

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

Application of The Japanese Educational Institute
of New York,

Petitioner.

For an order approving the sale of assets pursuant to
N-PCL §§ 510 and 511.

Index No. 06-103400

IAS Part 13
Hon. Sheila Abdus-Salaam

AFFIDAVIT

AFFIDAVIT OF NORMAN KING

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

NORMAN KING, being duly sworn, deposes and says:

1. I have been a member of the Japanese School of New York PTA (the “PTA”) since 2004. The Japanese Educational Institute of New York (“JEI”) is asking the Court to approve its sale of the campus in Greenwich, Connecticut which is the home for the JSNY. I am submitting this affidavit to support the PTA’s objections to the sale and to ask the Court to deny JEI’s Petition.

2. I believe that decision of the JEI Trustees to sell the campus to the Westchester Fairfield Hebrew Academy (WFHA) was not based on the educational or fiscal merits of the selling plan. In this affidavit I will share with the Court some relevant information regarding several telephone calls that I made to the office of United States Senator Joseph Lieberman earlier this month.

3. The affidavits of Mr. Jachmann and Mr. Adachi describe how the JSNY parents did not learn about the plan to sell the Greenwich Campus until March 2005.

Following this discovery, the parents developed criticisms of JEI sales plan as well as alternatives.

4. Subsequently, Sen. Lieberman called Ambassador Hiroyasu Ando, Consul-General of Japan in New York, to encourage the sale of the Greenwich Japanese School to WFHA and to suggest that the parents' opposition could be interpreted as anti-Semitic. Following the telephone call, Amb. Ando made a special trip to Washington, D.C. to meet with Sen. Lieberman personally and to assure him that the sale to WFHA would proceed. Amb. Ando confirmed these facts in a private discussion with Mr. Adachi, as described in his affidavit.

5. These facts were also confirmed by Amb. Ando's Deputy Consul-General, Mr. Hiroshi Sato. Mr. Sato made his comments at a meeting with Mr. Jachmann, Mr. Adachi, Mrs. Hamako King (my wife), and Mrs. Kyoko Kajiwara.

6. As a Connecticut voter, I wanted to find out what was the involvement of one of my elected officials with regard to the proposed sale of my children's educational campus.

7. Therefore, I attempted to investigate these circumstances further by calling Sen. Lieberman's office and requesting that the Senator confirm the facts related to the PTA members by Amb. Ando and Deputy-Consul Satao. I also wished to confirm with Sen. Lieberman that the suggestion of anti-Semitism so alarmed Mr. Ando that he changed his schedule and flew to the Washington DC office of Sen. Lieberman to personally assure the senator that no anti-Semitism was involved in this disagreement within the Japanese School community.

8. In my efforts to confirm these circumstances I spoke with the receptionist of Sen. Lieberman's Washington, DC office several times and eventually did get to speak with Rachel Satski (Education Aide to Mr. Lieberman). I explained the purpose of my call and made a request for information about Mr. Ando's and Mr. Lieberman's discussions.

9. Ms. Satski referred me to Margret Merrill, a member of her staff. I talked with Ms. Merrill several times during the last couple of weeks in March and gave her details of Mr. Ando's visit to Mr. Lieberman's office. I told Ms Merrill that my intention was to confirm Mr. Ando's visit and I wanted to find out if this meeting was to discuss the sale of the Greenwich Japanese School and what the content of that discussion was.

10. On Monday March 27, 2006 (9:14am) Ms. Merrill told me that she had done some preliminary investigation. She said that she had "really no information" about the meeting but did stress that she spoke with her legal department and they stated that "Senator Lieberman would have had no discussion about the sale of the Greenwich Japanese School" and that Senator Lieberman's office "would not be involved in such a discussion."

11. I take this to mean that Sen. Lieberman will not specifically deny the substance of the phone call and meeting with Amb. Ando but his lawyers acknowledge that it would not have been proper for Sen. Lieberman to have used his power and influence to intervene on behalf of WFHA (or on behalf of WFHA's Vice President who, I am informed is a major contributor to Sen. Lieberman and his political party) and in opposition to the PTA.

12. The lawyers' position about what the Sen. would have done is certainly less credible than what Amb. Ando and Deputy Consul-General Sato specifically confirmed as happening in the phone call and the meeting. A

13. As a parent of two children at the JSNY I believe that JEI's Petition should be denied. The influence of a United States' Senator on this situation in my opinion had a dramatic and enormous effect on the decision making of the Board of Trustees, and caused the Trustees to completely ignore the concerns and solutions presented by the parents.

14. I also believe that the purpose of Senator Lieberman's call to Mr. Ando was to show the Trustees of the Greenwich Japanese School that powerful political forces were involved in the sale of the school and that it would be in the best interests of the diplomats and corporate executives who sit on JEI's Board of Trustees to conclude the sale to WFHA regardless of any legitimate concerns of or valid objections from the parents.

NORMAN KING

Sworn to before me this
27th day of March, 2006

Notary Public