

FOR IMMEDIATE RELEASE

YESHIVA SUES VILLAGES FOR TRAMPLING ON RELIGIOUS AND CIVIL RIGHTS

Lawsuit Asserts Illegal Discrimination Against Ultra Orthodox and Hassidic Communities by

Individuals and villages using public municipal funds

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Yeshiva Campus Essential for Religious Needs

White Plains, NY, January 8, 2008 – Lawyers for Mosdos Chofetz Chaim and several Rabbis today filed suit against the - VILLAGE OF WESLEY HILLS; THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WESLEY HILLS; ROBERT H. FRANKEL IN HIS INDIVIDUAL AND FORMER OFFICIAL CAPACITY; EDWARD B. MCPHERSON, IN HIS INDIVIDUAL AND OFFICIAL CAPACITY; DAVID A. GOLDSMITH IN HIS INDIVIDUAL AND OFFICIAL CAPACITY; ROBERT I. RHODES IN HIS INDIVIDUAL AND FORMER OFFICIAL CAPACITY; JAY B. ROSENSTEIN IN HIS INDIVIDUAL AND FORMER OFFICIAL CAPACITY;

THE VILLAGE OF NEW HEMPSTEAD THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF NEW HEMPSTEAD ROBERT A. MOSKOWITZ, TRUSTEE OF THE VILLAGE OF NEW HEMPSTEAD IN HIS INDIVIDUAL AND FORMER OFFICIAL CAPACITY;

THE VILLAGE OF POMONA; THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF POMONA; FORMER MAYOR HERBERT I. MARSHALL (OF THE VILLAGE OF POMONA) IN HIS INDIVIDUAL AND FORMER OFFICIAL CAPACITY; MAYOR OF POMONA, NICHOLAS L. SANDERSON, IN HIS INDIVIDUAL AND OFFICIAL CAPACITY;

THE VILLAGE OF CHESTNUT RIDGE; THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CHESTNUT RIDGE, MAYOR OF THE VILLAGE OF CHESTNUT RIDGE, JEROME KOBRE IN HIS INDIVIDUAL AND OFFICIAL CAPACITY; HOWARD L. COHEN TRUSTEE IN HIS INDIVIDUAL AND OFFICIAL CAPACITY.

THE VILLAGE OF MONTEBELLO; THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO, KATHRYN ELLSWORTH A.K.A. KATHRYN GORMAN, FORMER MAYOR OF MONTEBELLO IN HER INDIVIDUAL AND FORMER OFFICIAL CAPACITY; AND JEFFREY OPPENHEIM MAYOR OF MONTEBELLO IN HIS INDIVIDUAL AND OFFICIAL CAPACITY

CASE NUMBER 08 CIV 0156

For the right to operate a Religious educational facility in the Town of Ramapo. The complaint was filed at the United States District Court, Southern District of New York courthouse in White Plains.

The action was brought by plaintiffs to redress violations of their civil rights as protected by the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), the Fair Housing Act, federal and state constitutional protections of free speech and freedom of religion. Lawyers for the Plaintiff include Joseph Haspel Esq. of Goshen NY, a well known Litigation & Appeals lawyer with extensive experience in arguing before the federal courts. Mr. Ruben Koolyk Esq. of the law firm of Arnold and Porter. Mr. Koolyk Esq was Assistant United States Attorney, E.D.N.Y., Civil Division, his areas of practice includes Civil litigation in federal and state courts and in proceedings and investigations by government agencies. Mr. Koolyk Esq. was instrumental in winning the lawsuit by Kiryas Radin against the Village of New Hempstead

several years ago. and Leon Charney Esq. an influential lawyer and an advisor to U. S. presidents and Israeli leaders, a famous talk show host, author and expert analyst on the Middle East. From 1976 to 1980 Mr. Charney served as special counsel to President Carter during the negotiations that resulted in the Camp David accords signed by Israel and Egypt and was considered the "unsung hero" of the peace process. An expert on Middle East issues, Mr. Charney Esq. has been the recipient of numerous honors for service to Israel and America and to the cause of peace. He is the author of Special Counsel, a fascinating behind-the-scenes story of the Camp David peace treaty and other works.

The Mosdos Chofetz Chaim Campus project is a singular religious community designed to include the housing of scholars, students, and others who follow the teachings of the Torah and Talmud as taught by the Rabbis who are grandchildren of Rabbi Israel Mayer Kagan.

The Newly built Mosdos "Yeshiva" campus includes a synagogue, a prayer/study hall, classrooms, a library/Talmudic research center, kitchen/dining facilities, residential living facilities, and a Mikvah. The entire site will be enclosed. Furthermore, the site has visually pleasing evergreen buffers to improve and enhance the beauty of the site. It is almost entirely a self-sufficient facility. The site is designed with full automatic fire sprinkler systems. The Plaintiffs provide for their own sanitation, and will be responsible for all road maintenance, snow removal, and upkeep of the facilities. Additionally, over one hundred children will be living in the site premises. The education for these children will be provided at the Yeshivas in the area. Therefore, the children will place no strain on the public school system. THE CAMPUS is consistent with their religious teachings. Jewish religion and custom teaches that Yeshivas are a necessary and vital part of Jewish life. Yeshivas serve as communities of learning for intense Torah study, charitable works, outreach, and continuous religious practice. According to the Yeshivas' bona fide religious beliefs, everyone in the learning community, from spouses to children, benefits from the intense religious atmosphere. The creation of a Yeshiva and its communal setting furthers the teachings of the Torah, the goals of the orthodox Jewish religion, and it is central to the religious vision of Mosdos Chofetz Chaim. This project includes study space for married and single students. Residential areas will house the students and their families that are all part of this religious education. According to the Chofetz Chaim's teachings, life at the Yeshiva is central to the student's religious experience and includes many rituals and constant religious practice on a 24/7 basis in the home areas for the students, their spouses, and their children. This religious community will be free from the outside secular influence of mass media such as television, viewed as immoral under the religious Chofetz Chaim teachings. The Mosdos Campus property in Ramapo is uniquely suited to meet the needs of the rabbinical students and their families. The Orthodox Jewish community within the Town of Ramapo has the infrastructure necessary to maintain the practices prescribed by their religious beliefs, including synagogues, kosher food stores, yeshivas and high schools for boys and girls.

The plaintiff Yeshiva Chofetz Chaim first incorporated in the United States in 1925. That year, the Yeshiva sent emissaries to the United States to garner support for the operation of the Yeshiva and its multiple religious missions. The Yeshiva was established in 1864 in the small village of Radin (Lithuania/Poland). Since the passing of its founder Rabbi Israel Mayer Kagan in 1933 (known as the "Chofetz Chaim"- who was recognized worldwide as the leader of world Jewry of that era.), the Chofetz Chaim's teachings have been continually taught by his descendents.

The Complaint states, "There is a history of discrimination against the ultra orthodox and Hasidic communities in Ramapo. The attitude towards the Orthodox and Hasidic Jewish communities in the area has been the platform of the local politicians who have run their campaigns on platforms of containing the spread of the Orthodox and/or Hasidic Jewish communities. When the Villages learned that Mosdos intended to

utilize the Adult Student Housing law (including RLUIPA) to build a religious campus with residential living areas for its students, the Villages filed suit to stop the promulgation of the law. Although the pretext of the lawsuit is environmental concerns, the goal of the Villages is to prevent the spread of the Orthodox and Hasidic communities through intimidation.The individual defendants were instrumental in the Villages' decisions to retain counsel for the purpose of keeping the Hasidic Community, including Plaintiffs from encroaching upon their neighborhoods. ...The retention of counsel and the prosecution of litigation in the name of the Villages was a discretionary act of the individual defendants and done to further their personal agendas, albeit done under the guise of proper municipal action.....At the time the individual defendants took their action in the name of the Villages, they were aware of Plaintiffs rights, including, but not limited to the right to the free exercise of religion, their right under the Fair Housing Act and their rights under RLUIPA”.

The plaintiffs have been left with no choice but to stop these individuals from utilizing municipal cover and from using their public coffers as a tool to control what they consider unpopular religious groups. The damages have been staggering. A fully built campus project costing many millions to build has blocked from use by the illegal actions of the defendants named in this case. In addition, students have been forced to look elsewhere, funding has been frozen, donation pledges have been withdrawn, the religious practice of hundreds has been infringed, and several uniquely developed religious educational programs have been damaged beyond repair due to the unexpected extended delay in project caused by the defendants.

Congress passed the Fair Housing Act to protect all citizens from housing discrimination—including religious discrimination. “There is no doubt that the individuals and Villages named in this suit have targeted the Hasidic and Orthodox Jewish citizens who have chosen to live, work or study in Ramapo by attacking any legislation that allows for their religious needs. The Village has demonstrated a history of blatant discrimination against a segment of the population different from those who hold power within the Village. The time has come for them to realize that all citizens are entitled to the American Dream of living in any community free of discrimination. It is even more damaging when these villages attack projects outside their municipal boundaries. It is the opinion of the plaintiffs that the use of public funds to further their racist agenda may be a criminal act that is punishable by law.

U.S. Attorney Garcia stated in the case of the Shabbos house in Suffern (Bikur Cholim Vs Suffern) “This lawsuit enforces Congress’s determination that local zoning regulations must give way when they unlawfully burden religious exercise.”. Similarly this case will enforce the right to practice religion without being subject to blatant discrimination, or being “municipally dissuaded” under the cover of zoning, infrastructure, or artificial environmental concerns, from living in any area in the United States, or from exercising basic freedoms guaranteed by the founding fathers of this great country.