

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LESTER NOAH SHAW, M.D., :

Case No. 17-mc-448

Plaintiff,

- against - :

GIANFRANCO ARENA, RIVERSOURCE LIFE
INSURANCE COMPANY, :

**DECLARATION OF
GLEN FEINBERG**

Defendants. :

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GLEN FEINBERG, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am a member of the law firm of Wilson, Elser, Moskowitz, Edelman & Dicker LLP attorneys for plaintiff, Lester Noah Shaw, M.D. I am fully familiar with the facts and circumstances set forth in this Declaration.

2. I submit this Declaration in support of Dr. Lester Noah Shaw’s motion to quash the subpoenas pursuant to Rule 45.

3. Attached hereto as Exhibit A is a true and accurate copy of the Summons & Complaint in the action in District Court of New Jersey, entitled *Gianfranco Arena v. RiverSource Life Insurance Co.*, (hereinafter referred to as the “*RiverSource*”).

4. Attached hereto as Exhibit B is a true and accurate copy of the answer of River Source Life Insurance Company in *RiverSource*.

5. Attached hereto as Exhibit C is a true and accurate copy of the amended answer of RiverSource Life Insurance Company in *RiverSource*.

6. Attached hereto as Exhibit D is a true and accurate copy of the Joint Discovery Plan in *RiverSource*.

7. Attached hereto as Exhibit E is a true and accurate copy of Confidentiality Agreement and Order in *RiverSource*.

8. Attached hereto as Exhibit F is a true and accurate copy of the Summons & Complaint in the Supreme Court of the State of New York, County of New York action entitled *Gianfranco Arena, Administrator of the Estate of Christine L. Arena, and Gianfranco Arena, Individually v. Lester Noah Shaw, M.D.*, Index No. 850095/2017 (hereinafter referred to as “*Arena v. Shaw*”).

9. Attached hereto as Exhibit G Answer is a true and accurate copy of defendant, Lester Noah Shaw, M.D.’s Answer in *Arena v. Shaw*.

10. Attached hereto as Exhibit H is a true and accurate copy of all discovery demands served by defendant in *Arena v. Shaw*.

11. Attached hereto as Exhibit I is a true and accurate copy of Gianfranco Arena’s subpoena served on Dr. Shaw in *RiverSource*.

12. Attached hereto as Exhibit J is a true and accurate copy of RiverSource Life Insurance’s subpoena served on Dr. Shaw in *RiverSource*.

13. Attached hereto as Exhibit K is a true and accurate copy of the letter from Glen Feinberg dated October 3, 2017 to Cravath, Swaine & Moore, LLP in *RiverSource*.

14. Attached hereto as Exhibit L is a true and accurate copy of the letter from Glen Feinberg dated October 4, 2017 to Cravath, Swaine & Moore, LLP and Gordon & Rees, LLP in *RiverSource*.

15. Attached hereto as Exhibit M is a true and accurate copy of the letter from Cravath, Swaine & Moore, LLP to Glen Feinberg, dated October 6, 2017 in *RiverSource*.

16. Attached hereto as Exhibit N is a true and accurate copy Dr. Shaw's motion to compel in *Arena v. Shaw*.

17. Attached hereto as Exhibit O is a true and accurate copy of Mr. Arena's records of medication administration.

18. Attached hereto as Exhibit P is a true and accurate copy Gianfranco Arena's discovery responses in *Arena v. Shaw* action.

19. Attached hereto as Exhibit Q is a true and accurate copy of Dr. Shaw's good faith letter in *Arena v. Shaw*.

20. Attached hereto as Exhibit R is a true and accurate copy of Gianfranco Arena's bill of particulars in *Arena v. Shaw*.

I declare under penalty of perjury under the laws of the United States of America and pursuant to Title 28, U.S. Code § 1746 that the foregoing is true and correct.

Dated: White Plains, New York
November 13, 2017

Yours, etc.,

WILSON, ELSER, MOSKOWITZ, EDELMAN &
DICKER LLP

By: 

Glen Feinberg (GF 4790)

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