

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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| -----X                           |  |
| IN RE                            | : <b>MASTER FILE NO: CV-96-5238</b>      |
| VISA CHECK/MASTERMONEY ANTITRUST | : <b>(Gleeson, J.) (Orenstein, M.J.)</b> |
| LITIGATION                       | :  |
| -----X                           |  |
| This Document Relates To         | :  |
| All Actions:                     | :  |
|                                  | :  |
| -----X                           |  |

**DECLARATION OF ROBERT L. BEGLEITER**

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Robert L. Begleiter declares and states, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an attorney admitted to practice in New York State and in the United States District Court for the Eastern District of New York and am a member of Constantine Cannon, P.C., Lead Counsel for the Merchant Class in this action. This declaration is submitted in opposition to the pending Motion of the United States for a share of the Visa and MasterCard Settlement Funds.

2. In September of 2005, Walter Alesevich, an attorney with the United States Postal Service, contacted me regarding claim forms that individual Postal Service locations had received. He told me that the Postal Service had excluded itself from the merchant class but was nonetheless receiving claim forms. Lead Counsel contacted the claims administrator for this case, Garden City Group, to determine if safeguards could be put in place to ensure that no claims submitted by Postal Service locations would be paid. Once it was determined that such

safeguards could be put in place, I directed Amy Roth, an attorney at this firm, to send Mr. Alesevich a letter confirming that Garden City Group would ensure that no Postal Service claims would be paid.

3. On or about November 3, 2005, Erika Meyers, an attorney with the U S. Department of Justice, telephoned me and asked for the class definition in this case. I responded by offering to give her the relevant cites in the class certification opinion, which I provided to Ms. Meyers after the conversation.

4. During that initial conversation, Ms. Meyers complained to me that numerous federal agencies had received claim forms. Ms. Meyers stated that no federal agency should have gotten the forms because they can not recover under the settlement.

5. I recalled that the federal government had taken that same position many years before, but could not recall if the government had put its position in writing. I therefore asked Ms. Meyers if the government could send me a letter to the effect that no federal agency could claim under the settlement. She told me that the Government had already sent a letter.

6. After talking with Ms. Meyers, I spoke with two people at this firm who were working with Garden City Group, Jeffrey Shinder and Michelle Peters. Ms. Peters was given the assignment to ask Garden City Group to eliminate federal agencies as potential claimants.

7. In a follow-up conversation, Ms. Meyers repeated to me in no uncertain terms that the government agencies were not considered by the Department of Justice to be members of the Class.

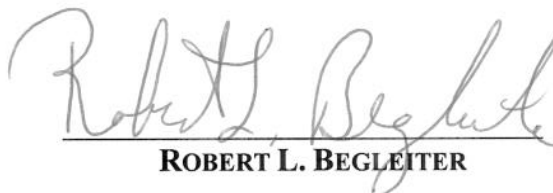
8. In that conversation, I apologized to Ms. Meyers for the claims forms having been

sent to federal agencies. I told her that this firm would advise Garden City Group that any claims received from a United States Government agency should not be honored.

9. Ms. Meyers informed me that an e-mail had been sent to appropriate agencies not to submit forms to Garden City Group.

I declare under penalty of perjury that the forgoing is true and correct.

Dated: New York, NY  
April 20, 2006

  
**ROBERT L. BEGLEITER**