

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

Civil Action File Number: CV-02-6492 (SJ) (VP)

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:
CARMINE A. LoPRESTI, Individually, and in his :
fiduciary capacity under the EMPLOYEE :
RETIREMENT INCOME SECURITY ACT of :
1974, under the Lutheran Medical Center § 403 (b) :
Tax Sheltered Annuity Plan :

Plaintiff, :

- against - :

CITIGROUP INC., WENDY Z. GOLDSTEIN, :
MILES H. KUCKER, ALLEN SCHECHTER, :
HOWARD SMITH, WILLIAM D. MHYRE, DON :
GOLDSTEIN, STATE STREET CORPORATION, :
CITISTREET, CITISTREET INCORPORATED, :
CITISTREET, LLC, CITISTREET ASSOCIATES, :
LLC, CITISTREET EQUITIES, LLC, :
CITISTREET FINANCIAL SERVICES, LLC, :
TRAVELERS INSURANCE COMPANY, :
LUTHERAN MEDICAL CENTER, BUCK :
CONSULTANTS, BUCK CONSULTANTS, INC., :
MAYDA CASADO, JEAN DESJARDINS, JIM :
WILSON, SMITH BARNEY CORPORATE :
TRUST COMPANY, SALOMON SMITH :
BARNEY, INC., COPELAND ASSOCIATES, :
INC., SANFORD I. WEILL and DAVID A. :
SPINA, each and every defendant individually, and :
in their fiduciary capacities, under the EMPLOYEE :
RETIREMENT INCOME SECURITY ACT of :
1974, under the Lutheran Medical Center § 403(b) :
Tax Sheltered Annuity Plan :

Defendants. :

AFFIDAVIT OF ROBERT C.
DUGHI
(SJ)
(VP)

ROBERT C. DUGHI, being duly sworn, deposes and says:

1. I am currently the President of Citistreet LLC and Chairman and Chief Executive Officer of Citistreet Associates LLC. In my capacity as President of Citistreet LLC and Chairman and Chief Executive Officer of Citistreet Associates LLC, I am familiar with and have personal knowledge of the facts described in this affidavit.

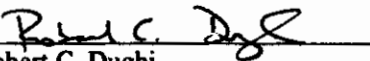
2. Citistreet LLC is a Delaware limited liability company, owned by Citigroup Inc. and State Street Corporation. A true and correct copy of Certificate of Formation of Citistreet LLC, dated March 31, 2000, is attached hereto as Exhibit A.

3. Although there do exist cognizable legal entities entitled Citistreet LLC, Citistreet Associates LLC, Citistreet Equities LLC and Citistreet Financial Services LLC, there is no cognizable legal entity called just "Citistreet."

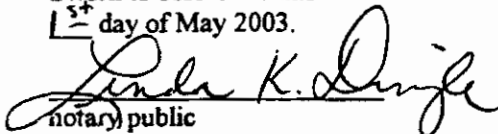
4. In my capacity as President of Citistreet LLC, I accepted service on behalf of Citistreet LLC, but not on behalf of "Citistreet," because "Citistreet" does not exist.

5. On February 25, 2000, Copeland Associates, Inc. changed its name to Copeland Associates LLC. A true and correct copy of the Certificate of Conversion is attached here as Exhibit B.

6. Thereafter, in August 2000, Copeland Associates LLC merged into Citistreet Associates LLC. A true and correct copy of the Certificate of Amendment, dated August 16, 2000, is attached hereto as Exhibit C. Copeland Associates LLC (which was formerly Copeland Associates, Inc.) therefore no longer exists.


Robert C. Dughi

Sworn to before me this
1st day of May 2003.


notary public

LINDA K. DINGLE

A Notary Public of New Jersey
My Commission Expires 6/17/2003

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