

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CENTRAL RABBINICAL CONGRESS OF:
THE USA & CANADA, *et al.*, :

Plaintiffs, :

vs. :

NEW YORK CITY DEPARTMENT OF
HEALTH & MENTAL HYGIENE, *et al.*, :

Defendants. :

Case No. 12-Civ.-7590

Judge Naomi Reice Buchwald

DECLARATION OF DEBORAH ZACHAI

1. I have been working at the yeshiva services division at Agudath Israel of America, a national grassroots organization that services and advocates the interests of the Orthodox Jewish community, for over 31 years. For the past ten years, I have served as the Director of Education Affairs at Agudath Israel. My job description includes acting as a liaison between the yeshivas and day schools in New York City, including the approximately 100 yeshivas and/or day schools that enroll male kindergarten students, and government agencies such as the New York City Department of Education and the New York State Education Department. In my capacity as Director of Education Affairs, my staff and I interact with the yeshivas and day schools in New York City on a regular basis to provide assistance to them in many different areas.

2. In September 2012, Dr. Awi Federgruen contacted me to solicit my help in identifying which of the registered New York City schools and kindergartens serve the Hasidic, Yeshiva, and other communities and the number of students that they serve.

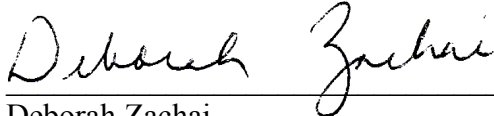
3. To assist him, my staff and I employed data from the New York State Education Department (NYSED) enrollment figures, provided to us in a spreadsheet by Mr. Ronald L. Barber of NYSED, Office of Information and Reporting Services in Albany. On a copy of the spreadsheet, we indicated to the best of our knowledge, based on our years of experience working with the New York City Jewish schools, which of the yeshivas and/or day schools that enroll kindergarten male students fall in the above categories of Hasidic, Yeshiva, and other community schools. This spreadsheet was attached as Exhibit 1 to Dr. Federgruen's affidavit in this case.

4. My staff and I have now, once again, reviewed the spreadsheet and hereby confirm the accuracy of our initial classifications, except that, upon closer review, I offer the following adjustments:

- Cong. Ahavas Shulem D’Nadvorno should not have been on the list as it is a girls’ yeshiva.
- Congregation Ohr Menachem was inadvertently omitted from the original list: it is a boys’ Hasidic school.
- Gan Yisroel was classified as a Yeshiva community school but should be changed to Hasidic.
- Lev Torah was classified as a Yeshiva community school but should be changed to Other.
- Yeshiva Ohel Moshe was classified as a Yeshiva community school but should be changed to Other.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

New York, New York
November 29, 2012



Deborah Zachai