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OF COUNSEL HERBERT A. SIMON

> LORI DODGE PARALEGAL

October 6, 2015

Via ECF and UPS Overnight Delivery

U.S. Bankruptcy Court Southern District of New York 300 Quarropas Street White Plains, NY 10601-4410

ATT: HON. JUDGE ROBERT D. DRAIN

 Re: The Great Atlantic & Pacific Tea Company, Inc., et al. Case No. 15-BK-23007
 Opposition to Sale of Westhampton Beach New York Waldbaums to Best Yet Market Inc. (Document 1157)

This office is counsel to United Food and Commercial Workers Local 342 which Union has Collective Bargaining Agreements covering many of the debtors' store locations including the Waldbaums supermarket in Westhampton Beach.

The Debtors have served notice that the successful bidder for the Westhampton Beach store is Best Yet Market Inc. There is also a back-up bidder. Attached hereto find numerous letters from UFCW Local 342 members, members of the community as well as a petition from members of the Westhampton Beach community, all in opposition to the proposed sale to Best Yet Market Inc. as proposed in Document 1157.

The petitions and letters set forth the opinions of employees and community members that the store should not be sold to Best Yet Market Inc. who apparently does not intend to hire union employees and that the store should be sold instead to the back-up bidder who the Union believes will retain the Union employees. Surely the livelihoods of the workers should be factored in to any decision with respect to the issue of what bid should be approved.

Yours truly,

SIMON & MILNER

BY MARTIN L. MILNER

lmf Enclosures cc: ECF Service List

Dear Honorable Judge Drain,

We the employees of the West Hampton Beach Waldbaums 232 have united in an effort to appeal to you in your decision to pick a company that will keep all the employees employed. We have collected letters from the employees as well as our local community. The community has also started up a petition in support of us the employees of Waldbaums 232. Please take the time to read and consider not selling us to the highest bid, but the bid that will keep all the employees with their jobs.

Sincerely

The West Hampton Beach 232 Employees

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15-23007-rdd Doc 1171-1 Filed 10/06/15 Entered 10/06/15 17:37:02 Exhibit Pg 2 of 87 Judge DRain, Ct 4, 2015

I am writing this letter to you in hope that you will think about me and all the People I work with at Walbowing Westhampton #232. I personally have worked for this company for 41 years this job is my life! Please do Not take it away from me!! I worked nights, overnights, holidays came in through many blizzards, hurricane and anything Else to help my store by doing my Job. I weed my benefits as I'am the bread WINNER for my family. Please do Not let a NON-Union Company come in and take away Everything I worked So hard to achieve OVER 41 years. How Can high Supervision walk away with Everything and We the Union Members have Nothing, is that fair?? I lost my father on Aug 28 please do not let me loose my job also!! We are a family in this store let us stay that way and let all of us keep our jubs and everything we all worked so hard for. So many of our customers have wrote letters to us, have hugged + Cried with us and also said they will not come back to this store if all of us are Not here! Please think long + hard before you make your decision about all of us at #232 Thank You Mawreen Dernchuk

Dear Mr. Drain,

My name is Lawrence Schultz. I have worked for A&P for 30 yrs. I just found out that my store #232 Westhampton is to become a Best Yet which is non union, which means I will become jobless. During my 30 yrs, I have done whatever the company has asked of me. This included working early, late, weekends ,holidays, coming in and working overnite. Whatever the company needed from me, they got it. Now I need to pose this question......How is this fair? The company declares bankruptcy, cuts our severance (which at this point who knows if we will receive) Now our store is sold to a non union shop and we lose our jobs and maybe we lose more. We all have dedicated our entire lives to this company and now to no fault of our own, we could lose everything. We all have families which will be directly affected by the poor financial decisions made by A&P. Is this fair I ask again? We the hard working store level employees have made all the sacrifices and ironically are losing the most. Why cant at the very least our store be sold to a buyer who will at least supply us with jobs?? I mean the bosses of A&P have stole millions of dollars from the company, which in turn has affected us. I'm asking you judge Drain , How this fair?

Lawrence Schultz

Produce mgr. 30 years 70-232 Waldbaums Westhampton Beach 15-23007-rdd Doc 1171-1 Filed 10/06/15 Entered 10/06/15 17:37:02 Exhibit Pg 4 of 87 To whom if May (UNCRA,

For the post two years of my life I've grown to see the unremmitting hardwork and dedication that My loworkers have for this store. I'm 17 going to be 18 in 3 weeks. The people who work here have forught me how to become a more responsible and mature adult. My coworkers pussion for His store would be stripped away from them if they were out of a job. The saddest part of this is that they didn't do anything wrong. Due to the corruption and greed of the company, my friends are out of jobs. They all need their jobs. You can't find people this truly amazing anywhere else. If they were to be laid off. Atheir pure pursion and fulent would go to waste. That's why it is vital for the company buying the store to help my family doing What they doi now. I employ you to weigh out all the options and come to the best solution. From,

Jacob A. Comelly

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I believe in the law, having grown up and raised by law enforcement and municipal workers. I have worked for the A&P for 33 years. I love my job. My job afforded me the ability to raise my three children. I can't believe that the corporate management who destroyed our company are now sitting in judgement on the workers. I am hoping that you take into consideration every hard working family that have over the years have done everything in their power to help grow this company. Our last contract the union workers of Local 342 gave up sick time, vacation time, personal time, we took a cut in pay, and accepted no wage increase for 5 years in order to help save our company from bankruptcy. Unfortunately our contract give backs was still not enough to save the A&P from bankruptcy. Also, the greed of corporate A& P rewarding themselves while taking from us is unfair and disrespectful to the union workers who helped build this company. I trust that you will use your judgement to be fair and to hopefully make the right decision.

Respectfully Yours,

Janice M. Dayton

Bookkeeper

ŝ,

Westhampton Beach Waldbaums

Your Honorable Judge Drain,

My name is Elizabeth Pugal known as Liz and I have worked for the Company since 1980. I would like you consider selling us not to the highest bidder but to the bidder that will protect our jobs. We as the employees have worked long and hard for this company. 5 years ago when they asked for concessions we gave them what they asked for. We did without our vacations for 5 years. We gave up personal days and explained to our children we couldn't attend their flag day. We worked for minimum raise and put off buying that new car for 5 years, only to find out that we are being sold to a non-union company that does not want us. And at the end of the 5 years we were supposed to be given a check to make by the company to make up for all the concessions and go figure they filed bankruptcy and planned on closing the stores prior to the date the checks were to be handed out . Seems like a plan. I have worked hard for the company; I started on a checkout and worked my way up to Manager Positions. Every person in this store is a hardworking loyal employee. We have treated each other and our customers like family. We have had celebrated births together and mourned losses together. One of our Customers passed away recently and we couldn't wait to collect money and send over trays of food to make their time of sorrow better. Employees even volunteer to serve and clean up. If we lose our jobs we will be without insurance coverage, my son is on monthly medication, and I will not be able to afford his medication if I do not have coverage. We know that there are other bids of union companies on the table. Being that the company had no problem filling their pockets with money right before bankruptcy it would be a blessing if you would consider picking the BEST bid that would work out for both the company and the employees not just the highest bid.

WE ARE AT YOUR MERCY.

Sincerely

Eric Fieldstadt Seafood Manager Store 232 Westhampton Waldbaum's

October 4, 2015

To the Honorable Judge Robert Drain,

As a member of Local 342, I have been employed by the A&P Tea Company full time for forty three years, which is over two thirds of my life, and have worked in the Westhampton Store under both the A&P and Waldbaums Banners, for twenty eight years, close to half of my life. I urge you to approve a supermarket company that employs UFCW Members ONLY, to purchase our store, thus preserving our jobs and the quality of life we have enjoyed for our families for all these years.

Sincerely,

Eric Fieldstadt

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104 JOBS!!!!

X DELETE 🗲 REPLY 🕊 REPLY ALL 🌙 FORWARD 🚥



bill scamordella <poppy9799@gmail.com> Sun 10/4/2015 10:23 AM Mark as unread

To: 70232FEADMIN;

Dear Judge Drain,

My name is William Scamordella | have worked for A & P for 12 years.

I have just found out that my store is to be sold to a non_you union company.

And that they are not taking the worker's.

Now over the past 5 years we have sacrificed vacations and raises to help A&P get back on there feet.

Three WEEKS before claiming Bankruptcy the CEO and others paid themselves very nicely. Now they want to cut our severance

how is that fair. I hope you will do the fair thing and not let A&P sell to a company that take us without a contract. We gave enough and did the right thing now it's up To A&P to do the right thing.

Thank you for your time. Williams Scamordella. Butcher & First Cuter 12 years

William Damordella

Shop STEWARd

Dear Judge Drain,

My name is Elizabeth Weigand, I have been an employee of Waldbaums in Westhampton Beach for thirteen years. This store has been a union shop and now for a store like Best Yet who is non union to take over, is not only not fair but also very disconcerting.

I am a recent college graduate with many loans and bills to pay and just like my fellow co-workers we need a union shop to buy us and take the employees with them.

As you are aware just five years ago when the Atlantic and Pacific Tea Company who owns Waldbaums filled for bankruptcy for the first time. We had to make many sacrifices, as a part time employee we lost all of our sick time and our personal and vacation time was drastically cut.

Now for the company to file for a second bankruptcy is not only heartbreak but disgusting to know that upper management is leaving pretty much unscathed.

The employees of Waldbaums in Westhampton are more then just co-workers we are a second family to each other. So I hope by writing this letter it will help you to consider other companies that are union shops to buy us.

Thank you for time and consideration,

Jeigant

Elizabeth Weigand

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My name is will Estre. I have been working for this company Since 2004. I Found out yesterday My Store was buight by Best Yet which is non union. I really Feel like it's not fair to us that we are going to lose our jobs. We have helped the company in so many ways like loosing vac, such hours, pers. days + not getting raises Fur 5 years only For the higher up to get all the money. So please if pussion is there any way you could help?

William Esty

Dear Judge Drain,

My name is Melissa Meli, I have been an employee of Waldbaums in Westhampton Beach for twelve years. As a current college student living on my own, and about to face the possibility of losing my job because a non union store that may take over is upsetting. Because I go to college it is very hard to find a job due to my class scheduling, there are not many places that will work with my availability, because of this it will be very hard for me to find work.

We as a union store feel that a non union shop coming in and taking over is unfair and the company has once again taken advantage of its current employees.

When you work somewhere for so long you develop bonds with people, we are like a very big family and its a shame for us to be torn apart.

Thank you for time and consideration,

Melissa Meli

10/4/2015

Dear Judge Drain,

My name is Tina Powarcinsky and I have been with the company for 18 years. Our company is a union shop and for Best Yet to take over is not really fair since they are non union. I'm a single mother with 2 kids and just like the rest of my employees we really need a union shop to buy us and take the employees with it. 5 years ago we helped out the company by losing a lot vacation, sick time and raises. Now for the big bosses to get all this money and leave us with nothing is unfair. The customers love shopping here because they have known us forever and are also very concerned. This store is not just work, we are family. We work together to make sure our customers are happy. So please all we are asking is to be bought by a union shop who will take us with them and not make us start all over.

Thank you so much Te Power

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Dear Judge Drain,

I have been an employee for the Westhampton Beach Waldbaums for over 10 years. This is a part time job for me, but it helps to pay the bills. I have been informed that the highest bid is a non union store and they are not taking the employees. I would like you to consider a union store that will keep me and my fellow employees. I understand the bills have to be paid but that should have been taken into consideration when all the VP's were taken the monies prior to filling there pockets. Thank you for taken the time to read all off our letters.

Sincerely,

James Turman

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Pear Judge Drain: My name is Sonia Lorenzo, I have worked for Waldbaums for almost 8 years. this Job is a support for me and my childrens. Working in Waldbaums has been great, I would like to still work there since is the only Support that I have been a single mother. I would be very hard for me to Toose my job because is close to my house and I don't have a car so I walk to my Job. My children would be very upset if we have to move because of my job. I would like to adress the support coming from the Union company, all the workers have our trust on them and we plead them to help us. thank you for reading my letter. Sinceraly Sonia Magaly Lovenzo Villeda Sonia Lorenzo 325 Mountauk Hiwy. 10/16 WHB NY 11978.

Dear Judge Drain,

My name is Sarah Weigand, I have been an employee of Waldbaums in Westhampton Beach for eight years. This store has been a union shop and now for a store like Best Yet who is non union to take over, is not only not fair but also very disconcerting.

I am a recent college graduate with many loans and bills to pay and just like my fellow co-workers we need a union shop to buy us and take the employees with them.

As you are aware just five years ago when the Atlantic and Pacific Tea Company who owns Waldbaums filled for bankruptcy for the first time. We had to make many sacrifices, as a part time employee we lost all of our sick time and our personal and vacation time was drastically cut.

Now for the company to file for a second bankruptcy is not only heartbreak but disgusting to know that upper management is leaving pretty much unscathed.

The employees of Waldbaums in Westhampton are more then just co-workers we are a second family to each other. So I hope by writing this letter it will help you to consider other companies that are union shops to buy us.

Thank you for time and consideration,

Sarah Weigand

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Dear Judge Drain,

My name is Aurora Reyes. I've been working for Waldbaums for six years. Since then Waldbaums has served as single support for me and my five children. three of which are Still underage and attending the local school clistrict. For me leaving this job would require 2 possible more for me and my children. This would affect them emotionally by leaving the place they have know for as long as they can remember as well as leaving behind their life long friends. This job has helped me throughout many hardships like the death of my husband which has left me as a single nother struggling day to day to get by and Support my children. Also I would like to state -he lack of support coming from the union which me and my peers have set our faith on to help save our employment. I am very grateful for my position at Waldbaums and would work very hard for the new company which takes over just as I have for my Former employer. Aurora Reres Sincerely, Norman Da an int A Edularde StallAR NU 11920

Dear Judge Drain,

My name is Kenneth Taylor I currently am attending college but work at Waldbaums in Westhampton Beach on my school breaks and worked at Waldbaums during most of my high school career.

I have been told my co-workers that a non union store is interested in purchasing the Westhampton Beach store and would not bee keeping the employees. I find this very upsetting to hear. I have very close bonds with the other employees that are still currently working at the Westhampton Beach Store, and hearing that they are so upset and me being so far away at school I felt compelled to write at letter to you. I am asking you to please not allow a non union store to purchase the store. I hope that this letter will have some effect on your decision making.

Thank you for your time,

Kenneth Taylor

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Dear Judge Drain,

My name is Marissa Ebert I currently am attending college but work at Waldbaums in Westhampton Beach on my school breaks and worked at Waldbaums during most of my high school career.

I have been told my co-workers that a non union store is interested in purchasing the Westhampton Beach store and would not bee keeping the employees. I find this very upsetting to hear. I have very close bonds with the other employees that are still currently working at the Westhampton Beach Store, and hearing that they are so upset and me being so far away at school I felt compelled to write at letter to you. I am asking you to please not allow a non union store to purchase the store. I hope that this letter will have some effect on your decision making.

Thank you for your time,

Marissa Ebert

Dear Judge Drain,

U.

I have been working for A&P and Waldbaums' since 1993. I started in the Rockville Center A&P store and transferred to Westhampton Beach Waldbaums'. I consider the people I work with my family, and have made many life long friends while working at this store. I rely on working at this location because I do not drive. I walk to work every day in rain, sleet, and snow to make sure that my job gets done! I am a 71 year old man and I am not ready to retire. I feel that if I lose my job I will not have many more options, and I want to continue working. I hope that our letters help you to make your decision on whether or not we need a union job in this community.

Sincerely,

Clifford H Jones

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Honorable Judge Drain,

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I am writing to you as a Waldbaum's employee and as a Westhampton Beach resident regarding the bid from Best Market on my store 70232 in Westhampton Beach. I have been a patron of Walbaum's since before I began working there in 2008. On behalf of myself, my family, and my coworkers, I urge you to reject the bid from Best Market or any other bid from a company that will not include a union. This decision will affect my livelihood and the livelihood of my co-workers. I ask for your compassion in this decision and I hope you will support us in your decision.

Respectfully, John David Wanamaker

Susan Tinley 17 Shelter Harbor Court Wading River, New York 11792 October 4, 2015

To the Honorable Judge Drain:

My name is Susan Tinley and I have been a loyal, honest, and hard working Scanning Department Administrator employee for **31 years with A & P** (Atlantic Pacific Tea Company).

While we have been made aware of the unfortunate circumstances facing our company Healthcare benefits and other benefits as provided to us by the union, have kept our families alive with food on our table. During my tenure with the company I was able to cover my three children and my husband and myself with these Healthcare benefits.

Facing the loss of a job is a significant hardship on us all. COBRA is something many of us have counted on while we may face searching for another job. In some cases in other stores, people have been fortunate enough to be offered another job at time of sale and get benefits and their salary.

Honorable Judge Drain, while my children are older my husband depends on me for healthcare. He had a stroke at the age of 54 and without my healthcare coverage I don't know what I would do.

It is truly a horrific circumstance to be in and one that I plead you understand for all the employees including myself. Best Yet has NO ONE but themselves driving their decisions. They will throw away employees like myself the way you may throw away a tissue. It also appears that a few bad executives may have thrown us all under the bus for personal gain.

We ask for your mercy and support to help protect us and our families for the sake of our benefits PLEASE Sir. You are our last hope to have something left after having worked so hard with so much loyalty.

Thank you, Respectfully, Susan A. Tinley

Susan i Culy

Dear Judge Drain, Fam a part-time enployee at Westhampton Beach Walbaums. I an currently attending college and paying for it with my job at Walbaums, I would like you to considering union shore so we can keep our jobs. buy my Sincerely,

Dear Judge Drain, My name is Charles Capito Rottmann, an e-ployee for over a year at Westhampton Beach Waldbur. I am currently balancing school, work, and starting up a by-merry and fight now Waldburg is the only steady jub with a fletile enough Schodale to support me. I hundly reavest that you consider albuin the store to be a vaion shop. Sinderely, Charles Capito Rottman

Dear Juge Drain

10/4/15

Hi my name is Kalla Cardona. Due to the banknippl, we shouldn't have been bought to a non union company because all my lovely. coworkers and I will be ast of a job. we have cowarkers that been here for Nours and they dedicated a lot of effort to A \$ p company. personally I'm a young adult who goes to school and works. I help out my mom out with bills that need to be paid and pal for things that I need I'm on my lest lear of school. College is guit expensive how and depsivithaut this job, I won't be able to do those things and nether will my countersule should be bought to a company that is a union so no one can lose their its its a rough life out tere.

Dear Judge Davis,

My Name is Kim Valentino. I have been a part-timer at the Westhampton beach. Waldbaums for Over 9 years. <u>Evenuone</u> who works here is an extremely hard worker. I've seen us lose Vacation time, personal time, sick time. people have come in contagiously sick because they carit afford to lose Money. Yet, we still stayed here because of the Customers. Evenyone goes above and beyond + the automers are so thankful. They're always kind to us, and vice versa. Having to go back down to minimum wage is unfair + kind of Gruel. This is tinfair as it is Not out FAUL this is happening. Why Shauld we have to be punished for what the company has put us through?

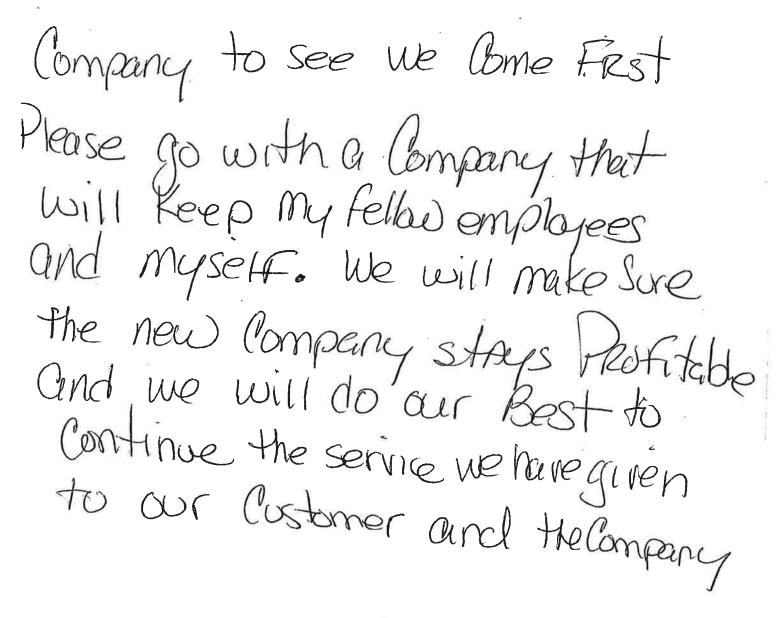
DEAR Judge Drian I Down Mc Arthy as committed member. of local 343 for over 35 years of a Change in the ownership of the Busines you would ensure that our contracts & BENEFits would be considered before you allow Atlante a pacific ter company off our location to a nomianion shop for this would be considered that ship to All that are involved Please considers all the people this will Effect in your decision to All this to HAPPEN 1hankz

Oct 4th 2015. Dear Judge Drain, My mame is Phyllis mourien. I have worked for the company Atp 31 years, Just found out Best Let is taking only Westhampon Beach. Store 232 in N.J. Long choland. I have been a layal employee, and I just can't fathom that your will allow a non Union evere to take over. There will be about one hendred employees with of the Please il am beggeng your to let a thin Union Store to take over Westhampon Beach, So we can have jubs. Thank your for your. Time !! Phyllis Mauri

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Your Honorable Judge Deain, My name is Susan Authand I have worked for Waldaums for over 25 years. I am a dedicated loyal worker. There are Times when I having been so sick I Drave to work Just to open the Dave so myfellad Employees caupget in the store. Then I would call in Sick. It was very upsetting to hear the company was going bankappi. HOW (WID THAT BE. WE Aluceys had a profitable store AND that's Bellause the 232 Employees Always Make Sue the Customer Comes FIRST Maybeits time for the

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Thank you Sup Juth

Dear Judge Drain this Imara mse houchle at seem to e West Hampton Store, aN employee aum ya 20 now an 4 Und A en som ecause of in Rn It an Wil ion and Cause jon 10 æ YA a Lase. lune he on Store Sincerel

Oct 4, 2015

Dear Judge Drain,

My name is Laurie Killeen. Ive worked for A&P/Waldbaums for 38 years. I just found out that our Store # 232 West Hampton that we were bid on a non-union company Best Vet. This will leave us jubless! I been travling from Commack all the way to West Hampton its about 41 miles oneway so I can keep my job. I did what they asked me to do in hopes that our store will be brought by a union owed company. I would like to ask how fair is that? We all have made sacrifices and we are all intedanger for losing our jobs. Not only will be suffer so will our families. So I am pleading with you not to let a non-union company buy us.!!

Your truly, Jaurie filleen 70-232 West Hampton

10/4/15

Dear, Judge Drain,

My ma is Pahra bhon, and I'm an imployed at Waldedon in Westharph Breas and been an arrently for I your ad Smonth Our the your I've worked with gract puple, my workers, whole all been howed by to much longer yours at this store. They've made working at this she a much more friendlike environment then It probably during to be with that bely said, thing the store now being bought and a non-unlose store really upset the over imployeed. My followeds. We all find this and rather infloyeed. My followeds. We all find this Muny of is whore our had at this Unlan oure have done so the safe secontly of the when backly us up. As I've been part of the deli department, unlow's been very important for myself and manager and converters at the deli. For may gears my manager been protected by her unlow oh's been under. For my years! No that'll be got in a few months for mya this job's Very important to me. In correctly a for the collect share at sofelly contact, and the three college student at Sofferthe County Correctly college. I mate usually enough to pay for my con how gas, School Supplies for each smoother, and as well as the repuls. Alot of money I ned to spend. But inherteratly, she this new our that's bought us a October 3rd, 2015, I'm now going to hun more complicant

State Santandy Constante with trying to the a brind new job. In to make how this is also going to effect my finity. My show the I arrestly work at has tired ngsett, my brother See and my other bother Conner. Conor suffers for autism and really will probably than hauch more complications finding another jub then anyon use. Thets really had to accept. If your reading this ad twe any power & possibly have a Unless store take over this store in weathington black, I hope for my sake, my for the sake, for my fullow coworkers sate, you can listen to our pleads for hely.

thank you perfort Somson

Judge Drinn I have been an employee for A+P (Waldhamo#232) for 19 ths. I am riery A+ & Has Riled hankrupt sod that on the ago, I need to kepp in the sole-se ployme on my family. We nee Some where a who sight that die and store. So & can keep Kesped ape molesoe

Dear Judge Drain 10/4/15

Working at Waldbaums for about a year and five months keeps reminding me how lucky Ι really was, until hearing the tragic news on the company's bankruptcy now I realize that life ain't all Fairbows and scathing. On top of that now hearing that the is the next company to take over the Waldbaums department makes me feel uneasy. They don't Seen like a very trust worthy company, Since they held \$6 million right before bankruptay. This also affects a lot of hardworking employees Such as myself who keep the department runing. We apparently beat the record for for most customes in the Store compared to last summer. Best Market is also a non union company which will Scare off desicated hard working employees who actually wont to stay in a union Bill working environment. Ih conclusion 1 hope that "King Kulle" or some other Union Family orighed company takes over the department. Our fate is in your honds...

From Sean Johnson, Peli Clark

10-4-15 Dear. Judge, would you please consider selling the westhampton Beach waldbaum's to a union store ALL of us would like to continue working here, and need our jobs Thank you Kathy Roggeveen Employed here 29 years

Dear Honorable Judge Draw have been a valued emplo one years 508 Fally

Waldbarns Location #232. Dear Judge Drain, My name is Johana Leon, I have worked for Waldbaums for almost 8 years, this job as been a great support for me. This job has help me because I am nother of three wich they all are. nor and still in school. Working minor Waldbanns all this years have been great, I considerate like my second. family. Everyone who works here works hard, we are a team together. We all plead for the Union Company to help us. The workers this new has been very distressing. All the workers would like of we keep our jobs together in the new lompany, especially because single mother of three Kids We are not asking for handout, we are asking for opportunities you very much for reading thank my lefter. Sincerely Vana POBOX: 662 Westhampton NY 11977.

To Whom it may concern Hello my name is Noch deweever, I work at the west hampton wulbarns, live close around here and like to be involved in the Ι community that's why I got this job to be part of the community and work with other people. This job has been an amazing experience and I love working here und it has been a great working and learning experience and I roully have to continue it. My concluents are all anothing people and deserve to be able to keep think Jobs and work to the full extent

neen der leelle

Van Judge Drain, 1/4 name is Joanne Alewick I have warked for A : p since as 16 years ald, now stam you to be 58 (a long time). manya my family memeters have worked Company also. I just found out that my store # 232 Westhampton is to be come a Best yet whe is non-union, which means the ill become philess. During my many years of employment done what ever was asked for me to do. Workers different departmen Sick Cells, overrights, holiday, enhative Muy asked I did. Swas a teamplay Now I am in meat Dept for well over 20 years. How fair is this? The company files forteen haven't lad Cutour sevenance, back our are in Sylars, give me for the company to help them who knows what we will endup . We all have descatedour entire lives to this company an ook what they are doing /Bus

nt that ho as people we do ave families and grand children 26 . affected be A w 1 HEP an is every ne Coul teng 1 h worker Oct 4. W 20 A1 0 are today n lo - 11 111 dreme fairl Company W to que No to t que when a lo -Vas e de Jours July ine Au Waldbac Wy

Dear Judge Drain

I am an employee of A&P/Waldbaums for 34 years. I was deeply saddened when the first bankniptcy was declared. A&P-told us they would try to come out stronger as they took back our vacation time, sick pay, personal days, froze our wages and poid our first hour each week at minimum wage. We believed their promises.

October 4, 2015

Now the owners have gutted the company, looting whatever cash they could squeeze out, and declared themselves bank rupt again. My store, Waldbaums Westhampton, is slated to be sold to a non-union owner. Best yet is highly unlikely to hire us at our current rate of pay.

our current rate of pay. My home needs repairs. I can handle this on my current part-time wage. I don't see how I can afferd it. at minimum wage. I will miss my work-family of fellow employees and regular customers. Please consider what impact your decision has on all of us little people who live and work here and not just a few extra dollars for already banknypt ASP. Thank you for your time. Sincerely Ellen Mayo

D/4/15 Deno Judge, I have been with the company Since 1992. Istrated with AFP then Waldbowns took over which is A Union shop. INEED for you to not SELL this stope in NExthanyton BEACH DEW York-ID best MARhet Sinct they THRE NOTA UNION Shop. LAMA Single Mom Who nEEds my all of pay And MU benefits. WE AS A STORE need the this in consideration This State is AtAmily not just A place of business. The customend ANE AS concended AS WE PAE. They come in wEEKly tochech onus they have told me it we aperit abing be working inti HAK# S DUHACHASEC they wor The communaly is -HODE LOU K Union shop this ten and Loan change thour mind. me And consideration,

Edith Himmelstein

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, 10/41/15

Judge Drain, 11 As of yesterday, it has been amounted that Westhampton hick bounds had been bought by a Non-Union Store, having Myscif, as well as my fellow employues, Jobiess. It is my Intention to express my concern cubart this Situation. I have been at this store for about 3 years, with hope that someday I could make a future here. A number of Lines the company itself was booking into making the a fait time employee. However, that obviously seems to not be the case, and provably was not the case the entry time. It seems as it this company does not Occe about the well-being or Employees houry us with Broken Fand Emply promises. he were all told that with Bark wpty and Salus or the stores boning that those would be an agreement with a buyer that would allow us to keep our doors. That again, is not the case. So pursule, as well as olures, are highly to you to try and save our loops. We ask that you runsider the decision to sell to a non-writen store so that harders of employed are not left Unemployed.

Dear Mr. Drain,

My name is Daniel Szaba I have worked for West Hampton Waldbaums for 8 great years. I recently have found out that the highest bid for my store is by Best Tet. This is great news to hear, But on the contrary I am alraid this is the end of the road for my fellow coworkers and myself, due to Best Yet not being a union shop. My coworkers and myself have given our all to this shop and do net decene to leave our jobs. At the least I feel that the employees cleare to Continue our legacy of Great Customer Satisfaction and work ethic. It would be greatly appreciated if a by a union shop was accepted giving the great workers a running opportunity. Judge Drain I ask of you to

please give us a fighting chance and look out for the Bones of the Company.

Daniel Szabu Dane Myrc

Judge Dhain, I have been employed by Waldbauns for 28 yrs full time. I cannot believe the turn of events that have after giving back to t any to pave it. Its badenaugh lyed to and micelead about the of the company, now we are ing sold to a non-Union shop, taking the employees. who are not now som life as well as the lives of my fellow employees are In Turmell. and uncertainty. & ask overturn this ruling an we be pold to a Unlon phap, the careen and lives of a lat of Beople are, hands, please canside this. Thank year, Sincerely, Robert Candela

OCT 4, 2015 DEAR JUNGE DRAIN, I RICHAD GAWON HAVE BEEN EMPLOYED BY THE GREAT ATP TEA COMPANY FOR 25 YEARS. I HAVE BEENADEDICATED, LOYAL, HARD WORKING ATP/Wachadims EMPLOYEE, I TAKE PRIDE IN MY WORK AS A DAIRY DERT MANAGER. MY BATTEY TEAM CONSISTS OF, DONNY, JACOB, JAMES, JONATHON, KEUTN AD NOAH, WE PROVIDE EXCELLENT CUSTOMER SERVICE TO OUR COMMUTTY OF NESTHAMPTON DEACH N.Y. OUR STORE WAD GAUNS # 232 IS CURRENTIM BID ON BY BEST YET MATCHETS, WE WILL NOT HAVE DECENT PAYING JOBS. Bibs PLEASE (ONSIDER ALL GIVEN THAT WILL PROVIDE UNION JOBS WITH A SALARY FOR US TO LIVE HERE IN LONG ISLOW NEW YORKI SIDCEMEN

Honorable Judge Drain,

I am writing to you to ask that you reconsider your decision in the bankruptcy case involving the A&P / Waldbaums'/ Pathmark company I am asking to accept the bid from key food co. This is a union shop and will allow all the dedicated employees to keep their jobs. My two granddaughters have collectively worked at Waldbaums in Westhampton for a total of 21years. Sarah depends on this job to help pay for her college education if she loses this job it would cause a financial burden on her already struggling family. Elizabeth needs this job to pay for medical insurance. She has serious illness, and this must be closely monitored. My wife and I live in an affordable housing. We are unable to help our two granddaughters financially I read in Newsday that the top management have a 6.5 million dollar pot to split-up among their selves this was established just prior to the declared bankruptcy. This is America this should not be allowed to happen to our citizens please find it in your heart to rule for the employee's.

Thank you,

Joseph Ammenwerth

Dear Judge Drain,

Your Honor, my name is Seferhan Caglayan. I am a past employee of the Waldbaum's in Westhampton Beach. I now work at the Mattituck location. To my great relief, Key Foods, a union store, is buying my store. But the same cannot be said for the Westhampton Beach location, my store for five years. Best Markets is trying to buy my old store, and if this happens, my past co-workers will lose their jobs and all that they worked for. Best Markets, as it is well known, is not a outfit that treats it's employees well. They will pay bottom dollar for their help, and it is shown in the general quality of their stores. As you can see in the petitions being circulated, the locals do not want a low quality supermarket in their area. The said locals also do not want to see the employees who have put decades into A&P being thrown by the wayside. It is not the fault of the average worker at Waldbaum's for the current situation, but of upper management. They have taken a once great company and have run it into the ground by their sheer incompetence. And yet despite this, they have taken millions in bonuses, much of which was given out within the past two years, and some months, if not days, before the company declared bankruptcy for the second time in five years. The fact that most employees will lose their livelihoods because of this highway robbery is yet another slap in the face. We all beg of you Your Honor not to let this happen. The people of Westhampton and the employees of Waldbaum's only ask that you consider a company that is union to buy the store, and therefore not punish further the great people that have suffered due to the incompetence and greed of certain A&P executives. We derserve better than this, and we hope you agree with this sentiment.

Sincerely,

Seferhan Caglayan.

Honorable Judge Drain,

I am writing to you as a concerned family member of a few employees of the Waldbaums' in Westhampton . My Two daughters Elizabeth and Sarah Weigand have been employed there for many years, this job has helped them both to work while attending college. It is very disconcerting that the store is in bankruptcy yet again and the higher level management is not affected by this decision but the lower level employees, the middle class workers are being treated with such disrespect and disregard for their well being!

My daughters have just informed me that Best Yet is asking to purchase this store. This company is nonunion therefore will be letting go of all current Waldbaums' employees since there is no contract between unions that would help keep them. I am asking you to look deep within your heart and make the right choice to say NO! to their purchase since they are nonunion. I am sure you are in a UNION job and know that Unions fight for the the lower level people to help them keep their lobs and livelihood intact.

Please your honor say NO! to the purchase of West Hampton Waldbaum's by the NONUNION store BEST YET!

Thank you for your time.

Lisa Weigand

October 4, 2015

Dear Judge Drain,

My name is Bryan Filetto, I currently away at college but worked at Waldbaums' in Westhampton Beach this past summer.

I have been told my co-workers that a non union store is interested in purchasing the Westhampton Beach store and would not bee keeping the employees. I find this very upsetting to hear. I am asking you to please not allow a non union store to purchase the Westhampton Beach store. I hope that this letter helps you in your decision making. They're a wonderful group of people and it would be a shame to see them all lose their jobs.

Thank you,

Bryan Filetto

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Honorable Judge Drain,

I am writing to you as a concerned family member of an employee of the Waldbaums in Westhampton . My cousin Melissa Meli has been employed there for many years as it is a local to where she lives and has helped her to work while attending college. It is very disconcerting that the store is in bankruptcy yet again and the higher level management is not affected by this decision but the lower level employees, the middle class workers are being treated with such disrespect and disregard for their well being!

Melissa has just informed me that Best Yet is asking to purchase this store. This company is nonunion therefore will be letting go of all current Waldbaum employees since there is no contract between unions that would help keep them. I am asking you to look deep within your heart and make the right choice to say NO! to their purchase since they are nonunion. I am sure you are in a UNION job and know that Unions fight for the the lower level people to help them keep their lobs and livelihood intact.

Please your honor say NO! to the purchase of West Hampton Waldbaum's by the NONUNION store BEST YET!

Thank you for your time.

Jessica Verni

October 4, 2015

Honorable Judge Drain,

I am writing to you as a concerned family member of an employee of the Waldbaums in West Hampton. My niece Melissa Meli has been employed there for many years as it is local to where she lives and has helped her to work while attending college. It is very disconcerting that the store is in bankruptcy yet again and the higher level management is not affected by this decision but the lower level employees, the middle class workers are being treated with such disrespect and disregard for their well being!

Melissa has just informed me that Best Yet is asking to purchase this store since they are the highest bidder. This company is nonunion therefore will be letting go of all current Waldbaum employees since there is no contract between unions that would help keep them. Key foods is also bidding but are 2nd and are a union store and will keep the employees. I am asking you to look deep within your heart and make the right choice to say NO! to Best Yets purchase since they are nonunion. Say yes to Key Foods let the employees keep their jobs!!!

Please your honor say NO! to the purchase of West Hampton Waldbaum's by the NONUNION store BEST YET! Say YES! to KeyFood the UNION STORE!

Thank you for your time.

Deborah Cortesev

Lorin Bull 15 SMITH STREET

Center Moriches, NY 11934

T 631 8789146

lorin_bull@hotmail.com

October 4, 2015

The Honorable Robert D. Drain 300 Quarropas Street White Plains, NY 10601-4140

Dear Judge Drain,

I am writing you regarding the recent bid for the Westhampton Beach Waldbaum's by Best Yet. I am a current employee of Waldbaum's. I am currently in the East Hampton store which was purchased by Stop & Shop. The employees in the East Hampton store were very lucky. We have all been given job offers by Stop & Shop, which we are extremely grateful for. Unfortunately our brothers and sisters in the Westhampton Beach store are in danger of being purchased by a company who will not keep the employees.

I have been working for Waldbaum's for about 15 years. I started my Waldbaum's career in the Westhampton Beach store. The employees there are very hard working and loyal to their jobs and the local customers. Allowing this store to be sold to a company who is not willing to take on the current employees and their union would be a horrible mistake. Luckily, Westhampton Beach is an area that is in need of a supermarket. There is no other grocery store for miles. I'm sure because of the area and the potential that a new supermarket coming in would have there must be other options for buyers for this store.

Please consider only accepting a union employer when selecting a buyer for the Westhampton Beach store. There are a lot of valuable employees who have worked very hard for Waldbaum's for a long time. I know they would continue to do so for a new employer. Why put a whole store full of excellent, highly qualified employees on the unemployment line if there is another option which keeps them employed? I hope you will take this into consideration when the final decision must be made regarding the sale of the Westhampton Beach Waldbaum's.

Sincerely,

Lorin Bull

Honorable Judge Drain,

I am writing to you as a concerned family member of an employee of the Waldbaums in Westhampton . My niece Melissa Meli has been employed there for many years as it is a local to where she lives and has helped her to work while attending college. It is very disconcerting that the store is in bankruptcy yet again and the higher level management is not affected by this decision but the lower level employees, the middle class workers are being treated with such disrespect and disregard for their well being!

Melissa has just informed me that Best Yet is asking to purchase this store. This company is nonunion therefore will be letting go of all current Waldbaum employees since there is no contract between unions that would help keep them. I am asking you to look deep within your heart and make the right choice to say NO! to their purchase since they are nonunion. I am sure you are in a UNION job and know that Unions fight for the the lower level people to help them keep their lobs and livelihood intact.

Please your honor say NOI to the purchase of West Hampton Waldbaum's by the NONUNION store BEST YET!

Thank you for your time.

Carolyn Levenson

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als/2015 Honorable Jeedge Drain, We have beer shopping in Wesekampton Beach Waldbours. We are disnayed to hear that a bed on the store from a NON- union company will result in all The current emplayees loseng Their jobs. as queetine residents we are view consider bide pron a union supporting conpary. The layer workers at Waldbaund deserve at least the charce to keep their jobs with a win stars.

Respectfully

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alsbar 4,2015 Honorable Judge Doier, We have beer shopping in Westhampton Beach waldbours. We are disnayed to hear that a bed on the store from a NON- union company will result in all The current emplayees loseng Their jobs. as queetine residents we are very upset by This. We wrge you, if legal, only consider bide from a union supporting conpary. The layer workers at Waldbaund deserve at least the charge to keep Their Jobo Wich a wion store. Respectfully

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(2)**GUARDIAN**[®] THE GREAT AND HARd Charles A. Casano Financial Representative NRL Wealth Creation Strategies, LLC Working Employees At 25 Carle Road Westbury, NY 11590 tel: 516.334.4900 ext. 256 fax: 516.334.0521 WATTEAuns deserve at LEAST the change to KEEP . Jobs with a UNION 37 Espect TA QNECK RO WESTHAMPTON BEACH, N.Y. 11978

Registered Representative of Park Avenue Securities LLC (PAS), 25 Carle Road, Suite 200, Westbury, NY 11590, (516) 334-4900. Securities products and services are offered through PAS. Financial Representative, The Guardian Life Insurance Company of America, New York, NY (Guardian). PAS is an indirect wholly owned subsidiary of The Guardian. NRL Wealth Creation Strategies, LLC is not an affiliate or subsidiary of PAS or Guardian.



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Charles A. Casano Financial Representative NRL Weath Creation Strategies, LLC 25 Carle Road Westbury, NY 11590 tel: 516.334.4900 ext. 256 fax: 516.334.0521

NAVE GEEN GAUMS SINCE MV hE 60's 4 in A bid that FAR NON-STORE 15 trom but 20. And that All the CURRENT EmployEES Will LOOSE their AND All their benefits jobs EsidENts WESTHANDTON VERY UPSET ARE bids SEFR will JONS UNION OMPA1 A

Registered Representative of Park Avenue Securities LLC (PAS), 25 Carle Road, Suite 200, Westbury, NY 11590, (516) 334-4900. Securities products and services are offered through PAS. Financial Representative, The Guardian Life Insurance Company of America, New York, NY (Guardian). PAS is an indirect wholly owned subsidiary of The Guardian. NRL Wealth Creation Strategies, LLC is not an affiliate or subsidiary of PAS or Guardian.

15-23007-rdd Filed 10/06/15 Entered 10/06/15 17:37:02 Exhibit Doc 1171-1 Pg 60 of 87 P.O. Bop 727 Oct 5t 2015 Remsenburg DY 11960 Das Sir or Madam, It was with great sadhass I learned that the faithful efficient employee's of the A+P Corp. Will not be going on to the new Company. The service they have, after so many years of service to the Company, will all be gove. A basic wage in this community of \$9-10 an how is impossible to live on They all have marginger to pay, car payments, college their haves? Will they have to sell or up for bankrupay? It is impossible to live here on \$10 on how. I would have as a Catler a mother of these employees you would look kindly and great group of waters. Successly Victoria Garcia

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Elizalith 7 tailing 65 Duth na. +67 South Nd. Westhampton Beach-n.4. I am Writing this appeal. in support of the EmployEES well balloms. I have been a constomen of I have been a constomen of your store for over fifty years-WE GR a Small Community and WE have worked for many 12005 -I beg of you please heep your current EmployEES there is an old saying " To know you is to bous yoy" Sincerely Jouling Elizabeth 7 Jouling (EM9)

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212-43 16th Avenue					
Bayside, New York 11360					
October 5, 2015.					and and
Judge Robert D. Drain United States Bankruptcy Court Southern District of New York 300 Quarropas Street					

Honorable Judge Drain,

White Plains, New York 10601-4140

I am writing on behalf of all my fellow co-workers in Waldbaum's Store 232 located at 70 Sunset Avenue Westhampton Beach, New York 11978. It's my understanding that Best Yet Supermarkets has given the highest bid for the Westhampton Beach Waldbaums. I am not aware of any other bids put on this store. But if there are other potential bidders who placed bids on this store and those bidders are willing to take the Union Contract, I am urging you to please consider that bid over the higher bid to save as many jobs as possible . It is my view that the social costs to our society and to our government resulting from these people being unemployed would outweigh any additional monetary gain to A&P if the higher bid is accepted. Can you please take this into consideration if there is a competing bidder. Lastly, there are so many other stores facing this same situation, and I am sure you have received so many letters . I am pleading with you to please save as many jobs as possible. So many people so far are going to be without a job from the stores that are closing already. It's to my understanding that these bids that were placed on the stores have to be ok'd by you first and I noticed a lot of them will not be taking on the workers. If any of those stores got bids from potential buyers that would accept the workers with the Union, please consider what I said before.. A&P took enough already!!!! Ask them to give back all their money they gave to all the executives and CEO's and the money they took from us and they can use that money to pay off their debt.Once again all A&P cares about is getting the most amount of money for their stores with NO regard to their hard working loyal employees. I don't believe "WE" the employees should be penalized for their wrong doings. Thank You for listening, I truly appreciate it. Sincerely

To whom it may concern,

I have been a loyal customer of Waldbaums since I moved to Westhampton Beach 26 years ago. As the center of the small community of Westhampton Beach, Waldbaums was a stop I have made multiple times a week throughout the years to get all of my supplies to feed my very hungry family of seven (and all the various other guests my children decided to bring home). While Waldbaums always has a great selection of groceries, the real reason why my family has consistently shopped at Waldbaums is because of the excellent employees who work there. I have gotten to know the staff on a personal level and have witnessed their commitment to both the customers and to the well being of the store. The employees often have gone above and beyond in taking care of customers requests and contributing to our community. There was never a time when I couldn't rely on one of the wonderful employees to help me with my groceries to my car or suggesting a certain cut of meat or just having a friendly interaction where we learn about each other's lives through many years of talking.

In addition to taking care of all my needs, Waldbaums has been a key partner in a community organization that my husband and daughter run called Adopt-a-Family. Adopt-a-Family supplies needy families in the various communities in and around Westhampton Beach with food and gifts. The staff at Waldbaums has always been extremely accommodating in Adopt-a-Family's every request, from ordering food, to securing donations from vendors, to helping carry and transport turkeys for each individual family, in order to provide a better holiday for hundreds of families in our community.

What I have learned in my 26 years of living in a community like Westhampton Beach is the heart and soul of a small community is often the place you visit most. For most people of the community of Westhampton Beach, that center has been Waldbaums. And Waldbaums, without their dedicated staff, is just a building and ceases to be that central community center that we all love. The employees, many of which I have developed friendships with over 26 years, have been the reasons I keep coming back to shop at Waldbaums.

I believe I speak for many members of my community that it would be a tremendous mistake, as a business, moral and emotional decision, to lay off the fine employees of Waldbaums. Please consider the employees and the community at large when making important decisions regarding the staff.

Please feel free to reach out to me at 631-926-3254 if you have any questions or would like to speak to me about my love and loyalty to all those that work at Waldbaums.

Respectfully yours, Bernadette Werner

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10/4/2015

To whom It May Concern,

We the people of Westhampton Beach, New York, are sending this letter as part of a community effort, to help the employees of the Westhampton Beach, Waldbaums store. Our families have been shopping there for 16 years. The employees of that store are like family to us. Family is someone who is kind, caring , helpful, loyal, and trustworthy. They are all those things to us. They help us with any needs we may have. We are a small local community, so we all had our families grow up here together, These employees are our dearest friends for years. It would be a total devastation for all these employees to lose their jobs here to a non union store. These people need a union store here to help them survive, they need all the benefits of a union company . They have families to support. Our community is very broken hearted over this. We are hoping that what ever comes of this, that it will be taken into consideration the impact that it will have on these people lives, and hope that the Unemployment Rate will not rise some more. Thank you for taking the time to read this letter.

The Families of the Westhampton Beach Community

The Beizge Jamely The Hoffua The DiAmbra Family Sanni funcly

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→ FORWARD •••



Jeanne & Cliff <cademeiste@aol.com> Sun 10/4/2015 2:18 PM Mark as unread

To: 70232FEADMIN;

Please do not allow Best Yet buy Waldbaums. The employees will lose their jobs. Sent from Jeanne's iPhone We the community of West Hampton Beach Village understand the Great Atlantic and Pacific Store is trying to sell our store to the highest bidder. This store has been our part of our Family for over 50 years. These people are not only our friends but we consider them family. We understand that the company is Bankrupt and is up for sale to the highest bidder. We have been informed that the company Best Yet is the highest bidder and non union. It has been explained that all the employees (family) are being laid off. It has been also noted that there is a second bidder who will keep the employees (family) employed with their jobs. It has been in the papers everyday how the executives have extorted all the monies, some of which the employees (family) have provided through concessions.

WE ARE SUPPORTING OUR WALDBAUMS EMPLOYEES (FAMILY) BY SIGNING THIS PETTETION HOPING THAT YOU CONSIDER NOT THE HIGHEST BID, BUT THE BID THAT IS BEST FOR THE EMPLOYEES (FAMILY) AND OUR

CONMMUNITY. 18 sethemyston Bell ny Skirling Kaitking (Jay S Berke Westhempton Westhempton Wesntaptan Beners STONEN Soris Bonnie Chieffo - Westhampton William J. Ray

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15-23007-rdd Doc 1171-1 Filed 10/06/15 Entered 10/06/15 17:37:02 Exhibit Pg 69 of 87 JOHN J. DAVONSK SIT MONTAUK 115 Mastic NY, 11950 fhi Alballe Kensuberg 11960 Atten Preidm New York City 10029 Patricia Ladylo Jon Cashman NHR Jon Loochman Westhampton Westhampton marilyn M. Wood Amolie H Sunga-Westhampton My 11977 ani Wilkin Wischemplon Sh EQuaque Westhampton Beach 11978 Suda De Westkampton 11977 Westhampton 11977 Westhampton 11977 Westhampton 11977 Westhampton 11977 michael Jengs. Girgon Hilmre

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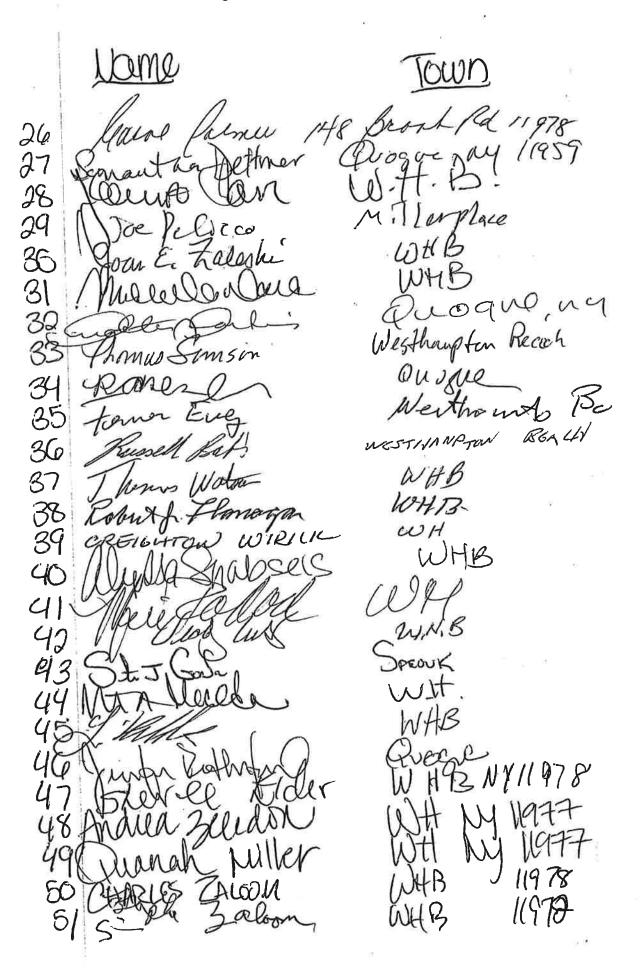
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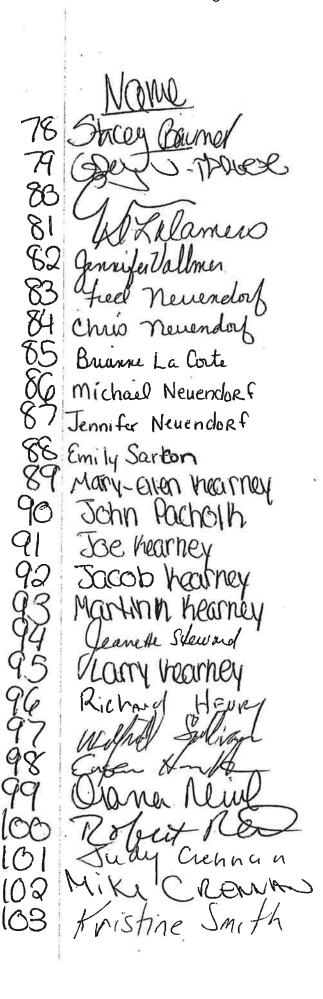
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