

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 15-cv-22452-KMM

DENNIS MONTGOMERY,

Plaintiff,

vs.

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION, et al.,

Defendants.

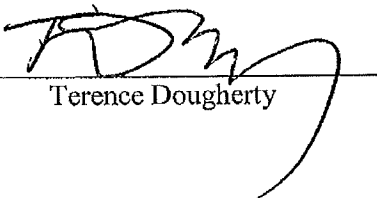
**DECLARATION OF TERENCE DOUGHERTY IN
SUPPORT OF DEFENDANTS' MOTION TO DISMISS FOR
LACK OF PERSONAL JURISDICTION AND IMPROPER
VENUE**

Terence Dougherty declares under penalty of perjury as follows:

1. I am the Chief Operating Officer and General Counsel of the American Civil Liberties Union, Inc. ("ACLU") and the American Civil Liberties Union Foundation, Inc. (ACLUF), which together comprise the national operations of the organization. I make this declaration on behalf of defendant ACLUF in support of defendants' motion to dismiss for lack of personal jurisdiction and venue.
2. ACLUF is a New York not-for-profit corporation with its headquarters and principal place of business in New York City. It has no offices in Florida, and no personnel who are officed or regularly work in Florida.
3. A diligent search of all of the files and records of ACLUF has uncovered no evidence or indication whatever that the plaintiff in this action, Dennis Montgomery, had ever been a client of ACLUF, the ACLU, or of any ACLU or ACLUF attorney. In fact, the ACLU does not employ any individuals to represent clients on its behalf.

4. I understand that the complaint in the above-captioned lawsuit also names as defendants Daniel Pochoda and Joshua Bendor, and identifies them each, in the caption, as employed by the ACLU of Arizona. They are each employees of the ACLU Foundation of Arizona, which is not a subsidiary of or under the direction or control of ACLUF or the ACLU. ACLU Foundation of Arizona has its own Board and budget, and the ACLU Foundation of Arizona and its staff counsel and fellows (including Messrs. Pochoda and Bendor) are not subject to the direction and control of ACLUF or the ACLU.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 17, 2015.


Terence Dougherty