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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re:

Jennifer Convertibles, Inc.,

Chapter 11
Case No. 10-13779 (ALG)

Debtor.

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**AFFIDAVIT OF GERALD McCRYSTAL
WITH RESPECT TO MOTION TO COMPEL**

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

Gerald McCrystal, being duly sworn, deposes and says:

1. I am the President of TMCC, Inc. ("TMCC"), sub-landlord to Hartsdale Convertibles, Inc. (the "Debtor") under a Sublease dated August 18, 2009 (the "Sublease"). I am also the President of GMM Consulting, Inc. ("GMM"). Both of those entities are wholly owned by me.

2. Prior to entering into the Sublease, I operated a Roma Furniture Store at the premises now subleased by the Debtor (the "Premises"). I agreed to sublease the Premises to the Debtor and move my own furniture store to a location half the size, on the request of the Debtor. The Debtor agreed to pay enough rent for the Sublease of the Premises to compensate for my loss of not being in a more desirable and profitable space.

3. As set forth in Exhibit "B", as amended, to the Sublease, the Debtor is obligated to make two (2) distinct monthly payments thereunder: a payment to TMCC and a payment to GMM. The rental amount in its entirety was negotiated by me with the Debtor, and the payments were split between TMCC and GMM on the advice of my accountant.


4. On September 28, 2010, TMCC filed a motion seeking an Order requiring the Debtor to pay all unpaid post-petition obligations under the Sublease and directing the Debtor to timely perform all post-petition obligations under the Sublease, including the obligations to GMM thereunder (the "Motion to Compel"). Although GMM is not a party to the Motion to Compel, it is entitled to certain benefits under the Sublease, which include the monthly payments required to be made by the Debtor to GMM.

5. Since TMCC, GMM and myself have a unified interest in this matter, GMM requested that TMCC act, and appointed TMCC to act, as its agent in pursuing the monies due under the Sublease pursuant to the Motion to Compel. In the alternative, GMM requests that it be permitted to join TMCC as a movant in the Motion to Compel.

6. For the reasons set forth in the Motion to Compel, as well as any other papers previously presented to the Court by TMCC, it is respectfully requested that the Motion to Compel be granted in its entirety.


GERALD McCRYSTAL

Sworn to before me this
4th day of ~~December~~, 2010.
January


NOTARY PUBLIC

CHRISTOPHER J. HARE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN NASSAU COUNTY
NO. 01HAG187455
MY COMMISSION EXPIRES MAY 19, 2012