

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE HILL FOUNDATION, INC.,

Plaintiff,

-against-

POSTAL TELEGRAPH-CABLE COMPANY

Defendant.

(Original)

A F F I D A V I T

SAMUEL MANN,

Attorney for Plaintiff,

70 PINE STREET,
BOROUGH OF MANHATTAN,
CITY OF NEW YORK.

A large, circular handwritten signature in black ink, appearing to read "Hill" and "1960".

UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF NEW YORK.

-----X
THE HILL FOUNDATION, INC.,

Plaintiff,

-against-

POSTAL TELEGRAPH-CABLE COMPANY,

Defendant.
-----X

Civil 20-439
Non-jury Cal. #1903

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS.

GRACE GORDON being duly sworn, deposes and says: I am secretary to Samuel Mann, Esq., attorney for the plaintiff in the above action, and make this affidavit in support of an application for an adjournment of the trial of the above-entitled action until November 1st, 1944.

This adjournment is sought upon the ground that Mr. Mann is en route to California on a business trip and will not return for several weeks. The reason the adjournment is requested until November 1st is that the decision in this case will probably be determined by the decision of Hon. John Bright, District Judge, in the matter of The Hill Foundation, Inc. v. Clayton F. Summy Co. The trial of said action was held in this Court before Judge Bright on May 18 through May 24, 1943, and no decision has yet been handed down. In addition, plaintiff's two principal witnesses, Miss Patty S. Hill and Miss Jessica M. Hill, both over seventy years of age, have been ill for several months and are still confined to their home at 21 Claremont Avenue, New York City. It is not likely that either of the Misses Hill will be able to attend the trial at this time.

Darby & Darby, Esqs. of No. 405 Lexington Avenue, attorneys for the above-named defendants, have agreed to an adjournment of this action until November 1st, and have signed a stipulation to that effect which is on file in this Court.

Sworn to before me this
8th day of April, 1944.

Leo V. McLaughlin

Grace Gordon

LEO V. McLAUGHLIN
NOTARY PUBLIC, Nassau County
Nassau Co. Clks. No. 2587
Certificates filed in
N. Y. Co. Clks. No. 331, Reg. No. 191-Mc-5
Kings Co. Clks. No. 28, Reg. No. 113-Mc-5
Commission Expires March 30, 1945