

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

IN RE ANONYMOUS 3,

Index No. 500198/2015

A Person in Need of a Guardian.

AFFIDAVIT OF ALLAN
JACUBOWICZ

STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

I, Allan Jacobowicz, being duly sworn, depose, and say:

1. I have been a close friend of Peter Max and his family, including his daughter Libra and his late parents, for more than 50 years. I make this affirmation in support of Libra's motion to remove Barbara Lissner as the court-appointed personal needs guardian for Peter Max.

2. I have not seen or spoken to my dear friend Peter Max in almost a year since Barbara Lissner became Peter's guardian.

3. **I was 17 when I first met Peter; I am 71 now.** We were introduced in 1967 by his father Jacob, who was a close friend of my own father Itzik. I have never spoken to Peter less than two or three times a week, and I saw him weekly. He was the godfather to my oldest son, and I've known his children since infancy. I am close with his entire family. We share the same friends. Our lives and families have been completely intertwined for years. This all changed when Barbara Lissner became his guardian.

4. **Despite our decades-long relationship, I have had been blocked from having any contact with Peter since June of 2019.** Immediately after Mary's suicide, Ms. Lissner changed Peter's phone number. Since then, my only source of information about Peter has been through Libra, with whom I have stayed in close contact. I have tried to help her through this maze of trying to free her father.

5. In September of 2019, I wrote to Barbara Lissner, explaining my long relationship with Peter and begging that I be permitted contact with him. In return, I received a demand that I sign a non-disclosure agreement, but no guarantee that I could have contact with my friend again.

6. I am in close contact with many of Peter's friends, and we have all encountered the same barriers and roadblocks in contacting Peter. **No one has seen him. Ms. Lissner has kept Peter in virtually complete isolation. He is in jail rather than his home. What is happening here is criminal.** This isolation would be inhumane treatment for any person, but is especially cruel to Peter, who is an exceptionally warm and affectionate person, and one who spent his entire life surrounding himself with the people he loves.

7. **When I was finally able to speak with Peter for the first time last month—the result of a court order that Libra obtained—he sounded like a person who had been in the desert for weeks without water.** He was thirsty and dying for companionship and warmth, and it broke my heart. It was clear that the isolation he had suffered was hurting him deeply.

8. In the course of that phone call, he not only begged me to come and visit him, but expressed great distress that he had not been able to see Libra very much at all over the last year. Peter moved his father into his apartment to care for him directly; Peter would never permit Jacob to be moved to a hospital or nursing facility, and Jacob lived with Peter and his children until he died. **This is exactly the type of care that Peter wants and expects from his own children.** He inherited these values from his own parents.

9. The guardianship system, especially as applied to Peter, appears to me to be nothing more than a money grab. Ms. Lissner, in particular, has not made Peter's life better: she has

made it measurably worse. In contrast, I have known Libra since she was 2 years old. I can attest to how much Peter loves her and she loves him. Libra has worked tirelessly over the last year to help her father regain his liberty. She has acted in a manner geared toward protecting her father's physical and emotional wellbeing. She has no ulterior motives – half of her father's estate goes to her regardless of her actions – she only wants what is best for her father, and nothing else.

10. Having known Peter for so long, I know well what his wishes are. His parents and children were always with him no matter how busy or famous he was. Despite his very avant-garde public persona, Peter is a deeply traditional person. He is a Holocaust survivor and an immigrant to this country. He is a family person. With that deep knowledge, I ask for Peter to be reunited with his family, to be cared for by his loving daughter, and to regain his freedom.


Allan Jacobowicz

Sworn to before me this
4th day of May, 2020


Notary Public

LINDA A. REDLISKY
NOTARY PUBLIC-STATE OF NEW YORK
No. 02RE5015853
Qualified in Westchester County
My Commission Expires 07-26-2021

NOTARIZATION STATEMENT

On the 4th day of May in the year 2020, before me, the undersigned, personally appeared Alan Jacobowicz, by way of live video conference (namely: Facetime) which allowed for direct interaction between us in accordance with New York State Executive Order No. 202.7, issued March 19, 2020. Alan Jacobowicz is personally known to me or proved to me on the basis of satisfactory evidence displayed during the video conference to be the individual whose name is subscribed to the within instrument. He acknowledged to me that he was at that time physically present in the County of New York, State of New York, and executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument. A legible copy of the signed instrument was transmitted directly to the undersigned by means of e-mail, and received by the undersigned on the same day it was signed.


LINDA A. REDLISKY