

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FEDERAL TRADE COMMISSION

Plaintiff,

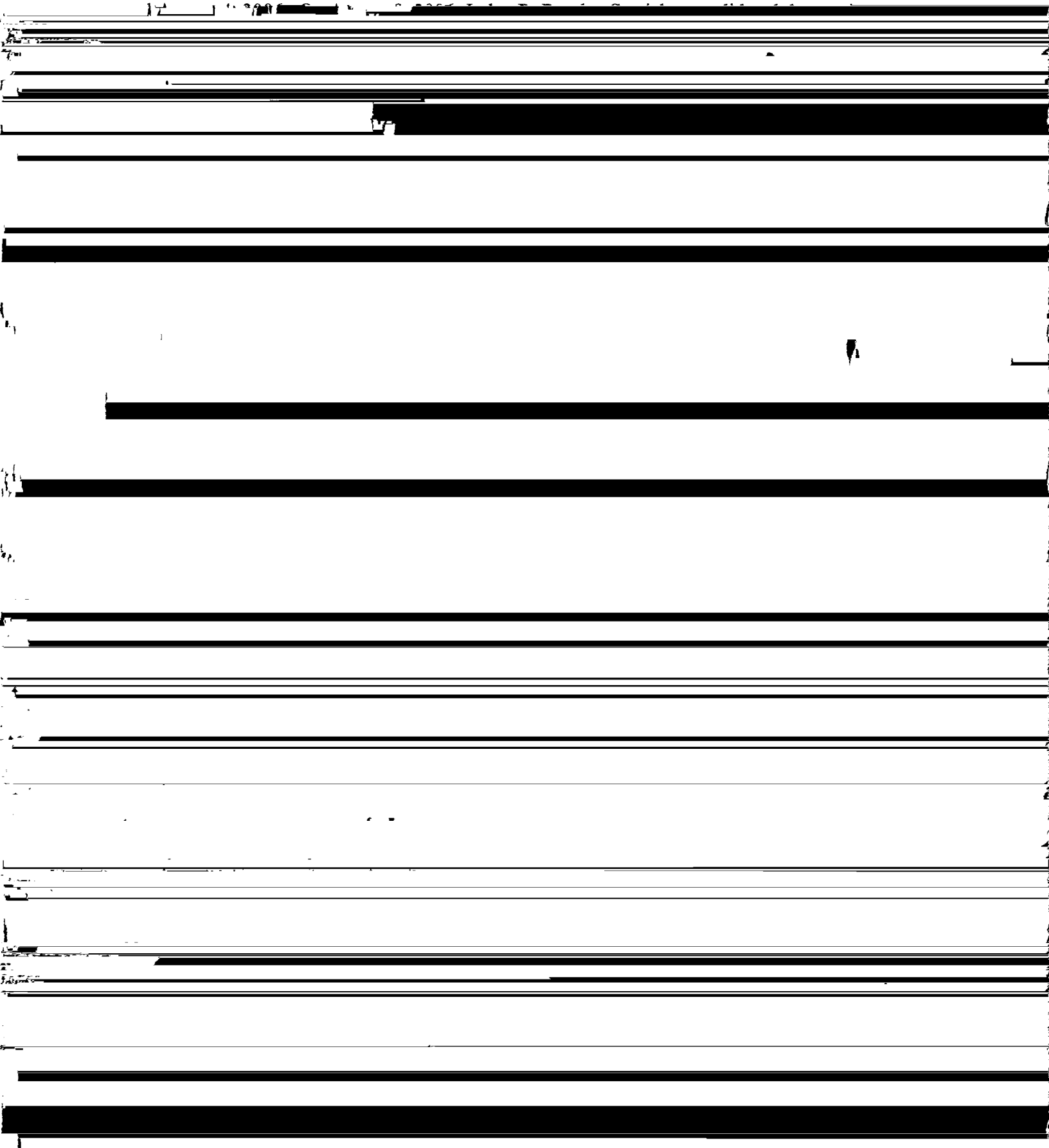
Civil Action No.

08-00244 (JDB)

**DECLARATION OF BARRY S. TAUS, ESQ.**

I, Barry S. Taus, Esq., submit this declaration upon personal knowledge or information and belief:

1. I am an attorney, a member of the bar of New York, and a partner with the law firm of Garwin Gerstein & Fisher LLP



oppositions to the Defendants' motions to dismiss, and requested oral hearings on the matter.

The Defendants filed replies to the Plaintiffs' opposition briefs on January 11, 2007. In addition,

the Avmed case stipulated that Defendants need not respond to Avmed's Complaint until after the Court resolves the pending motions to dismiss against the Direct Purchaser Class, the End-