

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF HERKIMER

-----X

SOMANGSHU MUKHERJI,

Plaintiff,

Affidavit of Alexandra Kaidan-Berry

-against-

Index No. 2019-106335

STEPHEN AMES BERRY.

Defendant.

-----X

The undersigned being duly sworn deposes and says:

1. My name is Alexandra Kaidan-Berry. I am over the age of (18) years of age, competent to make this affidavit, and not disqualified by law from doing so.
2. I live with my mother and father at 330 Pleasant Ave, Herkimer New York. I am the wife of Somangshu Mukherji, aka Sam, and the mother of Avram Mohan Mukherji.
3. My diagnosis is bipolar, not bipolar with schizoaffective disorder. I see my practitioner regularly and am stable on my meds. I manage to get plenty of work done in our home and have helped my mother reorganize horrible messes. Things in our home are much more manageable now.
4. While he was a teaching assistant at Princeton (which was most of the time we lived there) and after we were married in 2012, I was eligible for coverage under Sam's university's family health insurance. Sam obtained health insurance for himself but not for me. Without medical insurance, my bipolarism remained untreated.
5. In 2005 while living in New Jersey, I became pregnant by Sam. He said I had to have an abortion, unless I could find someone else who would raise our child. I asked my mother, who said she would help as best she could, but that Sam and I should raise our own child. Sam then took me for the abortion, for which he paid for out of pocket. It cost \$500.
6. Sam only succeeded in getting a teaching position after he married me in November of 2012. He got his green card in 2014.
7. My condition did not worsen exponentially as Sam stated. 'Exponentially' has no medical meaning.

8. I was homeless in Ann Arbor for 6 weeks, not months on end as Sam stated. I slept outside in September as the shelters were full. Sam seemed to find that amusing.
9. In Syracuse, I was in a domestic abuse shelter, not a homeless shelter. It was run by the Catholic Charities. I was in Syracuse for 2 reasons. First, I was pregnant and did not wish to take any psychiatric meds which seemed perfectly reasonable to me, but my parents did not agree to my no-med requirements. Second, there are much better social service options in a big city like Syracuse than in a rural area like Herkimer. After talking with Sam on the phone, and he sent me a Greyhound Bus ticket to Ann Arbor and I returned to Ann Arbor alone.
10. It was my decision to live with my parents and my son in Herkimer, New York. I went there because Sam is abusive. There was no polar vortex. I took an Uber there. The trip was about 4 hours. My mom notified her sister promptly to let her know Avram and I had arrived safely.
11. Sam was very controlling, preventing me from communicating with friends and family. He told me I wasn't allowed to speak with my parents and monitored my cellphone call history on his Verizon on-line account. He forbade my mother to enter our apartment. When she came to visit me in Ann Arbor, she had to stay elsewhere and we would secretly meet away from Sam's apartment. We coordinated her visits via temporary WhatsApp accounts I created on the cell phone he restricted me to. I then would delete the WhatsApp account before he detected it on one of his periodic audits of my cell phone. I would create a new WhatsApp account each time I wanted to call my mother. Whenever Sam discovered I was talking to my mom, he would take my phone and hit me over the head with a closed fist. He would keep the phone for one to two months.
12. Sam wouldn't let my mother visit even when I was in and out of the hospital during my very difficult pregnancy or when and after I gave birth to Avram.
13. After Avram was born, Sam was very quick to get rid of him by dumping him at my aunt's house in Rhode Island. Sam always complained that Avram was too noisy and distracted him from his academic duties and research. He took Avram from me just after he was born and left him with my aunt for five months. Sam did not have my permission to take Avram from me. He stated that he did not want Avram in the house.
14. Sam was warned by his university department in 2018 that unless he wrote some credible academic papers, he would not receive tenure, which he did not. He was fired in May of 2021. I overheard the phone call to him from a university official telling him of this during my 3 day visit with Sam in May 2021. It was just before he hit me over the head with a baby gate in front of my son, and coerced me into signing an affidavit saying I was dangerous and crazy, and made me endorse an IRS stimulus payment check over to him. I have reported Sam for tax fraud and identity theft, as noted in a separate affidavit I filed in this case.

15. Sam never encouraged me in my artistic endeavors. When my parents sent me a video camera and printer, he confiscated them and would not allow me to use them.
16. Sam and I have not had marital relations in over 6 years (My son Avram just turned 5). When we lived together in Ann Arbor, Sam wouldn't buy Avram new clothes or toys and sometimes called him "the little bastard."
17. I did not feel welcome with Sam. He did not treat me as a friend or with any respect whatsoever. He was very secretive. He kept both his and my vital documents away from me and forged my signature on our "joint" income tax statements. I never knew his social security number or green card number. He kept those on a slip of paper in his wallet.
18. I love my son and miss him very much. When I last saw him in May 2021, he looked underweight but was very happy to see me. I hadn't seen him since Sam had him taken away in April of 2019. He was shabbily dressed and I couldn't find any of the nicer clothes my parents and I recently sent him. I haven't seen or talked with Avram since. Sam won't answer my calls or reply to my emails.
19. My visitation rights with my son were restored by the Family Court after I sent the Friend of the Court a copy of Sam's obscene email to me, and of the New York restraining order he was served with. Sam later called Catholic Charities, the court-appointed service in Ann Arbor that supervises parental visitations. He said I was a danger to Avram and that he wouldn't allow Avram to speak with me, even on Zoom.
20. Sam kicked me out of his apartment when I came to visit in May 2021 because I called my mom. I was only there for 3 days.
21. I have never been charged with any kind of child endangerment or drug abuse. I have no criminal record except for a New Jersey Transit misdemeanor 15 years ago. At that time I had a panic attack and pulled the emergency stop on the train.
22. On my son Avram's birthday in August of 2020, Sam called me and let me speak briefly with Avram. Sam then invited me to visit with them in Ann Arbor to see if we could reconcile. He said his mother had gone back to India and he needed help with Avram. I didn't trust Sam, but wanted to see Avram. So in September of 2020, I went to Ann Arbor by train.
23. When I finally arrived, Avram was not there. Sam said he'd again taken him to my aunt's house in Rhode Island. He said he wouldn't let me see Avram until he observed me for a while to see if I was a danger to my son. Over the next few days, Sam kept saying would soon bring Avram back from Rhode Island, but made no plans to do so. After a week it became clear Sam wasn't going to bring Avram back. And he was becoming nastier and more controlling. So I left without telling him .

24. I called my mom from the Ann Arbor Amtrak station. She sent me a train ticket to Utica. I took the Amtrak bus from Ann Arbor to Toledo, Ohio to change to the train. Sam came to the Toledo Amtrak station while I was waiting for the train. I was terrified and ran into the women's room. He followed me and ordered me to take some pills he'd brought. When I wouldn't take them, he called. He told the responding that he was my guardian and that they should lock me up. He told the officers that I was taking the train to Providence RI to kidnap my son. He tried to show them a copy of the court papers he had from when he was my medical guardian. He also had my old medical records with him. When the officers wouldn't do what he wanted, Sam followed me back to the waiting area. When I called my mom, he approached me and said if my parents or I tried to visit with my son in Rhode Island, he would have us arrested for "potential kidnapping" and "contempt of court." He then left the area.
25. On 9/17/20, after my return from Ann Arbor to Herkimer, my mother and I tried to visit with son at my aunt's in Rhode Island. My uncle told my mom she couldn't come in because "You don't have an appointment." My mom videoed most of our attempt to see Avram. Afterward, Sam emailed me saying he could leave my son anywhere with anyone he wanted to as long as he authorized it with a power of attorney. He added that my "idiot" mom should be locked up and beaten and that the Ann Arbor Family Court was going to cite my mom and me for contempt.

FURTHER AFFIANT SAYETH NAUGHT

AKB
Alexandra Kaidan-Berry

State of New York
County of Herkimer

Sworn to and subscribed in my presence this 30 day of September 2021

Carol A. Shaver
Notary Public

CAROL A. SHAVER
Notary Public, State of New York
No. 04SH6325057
Qualified in Herkimer County
My Commission Expires May 18, 2023