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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In the Matter of the Complaint of Andrew Harnett, as
owner of vessel M/V/ READY JET GO for Exoneration
from or Limitation of Liability.

and

In the Matter of Peter J. Sharp Boathouse, Inc., as owner of
and the floating vessel constituting the boathouse, seeking
exoneration from or limitation of liability.

06 Civ. 699 (LMM)
Consolidated with
06 Civ. 3061 (LMM)
06 Civ. 3062 (LMM)

and

In the Matter of New York Rowing Association, Inc., as
owner of a 2001, coxless Empacher rowing shell, seeking
exoneration from or limitation of liability.

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AFFIRMATION OF MARC JAY BERN

I, Marc Jay Bern, being duly sworn and deposed says:

1. I am a member of the Bar of this Court, the firm Napoli Bern Ripka Shkolik, LLP, and I am the attorney of record for claimant, Nina Runsdorf, and claimant, Lee Runsdorf. I am fully familiar with the facts of this matter based upon personal knowledge and review of the file maintained by my office.
2. I submit this attorney's affidavit to introduce and to summarize evidence in opposition of the Motion *in limine* to Preclude Claims for Lost Earnings and Lost Inheritance, and the Motion for Partial Summary Judgment on Damages, which are filed on behalf of the New York Rowing Association, Inc. and the Peter J. Sharp Boathouse, Inc.

3. The following Exhibits are annexed and respectfully admitted:

Exhibit 1 Expert Report of Stephen W. Shulman, dated March 18, 2011.

Exhibit 2 Affidavit of Stephen W. Shulman, dated October 21, 2011.

WHEREFORE, it is respectfully requested that the Court deny both the Motion *in limine* to Preclude Claims for Lost Earnings and Lost Inheritance, and the Motion for Partial Summary Judgment on Damages, filed on behalf of the New York Rowing Association, Inc. and the Peter J. Sharp Boathouse, Inc.



Marc Jay Bern