WITHERS BERGMAN LLP

Hollis Gonerka Bart (HB-8955)
Brian Dunefsky (BD-3554)
Dara G. Hammerman (DH-1591)
Azmina N. Jasani (AJ-4161)
430 Park Avenue, 10th Floor
New York, New York 10022
212.848.9800 (p)
212.848.9888 (f)
Attorneys for Defendant/Third-Party Plaintiff
Gagosian Gallery, Inc.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK -----X SAFFLANE HOLDINGS LTD., and ROBERT WYLDE,

Plaintiffs,

-againstGAGOSIAN GALLERY, INC.,

Defendant.

-----X
GAGOSIAN GALLERY, INC.,

Third-Party Plaintiffs,

-againstCHARLES COWLES,

Third-Party Defendant.

X

Case No.: 11 CIV 1679 (DLC)(MHD)

DECLARATION OF DARA G.
HAMMERMAN IN SUPPORT OF
DEFENDANT/THIRD-PARTY
PLAINTIFF'S REPLY MEMORANDUM
OF LAW IN RESPONSE TO CHARLES
COWLES' OPPOSITION TO
MOTION FOR DEFAULT JUDGMENT
AND TO THE DAMAGES
DEMONSTRATED BY GAGOSIAN
GALLERY, INC. IN THE SAFFLANE
INQUEST PROCEEDING

DARA G. HAMMERMAN, being duly sworn, deposes and says:

- 1. I am a member of the bar of the state of New York and of this Court and an associate at the law firm of Withers Bergman LLP ("Withers"), attorneys for Defendant/Third-Party Plaintiff Gagosian Gallery, Inc. in this action.
- 2. Annexed hereto as Exhibit A is a true and correct copy of the Affidavit for Judgment by Confession of Charles Cowles, dated September 2, 2010.

document number: NY23802/0014-US-1407298/1

- 3. Annexed hereto as Exhibit B is a true and correct copy of relevant excerpts from the deposition of Charles Cowles, taken on July 13, 2011.
- 4. Annexed hereto as Exhibit C is a true and correct copy of Charles Cowles' letter to John Good, dated November 19, 2009.
- 5. Annexed hereto as Exhibit D is a true and correct copy of relevant excerpts from the deposition of John Good, taken on September 23, 2011.
- 6. Annexed hereto as Exhibit E is a true and correct copy of the Stipulation of Dismissal, which was executed by counsel for Saffane Holdings, Ltd., Robert Wylde, and Gagosian Gallery, Inc. on October 18, 2011, and so ordered by Magistrate Judge Dolinger on November 4, 2011.

Dara G. Hammerman

Sworn to before me this 24th day of February, 2012

NOTARY PUBLIC

Notary Public, State of New York
No. 02Ll6146786
Qualified in New York County
Commission Expires July 22, 20