

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

IN RE ANONYMOUS 3,

A Person in Need of a Guardian. **AFFIRMATION OF ROSEANNE
VELA ROBERTS**

Index No. 500198/2015
SR Affidavit

STATE OF CALIFORNIA)

) SS:

COUNTY OF LOS ANGELES)

I, Roseanne Vela Roberts, affirms under the penalty of perjury as follows:

1. I submit this affirmation in support of the application to remove Barbara Lissner as the guardian for Peter Max. Since Barbara Lissner became guardian, I have been blocked from contact with Peter for 11 months. I miss him, and I am extremely worried about him.

2. I lived with and loved Peter Max and his two children from 1975 to 1985. For those ten years, I was Peter's common law wife, and considered myself Peter's stepmom; I watched Peter grow up from the age of 8 years old. Though my romantic relationship with Peter ended in 1985, we remained best friends. For the last 30 years, we have talked on the phone daily--until Ms. Lissner was appointed.

3. **Nearly a year ago, Ms. Lissner blocked me from all contact with my closest friend.** I was not allowed to see or speak with Peter for 11 months. This year has been very difficult for all of us who love him, but surely it has been devastating to Peter.

4. I was finally able to speak to Peter for the first time very recently, and he was overjoyed and excited to hear from me. **He asked me many, many times to please come see him, to visit.** He was upset that he hadn't seen me in a year. It hurts me to hear the desperation in his voice.

5. After Peter and I had one or two calls, Ms. Lissner's **employees began forcing Peter to hang up while we were in mid-conversation, usually after only a few minutes on the phone.** Now this happens on almost every call. Peter always protests, but the aide insists, "you have to hang up." **When we are on FaceTime, I can not only hear, but see Peter arguing with the aide, telling her that he wants to stay on the phone to speak with me.** He becomes very upset trying to defend our call.

6. I am also extremely worried and upset by what I saw the last few times I spoke Peter on FaceTime. It has been immediately apparent to me that he is not ok. **Even in the the middle of the day, he appears to be sedated.** One of the last times that we spoke on FaceTime, his eyes rolled back in his head, and he slumped over. At that point, the aide took the phone and hung up on me. That incident frightened me, and I am very worried about his health, and his safety. I am shocked and upset by how pale and unwell he looks.

7. **I cried when I found out Barbara Lissner took Peter's cats from him. That is disgraceful and abusive.** When we lived together, we always had cats. In almost all of our family photos you see our cats. Peter's animals have always been such a big part of his life. He loves them. I know that Peter has always had cats in his apartment in all the years since we broke up. I am shocked that she would take them away. It seems so unnecessary, and an intentionally cruel thing to do to him.

8. Several years before Mary took her own life, Peter began to confide in me about her abusive behavior. As Peter's dementia worsened, so did Mary's abuse. I understand that the court appointed a guardian for the purpose of keeping Peter safe. But since Mary took her own life nearly year ago, Peter does not need that protection anymore. He has a loving family to take care of him.

9. I know Libra would take care of Peter's every need. And, after living with Peter for a decade, I know that being cared for by his family is what Peter wants. **While the world knows Peter as an eccentric artist, I can tell you that he is a devoted family man.** He would never have wanted a stranger caring for him. Peter took care of his father for many years, even bringing him to live in his apartment until he died, at age 92, at home and surrounded by his family. Because Peter lost most of his family in the Holocaust, he loves his family more than anything, and family staying together is what matters to him the most. Peter spoke about this privately and publicly.

10. Libra moved back to New York to take care of Peter after Mary's suicide. I respectfully ask the court to let her do so. I've known Libra all her life, and I know that she is responsible, compassionate, sweet, and creative—just like her dad. Peter loves Libra with his deepest heart. They are very much alike, and have always had a loving and respectful relationship. I'm proud of her for trying to repair his art legacy too. I don't have the words to tell you how important this is to Peter. I know him.

11. Out of my concern for Peter's physical and emotional well-being, I am submitting this affidavit in support of Libra Max's motion to remove Barbara Lissner as the court-appointed personal needs guardian. I understand that Barbara Lissner doesn't even want the job anymore. As someone who has known and loved Peter for nearly five decades, there is no doubt in my mind that Libra is the one who should be caring for him at this critical time.


Roseanne Vela Roberts

Dated: 4 May, 2020

California Jurat Certificate

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles


S.S.

Subscribed and sworn to (or affirmed) before me on this 4th day of May,
Month

20 20, by Roseanne Vela Roberts and
Name of Signer (1)

_____, proved to me on the basis of
Name of Signer (2)

satisfactory evidence to be the person(s) who appeared before me.


Signature of Notary Public
Sofia Karstens, Notary Public
For other required information (Notary Name, Commission No., etc.)



Seal

OPTIONAL INFORMATION

Although the information in this section is not required by law it could prevent fraudulent removal and reattachment of this jurat to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The certificate is attached to a document titled/for the purpose of

Affidavit of Roseanne Vela Roberts

containing _____ pages, and dated _____

Additional Information

Method of Affiant Identification

Proved to me on the basis of satisfactory evidence:

form(s) of identification credible witness(es)

Notarial event is detailed in notary journal on:

Page # _____ Entry # _____

Notary contact: _____

Other

Affiant(s) Thumbprint(s) Describe: _____