

EXHIBIT 1
(Notice of Filing – Notice of Remand)

To

Memorandum of Law

LAW OFFICES OF PETER W. TILL
105 Morris Avenue – Suite 201
Springfield, New Jersey 07801
(973) 258-0064
Attorneys for Defendants and
Additional Defendants for Injunctive Relief

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ELIZABETH SILVER FAGAN
EDWARD D. FAGAN,

Plaintiff,

v.

DAVID H. JAFFE, MARGARET E. JAFFE,
KENN KIMM ROGERS, MINDY JAFFE
ROGERS

Defendants.

and

BALDWIN & ASSOCIATES CONSTRUCTION
INC., BALDWIN ASSOCIATES INC.;
BALDWIN ASSOCIATES LLC; NEW
BALDWIN ASSOCIATES, LLC; MAYFLOWER
REALTY CO. LLC; BEST VALLEY REALTY;
DAVID JAFFE MANAGEMENT CO.;
LAKESIDE GARDEN APARTMENTS; SO.
CLINTON PARTNERSHIP and VILLAGE
APARTMENTS;
THE JAFFE FAMILY 2002 IRREVOCABLE
TRUST; THE JAFFE FAMILY 2003
IRREVOCABLE TRUST; THE JAFFE FAMILY
2004 IRREVOCABLE TRUST; THE JAFFE
FAMILY 2005 IRREVOCABLE TRUST;
MINDY JAFFE ROGERS, TRUSTEE OF
ASSETS AND TRUST ASSETS OF DAVID H.
JAFFE AND MARGARET E. JAFFE; MINDY
JAFFE ROGERS, OWNER/PRIMARY
BENEFICIARY OF WHOLE LIFE INSURANCE
POLICIES ISSUED BY PACIFIC LIFE
INSURANCE CO. POLICY NUMBERS
UNKNOWN ON LIFE OF DAVID H. JAFFE
AND MARGARET E. JAFFE; MINDY JAFFE
ROGERS, PRIMARY BENEFICIARY OF
TERM LIFE INSURANCE POLICIES ISSUED

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY
DOCKET NO.: ESX-L-7205-07

Civil Action

NOTICE OF FILING
NOTICE OF REMOVAL

BY NORTH AMERICAN LIFE INSURANCE
CO. POLICY #S UNKNOWN ON LIFE OF
DAVID H. JAFFE AND MARGARET E.
JAFFE; MINDY JAFFE ROGERS,
OWNER/PRIMARY BENEFICIARY OF TERM
LIFE INSURANCE CO. POLICY #S
UNKNOWN ON LIFE OF DAVID H. JAFFE
AND MARGARET E. JAFFE;

Additional Defendants for
Injunctive Relief.

To: Elizabeth Silver Fagan
10 Ferncliff Terrace
Short Hills, New Jersey 07078
Plaintiff Pro Se

Edward D. Fagan, Esq.
5 Penn Plaza, 23rd Floor
New York, NY 10001
Plaintiff Pro Se

S I R:

PLEASE TAKE NOTICE that in the above-entitled action, Defendants and the additional Defendants for Injunctive Relief have this day filed a Notice of Removal, a copy of which is attached hereto, in the Office of the Clerk of the United States District Court for the District of New Jersey. You are also advised that the Defendants and the additional Defendants for Injunctive Relief upon filing of said Notice of Removal filed a copy of the Notice with the Clerk of the Superior Court of New Jersey, Law Division, Essex County, which has effected this removal, in accordance with 28 U.S.C. § 1446(b).

LAW OFFICES OF PETER W. TILL
Attorneys for Defendants and Additional
Defendants for Injunctive Relief

Dated January 30, 2008

/s/ Peter W. Till
Peter W. Till

EXHIBIT 2
(Notice of Motion to Quash Subpoenas
– on Short Notice)

To

Memorandum of Law

LAW OFFICES OF PETER W. TILL
105 Morris Avenue – Suite 201
Springfield, New Jersey 07081
(973) 258-0064
Attorneys for the Defendants and
Additional Defendants for Injunctive Relief

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ELIZABETH SILVER FAGAN
EDWARD D. FAGAN,

Plaintiff,

v.

DAVID H. JAFFE, MARGARET E. JAFFE,
KENN KIMM ROGERS, MINDY JAFFE
ROGERS

Defendants.

and

BALDWIN & ASSOCIATES
CONSTRUCTION
INC., BALDWIN ASSOCIATES INC.;
BALDWIN ASSOCIATES LLC; NEW
BALDWIN ASSOCIATES, LLC;
MAYFLOWER REALTY CO. LLC; BEST
VALLEY REALTY; DAVID JAFFE
MANAGEMENT CO.; LAKESIDE
GARDEN APARTMENTS; SO. CLINTON
PARTNERSHIP and VILLAGE
APARTMENTS;
THE JAFFE FAMILY 2002 IRREVOCABLE
TRUST; THE JAFFE FAMILY 2003
IRREVOCABLE TRUST; THE JAFFE
FAMILY 2004 IRREVOCABLE TRUST;
THE JAFFE FAMILY 2005 IRREVOCABLE

Civil Action No.:

**NOTICE OF MOTION
TO QUASH SUBPOENA
(ON SHORT NOTICE)**

TRUST; MINDY JAFFE ROGERS,
TRUSTEE OF ASSETS AND TRUST
ASSETS OF DAVID H. JAFFE AND
MARGARET E. JAFFE; MINDY JAFFE
ROGERS, OWNER/PRIMARY
BENEFICIARY OF WHOLE LIFE
INSURANCE POLICIES ISSUED BY
PACIFIC LIFE INSURANCE CO. POLICY
NUMBERS UNKNOWN ON LIFE OF
DAVID H. JAFFE AND MARGARET E.
JAFFE; MINDY JAFFE ROGERS,
PRIMARY BENEFICIARY OF TERM LIFE
INSURANCE POLICIES ISSUED BY
NORTH AMERICAN LIFE INSURANCE
CO. POLICY #S UNKNOWN ON LIFE OF
DAVID H. JAFFE AND MARGARET E.
JAFFE; MINDY JAFFE ROGERS,
OWNER/PRIMARY BENEFICIARY OF
TERM LIFE INSURANCE CO. POLICY
#S UNKNOWN ON LIFE OF DAVID H.
JAFFE AND MARGARET E. JAFFE;

Additional Defendants for
Injunctive Relief.

To: Elizabeth Silver Fagan
10 Ferncliff Terrace
Short Hills, New Jersey 07078
Plaintiff Pro Se

Edward D. Fagan, Esq.
5 Penn Plaza, 23rd Floor
New York, NY 10001
Plaintiff Pro Se

TO PRO SE PLAINTIFFS:

PLEASE TAKE NOTICE that the undersigned attorneys for the Defendants and the Additional Defendants for Injunctive Relief will move this Court **on a date to be assigned (on short notice)** the Judge then sitting at the Superior

Court of New Jersey, Essex County, Newark, New Jersey for an Order quashing the Subpoenas issued by Plaintiffs and personally served upon 1. Craig Nowlin on Saturday, January 26, 2008, to appear for an oral deposition on Friday, February 11, 2008 and to produce any and all documents pertaining to David H. Jaffe, Margaret E. Jaffe and/or any entities in which they have an interest, directly or indirectly at Mr. Nowlin's attorney's office located in Mountainside, New Jersey; and 2. Michael Schlossman, DHJ Management, 637 Wyckoff Avenue, Wyckoff, NJ to appear for oral deposition on Tuesday, February 15, 2008 and to produce any and all books, records and/or documents relate to DHJ Management so that they can be inspected, examined and photocopied.

Defendants shall rely upon the accompanying Certification of Counsel.

Oral argument is requested.

LAW OFFICES OF PETER W. TILL
Attorneys for Defendants and
Additional Defendants for Injunctive
Relief

BY:


Peter W. Till

DATED: February 5, 2008

EXHIBIT 3
(Declaration of Defendants' Counsel
Peter Til – dated Feb. 5, 2008)

To

Memorandum of Law

LAW OFFICES OF PETER W. TILL

105 Morris Avenue – Suite 201

Springfield, New Jersey 07081

(973) 258-0064

Attorneys for the Defendants and
Additional Defendants for Injunctive Relief

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ELIZABETH SILVER FAGAN
EDWARD D. FAGAN,

Plaintiff,

v.

DAVID H. JAFFE, MARGARET E. JAFFE,
KENN KIMM ROGERS, MINDY JAFFE
ROGERS

Defendants.

and

BALDWIN & ASSOCIATES
CONSTRUCTION
INC., BALDWIN ASSOCIATES INC.;
BALDWIN ASSOCIATES LLC; NEW
BALDWIN ASSOCIATES, LLC;
MAYFLOWER REALTY CO. LLC; BEST
VALLEY REALTY; DAVID JAFFE
MANAGEMENT CO.; LAKESIDE
GARDEN APARTMENTS; SO. CLINTON
PARTNERSHIP and VILLAGE
APARTMENTS;
THE JAFFE FAMILY 2002 IRREVOCABLE
TRUST; THE JAFFE FAMILY 2003
IRREVOCABLE TRUST; THE JAFFE
FAMILY 2004 IRREVOCABLE TRUST;
THE JAFFE FAMILY 2005 IRREVOCABLE

Civil Action No.:

TRUST; MINDY JAFFE ROGERS,
TRUSTEE OF ASSETS AND TRUST
ASSETS OF DAVID H. JAFFE AND
MARGARET E. JAFFE; MINDY JAFFE
ROGERS, OWNER/PRIMARY
BENEFICIARY OF WHOLE LIFE
INSURANCE POLICIES ISSUED BY
PACIFIC LIFE INSURANCE CO. POLICY
NUMBERS UNKNOWN ON LIFE OF
DAVID H. JAFFE AND MARGARET E.
JAFFE; MINDY JAFFE ROGERS,
PRIMARY BENEFICIARY OF TERM LIFE
INSURANCE POLICIES ISSUED BY
NORTH AMERICAN LIFE INSURANCE
CO. POLICY #S UNKNOWN ON LIFE OF
DAVID H. JAFFE AND MARGARET E.
JAFFE; MINDY JAFFE ROGERS,
OWNER/PRIMARY BENEFICIARY OF
TERM LIFE INSURANCE CO. POLICY
#S UNKNOWN ON LIFE OF DAVID H.
JAFFE AND MARGARET E. JAFFE;

Additional Defendants for
Injunctive Relief.

**CERTIFICATION OF COUNSEL IN SUPPORT OF
MOTION TO QUASH SUBPOENAS**

Peter W. Till, Esq. does hereby certify as follows:

1. I am an attorney at law in the State of New Jersey, duly licensed to appear before this Court and represent the Defendants and Additional Defendants for Injunctive Relief. As such, I am fully familiar with the facts and circumstances surrounding the within matter.

2. An Amended Summons and Complaint were filed in this matter on December 31, 2007. (See true copy of Amended Summons and Complaint, annexed hereto as Exhibit "A")
3. We wish to bring to the attention of the Court that the following entities, although named as Additional Defendants for Injunctive Relief, are no longer in existence:

Best Valley Realty (no longer in existence)
David Jaffe Management Co. (no longer in existence);
Lakeside Garden Apartments (no longer in existence);
So. Clinton Partnership (no longer in existence);
Village Apartments (no longer in existence); and
Baldwin & Associates Construction (status unknown).

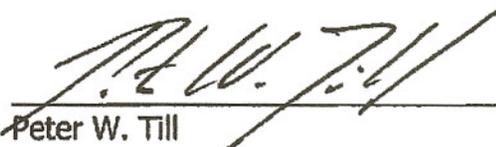
4. On January 30, 2008 this office mailed correspondence to both Plaintiffs under the Frivolous Litigation Act, NJ Stat. Ann. § 2A:15-59, *et seq.*. (See copy of correspondence dated January 30, 2008, annexed hereto as Exhibit "B")
5. Craig Nowlin and Michael Schlossman, Defendants in the above-captioned matter, were served with subpoena duces tecums presently returnable February 11, 2008 (Craig Nowlin – served January 26, 2008) and February 15, 2008 (Michael Schlossman – (his mother was personally served on January 25, 2008). (See true copies of the respective Subpoenas, annexed as Exhibit "C")

6. Further, the subpoena not only seeks the oral depositions of Mr. Nowlin and Mr. Schlossman, it also demands the production of certain documents that are clearly protected by the attorney-client privilege and work product doctrine.
7. The subpoena is also overly broad, unduly burdensome, and seeks documents irrelevant to this litigation.
8. Accordingly, the Defendant respectfully requests that both subpoenas herein be quashed in their entirety.

I certify that the foregoing statements made by me are true to the best of my knowledge. I am aware that if any of these statements are willfully false, I am subject to punishment.

LAW OFFICES OF PETER W. TILL
Attorneys for the Defendants and
Additional Defendants for Injunctive Relief

DATED: February 5, 2008


Peter W. Till