

EXHIBIT “B”

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
In the Matter of the Claim of JUNIOR BISHOP,

Petitioner,

-against-

THE CITY OF NEW YORK and NEW YORK CITY
POLICE DEPARTMENT,

Respondent.
-----X

State of New York)

):SS

County of KINGS)

JUNIOR BISHOP, residing at 1788 Albany Avenue, Brooklyn, New York being duly sworn,
deposes and says:

1. I am the petitioner in the above-captioned case and I respectfully submit this affidavit in support of the motion filed on my behalf to serve an amended or late notice of claim against the City of New York and New York City Police Department regarding my claims for false arrest and false imprisonment.

2. On July 26, 2014 at or about 1:45 P.M. I was a character actor dressed up as Spiderman in Times Square in front of 1472 Broadway Times Square, New York County. I pose with pedestrians for photographs and work for tips only. I do not charge people to take photographs with them and was not doing so at the time of this incident.

3. While I was working at the aforementioned date and time, and without warning I was approached by a police officer who grabbed me from behind by the collar for no reason. An extremely brief altercation ensued until I realized what was going on, that a police officer was involved, and I therefore submitted to be [wrongfully] arrested. In his supporting deposition the

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PETITIONER
JUNIOR BISHOP

police officer alleged that while he was trying to cuff me for charging people to take pictures of them I punched him with a closed fist. This is contradicted by video of the incident.

4. I had no illegal substances or weapons or contraband whatsoever and was not engaged in any illegal activity. However, I was still arrested and taken to the Midtown South precinct, and then on to Central Bookings. I was arraigned and then incarcerated at The Tombs until approximately ^{July} ~~January~~ 31, 2014.

5. After being released I appeared in Court for this matter (Docket # 2014NY058049) until the case was ultimately dismissed on or about February 3, 2015.

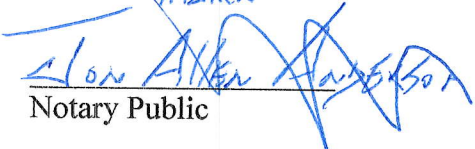
6. I did not file a notice of claim as to the false arrest and false imprisonment claims within the 90 days after the arrest because I was caring for a sick grandmother (with diabetes and asthma), I was also taking care of a an extremely sick cousin who had undergone a kidney surgery, and taking care of my mother who suffers from a severe drug addiction. Taking care of these relatives required most of my time each day.

7. I respectfully request that the Court grant the petition filed on my behalf by my counsel, James Franzetti of Franzetti Law Offices, P.C.

Dated: New York, New York
^{March} ~~February~~ ^{31st} 2015


JUNIOR BISHOP

Sworn to me before this
^{31st} ~~February~~ ^{March} day of February, 2015


Notary Public

S JON ALLEN ANDERSON
Notary Public - State of New York
NO. 01AN000067
Qualified in Kings County
My Commission Expires Oct 25, 2018