

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PAUL GREGORY ALLEN, TRUSTEE OF THE :
ESTATE OF ADRIAN JACOBS, :

Plaintiff,

-against-

SCHOLASTIC INC.,

Defendant.
----- x

: No. 10 cv 5335 (SAS) ECF CASE

: **DECLARATION OF JOSEPH A.
PATELLA IN SUPPORT OF
PLAINTIFF'S OPPOSITION TO
SCHOLASTIC'S MOTION TO
DISMISS**

JOSEPH A. PATELLA declares and certifies:

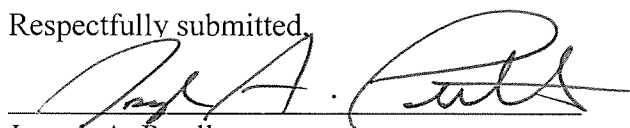
1. I am a partner with the law firm of Andrews Kurth LLP, attorneys for Plaintiff Paul Gregory Allen, Trustee of the Estate of Adrian Jacobs ("Trustee"). I am familiar with the facts set forth herein. I submit this Declaration in support of Trustee's Opposition to the Motion to Dismiss made by Defendant Scholastic Inc., pursuant to Fed. R. Civ. P. 12(b)(6).

2. Attached hereto as Exhibit 1 is a true and accurate copy of the Approved Judgment issued by the High Court of Justice, Chancery Division, of England and Wales, dated October 14, 2010, in the action between *Claimant Paul Gregory Allen (Acting as Trustee of Adrian Jacobs (Deceased)) and Defendants (1) Bloomsbury Publishing Plc (2) Joanne Kathleen Murray (professionally known as J.K. Rowling)*.

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

Dated: October 20, 2010

Respectfully submitted,



Joseph A. Patella
Andrews Kurth LLP
450 Lexington Avenue
New York, New York 10017
Tel: (212) 850-2800
Fax: (212) 850-2929

*Attorneys for Plaintiff Paul Gregory Allen, Trustee
of the Estate of Adrian Jacobs*