

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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IN RE:	: MASTER FILE NO. CV-96-5238
	: :
VISA CHECK/MASTERMONEY	: (Gleeson, J.) (Mann, M. J.)
ANTITRUST LITIGATION	: :
This Document Relates To	: :
	: :
ALL ACTIONS	: :
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**DECLARATION OF JEFFREY I. SHINDER, ESQ.**

I, Jeffrey I. Shinder, declare as follows under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am a member of the law firm of Constantine Cannon, P. C., which is "Lead Counsel" for the class of merchants in the above-captioned action. I submit this declaration in support of Lead Counsel's Motion For Injunctive Relief Regarding Spectrum Settlement Recovery, LLC's Misrepresentations To Class Members Concerning Participation Of The United States Government In The Claims Process.

2. Attached as Exhibit A is a true and correct copy of the November 2, 2005 Report and Recommendation of Special Master Robin M. Wilcox.

3. Attached as Exhibit B is a true and correct copy of the Court's Order of December 13, 2005 adopting the November 2, 2005 Report and Recommendation of Special Master Robin M. Wilcox.

4. Attached as Exhibit C is a true and correct copy of excerpts of the Original Plan Of Allocation.

5. Attached as Exhibit D is a true and correct copy of excerpts of the Fisher Allocation Declaration.

6. Attached as Exhibit E are true and correct copies of the invoices totaling \$17,305.65 for copying and postage associated with mailing the corrective notice pursuant to the Court's Order of December 13, 2005. These costs to the Class do not include the attorneys' fees incurred in securing the relief, paralegal time, or the time spent by the Claims Administrator in effecting the notice.

7. Attached as Exhibit F is a true and correct copy of a February 3, 2006 email from Monica Contaxes of Spectrum to David King of Williams-Sonoma, Inc., regarding the false claim that the U.S. government involvement "can push back the payment date on your claim." (Also attached is a true and correct copy of the referenced *Wall Street Journal* Online article).

8. Attached as Exhibit G is a true and correct copy of a series of emails, including a February 14, 2006 email from OfficeMax, Inc. to Jeffrey I. Shinder, Esq., regarding an unnamed firm's attempts to secure OfficeMax business by falsely relaying to OfficeMax that the U.S government involvement "may cause distribution to be delayed."

February 15, 2006



Jeffrey I. Shinder