

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ARTHUR L. BRASHER, Individually and on )  
Behalf of All Others Similarly Situated, )  
 )  
Plaintiff, )

vs. )

BROADWIND ENERGY, INC., J. )  
CAMERON DRECOLL, STEPHANIE K. )  
KUSHNER, MATTHEW J. GADOW, )  
STEPHEN E. GRAHAM, and KEVIN E. )  
JOHNSON, )  
Defendants )

CASE NO. 1:11-cv-00991

Honorable James B. Zagel

**DECLARATION IN SUPPORT OF MOVANT JERRY PEHLKE, JR.'S MOTION  
FOR APPOINTMENT OF LEAD PLAINTIFF AND APPROVAL OF  
LEAD PLAINTIFF'S SELECTION OF LEAD AND LIAISON COUNSEL**

I, William B. Federman, declare under penalty of perjury as follows:

1. I am an attorney duly admitted to the New York, Oklahoma, and Texas state bars. I am a member of the law firm of Federman & Sherwood, counsel for Jerry Pehlke, Jr. ("Movant" or "Pehlke") in the above-referenced action.

2. I submit this Declaration in support of Pehlke's motion for an order pursuant to §21D(a)(3)(B) of the Securities Exchange Act of 1934 ("Exchange Act"), as amended by the Private Securities Litigation Reform Act of 1995 (the "PSRLA"), (a) appointing Pehlke as Lead Plaintiff in such action; (b) approving Movant's selection of the firms of Federman & Sherwood as Lead Counsel and James T. Crotty & Associates as Liaison Counsel; and (c) granting such other relief as the Court may deem just and proper.

3. Attached hereto as Exhibit 1(A) is a true and correct copy of the PSLRA certification form signed by Pehlke pursuant to §21D(a)(2)(A) of the Exchange Act.

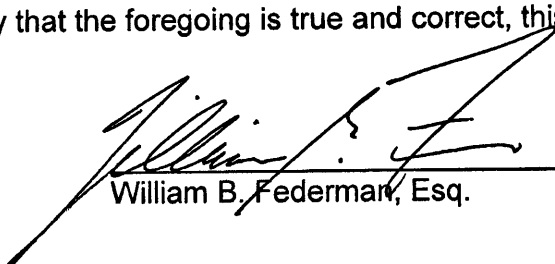
4. Attached hereto as Exhibit 1(B) is the Securities Exchange Act loss analysis for Pehlke.

5. Attached hereto as Exhibit 1(C) is a copy of the notice disseminated by Robbins Geller Rudman & Dowd LLP over *Businesswire*, informing class members of the pendency of the first filed securities class action and their right to file a motion for appointment as Lead Plaintiff.

6. Attached hereto as Exhibit 1(D) is a copy of the firm resume of Federman & Sherwood.

7. Attached hereto as Exhibit 1(E) is a copy of the firm resume of James T. Crotty & Associates.

I declare under penalty of perjury that the foregoing is true and correct, this 12th day of April, 2011.

  
William B. Federman, Esq.

Plaintiffs Certification of Investment of  
Broadwind Energy, Inc. [NASDAQ: BWEN]

I, Jerry Pehlke Jr., hereby certify that the following is true and correct to the best of my knowledge, information and belief:

1. I have reviewed the Complaint in this action and authorize the filing of this Certification.

2. If chosen, I am willing to serve as a representative party on behalf of the class (the "Class") as defined in the Complaint, including providing testimony at deposition and trial (if necessary). I am willing to participate on an executive committee of shareholders.

3. Plaintiff's transaction in Broadwind Energy, Inc. [NASDAQ: BWEN] security that is the subject of this action is:

# SHARES PURCHASED	DATE PURCHASED	PRICE PER SHARE	CLASS OF STOCK (e.g. COMMON)	IF SOLD, # OF SHARES SOLD	DATE SOLD (if sold)	PER SHARE SOLD PRICE
112000	7/2/09	\$11.30	COMMON	112000	6/25/10	\$2.33

(continue on blank piece of paper, if necessary)

4. I did not purchase these securities at the direction of my counsel, or in order to participate in a lawsuit under the Securities Exchange Act of 1934.

5. During the three-year period preceding the date of the Certification, I have not sought to serve, nor have I served, as a representative to any party or on behalf of any class in any action arising under the Securities Exchange Act of 1934.

6. I will not accept any payment if chosen to serve as a representative party on behalf of the Class beyond my pro rata share of an award to the Class, or as otherwise ordered and approved by the Court.

Signed under penalty of perjury, this 4 day of March, 2011.

Jerry Pehlke Jr.  
Signature  
JERRY PEHLKEJ  
Name (please print)

Return to:  
William B. Federman  
FEDERMAN & SHERWOOD  
10205 North Pennsylvania Avenue  
Oklahoma City, OK 73120  
(405) 235-1560/Fax (405) 239-2112

**JERRY PEHLKE, JR. – LOSS ANALYSIS  
BROADWIND ENERGY, INC. TRANSACTION**

**Transaction History:**

<b>Date</b>	<b>Transaction</b>	<b>Shares</b>	<b>Price</b>	<b>Transaction Amount</b>
7/02/09	Buy	112,000	\$11.30	\$1,265,600
6/25/10	Sell	112,000	\$2.33	\$260,960

<b><u>Loss Analysis:</u></b>	<b><u>Share Total</u></b>	<b><u>Price</u></b>	<b><u>Value</u></b>
Total Shares Retained on 06/09/10: <sup>1</sup>	112,000	\$11.30	\$1,265,600
Value of Retained Shares at the mean closing price during the period 3/12/10 – 6/09/10	112,000	\$ 3.69	\$ 413,280
<b>Total Loss:</b>			<b><u>\$ 852,320</u></b>

<sup>1</sup> Broadwind's partial corrective disclosure occurred on 03/12/10. Pursuant to 15 U.S.C. § 78u-4(e)(1), the loss calculation is based on the mean trading price during the 90-day period beginning on the date of the partial corrective disclosure, which ended on 06/09/10.



Robbins Geller  
Rudman & Dowd LLP

February 11, 2011 03:38 PM Eastern Daylight Time

## **Robbins Geller Rudman & Dowd LLP Files Class Action Suit against Broadwind Energy, Inc.**

NEW YORK--(BUSINESS WIRE)--Robbins Geller Rudman & Dowd LLP ("Robbins Geller") (<http://www.rgrdlaw.com/cases/broadwind/>) today announced that a class action has been commenced in the United States District Court for the Northern District of Illinois on behalf of purchasers of Broadwind Energy, Inc. ("Broadwind" or the "Company") (NASDAQ:BWEN) common stock between March 17, 2009 and August 9, 2010, inclusive (the "Class Period"), seeking to pursue remedies under the Securities Exchange Act of 1934 (the "Exchange Act").

If you wish to serve as lead plaintiff, you must move the Court no later than 60 days from today. If you wish to discuss this action or have any questions concerning this notice or your rights or interests, please contact plaintiff's counsel, Samuel H. Rudman or David A. Rosenfeld of Robbins Geller at 800/449-4900 or 619/231-1058, or via e-mail at [djr@rgrdlaw.com](mailto:djr@rgrdlaw.com). If you are a member of this Class, you can view a copy of the complaint as filed or join this class action online at <http://www.rgrdlaw.com/cases/broadwind/>. Any member of the putative class may move the Court to serve as lead plaintiff through counsel of their choice, or may choose to do nothing and remain an absent class member.

The complaint charges Broadwind and certain of its officers and directors with violations of the Exchange Act. Broadwind provides products and services to the wind energy industry primarily in the United States.

The complaint alleges that, throughout the Class Period, defendants failed to disclose material adverse facts about the Company's true financial condition, business and prospects. Specifically, the complaint alleges that: (a) Broadwind's RBA subsidiary was experiencing significant issues with key contracts; (b) Broadwind was materially overstating its financial condition by improperly delaying the recognition of the impairment of its goodwill and intangible assets related to its RBA subsidiary; (c) as a result of the above, Broadwind's financial statements were not prepared in accordance with Generally Accepted Accounting Procedures and, therefore, were materially false and misleading; (d) the Company was experiencing a reduction in demand from its customers; and (e) as a result of the foregoing, defendants lacked a reasonable basis for their positive statements about the Company and its prospects.

On March 12, 2010, Broadwind announced its financial results for the fourth quarter and fiscal year of 2009, the period ended December 31, 2009. For the quarter, the Company reported revenues of \$32.9 million and a net loss of \$92.6 million or \$0.96 per basic and diluted share, including a goodwill and intangible charge of \$82.2 million. In reaction to the Company's weak 2009 fourth quarter results, shares of the Company's stock fell \$1.21 per share, or 21%, to close at \$4.47 per share, on heavy trading volume.

Then, on August 9, 2010, Broadwind issued a press release announcing its financial results for the second quarter of 2010, the period ended June 30, 2010. For the quarter, the Company reported revenues of \$36.6 million and a net loss of \$14.2 million or \$0.13 per share. In reaction to the disclosure of the continued weak demand for the Company's products, the price of Broadwind's stock fell \$0.35 per share, or 12%, to close at \$2.50 per share.

**EXHIBIT 1(C)**

Plaintiff seeks to recover damages on behalf of all purchasers of Broadwind common stock during the Class Period (the "Class"). The plaintiff is represented by Robbins Geller, which has expertise in prosecuting investor class actions and extensive experience in actions involving financial fraud.

Robbins Geller, a 180-lawyer firm with offices in San Diego, San Francisco, New York, Boca Raton, Washington, D.C., Philadelphia and Atlanta, is active in major litigations pending in federal and state courts throughout the United States and has taken a leading role in many important actions on behalf of defrauded investors, consumers, and companies, as well as victims of human rights violations. The Robbins Geller Web site (<http://www.rgrdlaw.com>) has more information about the firm.

**Contacts**

Robbins Geller Rudman & Dowd LLP  
Samuel H. Rudman, 800-449-4900  
David A. Rosenfeld  
[djr@rgrdlaw.com](mailto:djr@rgrdlaw.com)



## FEDERMAN & SHERWOOD

(An Association of Attorneys and Professional Corporations)

10205 N. PENNSYLVANIA AVENUE  
OKLAHOMA CITY, OKLAHOMA 73120  
405-235-1560  
FACSIMILE: 405-239-2112

2926 MAPLE AVENUE  
SUITE 200  
DALLAS, TEXAS 75201  
214-696-1100  
FACSIMILE: 214-740-0112

### FIRM RESUME

**WILLIAM B. FEDERMAN.** Admitted to practice: 1982, Oklahoma, U.S. District Court for the Western District of Oklahoma; 1983, U.S. District Court for the Northern District of Oklahoma, U.S. Court of Appeals, Tenth Circuit; 1985, District of Columbia; 1988, New York, U.S. District Court for the Eastern and Western Districts of Arkansas; 1990, U.S. District Court for the Southern District of New York; 1995, Texas; 1996, U.S. District Court for the Eastern District of Oklahoma; 1998, U.S. District Court for the Southern District of Texas; 1999, U.S. District Court for the Northern District of Texas, U.S. Court of Appeals, Federal Circuit; 2002, U.S. District Court of Colorado, U.S. District Court for the Eastern District of Texas; 2003, U.S. Court of Appeals, Second and Fourth Circuits, U.S. District Court for the Eastern District of New York; 2004, U.S. Court of Appeals, Fifth Circuit; 2005, United States Supreme Court, U.S. District Court for the Western District of Texas; 2006, U. S. Court of Appeals, First and Eleventh Circuits; U.S. District Court for the Northern District of Ohio; 2007, U.S. Court of Appeals, Third Circuit; 2008, U.S. Court of Appeals, Eighth Circuit; 2009, U.S. Court of Appeals, Sixth Circuit; 2010, U.S. Court of Appeals, Seventh Circuit. Education: Boston University (B.A., cum laude, 1979); University of Tulsa (J.D., 1982). Phi Alpha Delta (Treasurer, 1980-1982). Lectures: *"Who's on First?-Inside a Disclosure Crisis*, presented by 30<sup>th</sup> Annual Northwest Securities Institute; sponsored by Washington Bar Association; *"Managing Directors' Liability*," presented by Annual Energy Industry Directors Conference; sponsored by Rice University and the law firm of Fulbright & Jaworski; *"Executive Liability 2009 D & O Market Trends Seminar*," presented by Chartis Insurance; *"Litigation and Employment Law Update*," presented by the Securities Industry Association-Compliance and Legal Division; *"Derivative Actions and Protecting the Corporation; Critical Issues in Today's Banking*," presented by Oklahoma Bar Association/Oklahoma Bankers Association; *"Arbitration - What Is It? Why Should a Lawyer Suggest or Use It?"*, presented by Oklahoma Bar Association; *"The Attorney and Accountant as Targets in Failed Financial Institution Litigation*," presented by American Bar Association-Trial Practice Committee Mid-Year Meeting; *"Effective Arbitration in the 1990's, Adapting to Build a Successful Practice*," presented by Oklahoma County Bar Association; *"Current Issues in Direct Investments and Limited Partnerships: The Litigation Scene From All Perspectives*," presented by American Bar Association-Litigation Section Annual Meeting; *"Stockbroker Litigation and Arbitration*," presented by Securities Arbitration Institute. Publications: *"Who's Minding the Store: The Corporate Attorney-Client Privilege*," 52 O.B.J. 1244, 1981; *"Potential Liability From Indirect Remuneration in Private Oil and Gas Offerings*," 11 Sec. Reg. L.J. 135, 1983; *"Capitalism and Reality Meet in the Courts. . .Finally*," 59 O.B.J. 3537, 1987. Member: Arbitration Panel, New York Stock Exchange, 1985; Oklahoma County Bar Association (Member, Committee on Professionalism, 1987-1990); Oklahoma, Texas, New York and American Bar Association (Committee on Securities Litigation and Corporate Counsel); The District of Columbia Bar; American Inns of Court (Barrister and Master, 1990-1993, 2002-2004); inducted into the Outstanding Lawyers of America, 2003; received the Martindale-Hubbell peer review rating of AV Preeminent in both ethical standards and legal ability.

EXHIBIT 1(D)

FEDERMAN & SHERWOOD

Page 2

**JOHN CHARLES SHERWOOD.** Born Dallas, Texas. Education: Texas Christian University, (BBA, magna cum laude, 1981); Baylor School of Law (J.D., 1984). Areas of Practice: Litigation. Board Certified: Civil Trial Law, Personal Injury Trial Law, Texas Board of Legal Specialization. Organizations: Texas Trial Lawyers, Association of Trial Lawyers of America, Dallas Trial Lawyers Association, Dallas Bar Association, Former Chairperson of the Solo and Small Firm Section of the Dallas Bar Association (1999), Member of the College of the State Bar of Texas, and founding President of Citizens For a Fair Judiciary (Political Action Committee). Licenses and Courts of Practices: Member of the State Bar of Texas, National Board of Trial Advocacy, Licensed as a Certified Public Accountant by the Texas State Board of Public Accountancy, admitted to practice before the United States Tax Court, United States District Court, Northern District of Texas, United States Fifth Circuit Court of Appeals, and the United States Supreme Court. Papers Presented: *Other People's Money*, Presented to the Dallas Bar Association, Solo and Small Firm Section, 1996 and 1998.

**STUART W. EMMONS.** Born Stillwater, Oklahoma. Education: University of Oklahoma (J.D., 1987, with distinction); University of Oklahoma (B.B.A., Accounting, 1984, with distinction). Admitted to practice: 1987, Oklahoma; 1987, U.S. District Court for the Western District of Oklahoma; 1990, U.S. District Court for the Northern District of Oklahoma; 1992, U.S. Court of Appeals, Tenth Circuit; 1994, U.S. Court of Appeals, Eighth Circuit; U.S. Patent and Trademark Office; 2002, U.S. District Court for the District of Colorado; U.S. District Court for the Southern District of Texas; 2003, U.S. Court of Appeals, Second Circuit, U.S. Court of Appeals, Fourth Circuit; 2004, U.S. District Court for the Northern District of Texas; U.S. Court of Appeals, Fifth Circuit; 2005, United States Supreme Court. Member: Oklahoma County and Oklahoma Bar Associations; 1988-1989, Law Clerk to the Hon. Layn R. Phillips, U.S. District Court for the Western District of Oklahoma.

**JENNIFER SELLING MONTAGNA.** Born Oklahoma City, Oklahoma. Education: University of Oklahoma (B.A. 1993, President's and Dean's Honor Roll, Omicron Delta Kappa Leadership Honor Society, President's Leadership Class); University of Texas School of Law (J.D. 1999, with honors); Intern, Honorable Timothy Leonard, U.S. District Court for the Western District of Oklahoma, 1997. Admitted to Practice: 1999, Texas; 2000, U.S. District Court for the Western District of Texas; 2001, U.S. Court of Appeals, Fifth Circuit; 2007, U.S. District Court for the Southern District of Texas; 2008, Oklahoma. Member: Oklahoma Bar Association; Oklahoma County Bar Association; State Bar of Texas; American Bar Association.

**JENNIFER F. SHERRILL.** Born Fort Smith, Arkansas. Education: Hendrix College (B.A. 1996); University of Arkansas, Plant Pathology (M.S. 1998); University of Tulsa, College of Law (J.D. 2002, Highest Honors) (Order of the Curule Chair and Outstanding Law Student Award). Admitted to practice: 2003, Oklahoma and U.S. District Court for the Northern and Western Districts of Oklahoma; 2003, U.S. District Court for the Northern, Eastern and Southern Districts of Texas. Member: Oklahoma Bar Association. Publication: *An Inter- and Intra-Species Variation in Colletotrichum and Mechanisms Which Affect Population Structure, In Collectotrichum: Host Specificity, Pathology, and Host-Pathogen Interaction.* Languages: German.

**SARA E. COLLIER.** Born Hampton, Virginia. Education: Oklahoma Christian University (B.S. 2000); Oklahoma City University School of Law (J.D. 2004). Admitted to practice: 2005, Oklahoma; 2005, U.S. District Courts for the Western, Eastern and Northern Districts of Oklahoma; 2007, U.S. District Court for the Southern District of Texas. Member: Oklahoma Bar Association, American Bar Association, American Trial Lawyers' Association. Languages: French.



FEDERMAN & SHERWOOD

Page 3 .

**JOSHUA D. WELLS.** Born Ft. Worth, Texas. Education: Oklahoma Baptist University (B.A. 2004); Oklahoma City University College of Law (J.D. 2008) (Dean's List, Faculty Honor Roll, OCU American Trial Lawyers Association Moot Court Team, 2008; Staff Member, Law Review, 2006-07; Executive Editor, Law Review, 2007-08). Admitted to practice: 2008, Oklahoma; U. S. District Court for the Western District of Oklahoma; 2009, U.S. District Court for the Eastern District of Oklahoma. Member: Oklahoma Bar Association. Publication: *Stuck in the Mire: The Incomprehensible Labor Law*, 34 Okla. City U.L. Rev. 131 (2009). Experience: Research Assistant to J. William Conger, General Counsel and Distinguished Lecturer of Law, Oklahoma City University and President of the Oklahoma Bar Association (2007-08).

**A. BROOKE MURPHY.** Born Oklahoma City, Oklahoma. Education: Oklahoma City University (B.A. summa cum laude, 2005; Robert L. Jones Outstanding Senior Paper Award; Women's Leadership Award); University of Oklahoma College of Law (J.D. 2010; Dean's List, First Amendment Moot Court Team, Assistant Articles Editor of Oklahoma Law Review). Publication: *Credit Rating Immunity? How the Hands-Off Approach Toward Credit Rating Agencies Led to the Subprime Credit Crisis and the Need for Greater Accountability*, 62 Okla. L. Rev. 735 (2010). Admitted to practice: 2010, Oklahoma; U.S. District Court for the Western District of Oklahoma; U.S. District Court for the Northern District of Texas.

**PARALEGALS:**

**NANCY G. BEATTY.** Ms. Beatty has over thirty years of legal experience. She primarily works on coordinating and administrating of class action product liability and other complex litigation. Ms. Beatty has served on several professional advisory boards in Oklahoma and Tennessee.

**TERRY A. HULL.** Mr. Hull provides in-depth expertise in online research and data development. Mr. Hull had been the Managing Editor of a daily newspaper with circulation of over 26,000. He holds both a Bachelor of Arts and Master of Arts degrees.

**K. LYNN NUNN.** Ms. Nunn has worked in the legal field in Oklahoma City since 1983, following her work in the securities and insurance industry, where she held several licenses. Ms. Nunn primarily works on securities and class action litigation, as well as providing technology support for the firm.

**SHARON J. KING.** Ms. King has worked in the legal community for over ten years, after having worked in the securities and insurance industry for over fifteen years. She primarily works on insurance bad faith, personal injury, wrongful death and civil litigation.

**ROBIN K. HESTER.** Ms. Hester has been a litigation legal assistant for over twenty years. For the past five years, Ms. Hester was a litigation case manager handling over 150 securities and civil litigation cases and managing 5 legal assistants. She primarily works in securities and civil litigation.

**JUDITH A. BERRY.** Ms. Berry has been a litigation assistant for over twenty-seven years. She primarily works on complex securities and class action litigation for the firm.

**FRANDELIND V. SHOALS.** Ms. Shoals has worked in the legal community for twelve years. She attended the University of Central Oklahoma where she majored in liberal arts and was on the Dean's Honor Roll. She provides class action, securities litigation and product liability support for the firm.

FEDERMAN & SHERWOOD

Page 4

**ALLICIA D. BOLTON.** Ms. Bolton has worked in the legal profession for over nine years. She has experience in a wide area of the law, including real estate and corporate law. Ms. Bolton provides securities and complex litigation support for our firm.

**JENNY M. JOHNSTON.** Ms. Johnston joined Federman & Sherwood to provide additional class action litigation support. After completion of her Bachelor of Arts degree from the University of Central Oklahoma, Ms. Johnston worked in advertising over ten years, where she handled both local and national accounts.

James T. Crotty  
Attorney at Law  
3S126 Park Blvd.  
Glen Ellyn, IL 60137

Telephone  
312-623-1599

E-Mail:  
[jamestcrotty@aol.com](mailto:jamestcrotty@aol.com)

### **Experience**

Mr. Crotty concentrates his practice in the litigation of civil matters. He has represented parties in a wide variety of cases including business and commercial disputes, real estate disputes, violation of the Racketeer Influenced and Corrupt Organizations Act (RICO Act), disputes under the Employee Retirement Income Security Act (ERISA), shareholder derivative actions, arson and other fraudulent insurance claims, large property damage claims, personal injury and wrongful death cases. He has tried to verdict cases in various federal and state courts in Illinois, Indiana, Wisconsin, Michigan and Ohio. He has also acted as local counsel or liaison counsel in a number of shareholder derivative cases in both the federal and state courts.

### **Admitted to Bar**

United States District Court for the Northern District of Illinois  
Trial Bar - United States District Court for the Northern District of Illinois  
Seventh Circuit Court of Appeals  
United States Supreme Court  
Supreme Court for the State of Illinois

### **Education**

John Marshall Law School, Chicago, Illinois  
Juris Doctor, 1973

University of Illinois, Champaign-Urbana, Illinois  
B.S. - Management, 1963