

STATEMENT REGARDING EXHIBITS

The exhibits attached to the Attorney's Statement of Stuart A. Krause (the "Exhibits") filed in support of Defendant's Motion to dismiss pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure are not being filed electronically. The Exhibits have been served on the parties herein and are available for review at the office of Zeichner Ellman & Krause LLP, 575 Lexington Avenue, New York, New York 10022. In addition a courtesy copy of the motion with the exhibits will be delivered to the Chambers of the Honorable Kimba M. Wood, United States District Judge.

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