

DECLARATION OF SERVICE

LISA ULLMAN, an attorney admitted to practice in the State of New York and an Assistant Attorney General of counsel in this matter to Eliot Spitzer, Attorney General of the State of New York, attorney for defendants, declares under penalty of perjury pursuant to 28 U.S.C. § 1746:

On July 26, 2004, I served the annexed **Reply Declaration of David B. Roberts, Affidavit of Linly L. Rarick, and Memorandum of Law in Reply to Plaintiff's Opposition to Defendants' Motion to Set Aside the Clerk's Entry of Default and in Opposition to Plaintiff's Cross-Motion for a Default Judgment**, upon the following individual, by depositing a true copy thereof, properly enclosed in a sealed, postpaid wrapper, in a post office box in the County of Albany, a depository under the exclusive care and custody of the United States Post Office Department, directed to the individuals at the address designated for that purpose, as follows:

Harold L. Rosenberger
114 Vista Drive
Highland, NY 12528

Dated: Albany, New York
July 26, 2004

/s Lisa Ullman

LISA ULLMAN
Bar Roll No. 508090