

STATE OF NEW YORK
SUPREME COURT COUNTY OF ESSEX

TOWN OF ESSEX and JAMES Z. MORGAN, JR.,
As Superintendent of Highways of the Town of Essex,

Plaintiffs,

-vs-

LEWIS FAMILY FARM, INC.,

Defendant.

AFFIDAVIT

Index No. 000047-07

STATE OF NEW YORK)
COUNTY OF ESSEX) ss:

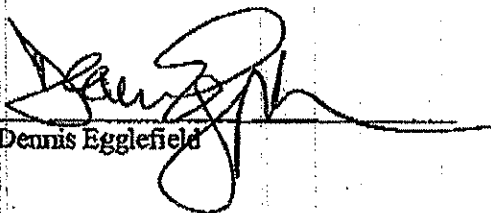
DENNIS EGGLEFIELD, being duly sworn, deposes and says that:

1. I have lived in the Town of Essex for all of my life and am fully familiar with the parties involved in this litigation.
2. I own and operate the Egglefield Ford dealership in the Town of Essex.
3. The dealership has been in operation since 1910, and is one of the oldest in the country.
4. I am familiar with the Lewis Family Farm operation and the professional manner in which it is operated. The Lewis Family Farm has been a tremendous benefit to the community.
5. The Lewis Family Farm and Sandy and Barbara Lewis have been and continue to be interested in the betterment of the Essex community. I have never known them to do anything contrary to the public interest and good.
6. I am personally acquainted with the farm managers and owners and believe that their efforts in road building were done with the utmost care to protect their farm from exposure from the negative impacts of Wollastonite mine tailings.
7. I have traveled Cross Road both before and after the building of Lewis Family Farm roads adjacent to Cross Road.

10304769.J

8. In my experience of living in the north country for 58 years, I do not believe that the construction of the Lewis roads will hamper in any way the ability of the Town of Essex to remove snow from Cross Road.

9. I am also aware of the snow removal equipment used by the Town of Essex and believe that nothing on Cross Road would prevent the use of that equipment.


Dennis Egglefield

Sworn to before me this

8 day of February, 2007.


Notary Public

Jana L. Atwell
Notary Public, State of New York
No. 01AT0141856
Qualified in Essex County
My Commission Expires on 2/27/2010