FILED: NEW YORK COUNTY CLERK 07/08/2017 12:16 AM

NYSCEF DOC. NO. 70

INDEX NO. 153826/2017

RECEIVED NYSCEF: 07/08/2017

Motion Sequence #2

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

In the Matter of,

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

Petitioners,

-against-

FORDHAM UNIVERSITY,

Respondent,

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

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SECOND AFFIDAVIT OF SAPPHIRA LURIE

Hon. Nancy M. Bannon

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

Sapphira Lurie, being duly sworn, deposes and says:

- 1. I submit this Affidavit in opposition to Fordham's Motion to Dismiss.
- 2. I became interested in joining Students for Justice in Palestine (SJP) at the beginning of the fall semester of 2016. Other members of the prospective SJP had already begun the process to establish SJP as a registered university club during the previous school year.
- 3. The Club Registration Packet is given to all students who express interest in establishing a new student club on campus. It is commonly known that in order to establish a new club, students must follow the process laid out in the Club Registration Packet. The club

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registration process described in the Club Registration Packet is clear that the United Student

Government (USG) has the final authority to approve new student clubs.

4. On October 31, 2016, Leighton Magoon, then-president of USG, emailed me,

Petitioner Awad, Petitioner Sofia Dadap and other students involved with establishing an SJP

club at Fordham University, as well as our faculty advisor, Glenn Hendler. Mr. Magoon's email

asserted that the club registration process that we and every other student group had been

following (the process described in the Club Registration Packet) was wrong. In the body of the

email, Mr. Magoon included text describing a different club registration process which,

according to Mr. Magoon, was taken from a document called the "USG Club Guidelines." See

Wenzel Affidavit Exhibit E at 1.

5. This was a surprise to us. We had never heard about or seen these USG Club

Guidelines (or any portion of them) before receiving the October 31, 2016 email from Mr.

Magoon. In fact, we never saw this full USG Club Guidelines document until Dr. Dorothy

Wenzel included it as Exhibit A in her Affidavit accompanying Fordham's Motion to Dismiss.

The only thing that we ever saw indicating that there was a club registration process other than

the one we and every other student group had followed was the text in Mr. Magoon's email.

6. To be clear: no one ever showed us these USG Club Guidelines. Dr. Wenzel

never showed them to us. Dean of Students Keith Eldredge never showed them to us. No

member of USG showed them to us. All we saw was the portion of this USG Club Guidelines

document that was included in the text of Mr. Magoon's October 31, 2016 email.

7. When I received the October 31, 2016 email from Mr. Magoon, I thought it was

very odd that suddenly Fordham University was asserting, contrary to the process laid out in the

Club Registration Packet and the process that everyone seemed to be following up until then, that

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Dean Eldredge actually had final veto power after USG votes on whether or not to approve a

new student club. After USG approved SJP as an official student club, Dean Eldredge relied on

the process laid out in these USG Club Guidelines to veto USG's approval of SJP's club status.

After his veto, I asked Kayla Wolf, Vice President of USG's Operations Committee, in writing

whether "Dean Eldredge personally reviewed any other club in the same way as he did for SJP."

Ms. Wolf's written response was "Dean Eldredge is made aware of all clubs coming down the

pipeline but I am not aware of any other clubs that were personally reviewed the same way as

SJP." Her email is attached hereto as Exhibit A.

8. I also asked Ms. Wolf whether Dean Eldredge "ever personally vetoed another

club." Ms. Wolf's written response was, "As far as I am aware, Dean Eldredge has never

personally vetoed another club." Ms. Wolf also wrote, "In my two years at Fordham and in USG,

I do not know any other clubs that have been vetoed at Fordham Lincoln Center."

Sapphira Lurie

Sworn to me this the day of

July, 2017

Notáry Public

ALEXIS AGATHOCLEOUS Notary Public, State of New York No. 02AG6177956 Qualified in Kings County

Commission Expires November 19, 20 19