

**Motion Sequence #3**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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In the Matter of,

AHMAD AWAD, SOFIA DADAP, SAPPHIRA LURIE,  
and JULIE NORRIS,

Index No. 153826/2017

Petitioners,

**AFFIRMATION**

-against-

FORDHAM UNIVERSITY,

Respondent,

For a Judgment Pursuant to Article 78 of the  
Civil Practice Law and Rules.

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JAMES G. RYAN, an attorney duly licensed to practice law in the State of New York,  
affirms the following to be true, under the penalties of perjury:

1. I am an attorney-at-law and am a member of the firm of Cullen and Dykman LLP, attorneys for respondent, Fordham University (the "University" or "Fordham), in the above-entitled action.

2. Based upon a review of the files maintained by the University and Cullen and Dykman LLP in this action, I am familiar with the facts and circumstances regarding this motion.

3. I submit this affirmation in opposition to the motion of petitioner Sofia Dadap ("Petitioner Dadap") and petitioner Julie Norris ("Petitioner Norris") (collectively, "Petitioners"), for an order: (1) preliminarily enjoining the University from interfering with a decision of a student organization known as the United Student Government ("USG") to permit a student club to be formed on campus; (2) directing the University to produce copies of documents relating to its decision to deny University club status to a group of students interested

in forming a club named Students for Justice in Palestine (“SJP”); and (3) directing the University to make available for deposition Keith Eldredge, the Dean of Students at Fordham’s Lincoln Center Campus and Jeffrey Gray, Senior Vice President for Student Affairs at Fordham. A copy of the Verified Petition previously filed in this action is attached hereto as Exhibit “A” and copy of the eCourts Docket (last visited December 14, 2017) is attached hereto as Exhibit “B”.

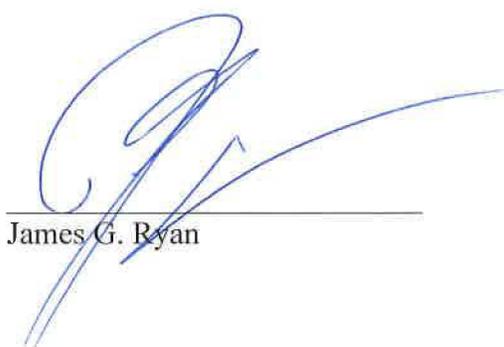
4. On June 5, 2017, the University moved to dismiss the Petition pursuant to CPLR § 7804(f), for failure to state a cause of action pursuant CPLR § 3211(a)(7) and a defense founded upon documentary evidence pursuant to CPLR § 3211(a)(1). The University’s motion to dismiss (the “Motion to Dismiss”) was fully submitted on July 17, 2017 and oral argument was originally scheduled for March 14, 2018. By Interim Order dated October 26, 2017, oral argument was rescheduled for January 3, 2018. A copy of the Interim Order is attached hereto as Exhibit “C”.

5. As seen in the accompanying papers, as well as in the University’s Motion to Dismiss, including the moving affidavits of Dr. Dorothy A. Wenzel, the Director of the Office for Student Involvement at the Lincoln Center campus of Fordham University, sworn to on June 5, 2017 (the “Wenzel Affidavit”) and Keith Eldredge, the Dean of Students at Fordham’s Lincoln Center Campus, sworn to on June 5, 2017 (the “Eldredge Affidavit”), Fordham followed its applicable policy and procedures in denying Petitioners’ application to form an official, University sanctioned student club and Dean Eldredge had a very rational basis for his decision to not approve the Petitioners’ application to form a student club (SJP) on Fordham’s Lincoln Center campus. For a complete review of the facts of this case, the University refers the court to the fully submitted Motion to Dismiss and all of the affidavits and exhibits attached thereto. For the court’s ease of reference, a copy of the Wenzel Affidavit (without exhibits) is attached hereto

as Exhibit "D" and a copy of the Eldredge Affidavit (without exhibits) is attached hereto as Exhibit "E". A copy of the Wenzel Affidavit in Further Support of the University's Motion to Dismiss, sworn to on July 17, 2017, is attached hereto as Exhibit "F" and a copy of the Eldredge Affidavit in Further Support of the University's Motion to Dismiss, sworn to on July 17, 2017 is attached hereto as Exhibit "G".

6. As a result of Petitioners' apparent impatience with this Court's calendar, Petitioners filed the instant motion for a preliminary injunction via order to show cause in an attempt to persuade this Court that there is some semblance of urgency in this case. Not surprisingly, Petitioners' order to show cause and accompanying memorandum of law in support of a motion for a preliminary injunction contains the very same arguments and requests the very same relief (i.e. the ultimate relief) as requested by Petitioners in the April 26, 2017 Petition. As detailed in Fordham's accompanying memorandum of law, Petitioners' motion is without merit and injunctive relief is not warranted.

Dated: Garden City, New York  
December 15, 2017



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James G. Ryan