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United States of America  
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12 UNITED STATES DISTRICT COURT  
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA, ) No. CR 05-398-GAF  
15 )  
Plaintiff, ) **DECLARATION OF AUSA MICHAEL R.**  
16 ) **WILNER; EXHIBITS**  
v. )  
17 ) Hearing Date: December 7, 2009  
STUART H. WOLFF, ) Hearing Time: 1:30 p.m.  
18 )  
Defendant. ) Trial: January 26, 2009  
19 )  
20 )

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1 2003; and (b) marked and used in depositions of PWC personnel in  
2 October 2003. I have reviewed deposition transcripts of PWC  
3 employees Jennifer Campos and Mary Shelton Rose in which this  
4 document was shown to the witnesses as the subject of questioning  
5 over six years ago. I further observed that Howard Privette, a  
6 partner at the Paul Hastings law firm and a lawyer who  
7 participated in Wolff's 2006 federal criminal trial, was present  
8 for that questioning and actively participated in the deposition.

9 7. Similarly, with respect to PWC's preliminary  
10 Section 10A investigation in December 2001, Wolff points to  
11 handwritten interview notes of Homestore employees taken by PWC  
12 personnel (Defense Exhibit 16) and an investigative work plan  
13 prepared by a senior auditor (Defense Exhibit 39). Wolff implies  
14 that he recently uncovered these records, which now affects the  
15 analysis of PWC's past actions.

16 8. It appears that Wolff also had access to these records  
17 many years ago. Both of the documents contain document control  
18 numbers and Freedom of Information Act identifiers indicating  
19 that PWC produced the records to the Securities and Exchange  
20 Commission in response to an SEC subpoena in 2002. The  
21 government made the SEC's evidentiary files available to Wolff's  
22 attorneys for review and copying in 2005, well before the  
23 original 2006 trial in this case.

1 I declare under penalty of perjury under the laws of the  
2 United States of America that the foregoing is true and correct.

3 Executed on November 13, 2008, in Los Angeles, California.  
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5 /s/

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MICHAEL R. WILNER  
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