

**Exhibit B**

Declaration of Hulett H. Askew

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ANGELO BINNO,

Plaintiff,

Hon. Denise Page Hood

-vs-

Case No. 2:11-cv-12247

THE AMERICAN BAR ASSOCIATION,

Defendant.

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DECLARATION OF HULETT H. ASKEW

STATE OF ILLINOIS            )  
                                          ) SS.  
COUNTY OF COOK            )

HULETT H. ASKEW, being first duly sworn states:

1. The information contained in this affidavit is based on my personal knowledge, except where otherwise stated, and I am competent and able to testify regarding the matters contained herein.

2. I am employed by the American Bar Association (the "ABA") in the position of Consultant on Legal Education. As part of my duties with the ABA, I am familiar with the Standards for Approval of Law Schools issued by the Council of the Section of Legal Education and Admissions of the ABA.

3. **The American Bar Association.** The ABA is a voluntary professional organization. The ABA provides multiple services to the legal profession and to the legal education of lawyers and students, including law school accreditation, continuing legal education, information about the law, programs to assist lawyers and judges in their work, and initiatives to improve the legal system as a whole.

4. **Legal Education.** The Council of the Section of Legal Education and Admissions to the Bar ("the Council") of the ABA is recognized by the U.S. Department of Education as the accrediting body for programs leading to the first professional degree in law (34 CFR Part 602). One of the Council's responsibilities is to grant full and provisional ABA approval ("accreditation") to law schools in the United States, its territories, and possessions. It also establishes and adopts a set of Standards for Approval of Law Schools and the Interpretation of those Standards ("the Standards"), and the Rules of Procedure that govern the law school approval process.

5. **Admissions Test Standard.** Through its Standards the Council has historically required approved law schools to require applicants for admission take an admissions test and has issued a Standard regarding the use of admissions tests.

The Council's current admission test Standard is as follows:

**Standard 503. ADMISSION TEST:** A law school shall require each applicant for admission as a first year J.D. student to take a valid and reliable admission test to assist the school and the applicant in assessing the applicant's capability of satisfactorily completing the school's educational program. In making admissions decisions, a law school shall use the test results in a manner that is consistent with the current guidelines regarding proper use of the test results provided by the agency that developed the test.

*Interpretation 503-1 A law school that uses an admission test other than the Law School Admission Test sponsored by the Law School Admission Council shall establish that such other test is a valid and reliable test to assist the school in assessing an applicant's capability to satisfactorily complete the school's educational program.*

*Interpretation 503-2 This Standard does not prescribe the particular weight that a law school should give to an applicant's admission test score in deciding whether to admit or deny admission to the applicant.*

*Interpretation 503-4 The "Cautionary Policies Concerning LSAT Scores and Related Services" published by the Law School Admission Council is an example of the testing agency guidelines referred to in Standard 503.*

6. The Standards prohibit admission policies that preclude admission based on an applicant's disability.

7. The Standards do not require that a law school use only the Law School Admission Test ("LSAT") as its admission test. Nor does they require that an applicant take the LSAT as a prerequisite to admission. Several law schools which have achieved ABA accreditation use an admission test other than the LSAT.

8. Under Interpretation 503-2, ABA-approved law schools have the complete discretion to prescribe the weight given to admissions test scores, in general or on an individual basis, for purposes of admitting or denying admission to an applicant.

9. **The Law School Admission Test.** The LSAT is published by the Law School Admission Council ("LSAC"). The LSAC is a separate organization. It is not a division or section of the ABA, or otherwise affiliated with the ABA.

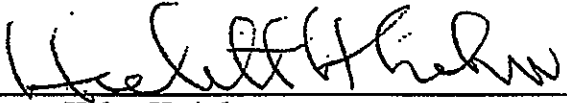
10. The Council, nor the ABA as a whole, does not publish or create any test for the admission into an accredited law school, including the LSAT. Neither the Council nor the ABA as a whole establish any specific requirements for the content of an admissions test.

11. The Council does not process applications to take the LSAT. Applicants register with the LSAC to take the LSAT.

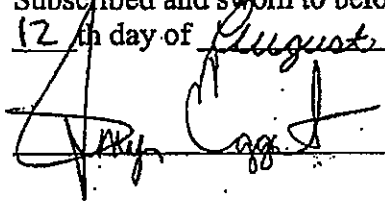
12. The Council undertakes no review of, nor establishes any protocol for, the administration or scoring of the LSAT by the LSAC. The LSAC is solely responsible for administration and scoring of the LSAT. The Standards do not require any specific format, condition, or manner for the administration of any admissions test, including administration of the LSAT.

13. The Council does not receive, review, or have input into, any request for accommodation made by an applicant as to the place or manner of administration of the LSAT. The LSAC decides whether to grant an applicant's requested accommodation as to the place or manner of the LSAT because of a documented disability or any other reason. See The Law School Admission Council Official Website, including, <http://www.lsac.org/jd/LSAT/about-the-LSAT.asp>; and <http://www.lsac.org/JD/LSAT/accommodated-testing.asp>.

FURTHER AFFIANT SAYETH NOT.

  
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Hulett H. Askew

Subscribed and sworn to before me this  
12th day of August, 2011:

  
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