

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

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DEVELOP DON'T DESTROY BROOKLYN, et al., : Index No. 100686/06  
 : IAS Part 35  
 Petitioners, : Justice Edmead

For a Judgment Pursuant to Article 78 of the CPLR and :  
Declaratory Judgment :

EMPIRE STATE DEVELOPMENT CORPORATION :  
and FOREST CITY RATNER COMPANIES, :

Respondents. : **AFFIDAVIT**

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STATE OF NEW YORK )  
 : ss.:  
COUNTY OF KINGS )

REV. HERBERT DAUGHTRY, being sworn, states:

1. I am the pastor of the House of the Lord Church in Brooklyn and the Chairperson of the Downtown Brooklyn Neighborhood Alliance. I make this affidavit to express to this Court my strong support for the proposed Atlantic Yards Arena and Redevelopment Project (the "Project"), and my opposition to any delay in the review of the Project by the responsible public agencies. I understand that a number of elected officials from Brooklyn have submitted papers in support of a motion for a preliminary injunction. I respect these officials but completely disagree with them about the Project.

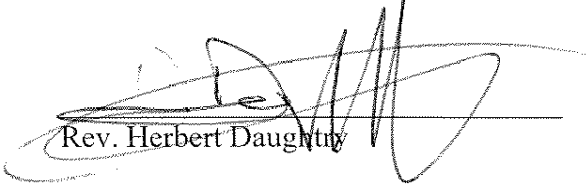
2. The Project's developer, Forest City Ratner Companies, is a Brooklyn-based business that has a long history of successful real estate development in Brooklyn and

elsewhere. I have dealt with senior executives at Forest City Ratner Companies, including its leader, Bruce Ratner, on numerous prior occasions. I always been impressed by Mr. Ratner's public-mindedness and always have found Forest City Ratner Companies to be an organization that cares about the communities in which its projects are built and goes out of its way to do right by those communities.

3. The Project is no exception and instead is just the latest example of this organization's commitment to the communities in which it builds. Although the Project will be an important generator of economic development in Brooklyn, to me the most striking thing about the Project is the fact that, in June 2005, the developer entered into an extraordinary Community Benefits Agreement with several Brooklyn-based community groups, including my organization, the Downtown Brooklyn Neighborhood Alliance. This agreement obligates the Project's sponsors to provide a host of benefits, including extensive job training programs and hiring, and contract-award preferences, that are intended to attack endemic unemployment and underemployment in the historically poorest communities within Brooklyn. The agreement further obligates the Project's sponsors to create a large stock of new affordable rental housing as part of the Project, and to provide relocation benefits to residents of the buildings that now are situated in the Project site, so that those residents are guaranteed comparable temporary housing and then, when the Project has been built, comparable new permanent housing, all at rents that do not exceed their current rents. The agreement also imposes obligations for health care benefits and programs for senior citizens.

4. The Community Benefits Agreement establishes carefully defined benchmarks and creates joint developer-community organs to monitor and enforce the developer's compliance with the obligations that are imposed by the agreement. In reality, this agreement is

a historic event, and a pioneering innovation in the relationship between a major urban developer and the surrounding community. I strongly believe that it would be very harmful to the people of Brooklyn if the realization of the Project – and the implementation of the Community Benefits Agreement – were to be delayed.



Rev. Herbert Daughton

Sworn to before me this  
8 day of February, 2006.



SCOTT C. CANTONE  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02CA5076473  
Qualified in Kings County  
Commission Expires April 21, 2007