

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SEAN D. RIES, JOHN R. MURRAY,)
PHILIP C. HENRY, and others)
similarly situated,)

Plaintiffs,)

v.)

Civil Action No. 04-CV-40179

ALLMERICA FINANCIAL)
CORPORATION, ALLMERICA)
FINANCIAL LIFE INSURANCE AND)
ANNUITY COMPANY, and)
FREDERICK H. EPPINGER, JR.,)

Defendants.)

AFFIDAVIT OF JONATHAN S. MCANNEY, ESQ.

Before me, the undersigned notary public, this day personally appeared Jonathan S. McAnney, Esquire, to me known (or satisfactorily proven), who being duly sworn according to law, deposes and states the following:


1. I am an attorney in the law firm of Tucker Arensberg, P.C., located in Pittsburgh, Pennsylvania.

2. I have had primary responsibility for handling the within litigation on behalf of our clients Sean D. Ries, John R. Murray, Philip C. Henry, and others similarly situated ("Plaintiffs").

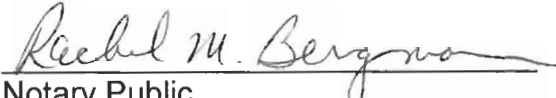
3. This Affidavit is intended to provide the court with a basis for awarding counsel fees and costs to the Plaintiffs incurred in the preparation and filing of court documents relating to the Defendants' removal and transfer of the instant action.

4. All of the fees and costs are reasonable and were necessary to the preparation and filing of the various court documents necessary to defend against the Defendants' removal and transfer actions.

5. Total fees billed to Plaintiffs by Tucker Arensberg, P.C., from the date of Defendants' removal action through the filing of the Motion for Counsel Fees is \$40,565.50. The total for other expenses, including court costs and hiring of local counsel is \$1,207.33.


Jonathan S. McAnney, Esq.

Subscribed and sworn to
before me this 3rd day
of June, 2005.


Notary Public

My commission expires:

