

# EXHIBIT 1

Case No. 11 Civ 5843 (JPO)

DECLARATION OF JAY WARD BROWN IN SUPPORT OF  
DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO DISMISS  
DEFENDANTS' COUNTERCLAIM

(Letter from Dep't of Ins. to K. Padgett, Marsh & McLennan Cos. (Oct. 20, 2004)  
[NYDOI/Gilman-00200])



STATE OF NEW YORK  
INSURANCE DEPARTMENT  
ONE COMMERCE PLAZA  
ALBANY, NEW YORK 12257

George E. Pataki  
Governor

Gregory V. Serio  
Superintendent

Marsh & McLennan Companies  
Attn: Kenneth Padgett, Managing Director  
1166 Avenue of the Americas  
New York, NY 10036

October 20, 2004

Re: Request for information

Dear Mr. Padgett:

This will confirm our recent telephone conversation.

It has been reported that Marsh has suspended the following four employees: William Gilman, [REDACTED]. Please provide the undersigned with the reason(s) that these four people were suspended. Include supporting documentation.

**IT IS IMPERATIVE THAT THIS INFORMATION BE FAXED TO THE  
UNDERSIGNED BY THE CLOSE OF BUSINESS TODAY.**

Sincerely,

  
Patricia M. Douglas  
Associate Insurance Examiner  
(518) 473-7933  
(518) 486-1503 FAX