

JAMES M. MALONEY (JM-5297)
Plaintiff *Pro Se*
33 Bayview Avenue
Port Washington, New York 11050
Telephone: (516) 767-1395

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JAMES M. MALONEY,

Plaintiff,

- against -

KATHLEEN M. RICE,

Defendant.

-----X

**Declaration
of James M. Maloney**

Case No. 03-CV-786
(PKC) (ARL)

James M. Maloney, an attorney at law admitted to practice before this Honorable Court, declares under penalty of perjury as follows:

1. I submit this Declaration in support of my post-remand Rule 56 motions for summary judgment in whole or part as to the First and Third Causes of Action, respectively.

2. Annexed hereto as Exhibit 1 is a true copy of an excerpt from the book by George H. Kerr, *Okinawa: The History of An Island People* (1958), at pages 156-159 (describing the Satsuma attack on Okinawa of 1609). This reference was previously cited in the Petition for Certiorari in this matter at page 6 thereof.

3. Annexed hereto as Exhibit 2 is a true copy of a document entitled "Notice of Entry and Demand for Retraction of Appellee's Brief," showing in its final pages proof of delivery thereof by Certified Mail to its designated recipients.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 16, 2013
Port Washington, New York

_____/s_____
JAMES M. MALONEY