

Inga Mikhlyn declares the following to be true under penalty of perjury:

1. I am a plaintiff in this action along with my husband, Vadim, and our corporation ABC All Consulting, Inc. I submit this Declaration in further support of the plaintiffs' motion for Sanctions Pursuant to Rule 37 and Default Pursuant to Rule 55.

2. I make this Declaration on personal knowledge.

3. I have been using the QuickBooks software on a daily basis for the last fifteen years. I am familiar with QuickBooks' various features and options. The screenshot of the Microsoft Excel file and the printouts, annexed to the Declaration of Daniel Akselrod in further support of Plaintiffs' Motion for Sanctions Pursuant to Rule 37 of the Federal Rules of Civil Procedure and for a default judgment pursuant to Rule 55 of the Federal Rules of Civil Procedure, dated September 17, 2010, as Exhibit 6, could only have come by using the "export" feature in QuickBooks, which exports a selected report from QuickBooks and creates a Microsoft Excel spreadsheet.

4. During the time we were in business with Ana Bove and Polina Dolginov (until she left in the summer of 2007), the business used Fusemail as its principal email account. All of us had access to Fusemail through the email client Outlook Express.

5. The Fusemail account allowed each of us (Ana, Polina, Vadim, and me) to access the server through Outlook Express and

view all incoming e-mails. These incoming e-mails were stored on a remote server and locally on each computer until deleted or moved.

6. The e-mails sent using Fusemail (through outlook Express) were saved locally on the hard drive of the sender's computer. Thus, for example, if Polina sent an e-mail to me using Fusemail, the incoming e-mail would be able to be viewed by everyone with access on the server, but the sent copy of such an e-mail would only exist on Polina's computer in Israel. Therefore, as a further example, if Polina sent an e-mail using Fusemail to Ana's non-Fusemail account (of which she had many), such an e-mail would only exist on Polina's computer in Israel and in Ana's non-Fusemail e-mail inbox.

7. In addition, in the course of our work, Ana would routinely move files that had large attachments to them from the server to her computer. Such e-mails would then exist only locally on her computer. Ana often did this because there was no reason for some "heavy" image files to clutter the server and were the ones she was working with at the moment. However, if Ana moved any other e-mails to her computer from the server, they would now only exist on her hard drive.

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

Dated: New York, New York
September 17, 2010



INGA MIKHLYN