

Exhibit B

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 :
 :
 v. :
 :
 EMPIRE STATE DEVELOPMENT CORPORATION :
 AND FOREST CITY RATNER COMPANIES :
 :
 Respondents. : **AFFIDAVIT**
 ----- x

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

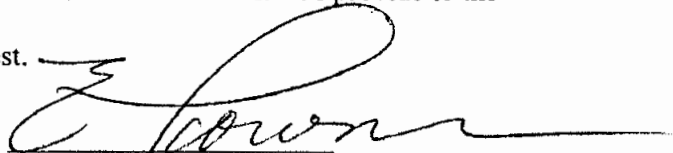
EDOLPHUS TOWNS, being sworn, states:

1. I am a member the United States Congress, representing the 10th District of New York. My district is entirely in Brooklyn and abuts the site of the proposed Atlantic Yards Arena and Redevelopment Project (the "Project"). I make this affidavit to express to the Court my strong support for the Project and to urge the Court not to allow the petitioners in this action to delay the environmental review of the Project and thereby delay a public/private project that will create jobs, fill a large gouge in the streetscape, which separates four adjoining neighborhoods and provide many community to services to my constituents and all of the citizens of Brooklyn.

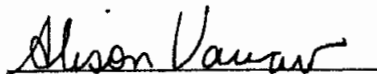
2. I understand that three other elected officials have submitted affidavits supporting this lawsuit and supporting the petitioners' request for a preliminary injunction. While I respect

my colleague' right to ask that their voices be heard in this matter, I cannot agree with their request to delay the environmental review of the Project. In addition to creating jobs- both construction jobs and permanent jobs- the Project would bring affordable housing, community facilities and a world class sports arena tenanted by a National Basketball Association team to our community. Forest City Ratner Companies, the developer of the Project ("FCRC") has long been committed to development in Brooklyn and has a long standing and well deserved reputation for working with the community in connection with its developments.

3. As part of this Project, FCRC has taken the extraordinary step of executing a comprehensive Community Benefits Agreement with a coalition of civic and religious group that evidences its commitment to making the Project part of our community. That agreement provides for, among other things, job training programs, assurances that a substantial portion of construction contracts are awarded to minority and women-owned businesses, hiring preferences for poor and minority members of the surrounding community, relocating to comparable new apartments within the Project for tenants who are displaced by the Project (at rents comparable to their existing rents), and a commitment that 50% of the new rental housing in the Project is affordable housing. These provisions address problems that are endemic to my district and to all the area surrounding the Project site. Delaying the environmental review of the Project and thereby delaying the implementation of the CBA and the benefits it will provide to the community would not be in the public interest.


Edolphus Towns

Sworn to before me this
2/9/06 day of February, 2006.



ALISON VACCARO
Notary Public, State of New York
No. 01VA5066683
Qualified in Kings County
Commission Expires 9/30/06