

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

STEPHEN SOTELO, individually and on behalf
of all persons similarly situated,

Plaintiff,

v.

DIRECTREVENUE, LLC, DIRECTREVENUE
HOLDINGS, LLC, BETTERINTERNET, LLC,
BYRON UDELL & ASSOCIATES, INC. D/B/A
ACQUQUOTE, AQUANTIVE, INC., and JOHN
DOES 1-100,

Defendants.

Case No. 05 C 2562

Judge Gettleman

**DECLARATION OF
ANDREW REISKIND**

ANDREW REISKIND declares, under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am General Counsel and Chief Privacy Officer for defendant DirectRevenue, LLC, which is the parent of defendant BetterInternet, LLC.

2. I submit this declaration in support of Defendants DirectRevenue, LLC's and BetterInternet, LLC's motion for entry of a protective order prohibiting plaintiff Stephen Sotelo ("Sotelo" or "Plaintiff") from serving any additional subpoenas on DirectRevenue's customers. I am familiar with the facts set forth herein.

3. At least two companies have discontinued their business relationship with DirectRevenue and its affiliates as a direct result of the subpoenas served by Plaintiff.

4. On or about August 15, 2005, one of our account directors was advised by ING Group ("ING") – a company that had previously placed advertising

through one of DirectRevenue's affiliates – that it would no longer place advertising through DirectRevenue or its affiliates.

5. The only stated reason for ING's refusal to conduct business with DirectRevenue and its affiliates was the fact that ING had recently received a subpoena from Plaintiff in connection with the current lawsuit. ING did not raise any complaints about the companies' services.

6. Other companies have also discontinued their relationship with DirectRevenue as a result of receiving Plaintiff's subpoena. For example, BetterInternet's services are advertised through a media vendor called Fastclick Inc. On or about August 30, 2005, we were advised by ValueClick Inc. (which is in the process of acquiring Fastclick Inc.) that advertisements for BetterInternet's services would no longer be run on the Fastclick advertising network. Plaintiff's subpoena was the only reason cited for ValueClick's decision to stop running BetterInternet's advertising on the Fastclick network.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

Dated: New York, New York
September 7, 2005


ANDREW REISKIND