

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

DENNIS L. MONTGOMERY,

Plaintiff,

v.

CASE NO. 1:15-cv-20782-JEM

JAMES RISEN, HOUGHTON MIFFLIN
HARCOURT PUBLISHING CO., HMH
HOLDINGS, INC.,

Defendants.

DECLARATION OF LAURA HANDMAN

I, Laura Handman, declare:

1. I am a partner at Davis Wright Tremaine LLP and represent Defendants James Risen, Houghton Mifflin Harcourt Publishing Company, and Houghton Mifflin Harcourt Company, improperly sued as HMH Holdings, Inc., in this action. I make this declaration in support of one, Defendants' Motion to Dismiss or Transfer for Lack of Personal Jurisdiction Over Risen and Houghton Mifflin Harcourt Company, Dismiss or Transfer for Improper Venue, Transfer Under 28 U.S.C. § 1404(a), or Dismiss for Failure to State a Claim and, two, Memorandum in Support and Defendants' Special Motion to Dismiss the Complaint Under the D.C. Anti-SLAPP Statute and Memorandum in Support. Unless otherwise indicated, I make the following statements based on my own personal knowledge, and if called as a witness, I could and would testify competently to these facts under oath.

2. Attached as Exhibit 1 is a true and correct copy of the January/February 2010 *Playboy Magazine* article, “*The Man Who Conned the Pentagon*,” by Aram Roston, available at http://www.stopdown.net/Dennis_Montgomery_Playboy.html.

3. Attached as Exhibit 2 is a true and correct copy of the February 19, 2011 *New York Times* article, “*Hiding Details of Dubious Deal, U.S. Invokes National Security*,” by Eric Lichtblau and James Risen, available at http://www.nytimes.com/2011/02/20/us/politics/20data.html?_r=0. The *New York Times* article has not been corrected, retracted, or the subject of any defamation lawsuit.

4. Attached as Exhibit 3 is a true and correct copy of the Business Entity Summary found on the website of the Secretary of the Commonwealth of Massachusetts, Corporations Division, available at http://corp.sec.state.ma.us/CorpWeb/CorpSearch/CorpSummary.aspx?FEIN=041456030&SEARCH_TYPE=1, stating that Houghton Mifflin Harcourt Publishing Co. is a Massachusetts corporation.

5. Attached as Exhibit 4 are true and correct copies of the pages from the website of the Delaware Secretary of State’s office stating that Houghton Mifflin Harcourt Company is a Delaware corporation and from the Florida Secretary of State’s office that the company is not authorized to do business in Florida.

6. I have reviewed the Lexis/Nexis Accurint Comprehensive Report on Dennis Lee Montgomery, dated March 9, 2015, and based on that report, it appears Montgomery does not own property, have a driver’s license, or pay taxes in Florida, and has not registered to vote in Florida.

7. Attached as Exhibit 5 is a true and correct copy of the June 10, 2014 *Seattle Weekly* article, “*Seattleland: Sheriff Joe Arpaio’s Yarrow Point Connection*,” by Rick Anderson,

available at <http://www.seattleweekly.com/home/952998-129/seattleland-sheriff-joe-arpaios-yarrow-point>.

8. Attached as Exhibit 6 is a true and correct copy of the February 18, 2015 Order in *Montgomery v. NV Mortg. Inc.*, No. 2:13-cv-00360-RAJ, ECF No. 66 (W.D. Wash.).

9. Attached as Exhibit 7 is a true and correct copy of the Government's Compliance with Court Order of August 17, 2006, in *In re Search Warrant*, No. 3:06-cv-00263 (D. Nev. Sept. 11, 2006), ECF Nos. 70-5, 70-8.

10. Attached as Exhibit 8 is a true and correct copy of the Supplemental Affidavit of Timothy L. Blixseth in *In re Yellowstone Mountain Club, LLC*, No. 08-61570 (Bankr. Mont. Jan. 17, 2011), ECF No. 2117.

11. Attached as Exhibit 9 is a true and correct copy of the Affidavit of Michael J. Flynn in *In re Yellowstone Mountain Club, LLC*, No. 09-00014 (Bankr. Mont. Mar. 1, 2006), ECF No. 473-1.

12. Attached as Exhibit 10 is a true and correct copy of excerpts of the transcript of the November 18, 2010 deposition of Dennis L. Montgomery in *In re Dennis & Kathleen Montgomery*, No. 10-bk-18510 (Bankr. C.D. Cal.).

13. Attached as Exhibit 11 is a true and correct copy of excerpts of the post-confirmation hearing Questions for the Record submitted by the U.S. Senate Select Committee on Intelligence to Mr. John Brennan, available at <http://www.intelligence.senate.gov/130207/posthearing.pdf>.

14. Attached as Exhibit 12 is a true and correct copy of the March 20, 2015 filing in *Klayman v. Obama*, No. 1:13-cv-00851-RJL (D.D.C.), ECF Nos. 129 and 129-1.

15. Attached as Exhibit 13 is a true and correct copy of the November 1, 2006 *Wall Street Journal* article, “*Congressman’s Favors for Friend Include Help in Secret Budget*,” by John R. Wilke, *available at* <http://www.wsj.com/articles/SB116234941031409783>.

16. Attached as Exhibit 14 is a true and correct copy of the February 15, 2007 *Wall Street Journal* article, “*Nevada Governor Faces FBI Probe into Contracts*,” by John R. Wilke.

17. Attached as Exhibit 15 is a true and correct copy of the June 27, 2005 report of NBC News, “*FBI Probes Nevada Governor for Corruption*,” by Lisa Myers, Jim Popkin and the NBC Investigative Unit, *available at* http://www.nbcnews.com/id/18613647/ns/nbc_nightly_news_with_brian_williams-nbc_news_investigates/t/fbi-probes-nevada-governor-corruption/#.VSX-_53D_IU.

18. Attached as Exhibit 16 is a true and correct copy of an article by Matt Appuzzo, Associated Press, that appeared in *USAToday* and elsewhere, “*Attorney: Nevada Gov. Gibbons cleared in FBI probe*,” Nov. 2, 2008, by Matt Appuzzo, AP, *available at* http://usatoday30.usatoday.com/news/washington/2008-11-03-1691861413_x.htm.

19. Attached as Exhibit 17 is a true and correct copy of the August 29, 2008 article, “*Yellowstone Club Divorcee Entangled in Terrorist Software Suits*,” by Anthony Effinger, *available at* <http://www.bloomberg.com/apps/news?pid=newsarchive&sid=aehZLi13aTPI>.

20. Attached as Exhibit 18 is a collection of news articles about Dennis Montgomery, published before publication of Mr. Risen’s book.

21. Attached as Exhibit 19 is a true and correct copy of the October 1, 2012 article, “*Obama’s Counterterrorism Czar Gave Bogus Intel to Bush White House*,” by Aram Roston, *available at* <http://www.defensenews.com/article/20121001/C4ISR01/310010001>.

22. Attached as Exhibit 20 is a true and correct copy of the April 3, 2015 decision in *Klayman v. City Pages*, No. 5:13-cv-00143-ACC-PRL, ECF No. 124 (M.D. Fla.).

Under 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 9, 2015.



Laura R. Handman