## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE "A MILLION LITTLE PIECES"
LITIGATION

No. 06-md-1771

Hon. Richard J. Holwell

## REPLY DECLARATION OF EVAN J. SMITH, ESQUIRE IN FURTHER SUPPORT OF AMLP PLAINTIFFS' GROUP'S MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT, CERTIFICATION OF SETTLEMENT CLASS, AND APPROVAL OF NOTICE PLAN

- I, Evan J. Smith, Esquire, hereby declares:
- 1. I am an attorney, duly licensed and admitted to practice law in the State of New York and in this Court. I am a partner in the law firm of Brodsky & Smith, LLC, counsel for Plaintiff Michele Snow in these coordinated proceedings. I have personal knowledge of the facts set forth in this Declaration. If called upon and sworn as a witness, I could and would competently testify to these facts.
- Attached hereto as Exhibit "1" is a true and correct copy of Rust Consulting 2. firm's profile.
- 3. Attached hereto as Exhibit "2" is a true and correct copy of Kinsella/Novack Communications, Inc.'s firm profile.
- Attached hereto as Exhibit "3" is a true and correct copy of a template for the "A 4. Million Little Pieces" Settlement website
- 5. Attached hereto as Exhibit "4" is a true and correct copy of the *New York Times* September 6, 2006 article (on the New York Times website) about the proposed settlement.
- Attached as Exhibit "5" is a true and correct copy of the Google search results of 6. "A Million Little Pieces" and "Settlement", as well as the Google search results for A Million

Little Pieces Settlement. On February 7, 2008 I personally performed both of these Google searches.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: January 8, 2007 /s Evan J. Smith, Esquire (ES3254)

Evan J. Smith, Esquire (ES3254)