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12 UNITED STATES DISTRICT COURT  
 13 SOUTHERN DISTRICT OF CALIFORNIA

14 KEVIN VANGINDEREN,  
 15  
 Plaintiff,  
 16  
 v.  
 17 CORNELL UNIVERSITY,  
 18  
 Defendant.  
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) Case No. 07-CV-2045-BTM (JMA)

) Hon. Barry T. Moskowitz

) DECLARATION OF CLIFFORD S.  
 ) DAVIDSON IN SUPPORT OF  
 ) CORNELL'S REPLY IN FURTHER  
 ) SUPPORT OF SPECIAL MOTION  
 ) TO STRIKE PLAINTIFF'S  
 ) COMPLAINT PURSUANT TO  
 ) SECTION 425.16 OF THE  
 ) CALIFORNIA CODE OF CIVIL  
 ) PROCEDURE

) [Per chambers, no oral argument  
 ) unless requested by the Court]

) Hearing Date: December 21, 2007  
 ) Time: 11:00 a.m.  
 ) Place: Courtroom 15

) Action Filed: October 1, 2007

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 DECLARATION OF CLIFFORD S. DAVIDSON

**DECLARATION OF CLIFFORD S. DAVIDSON**

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I, Clifford S. Davidson, declare as follows:

1. I am an attorney admitted to practice before this Court and in the State of California and am associated with Proskauer Rose LLP, counsel for Defendant Cornell University (“Cornell”). I submit this declaration in support of Cornell’s Reply in Further Support of Special Motion to Strike Plaintiff’s Complaint. I make this declaration of my own personal knowledge except where otherwise stated and, if called as a witness, I could and would testify competently as set forth below.

2. Attached hereto as Exhibit A is a true and correct copy of Plaintiff’s Response to Order to Show Cause filed in the County Court of Tompkins County. I received Exhibit A on November 9, 2007 by U.S. Mail.

3. On page 11 of Exhibit A, Plaintiff notes: “I have not opposed the Petitioner’s Motion to Unseal Record[s] in the Ithaca City Court because that is where the events surrounding the 1983 arrest have occurred.”

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 14th day of December, 2007, in Los Angeles, California.



Clifford S. Davidson