

# EXHIBIT

“X”

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

10-cv-6005 (RWS)

Plaintiff,

-against-

CITY OF NEW YORK, et al.

Defendants.

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**DECLARATION OF DAVID FINKLER PURSUANT TO  
28 U.S.C. § 1746 UNDER THE PENALTY OF PERJURY**

David Finkler, being an attorney, hereby declares under the laws of the United States of America that the following is true and correct:

1. I am an attorney duly admitted to practice law in the States of New York and New Jersey. I graduated Albany Law School of Union University in 1986.

2. I was admitted to practice in New York in March of 1987 and I am submitting this declaration in support of the Plaintiff's application for attorney's fees in the above-referenced action. I was admitted to the Bar of The United States District Court for: The Southern District of New York in 1987.

3. My work experience is briefly as follows herein below.

4. Since 1987 my primary area of practice has been law on the plaintiff's side.

5. I have been a member of The Commercial Law League, New York City Trial Lawyers' Association and the New York and New Jersey Bar Associations.

6. I am personally acquainted with Howard Suckle as an attorney, with whom I have worked, and have been familiar with his work for more than two decades. Mr. Suckle and I have each represented different Plaintiff's in a multi-Plaintiff commercial litigation in

the City of New York. In my opinion, his work on that matter has been of the highest quality. In addition, based on my knowledge of his work in a multitude of different litigation matters. I have referred him several litigation matters. In this respect, I have reviewed the work he has done on those referred cases, as well, and I know it to be of the highest quality.

7. Based upon my knowledge of Mr. Suckle's work and experience, and the opinions of Michael L. Spiegel as to rates attorneys charge in cases such as the one at bar, in my opinion, Mr. Suckle's request for fees at the rate of \$575 an hour is a fair and reasonable rate in the City of New York for an individual with his level of knowledge and experience.

Dated: New York, New York  
November 18, 2015

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David J. Finkler