

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PACIFIC WEST HEALTH MEDICAL CENTER
INC. EMPLOYEES RETIREMENT TRUST, On
Behalf of Itself and All Others Similarly Situated,

Civil Action No. 09 CV 00134 (UA)

Plaintiff,

vs.

FAIRFIELD GREENWICH GROUP,
FAIRFIELD GREENWICH LIMITED,
FAIRFIELD GREENWICH (BERMUDA) LTD.,
FAIRFIELD GREENWICH ADVISORS LLC,
WALTER M. NOEL, JR., ANDRES
PIEDRAHITA, JEFFREY TUCKER, BRIAN
FRANCOUER, AMIT VIJVERGIYA, YANKO
DELLA SCHIAVA, PHILIP TOUB, LOURDES
BARRENECHE, CORNELIS BOELE,
MATTHEW C. BROWN, VIANNEY
D'HENDECOURT, HAROLD GREISMAN,
JACQUELINE HARARY, DAVID HORN,
RICHARD LANDSBERGER, DANIEL
LIPTON, JULIA LUONGO, MARK
MCKEEFRY, MARIA TERESA PULIDO
MENDOZO, CHARLES MURPHY,
SANTIAGO REYES, and ANDREW SMITH,

Defendants.

DECLARATION OF SERVICE

ROBERT C. FINKEL, being admitted to practice law in the State of New York and
before this Court, does hereby state, under the penalties of perjury, that:

1. I am a member of Wolf Popper LLP, attorneys for plaintiff in this Action. I make
this Declaration upon my personal knowledge. This Declaration sets forth plaintiff's best efforts
to comply with this Court's January 9, 2009 Order requiring that plaintiff effect service of papers

on defendants no later than January 12, 2009. As indicated below, Plaintiff has effected proper service on each of the twenty-six defendants with the exception of Brian Francouer, Yanko Della Schiava, Harold Greisman, Andres Piedrahita, Amit Vijvergiya, Maria Teresa Pulido Mendoza, Richard Landsberger, and Vianney d'Hendecourt. Plaintiff is still in the process of seeking to effect proper service on those defendants.

A. Service of Papers on Defendants at 55 East 52nd Street, New York, New York

2. On January 9, 2009, I caused our Managing Clerk, Christopher Dunleavy, to serve the following documents by hand upon defendants Fairfield Greenwich Group and Fairfield Greenwich Advisors LLC at their offices at 55 East 52nd Street, New York, New York 10022:

Summons and Verified Class Action Complaint, dated January 8, 2009

Plaintiff's Notice of Motion for a TRO and Preliminary Injunction, dated January 9, 2009

Plaintiff's Memorandum In Support of Motion for a TRO and Preliminary Injunction, dated January 9, 2009

Declaration of Robert C. Finkel In Support of TRO and Motion for Preliminary Injunction, dated January 9, 2009

[Proposed] Order to Show Cause Re Preliminary Injunction; and for Limited Expedited Discovery

3. Those documents were delivered by Mr. Dunleavy personally to Michael Thorne, whose business card identifies him as a Managing Director and Associate General Counsel of both Fairfield Greenwich Group and Fairfield Greenwich Advisors, LLC. Although both Fairfield Greenwich Group and Fairfield Greenwich Advisors, LLC are identified on Mr. Thorne's business card (Exhibit A), Mr. Thorne advised Mr. Dunleavy that he was only authorized to accept service of process of those papers on behalf of Fairfield Greenwich

Advisors, LLC.

4. On January 12, 2009, Mr. Dunleavy returned to 55 East 52nd Street, New York, New York and delivered personally to Michael Thorne a copy of this Court's Order to Show Cause Re Preliminary Injunction; and for Limited Expedited Discovery, signed January 9, 2009. Mr. Thorne again informed Mr. Dunleavy that he was only authorized to accept service of papers for defendant Fairfield Greenwich Advisors, LLC.

5. On January 12, 2009, Mr. Dunleavy also delivered to Altamont Thompson in the Mail Center at 55 East 52nd Street, twenty-four sets of copies of the following documents (hereinafter referred to as the Summon and Complaint and Motion Papers) in large envelopes:

Summons and Verified Class Action Complaint, dated January 8, 2009

Plaintiff's Notice of Motion for a TRO and Preliminary Injunction, dated January 9, 2009

Plaintiff's Memorandum In Support of Motion for a TRO and Preliminary Injunction, dated January 9, 2009

Declaration of Robert C. Finkel In Support of TRO and Motion for Preliminary Injunction, dated January 9, 2009

Order to Show Cause Re Preliminary Injunction; and for Limited Expedited Discovery, signed January 9, 2009

Those twenty-four envelopes were addressed to the following defendants:

Fairfield Greenwich Group

Fairfield Greenwich Limited

Fairfield Greenwich (Bermuda) Ltd.

Walter M. Noel, Jr. (Greenwich)

Andres Piedrahita (London and Madrid)

Brian Francouer

Amit Vijvergiya (Bermuda)

Yanko Della Schiava (Lugano)

Philip Toub (New York)

Lourdes Barreneche (New York)

Cornelis Boele (New York)

Matthew C. Brown (New York)

Vianney d'Hendecourt (London)

Harold Greisman (New York and London)

Jacqueline Harary (New York)

David Horn (New York)

Richard Landsberger (London)

Daniel Lipton (New York)

Julia Luongo (New York)

Mark McKeefry (New York)

Maria Teresa Pulido Mendoza (Madrid)

Charles Murphy (New York)

Santiago Reyes (Miami)

Andrew Smith (New York)

6. With respect to the individual defendants, I have indicated above, based on information available on defendants' website, the Fairfield Greenwich Group offices at which these defendants primarily conduct business.

Additional Service of Papers on Walter Noel at White & Case LLP

7. On January 8, 2009, I received an email from Glenn Kurtz (White & Case LLP) informing me that his law firm represented defendant Walter Noel and requesting that any papers that need to be served on Mr. Noel be delivered to Mr. Kurtz (*see* Exhibit B).

8. On January 12, 2009, Mr. Dunleavy delivered an envelope to Glenn Kurtz at White & Case LLP, 1155 Avenue of the Americas, New York, New York containing copies of the Summons and Complaint and Motion Papers. Those documents were accepted for Mr. Kurtz by Angie Carvagal in White & Case's managing clerk department. I also emailed those papers to Mr. Kurtz on January 9, 2009 and January 12, 2009 at gkurtz@whitecase.com.

9. On January 12, 2009, I caused copies of the Summons and Complaint and Motion Papers to be personally served on defendant Walter Noel by delivery to his doorman (Sean Twomey) at his home address at 812 Park Avenue, New York, New York, 10021, and to be mailed to Mr. Noel at that address.

10. On January 13, 2009, I caused copies of the Summon and Complaint and Motion

Papers to be personally served on defendant Walter Noel by delivery to his wife (Monica Noel) at his home address at 175 Round Hill Road, Greenwich, CT 06831, and to be mailed to Mr. Noel at that address.

Additional Service of Papers on Simpson, Thacher & Bartlett LLP

11. On January 8, 2009, Mark Cunha of Simpson, Thacher & Bartlett LLP informed me that Simpson Thacher represented each of the non-individual defendants (Fairfield Greenwich Group, Fairfield Greenwich Limited, Fairfield Greenwich (Bermuda) Ltd., and Fairfield Greenwich Advisors LLC). Mr. Cunha also informed me, which I subsequently confirmed, that Simpson Thatcher had already appeared in federal court for those parties by filing a Notice of Removal of an action (Anwar et. al. v. Fairfield Greenwich Group, et al., Civ. Action No. 09-CV-00118 (VM)) from New York State Supreme Court.

12. On January 12, 2009, Mr. Cunha further informed me that he was authorized to accept service on the following nine individual defendants:

Philip Toub
Lourdes Barreneche
Matthew C. Brown
Jacqueline Haray
Daniel Lipton
Julia Luongo
Mark McKeefry
Santiago Reyes
Andrew Smith

13. On January 12, 2009, I caused copies of the Summons and Complaint and Motion Papers to be delivered by Mr. Dunleavy by hand, addressed to Mr. Cunha, to the managing clerk's office of the law firm of Simpson, Thacher & Bartlett LLP, 425 Lexington Avenue, New York, NY 10017. I also caused the foregoing papers to be sent by email to Mr. Cunha at

mcunha@stblaw.com.

Service of Papers on Jeffrey Tucker

14. On January 12, 2009, Daniel Fetterman of Kasowitz, Benson, Torres & Friedman LLP informed me that he was authorized to accept service for defendant Jeffrey Tucker. I caused copies of the Summons and Complaint and Motion Papers to be delivered by hand to Mr. Fetterman at the law firm of Kasowitz, Benson, Torres & Friedman LLP, 1633 Broadway, New York, NY 10019.

Additional Service of Papers on Fairfield Greenwich (Bermuda) Ltd.

15. On January 12, 2009, I caused copies of the Summons and Complaint and Motion Papers to be served on Fairfield Greenwich (Bermuda) Ltd. by facsimile (202.772.9325) and Federal Express (100 F. Street, N.E., Washington, D.C. 20549-1090) on the Secretary of the Securities and Exchange Commission (the "SEC") as the Agent for Service for Fairfield Greenwich (Bermuda) Ltd. Fairfield Greenwich (Bermuda) Ltd. is a registered broker-dealer, subject to service of process by service of papers on the SEC.

Additional Service of Papers By Facsimile

16. On January 12, 2009, I also transmitted the Summons and Complaint and Motion Papers to the following defendants' offices via facsimile:

Fairfield Greenwich Limited (345/949.7073)
Fairfield Greenwich (Bermuda) Ltd. (441/292.5413)
Andres Piedrahita (44.20.7534.9245)
Brian Francouer (441/292.5413)
Amit Vijayvergiya (441/292.5413)
Yanko Della Schiava (41.91.912.1066)
Vianney d'Hendecourt (44.20.7534.9245)
Richard Landsberger (44.20.7534.9245)
Maria Teresa Pulido Mendoza (34.91.575.92.31)

Additional Service of Papers on Andres Piedrahita and Amit Vijergiya

17. On January 8, 2009, I was informed by Glenn Kurtz that the following counsel represented the indicated individual defendants.

Andrew Levander, Esq. (Dechert LLP) – Andres Piedrahita
Mark P. Goodman, Esq. (Debevoise & Plimpton LLP) – Amit Vijergiya

18. On January 9, 2009, I transmitted by email and pdf file to Mr. Levander and to Mr. Goodman (at andrew.levander@dechert.com, and mpgoodman@debevoise.com, respectively), copies of the Summons and Complaint and Motion Papers.

19. On January 12, 2009 I transmitted to Mr. Levander and Mr. Goodman by pdf file the Court's Order to Show Cause Re Preliminary Injunction; and for Limited Expedited Discovery, signed January 9, 2009.

Service of Papers on Defendants Horn, Murphy, and Boele

20. On January 12, 2009, I caused copies of the Summons and Complaint and Motion Papers to be personally served on defendant David Horn by delivery to Mr. Horn at his home address at 3314 N. Lake Shore Drive, Chicago, Illinois.

21. On January 13, 2009, I caused copies of the Summons and Complaint and Motion Papers to be personally served on defendant Charles Murphy by delivery to his cook at his home address at 202 Round Hill Road, Greenwich, CT 06831, and to be mailed to Mr. Murphy at that address.

22. On January 12, 2009, I caused copies of the Summons and Complaint and Motion Papers to be personally served on defendant Cornelis Boele by delivery to his doorman (Oscar Oriz) at his home address at 544 East 86th Street, New York, New York 10028, and to be mailed to Mr. Boele at that address.

Dated: January 13, 2009

S/Robert C. Finkel
Robert C. Finkel