

CV-11-2002

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

CIVIL RIGHTS COMPLAINT  
42 U.S.C. § 1983

★ MAY 27 2011 ★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

LONG ISLAND OFFICE

-----x  
Rucker Lynch et al Plaintiffs, on Behalf of Themselves and All others Similarly  
(See Attached Notice of Motion of Plaintiffs Situated, Plaintiffs)  
Full name of plaintiff/prisoner ID#

Plaintiff,

JURY TRIAL DEMAND  
YES  NO

SEYBERT, J.  
MOSBY, M.

-against-

Vincent F. DeMarco, Individually and in his  
Official Capacity as Sheriff of Suffolk County;  
John Doe, Jane Doe, Individually and in their Official Capacity as Superintendent of Suffolk  
County  
Enter full names of defendants  
[Make sure those listed above are  
identical to those listed in Part III.]

Defendants.

I. Previous Lawsuits:

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes ( ) No (  ) except Rucker Lynch
- B. If your answer to A is yes, describe each lawsuit in the space below (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: Rucker Lynch

Defendants: Detective Eric Byron Stibel No. 992; and Kathleen Rice, District Attorney

2. Court (if federal court, name the district; if state court, name the county)  
United States District Court, E.D. N.Y.

3. Docket Number: CV-10-1252 (JS) (ARL)

4. Name of the Judge to whom case was assigned: Seybert

5. Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?)

*IS still pending in regards to the Nassau County Crime Lab Case (Still Pending) Criminal Case do first suit (Dismissed) R.C. 5/24/11*  
Waiting for "Dismissal"

6. Approximate date of filing lawsuit: 3/16/10 To Present

7. Approximate date of disposition: None

II. Place of Present Confinement: Suffolk County Correctional Center

A. Is there a prisoner grievance procedure in this institution? Yes () No ( )

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes () No ( )

C. If your answer is YES,

1. What steps did you take? Retrieve the Proceedings

2. What was the result? None

D. If your answer is NO, explain why not \_\_\_\_\_

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes ( ) No ( )

F. If your answer is YES,

1. What steps did you take? \_\_\_\_\_

2. What was the result? \_\_\_\_\_

III. Parties:

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff Ricky Lynch et al; Plaintiffs

Address 110 Center Drive Riverhead New York 11901

(In item B below, place the full name and address of each defendant)

B. List all defendants' names and the addresses at which each defendant may be served. Plaintiff must provide the address for each defendant named.

Defendant No. 1 Office of:  
Vincent F. DeMarco, Individually and  
Official Capacity, Sheriff, 110 Center Drive  
Riverhead New York 11901

Defendant No. 2 Office of:  
John Doe, June Doe, Superintendents  
Individually and Official Capacity, 110  
Center Drive, Riverhead New York 11901

Defendant No. 3 Office of:  
De June, Superintendent; Individually and  
Official Capacity, Suffolk County, 110  
Center Drive, Riverhead New York 11901

Defendant No. 4 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant No. 5 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Make sure that the defendants listed above are identical to those listed in the caption on page 1].

IV. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 ½ by 11 sheets of paper as necessary.)

See Attached (enclosed Statement of facts)

IV. A If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

All Plaintiffs, injuries skin infections, Unknown Bumps, and Sores, Skin Rashes, Respiratory infections, And Medical treatment (Records) was received, Still being treated for injuries mention herein.

V. Relief:

State what relief you are seeking if you prevail on your complaint.

\$495 million in Damages in Compensatory and Punitive for  
Serious Pain and Suffering

I declare under penalty of perjury that on 5/25/11, I delivered this  
(Date)  
complaint to prison authorities to be mailed to the United States District Court for the Eastern  
District of New York.

Signed this 24 day of May, 2011. I declare under penalty of  
perjury that the foregoing is true and correct.

- Kenneth M. [Signature] 475-278
- Leroy Jones #129721
- Dallas Johnson #226119
- Mark Butler #217709
- Eddie M. Sims #214999
- Adam Williams #420457
- Donald Barks #416230
- Robert Bernhard #461440
- Felipe Ravelo #307673
- Lamson R. Small #398012
- Frederic X. Davis #458723
- Christopher [Signature] #386633
- Londie Jackson #614334

Reed Lynch et al Representative Parties  
Signature of Plaintiff for all Plaintiffs

Suffolk County Correctional Center  
Name of Prison Facility

110 Center Drive, Riverhead New  
York 11901  
Address

092440  
Prisoner ID#

- Edward Hayes 604271
- Joseph Jones Jr. 593845
- Joseph [Signature] 609461
- Chris White 427429
- Leroy Jones 561389

Jason Cooper 416349

CV 11 2602

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

★ MAY 27 2011 ★

-----X

RICKEY LYNCH, JERRY FINCH JR, DAMIEN R.,  
SMALL, LEROY C. JONES, CHARLES WHIDBEE,  
THEODORE DAVIS, MACK BUTLER, EDDIE M.,  
SIMS, DALLAS JOHNSON, CHRISTOPHER SYDNOR,  
DONI W. JACKSON, FELIPE ROVELO, ROBERT  
BERNHARD, ADAM WILLIAMS, JOSEPH POTTER JR,  
DONALD BANGS, EDWARD KEYES, JASON COOPER,  
KEVIN M. MASSEY, DARRYL ISAAC, On Behalf of  
Themselves and All others simiarly situated, Plaintiffs;

LONG ISLAND OFFICE  
CIVIL RIGHTS COMPLAINT  
42 U.S.C. § 1983

**NOTICE OF MOTION**

**Index No.**

**JURY TRIAL DEMAND**

-against-

VINCENT F. DeMARCO, Individually and in his  
Oddicial Capacity as SHERIFF OF SUFFOLK  
COUNTY; JOHN DOE, JOHN JANE, Individually, and as  
SUPERINTENDENT Of Suffolk County Jails;

SEYBERT, J.  
LINDSAY, M.

Respondents.

-----X

PLEASE TAKE NOTICE, that upon the annexed Affidavit of the above-menntion Plaintiffs, sworn to on the 16 day of May, 2011, upon accompany Memorandum of Law, dated May 16, 2011, and upon all papers and Exhibits annexed hereto, upon all other papers and proceedings heretofore, filed herein, Plaintiffs will Move this Court, at a Term thereof, to be held at the United States District Court, of the Eastern District of New York, located at a Term at Longisland Federal Courthouse, at 814 Federal Plaza, Central Islip, New york, on the 26 day of May, 2011, at 9:30 a.m., or as soon thereafter, as Plaintiffs can be heard for an Order:

1. Declaring the above entitled action to be deemed a Civil Rights Class Action lawsuit pursuant to U.S.C.A. 42 1983; Civil Practice Law and Rules 901 and 902;
2. Declaring the Defendants on behalf of the Plaintiffs class of certain employess who are members of the Suffolk County Department of Correction, who failed to follow proper procedures on Sanitary Conditions, of their employment establishment mention herein, that cause various health


damages of the individuals plaintiffs and other(s) inmates housing in the Suffolk County Jails facilities including exposure to unreasonably unsanitary conditions and illness to plaintiffs and other(s) inmates, that are caused by seroius odors from back-up disposes of bodily waste in toilets that dont flush properly, and the drinking water are rusty in all the plaintiffs cells and housing areas as well as the others inmates that house in the other Suffolk County Facility called the Yaphank Farm, in the Town of Brookhaven New York, that consist of fungust and mildews and mold, along with serious rust in the entirety of the showers housing areas of the plaintiffs of 4 East North and 4 East South, as other flooring in the areas of the East and North side blocks.

3. Authoring the method of furnishing Notice to the Class; and

4. Granting such other and further relief as to this Court may seem just and proper.

The above-entitled action is based upon Hazardous and Unhealthful serious conditions in the Plaintiffs Housining areas as well as the entirety of the other Suffolk County Jails.

Dated: Suffolk County, New York,  
15 May ,2011

By:   
RICKEY LYNCH,  
Representative Partie  
Suffolk County Correctional  
Riverhead, New York 11901  
Pin No. 092440

To: Pro Se Clerk Office  
100 Federal Plaza  
Central Islip, New York 11722

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
RICKEY LYNCH, JERRY FINCH JR, DAMIEN R.,  
SMALL, LEROY C. JONES, CHARLES WHIDBEE,  
THEODORE DAVIS, MACK BUTLER, EDDIE M.,  
SIMS, DALLAS JOHNSON, CHRISTOPHER SYDNOR,  
DONI W. JACKSON, FELIPE ROVELO, ROBERT  
BERNHARD, ADAM WILLIAMS, JOSEPH POTTER JR,  
DONALD BANGS, EDWARD KEYES, JASON COOPER,  
KEVIN M. MASSEY, DARRYL ISAAC, On Behalf of  
Themselves and All others simiarly situated, Plaintiffs;

**AFFIDAVIT IN SUPPORT  
NOTICE OF MOTION**

**Index No.**

**JURY TRIAL DEMAND**

-against-

VINCENT F. DeMARCO, Individually and in his  
Oddicial Capacity as SHERIFF OF SUFFOLK  
COUNTY; JOHN DOE, JOHN JANE, Individually, and as  
SUPERINTENDENT Of Suffolk County Jails;

Respondents.

-----X  
**State of New York)**  
**County of Suffolk )ss.:**

RICKEY LYNCH, being duly sworn deposes and says:

1. I am the above-named plaintiffs, being the representative for behalf of the other(s) Plaintiffs  
mention in the above-caption case herein. I submitt this Affidavit in support of all the above plaintiffs  
herein to have this Action declare a Class action Pursuant to **CPLR 901** and **CPRL 902**.

2. The plaintiffs class action challenges certain condition of confinement at the Suffolk County  
Center, located in Riverhead New York.

3. specifically, the plaintiffs, presents to this Court information about living conditions of  
plaintiffs, that are "unsanitary cells, toilet, showers, contaminated drinking rusty waters, as well as  
plaintiffs possible exposure to lead paint at the Suffolk County showers areas, as proof will be  
annexed to as Exhibits in this Motion, that the serious conditions violates the plaintiffs rights under



**Eight Amendment** to the United States Constitution to be free from crule and unusual punishment.

### **DAMAGES**

4. Plaintiffs negligence suit against the Defendants is seeking injunctive relief and regulatory interest, in **\$425 Million Dollars** Compensatory and Punitive damages for pain and suffering as a proximate results of defendants conduct.

### **JURISDICTION AND VENUE**

5. Jurisdiction is specifically conferred on the United States district Court by 28 U.S.C. 1331, this being an action arising under the Constitution and Federal law, under color of statute, ordinance, regulation, custom or usage, or rights and immunities secured to plaintiffs by the Eighth Amendment to the Constitution, and by 42 U.S.C. 1983.

6. Venue is proper because the events complained of occurred in the County of Suffolk, which is the Eastern District of New York.

### **PARTIES**

7. At all times relevant and material to this case, Plaintiffs mention herein, are confine in the Suffolk County jails, as well as resident of Suffolk County, within the jurisdiction of this Court.

8. At all time relevant and material to this case, Defendants Vincent F. DeMarco, Sheriff of Suffolk County; John Doe, Jane Doe, as Superintendent of Suffolk County jails are employed by the County of Suffolk.

## STATEMENT OF FACTS

9. The County of Suffolk New York houses plaintiffs, and others inmates at two of their locations of their jails systems. One is a medium-security jail located in Yaphank New York County of Suffolk knowingly called the Farm, and the other is located at Riverhead New York.

10. The county Records, shows that both jail and living conditions are unhealthful and in the need of Sanitation Supervision, that included the soon to be closing of one of the County jails known as the Farm, located in Yaphank New York, based upon Hazardous and unhealthful conditions of alleged air-borne "asbestos particles", in which they are building a new facility to remove the inmates therein, to avoid any level of serious damages to the plaintiffs who were housed there, as inmates, of being exposure that posed unreasonable risk of serious damages to inmates health that still being housed there, under unhealthful sanitation conditions. Likewise, the records will show that the plaintiffs were transferred from the Farm in the mid July, 2010, to April of 2011, to the unhealthful conditions of Riverhead County jail, based upon these issues at the Farm.

11. Plaintiffs mentioned in this proceedings, are inmates in the Suffolk County jail from July 27, 2010, until present of this motion. Since then, the plaintiffs have seen and experienced mystery of "Death" on an inmate by a guard herein, that is still under investigation, and traffic of lawsuit against the jail where plaintiffs are being housed at.

12. Plaintiffs on the above-mentioned dates, are on 4 East North and South, housing units, in cells, either without running water, or rusty drinking water. The toilets in the plaintiffs cells, when flushed, dispose of "bodily waste", from one plaintiffs cell toilets, seeps into the next plaintiffs cell toilets.

13. Some of the plaintiffs toilets don't work properly, by not flushing which plaintiffs are forced to hold their bodily waste, do to "back-ups" in their toilets until the next day. Improper maintenance, don't try to fix these issues, based upon plaintiffs are inmates.

14. On 4 East North and South housing areas, the plaintiffs have no choice at night, but to drink the "rusty" waters, that the water reveals turbidity and various organic and inorganic contamination, in our drinking cups, with iron and rust particle and the water is constantly brown.

16. Most of us plaintiffs have experince "serious" illness as medical records can reveal, due to the unsafe, unhealthy drinking water in the Suffolk County Jail, in Riverhead.

17. Other inmates have been experiencing these problems as the plaintiffs, but the other are to scared to ask for help, do to Suffolk County Guards, if they find out any grievance are filed against them, the inmates would end up in segregation unit.

18. In addition, since the plaintiffs incarceration, on the 4 East North and South housings, plaintiffs have been expose to serious fungus, rust on floor and walls, as well as mildew and in the shower area (see Exhibit A). This exposure to the plaintiffs cause skin rash on the plaintiffs backs unknown previously bumps, that unable to be determine what the cause, or be treated for, due to poorly medical staff herein.

19. Defendants have not made any progress in providing any cleaning and sanitizing, as require, or any assigning staff to sanitation inspections, that put policies and training procedures, place that consist of painted damaged areas and making some structural repairs to the showers in 4 East North and Souths areas as well as the entirety of the whole jail.

20. Plaintiffs has "sworn affidavit", to these dermatological reactions, that occurred on the plaintiffs, after using these showers and drinking rusty waters in the Suffolk County jail (see - Exhibit B).

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
RICKEY LYNCH, JERRY FINCH JR, DAMIEN R. SMALL,  
LEROY C. JONES, CHARLES WHIDBEE, THEODORE  
DAVIS, MACK BUTLER, EDDIE M. SIMS, DALLAS  
JOHNSON, CHRISTOPHER SYDNOR, DONI W. JACKSON,  
FELIPE ROVELO, ROBERT BERNHARD, ADAM WILLIAMS,  
JOSEPH POTTER JR., DONALD BANGS, EDWARD KEYES,  
JASON COOPER, KEVIN M. MASSEY, DARRYL ISAAC, On  
Behalf of Themselves and All other simiarly situated, Plaintiffs;

-against-

VINCENT F. DeMARCO, Individually and in his Official  
Capacity as SHERIFF OF SUFFOLK COUNTY; JOHN DOE,  
JANE DOE, Individully, and as SUPERINTENDENT Of Suffolk  
County Jails;

Respondents

-----X  
**MEORANDUM OF LAW**

**Meorandum of Law:**

21. while it is axiomatic that the pleadings of a **Pro Se** litigant criteria of statute, authorizing, class action to be liberally and broadly construed.(see **Hughes v. Rowe**, 449 U.S. 5, 9 - (1980); (see also **Haines v. Kerner**, 404 U.S. 519, 520-21 (1972); **Friar v. Vanguard** Holding Corp. 78 A.D.2d 83 (2 Dept. 1980).

22. Hence, because of plaintiffs are herein, pre-trial detainees, confinement under the Due Process Clause of the Fourteenth Amendment, which sets a more stringent standard than the cruel and Unusual punishment clause of the Eighth Amendment. **Benjamin**, 343 F.3d at 49 (citing **Bell v. Wolfish**, 441 U.S. 520, 535 n. 16, 99 S.Ct. 1861, 60 L.Ed.2d 447 (1979). Likewise, this is because a person lawfully committed to pretrial detention has not been adjudged guilty of any crime, and thus, under the Due Process Clause, may not be punished in any manner-neither cruelly and Unusually, otherwise. 343 F.3d at 49-50 (quoting **Bell**, 441 U.S. at 536).

23. Plaintiffs must show the deprivation of a basic human need, such as reasonable safety, to this end, must show "actual or imminent harm". see **Lewis v. Casey**, 518 U.S. 343, 350, 116 2174, 135 L.Ed.2d 606 (1996); **Benjamin**, 343 F.3d at 51 n. 17. This Court is under the obligation, examine the actual effect of challenged conditions upon the well-beings of the plaintiffs and others in the Riverhead Correctional Facility. **Rhodes v. Chapman**, 452 U.S. 377, 367, 101 S.Ct. 2392, - 69 L.Ed.2d 59 (1981).

24 Plaintiffs argue, on behalf of other inmates, to this Court, of Defendants careless, Unsanitary, Hazardous and Unhealthful conditions, that the plaintiffs are living under in their jails, that cause serious "health hazards issues", to the plaintiffs, as well as other inmates, who are confined in the Suffolk County jails, Unsanitary conditions.

25. However, this Court must focus on violations of federal law, regarding sanitary conditions, that can cause harms on the plaintiffs and other inmates, that defendants herein, subjected the plaintiffs and other helpless inmates to cruel and Unusual punishment, that violated other Constitutional rights, by not implementing policies, that resulted in the plaintiffs and other inmates, exposed to the drinking of "rusty waters," and "hazardous unhealthful" showers, and disposes of one's bodily waste, due to improper flushing toilets, and poorly staffs of Correction officer, that patrol the areas, and notice these violation, and ignore these issues.

26. The **Eight Amendment** protects plaintiffs and as well as other inmates from "cruel and unusual punishments" in the form of "unnecessary and wanton infliction of pain" at the hands of defendants. **Wilson v. Seiter**, 501 U.S. 294, 297 (1991); **Estelle v. Gamble**, 429 U.S. 104 (1976). The constitutional prohibition against the plaintiffs of cruel and unusual punishment includes the right to be free from conditions of confinement, that impose an excessive risk to plaintiffs and behalf of the other inmates health or safety. **Farmer v. Brennan**, 511 U.S. 825, 837 (1994);- **Hathaway v. Coughlin**, 37 F.3d 63, 66 (2d Cir. 1994).

27. Plaintiffs must establish that (1) he was incarcerated under conditions which posed a substantial risk of serious harm, and (2) defendants acted with deliberated indifference to plaintiffs and other inmates health or safety. see **Farmer**, 511 U.s. at 834.

### **Water Quality:**

28. The Second Circuit suggests that "unsuitable" water for drinking and bathing can support an Eighth Amendment Cause of actions claim. see, e. g., **Belleza v. Fischer**, 2006 WL 3019760, at 4 (denying summary judgment where plaintiff alleged that the **water** coming out of the faucet in his cell burned his throat and, at least some of the time, was extremely dark and cloudy; he was also unable to take a **shower** without his skin itching). The defendants took no reasonable measures to keep the drinking water safe at the Suffolk County jail, and ignored the plaintiffs' complaints that "rusty water" was causing dry and itchy skin, and other discomfort, to serious health concerns of the plaintiffs or other inmates at the facility.

29. However, other jurisdictions notice sanitation plays a necessities means of health in facilities. **In Toussaint v. Mccarty**, 597 F.supp. 1388, 1411 (N.D.Cal. 1984) ("A sanitary environment is a basic human need that a penal institution must provide for all inmates"); **Green v-Ferrell**, 801 F.2d 765, 771, (5th Cir. 1986) (Jails must provide reasonably adequate Sanitation); **Ramos v. Lamm**, 639 F.2d 559, 566-570 (10th Cir. 1980), cert. denied. 450 U.S. 1041, 101 S.Ct. 1759, 68 L.Ed.2d 239 (1981) (Sanitation is a core aspect of Eighth Amendment analysis).

### **The Toilets**

30. Many of the plaintiffs, including the other inmates in the Central Housing and East Housing units called the pods, are housed in cells without running water or flush toilets, ten hours per day. plaintiffs are in cells that have serious plumbing problems, that are health hazardous, issues, that defendants have choose to ignore. Likewise, the fact that toilets, when flush, disposes bodily waste from one plaintiffs cell, into the next plaintiffs toilets. And in the summer, with the heat, it gets

worst, as does the smell, from other toilets on the units that are not working at all, that bodily waste sit in a broken toilet in a cell that not being use, due to the plumbing problems, that the defendants intentional acts who choose not to fix the plaintiffs issues, have had numerous headaches and numerous ~~stomach aches~~<sup>P.L. 5/14/11</sup> stomach aches since being lock in these cells, do to the waste that floats from one plaintiffs toilet, due to the failure of defendants to fix these problems. The plaintiffs must suffer a horribly foul odor that is unbearable, have no right to be expose to these "toxic" fumes, of the careless acts of the defendants herein.

31. Having a sanitary place to dispose of one's bodily waste, is one of the minimal civilized measure of lifes necessities, of plaintiffs constitutional right to adequate and hygienic means.

**Stachan v. Ashe**, 548 F. Supp. 1993, 1205 (D. Mass. 1982); Reasonably adequate sanitation and the ability to eliminate and dispose of one's bodily waste without unreasonably risking contamination are basic identifiable human needs of plaintiffs, protected by the Eighth Amendment.

**Howard v. Adkison**, 887 F.2d 134, 137 (8th Cir. 1989); **Ramos v. Lamm**, 639 F.2d 559, 556-570 (10th Cir. 1980)

32. The conditions of the plaintiffs confinement are subject to this Court, on the Eighth Amendment grounds see, e .g., **Helling v. McKinney**, 509 U.S. 25, 35, 113 S.Ct. 2475, 125 L.Ed.2d 22 (1993); **Warren v. Keane**, 937 F.Supp.301, 305 (S.D.N.Y.), affd, 196 F.3d 330 (2d Cir. 1999).

33. However, Suffolk County Jails, as well as Nassau County Jails, are required by County Law **217**, to maintain "safety" measurements of plaintiffs and other inmates, in a County jail, and the Defendants are require to follow these procedures, in the Correction Law, for the plaintiffs and other inmates. Likewise, the defendants herein, have not "comply" with County Law **217**, that being considering of the plaintiffs "health hazards", associated with plaintiffs "sanitation" issues, that "fecal air-bourne bacteria", may produce infection via, in the "respiratory tract", or deposited in the nose.



**WHEREFORE,** it is respectfully prayed that an Order be granted determining that the instant action be maintained as a Civil Class Action Lawsuit, declaring the defendants on behalf of the plaintiffs class of certain employee, who are members of the Suffolk County Department of Correction, who failed to follow proper procedures, on Sanitary conditions of their employments establishment, and for such other and further relief as to this Court seems just and proper.

Dated: 16<sup>th</sup> May, 2011

**Respectfully submitted By:**

RICKEY LYNCH *Rickey Lynch*  
 JERRY FINCH JR *Jerry Finch*  
 DAMIEN R. SMALL *Damien R. Small*  
 LEROY C. JONES *Leroy C. Jones*  
 CHARLES WHIDBEE *Charles Whidbee*  
 THEODORE DAVIS *Theodore Davis*  
 MACK BUTLER *Mack Butler*  
 EDDIE M. SIMS *Eddie M. Sims*  
 DALLAS JOHNSON *Dallas Johnson*  
 CHRISTOPHER SYDNOR *Chris Sydnor*  
 DONI W. JACKSON *Doni W. Jackson*  
 FELIPE ROVELO *Felipe Rovelo*  
 ROBERT BERNHARD *Robert Bernhard*

ADAM WILLIAMS *Adam Williams*  
 JOSEPH POTTER JR *Joseph Potter Jr*  
 DONALD BANGS *Donald Bangs*  
 EDWARD KEYES *Edward Keyes*  
 JASON COOPER *Jason D. Cooper*  
 KEVIN M. MASSEY *Kevin M. Massey*  
 DARRYL ISAAC *Darryl Isaac*

STATE OF NEW YORK )  
COUNTY OF SUFFOLK )SS.:

Sworn to before me this 16<sup>th</sup>  
day of May, 2011

*Joseph Foti*  
\_\_\_\_\_  
Notary Public

Joseph Foti  
Notary Public, State of New York  
01FO6129762  
Qualified in Suffolk County  
Commission Expires July 5, 2013