UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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JACK LEBEWOHL, JEREMY LEBEWOHL, UNCLE ABIES DELI INC. d/b/a 2ND AVE DELI, UNCLE ABIES DELI ON FIRST INC. d/b/a 2ND AVE DELI, AND UNCLE ABIES DELI SANDWICH TRADEMARKS LLC.

Plaintiffs,

-against-

Index No. 11-cv-3153 (PAE)

HEART ATTACK GRILL LLC, HAG LLC, JON BASSO, DIET CENTER LLC (TEXAS) AND DIET CENTER LLC (DELAWARE)

| Defendants. | |
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DECLARATION OF WILLIAM W. CHUANG IN FURTHER SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

- 1. My name is William W. Chuang. I am counsel for Plaintiffs in this action. As such, I am fully familiar with the facts and circumstances of the within proceeding, except as to those matters that I allege to be based upon information and belief, and as to those matters, I believe them to be true. I hereby affirm the statements in this declaration under the penalties of perjury.
- 2. Exhibits B, C, D, M, N, and O to the Statement of Uncontested Facts are true and correct copies of printouts from the websites listed on each document, which I printed out on the dates shown on each document.
- 3. Exhibit B is a true and correct copy of an article from Chowhound.com that I printed out on September 28, 2010.
- 4. Exhibit C is a true and correct copy of an article from gailharrington.net that I printed out on February 15, 2012.

- 5. Exhibit D is a true and correct copy of an article from Chowhound.com that I printed out on February 15, 2012.
- 6. Exhibit M is a true and correct copy of an article from Yelp.com that I printed out on February 15, 2012.
- 7. Exhibit N is a true and correct copy of an article from nytimes.com that I printed out on February 9, 2012.
- 8. Exhibit O is a true and correct copy of an article from Bloomberg.com that I printed out on February 9, 2012.

Dated: May 7, 2012 New York, NY Affirmed.

<u>/s</u> William W. Chuang