

November 19, 2025

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,

sgrd sac

YESHIVA MOSDOS CHASIDEI SQUARE BORO
PARK, *et al.* Boys: 0 Girls: 0


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.  Litigation claim that the State of New York has failed to enforce State Education Law provisions 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