.
217. Our sages have foretold that before the redemption of exiles and the coming of the Messiah, there will be very strong movements to overthrow and reform the true teachings of and adherence to the Torah. Through this foretelling, we were forewarned to fight and resist such changes. Plaintiff is trying to uphold the true teachings of the Torah and believes that the opposition and intimidation he and his wife are facing are a fulfillment of this foretelling.

THE ABOVE CAPTIONED PLAINTIFF does, herewith, set forth as his Causes of Action the following claims, to wit;

**CAUSES OF ACTION**

**COUNT ONE**

**DEFENDANT'S VIOLATION OF THE PLAINTIFF'S CIVIL RIGHTS PURSUANT TO 42 U.S.C. § 1983.**

218. Plaintiff repeats and reaffirms each and every allegation contained in paragraphs 1 through 217, above, as it fully sets forth herein.
219. Defendants Kiryas Joel Community Ambulance Corp., Child Protective Services of Orange County, Orange County Department of Social Services, David Rubenstein, Atty. Kim Pavlovic, Christine Brunet, Atty. Stephanie Bazileor, Atty. John F.X. Burke, Atty. Maria Petrizio, John Does 1 – 95, and Jane Does 1 - 20, in their capacities as State run entities and/or agents of the State of New York or the various political subdivisions contained therein, and acting under the Color of Law, did, both individually and in cooperation with one another, deprive the Plaintiff of his Constitutional Rights pursuant to 42 USC §1983 by and through the 14<sup>th</sup> Amendment to the United State Constitution.
220. The various defendants, acting jointly and severally, in violation of the Plaintiff's Civil Rights did deprive him of his freedom, without affording him Due Process under the law, at various times since, on or about April 14, 2010 continuing at this time in that they, without cause, facilitate and in fact confine the Plaintiff to Bellevue Hospital Center, contrary to the Plaintiff's rights and interests.
221. Defendants, acting jointly and severally, did deprive the Plaintiff of his unenumerated Constitutional Right to raise his children in a manner that he deems proper and in his children's best interests in that they sought to and have deprived the Plaintiff of custody and reasonable and unfettered access to his children.
222. The Defendants, in cooperation with religious interests, deprived the Plaintiff of his Constitutional Rights for reasons that are based in the tenants of the religious community prevalent in the area and contrary to the interests of the Plaintiff.

**COUNT TWO**

**DEFENDANT'S VIOLATION OF THE PLAINTIFF'S RIGHTS PURSUANT TO 42 U.S.C. 1985 ACTED IN CONCERT TO DEPRIVE THE PLAINTIFF OF HIS CONSTITUTIONAL RIGHTS.**

223. Plaintiff repeats and reaffirms each and every allegation contained in paragraphs 1 through 222, above, as it fully sets forth herein.
224. Defendants Kiryas Joel Community Ambulance Corp., Child Protective Services of Orange County, Orange County Department of Social Services, David Rubenstein, Atty. Kim Pavlovic, Christine Brunet, Atty. Stephanie Bazileor, Atty. John F.X. Burke, Atty. Maria Petrizio, John Does 1 – 95, and Jane Does 1 - 20, in their capacities as State run entities and/or agents of the State of New York or the various political subdivisions contained therein, and acting under Color of Law, did, both individually and in cooperation with one another, deprive the Plaintiff of his Constitutional Rights pursuant to 42 USC §1985.
225. The Defendants acted in concert to facilitate the deprivation of the Defendant's Constitutional Right to his freedom by acting to place him, on or about July 18, 2011 in Bellevue Hospital Center, a secure mental facility, thereby depriving the Plaintiff of his personal freedom.
226. The Defendants acted in concert to deprive the Plaintiff of his unenumerated Constitutional Right to raise his children in a manner that he sees fit and, further, have continued to deny him custody and reasonable, unfettered access to his children.
227. The Defendants, in cooperation with religious interests, deprived the Plaintiff of his Constitutional Rights for reasons that are based in the tenants of the religious community prevalent in the area and contrary to the interests of the Plaintiff.

**COUNT THREE**

**THE DEFENDANTS HAVE CAUSED THE NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS ON THE PLAINTIFF BY VIRTUE OF THEIR TORTUOUS ACTS TO THE DETRIMENT OF THE PLAINTIFF.**

228. Plaintiff repeats and reaffirms each and every allegation contained in paragraphs 1 through 228, above, as it fully sets forth herein.

229. Defendants Kiryas Joel Community Ambulance Corp., Child Protective Services of Orange County, Orange County Department of Social Services, David Rubenstein, Atty. Kim Pavlovic, Christine Brunet, Atty. Stephanie Bazileor, Atty. John F.X. Burke, Atty. Maria Petrizio, John Does 1 – 95, and Jane Does 1 – 20, in their capacities as State run entities and/or agents of the State of New York and acting under the Color of Law, or the various political subdivisions contained therein, did, both individually and in cooperation with one another, willful disregard for the Plaintiff's and the Plaintiff's family's well being negligently acted in a manner designed to inflict emotional distress on the Plaintiff and to cause him harm to his spiritual, emotional, and physical well being.
230. The Defendants negligently inflicted emotional distress on the Plaintiff to further the ends of certain of the Defendants to remove the children of the Plaintiff from the custody and care of the Plaintiff and his wife.
231. The Defendants acted in concert to force a separation and potential divorce on the Plaintiff and his wife by offering to reunite the Plaintiff's wife with the children in exchange for her separating from and divorcing the Plaintiff. The negligent actions of the Defendants cause the Plaintiff to suffer emotional distress.
232. The Plaintiff continues to be separated from his family because of the negligent actions of the Defendants and continues to suffer ongoing emotional distress.

#### **COUNT FOUR**

**BASED ON THEIR UNIQUE POSITION OF HAVING A FAMILIAL RELATIONSHIP WITH THE PLAINTIFF THE DEFENDANTS BY VIRTUE OF THEIR TORTUOUS ACTIONS INTENTIONALLY INFLICTED EMOTIONAL DISTRESS ON THE PLAINTIFF.**

233. Defendant's Juda Katz, Chaya Katz, Yoel Tennenbaum, and Bluma Tennenbaum, by virtue of their familial relationship to the Plaintiff conspired with one another to facilitate their own goals to separate the Plaintiff and his wife and children and in doing so Intentionally Inflicted Emotional Distress on the person of the Plaintiff.
234. Defendants, acting in concert with one another, took custody of the Plaintiff's children from the Plaintiff and his wife and caused those children to call others, not their mother and father, mommy and daddy, thereby intentionally inflicting emotional distress on the Plaintiff.


235. Defendants, acting in concert with one another, have sought to divide the Plaintiff from his wife by counseling her to divorce her husband and by using the Plaintiff's children as an incentive to do so.
236. Defendants have caused false and misleading information to be disseminated throughout the local and close knit Hasidic Community, attempting to bring dishonor and shame on the Plaintiff and thereby Intentionally Inflict Emotional Distress to the Plaintiff.
237. Defendants have acted in concert with one another to permanently deprive him of access to his children and in doing so have Intentionally Inflicted Emotional Distress on the Plaintiff.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays for consequential, compensatory, statutory damages to adequately compensate Plaintiff for his damages, with attorney's fees, costs of suit, an award of damages as allowed under 42 U.S.C. § §1988, and all such other costs as this Honorable Court deems just and appropriate under the circumstances as may be deemed appropriate. Additionally, the Plaintiff seeks Injunctive relief barring the Defendants from interfering with the Plaintiff's peaceful enjoyment of his family and from continued interference in their lives as any and all injunctive relief that this Court deems just and equitable.

**PLAINTIFF DEMANDS TRIAL BY JURY ON ALL COUNTS**

Dated at Monroe, in the County of Orange and State of New York this 18<sup>th</sup> day of June 2012.

  
\_\_\_\_\_  
Jacob Teitelbaum, Plaintiff ProSe  
20 Getzel Berger Boulevard, Unit 104  
Monroe, New York, 10950  
Tel. No. 845-782-8995

# Exhibit

'A'



Edward A. Diana  
County Executive

**DEPARTMENT OF SOCIAL SERVICES**

David Jolly  
Commissioner  
Box Z, Quarry Road  
Goshen, NY 10924

TEL (845) 291-4000 FAX (845) 291-4336  
www.orangecountygov.com



**Visitation Plan and Agreement**

**Visit days and times:**

Wednesdays 3:30 to 5:00 for Mr. and Mrs. Teitelbaum  
Fridays 9:30 to 11:30 Mrs. Teitelbaum ONLY

As per the court orders, Mrs. Teitelbaum has 3 ½ hours of supervised visitation a week. Mr. Teitelbaum has 1 ½ hours supervised visitation a week. Mr. Teitelbaum is not to participate in the Friday visits as this time is only for Mrs. Teitelbaum.

**Transportation:**

**Start of visit:** The Caseworker assistant will pick Miriam Teitelbaum up at her home at 3:15 on Wednesday and 9:15 on Fridays. They will go to the foster home and pick up the children and return to the home. Mrs. Teitelbaum must be ready to go when the CWA arrives at her home to pick her up.

**End of visit:** The children need to be packed up and ready to go prior the end time of the visit.

The visit ends promptly at 5:00 on Wednesday and 11:30 on Fridays. The car should be leaving the residence at this time.

It is agreed that Mrs. Teitelbaum can ride to and from the foster home with the children both at the start and end of the visit. However, if Mrs. Teitelbaum is not ready to be picked up at the start of the visit the Caseworker Assistant will proceed to the foster home without Mrs. Teitelbaum to pick the children up. At the end of the visits if Mrs. Teitelbaum does not have the children ready to leave at the appropriate time the Caseworker Assistant will get the children ready to leave and take them to the foster home without Mrs. Teitelbaum.

I, Miriam Teitelbaum, agree to the above plan. I understand that if the plan is not followed I will no longer be allowed to ride to and from the foster home with my children.

\_\_\_\_\_  
Miriam Teitelbaum

\_\_\_\_\_  
Date

I, Jacob Teitelbaum, agree to the above plan. I understand that my visitation is on Wednesdays and that I am not to participate in the Friday visitations.

\_\_\_\_\_  
Jacob Teitelbaum

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness-Kati Gechern

\_\_\_\_\_  
Date

# Exhibit

'B'

**THE LEGAL AID SOCIETY OF ORANGE COUNTY, INC.**

STEPHEN A. BALDINO  
PRESIDENT

P.O. BOX 328  
GOSHEN, NEW YORK 10924  
(845) 291-2434  
FAX (845) 294-2638

GARY ABRAMSON  
CHIEF ATTORNEY

February 9, 2012

Miriam Teitelbaum  
20 Getzel Berger Boulevard  
(Unit 104)  
Monroe, New York 10950

**Re: DSS v. TEITELBAUM**  
FF# 55,083

Dear Ms. Teitelbaum:

As we have discussed several times, I have to advise you that it would be in your best legal interest to live in a separate home from your husband. It is my opinion that your chances of having your children returned to you would greatly increase if your husband were not in your household.

On the other hand, I am concerned that if you decide to continue living with your husband, your parental rights could be terminated. If your parental rights are terminated, you would no longer legally be the parent of Nussen and Yechezkel. Your children could then be adopted by someone else.

Please consider this matter carefully and let me know what you decide to do.

Sincerely,

*Maria A. Patrizio*

Maria A. Patrizio  
Staff Attorney

MAP/ct