SUPREME COURT OF THE STATE OF NEW YORK
KINGS COUNTY

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A.B. and C.D. by their parent and next friend, JANE ROE, *et al*.

Plaintiffs,

vs.

KATHY HOCHUL, as Governor of the State of New York, *et al*.

Defendants,

YESHIVA MOSDOS CHASIDEI SQUARE BORO PARK, *et al*.

Proposed Intervenor-Defendants.

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Index No. 532364/2025

Assigned Judge:
Hon. Katherine A. Levine, J.S.C.

AFFIRMATION IN SUPPORT OF MOTION TO INTERVENE AND MOTION TO DENY CLASS CERTIFICATION

THIS AFFIRMATION is submitted in support of the Motion to Intervene and the Motion to Deny Class Certification in the above captioned litigation (the "Litigation").

1. Plaintiffs in this Litigation claim that the State of New York has failed to enforce State Education Law requirements in ultra-Orthodox Yeshiva schools (the "Yeshivas") and attempt to force permanent changes to the religiously mandated education provided by the Yeshivas to their students. Plaintiffs also attack the legality of State Education Law provisions, which authorize Yeshivas to satisfy the State Education Law requirements through metrics of student achievement and skill acquisition, as opposed to forcing Yeshivas to mirror the particular curriculum that is taught in public schools.

2. Plaintiffs seek to be certified as representatives of a proposed class consisting of the entire approximately 100,000 students currently attending the Yeshivas and all students who graduated from or attended and completed their education at the Yeshivas within the past five years (collectively, the "Proposed Student Class"). Plaintiffs are people who have abandoned or

rejected the ultra-Orthodox Jewish community, and who seek to fundamentally alter its education system, which is the very bedrock of ultra-Orthodox Judaism and vital to its survival. Obviously, Plaintiffs in no way represent the interests of the Proposed Student Class, but instead attempt via this Litigation to impose their beliefs and values on the Yeshivas, which is literally an attack on the very Proposed Student Class whose interests they claim to represent.

3. I am a Yeshiva student parent with ____ children who would be included in the Proposed Student Class as a result of attendance at Yeshiva school:_____

_____

_____ .

4. On behalf of myself and my children who would be included in the Proposed Student Class: (a) we do not agree with the claims and legal challenges made in this Litigation; (b) we do not agree that the Plaintiffs in any way represent us or our interests; and (c) we do not agree that their Yeshiva has failed to provide an adequate education. The education provided at the Yeshivas is of the highest quality and is mandated by Judaic Law. It is of the utmost importance to me and my children that the Yeshivas education be protected and not altered, eroded or attacked.

5. In order that my interests and the interests of my children are genuinely represented, I respectfully request that the Court grant the Motions for Leave to Intervene and grant the Motion to Deny Class Certification.

I, _____, HEREBY AFFIRM that the foregoing statements are true and correct and that I make this Affirmation under the penalty of perjury under the laws of the State of New York and with the express knowledge and affirmative authorization that this affirmation will be filed in the Litigation.

SO AFFIRMED this ____ day of _____, 2025:

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