

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
ELENA RUTH SASSOWER, individually, and as
Coordinator of the Center for Judicial Accountability, Inc.,
CENTER FOR JUDICIAL ACCOUNTABILITY, INC.,
and The Public as represented by them,

Plaintiffs,

Index #05-19841

**Affidavit of Service for
Summons with Notice**

-against-

THE NEW YORK TIMES COMPANY, The New York Times,
ARTHUR SULZBERGER, JR., BILL KELLER,
JILL ABRAMSON, ALLAN M. SIEGAL, GAIL COLLINS,
individually and for THE EDITORIAL BOARD,
DANIEL OKRENT, BYRON CALAME, MAREK FUCHS,
and DOES 1-20,

Defendants.

RECEIVED
MAR 3 - 2006
TIMOTHY C. IDONI
COUNTY CLERK
COUNTY OF WESTCHESTER

-----X
STATE OF NEW YORK)
COUNTY OF NEW YORK) ss:

RICHARD P. SIMMONDS, being duly sworn, deposes and says:

I am over 18 years of age and am not a party to this action.

I reside in Teaneck, New Jersey and work in Manhattan, New York.

On February 14, 2006, at 2:50 p.m., I served the attached Summons with Notice upon
the above-named defendants. The address where these defendants were served is 229 West
43rd Street, New York, New York 10038.

I served the Summons with Notice in the manner indicated below:

(1) Upon the corporation, THE NEW YORK TIMES COMPANY and The New York Times:

By delivering two true copies to Edward Bohan, who identified himself as a legal assistant in
the New York Times Company Legal Department. Mr. Bohan stated that he was authorized to

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accept service on behalf of THE NEW YORK TIMES COMPANY and The New York Times and memorialized same on the face of the attached Summons with Notice.

(2) Upon the individual defendants, ARTHUR SULZBERGER, JR., BILL KELLER, JILL ABRAMSON, ALLAN M. SIEGAL, GAIL COLLINS, individually and on behalf of THE EDITORIAL BOARD, DANIEL OKRENT, BYRON CALAME, MAREK FUCHS, and DOES 1-20, by substituted service.

A. Delivery: For each of the named individual defendants, I delivered true copies to Mr. Bohan, who stated he was authorized to accept service on behalf of all the named individual defendants except DANIEL OKRENT, BYRON CALAME, and MAREK FUCHS, who he stated were not New York Times employees, for whom he nonetheless took true copies. As for the unnamed defendant DOES 1-20, I delivered to Mr. Bohan three additional true copies of the Summons with Notice.

Mr. Bohan has the following characteristics: He is male, between 5 feet 9 inches and 6 feet, weighs between 161 and 200 pounds, and is 39 years old (the date of service was his birthday). His skin is white, his hair is brown with grey, and he has blue eyes. He answered in the negative as to whether the individual defendants were in military service.

B. Mailing: For each of the named individual defendants, I mailed a true copy of the Summons with Notice, in postpaid, sealed envelopes, properly addressed to them at 229 West 43rd Street, New York, New York 10036, which I understood from Mr. Bohan to be the actual place of business for ARTHUR SULZBERGER, Jr., BILL KELLER, JILL ABRAMSON, ALLAN M. SIEGAL, and GAIL COLLINS, individually and on behalf of THE EDITORIAL BOARD. To the same business address, I also mailed true copies to DANIEL OKRENT,

BYRON CALAME and MAREK FUCHS in postpaid, sealed envelopes. As for DOES 1-20, I mailed three true copies in a postpaid, sealed envelope addressed to The New York Times Company Legal Department, in which was also a true copy designated for THE NEW YORK TIMES COMPANY and The New York Times.

Each of these envelopes – nine in total -- were sent first-class mail, marked “PERSONAL & CONFIDENTIAL”, and bore, as the return address, Elena Sassower, 16 Lake Street, Apt. 2C, White Plains, New York 10603. They were all mailed from the Cathedral Station Post Office on West 104th Street, New York, New York 10025 on February 14, 2006 at 4:48 p.m.

ADDITIONALLY, on February 14, 2006, at approximately 4:00 p.m., I effected further substituted service upon defendant DANIEL OKRENT by delivering a true copy of the Summons with Notice to his residence at 645 West End Avenue, New York, New York 10025 – giving same to Saihou Jobe, the security officer sitting at the lobby desk. Mr. Jobe used his phone at the lobby desk to see if DANIEL OKRENT was in, but he was not. Mr. Jobe stated that he would give the copy to DANIEL OKRENT upon his return. Mr. Jobe is male, 5 feet-11 inches tall, weighs approximately 175 pounds, and is 58 years of age. He is a black man with a shaved head and brown eyes.

I also mailed a true copy to DANIEL OKRENT in a postpaid, sealed envelope, properly addressed to him at 645 West End Avenue, New York, New York 10025. The envelope, mailed first-class, was marked “PERSONAL & CONFIDENTIAL” and bore, as its return address, Elena Sassower, 16 Lake Street, Apt. 2C, White Plains, New York 10603. It,

too, was mailed from the Cathedral Station Post Office on February 14, 2006 at 4:48 p.m.

Richard P. Simmons
RICHARD P. SIMMONDS

State of NY
County of NY
Sworn to before me this *23rd*
day of February 2006

Louis H. Sterling
Notary Public

