

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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	)	
SMARTMATIC USA CORP., SMARTMATIC	)	
INTERNATIONAL HOLDING B.V., and SGO	)	
CORPORATION LIMITED,	)	Index No. 151136/2021
	)	
<i>Plaintiffs,</i>	)	Hon. David B. Cohen, J.S.C.
	)	
-against-	)	Motion Sequence No. 008
	)	
FOX CORPORATION, FOX NEWS NETWORK LLC,	)	
LOU DOBBS, MARIA BARTIROMO, JEANINE	)	Affirmation of
PIRRO, RUDOLPH GIULIANI, and SIDNEY	)	<u>Howard Kleinhendler</u>
POWELL,	)	
	)	
<i>Defendants.</i>	)	
	)	
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HOWARD KLEINHENDLER, an attorney admitted to practice in the State of New York, affirms the following under penalty of perjury:

1. I am counsel to defendant Sidney Powell and submit this affirmation in support of her motion to dismiss the complaint.

2. Attached as Exhibit 1 is a copy of the Complaint in the above matter, without exhibits. The exhibits to the complaint are voluminous. They were electronically filed by plaintiffs at docket entries 3-177.

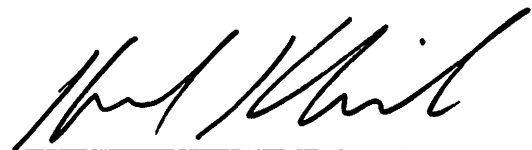
3. Attached as Exhibit 2 is a copy of Fox Corp., Annual Report (Form 10-K) (June 30, 2019). Available at [https://www.sec.gov/Archives/edgar/data/1754301/000156459019031285/fox-10k\\_20190630.htm](https://www.sec.gov/Archives/edgar/data/1754301/000156459019031285/fox-10k_20190630.htm).

4. Attached as Exhibit 3 is a copy of Benjamin Mullin and Alexa Corse, *Voting Machine Company Smartmatic Sues Fox News Over Election Claims*, WSJ (Feb. 4, 2021, 2:55 pm EST), <https://www.wsj.com/articles/voting-machine-company-smartmatic-sues-fox-news-over-election-claims-11612463623> (last visited April 5, 2021).

5. Attached as Exhibit 4 is a copy of Bob Davis, *Smartmatic to Shed U.S. Unit, End Probe Into Venezuelan Links*, WSJ (Dec. 22, 2006, 12:01 am EST), <https://www.wsj.com/articles/SB116674617078557263> (last visited April 5, 2021)

6. Attached as Exhibit 5 is a copy of Bob Davis and Glenn Simpson, *U.S. Authorities Probe How Smartmatic Won Venezuela Election Pact*, WSJ (Dec. 1, 2006, 12:01 am EST), <https://www.wsj.com/articles/SB116493756785237566> (last visited April 5, 2021)

Dated: New York, New York  
April 7, 2021

  
Howard Kleinhendler