

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF ORLEANS

Jeffrey L. Jary Petitioner,

Docket No. V-00800-97/05F

- against -

AFFIDAVIT OF
BENJAMIN HOLLAND

Rachel Knight Bevilacqua Respondent.

STATE OF GEORGIA)
COUNTY OF MUSCOGEE)

BENJAMIN HOLLAND being duly sworn deposes and says:

1. I make this affidavit based on personal knowledge in response to Jeffrey L. Jary's December 22, 2005 petition an in support of Ms. Bevilacqua's request to terminate this court's temporary order.

2. On 12/2/2005 Rachel Bevilacqua contacted me at my home. She informed me that she and her husband were experiencing some marital difficulties and she and her son needed a place to stay for a short period of time. I gladly opened my home to them.

3. Rachel stayed at my home from 12/2/2005 until 12/31/2005. When she was with me she slept on the couch.

4. Between 12/3/2005 and 12/18/2005 her son [Name deleted for privacy] spent approximately half the evenings at my home. [Name deleted for privacy] always slept in my spare bedroom.

5. While at my home, I had the opportunity to observe [Name deleted for privacy] on many occasions. He was always well fed and neatly groomed. Rachel would frequently go back and forth between her home and my home in order to procure clothes, video games, toiletries, etc., for both [Name deleted for privacy] and herself. Contrary to the allegations set forth in Mr. Jary's petition, when [Name deleted for privacy] arrived at my home on 12/3/2005, he arrived at approximately 6 P.M. and had shoes.

6. Within days of Rachel temporarily residing with me, Steven Bevilacqua and I met to discuss the situation. Mr. Bevilacqua confirmed that Rachel's decision to leave their residence was mutual and voluntary. He also stated both parties were committed to getting past this difficult time and working on their marriage.

7. On 12/31/2005, Rachel returned to her home and has not returned to stay at mine.

Benjamin Holland

Sworn to before me
On ____ January 2006

Notary Public