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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

J. EZRA MERKIN AND BDO SEIDMAN
SECURITIES LITIGATION

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No. 08 Civ. 10922 (DAB)

DECLARATION OF IRA G. GREEN-
BERG IN SUPPORT OF MOTION
OF DEFENDANT BDO SEIDMAN, LLP
TO DISMISS

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

IRA G. GREENBERG declares as follows:

1. I am a member of the bar of this Court and of the firm of Edwards Angell Palmer & Dodge LLP, attorneys for defendant BDO Seidman, LLP. I make this declaration in support of its motion to dismiss.

2. I have annexed to this declaration as exhibit A a copy of the second amended complaint; as exhibit B, of AU 110; as exhibit C, of AU 230; as exhibit D, of AU 311; as exhibit E, of AU 326; as exhibit F, of AU 316; and as exhibit G, of AU 332.

3. I have also attached for the Court's convenience as exhibit H the slip opinion in In re Tremont Securities Law, State Law and Insurance Litigation, No. 08 Civ. 11117 (TPG) (S.D.N.Y. decided Mar. 30, 2010), which is cited in the memorandum in support of the motion.

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

Executed on the 12th day of April, 2010.



IRA G. GREENBERG