

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

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JOSEPH RAKOFSKY, and RAKOFSKY LAW : Index No. 105573/2011  
FIRM, P.C., :  
 :  
Plaintiffs, : **AFFIDAVIT OF**  
 : **SARAH RANDAG**  
- against - :  
 :  
THE WASHINGTON POST, *et al.*, :  
 :  
Defendants. : **ORAL ARGUMENT**  
 : **REQUESTED**  
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STATE OF ILLINOIS )  
 ) SS  
COUNT OF COOK )

Sarah Randag, being duly sworn, deposes and says:

1. I am a Web Editor for the American Bar Association’s online journal, abajournal.com. I am named as a defendant, together with the American Bar Association, abajournal.com, and Debra Cassens Weiss (the “ABA Defendants”) in the above captioned case. This affirmation is submitted in support of the ABA Defendants’ motion to dismiss plaintiffs’ Amended Complaint.

2. I authored the article entitled “Around the Blawgosphere: Joseph Rakofsky Sound Off; Client Poachers; and the End of Blawg Review?” published on abajournal.com on April 8, 2011, a true and correct copy of which is attached hereto as Exhibit 1.

3. In the section of my article related to Joseph Rakosky, I summarized news articles that were published online and postings from several well-known legal blogs. I used these articles (including those published by abajournal.com) and blogs as sources for this section

because each was well-respected in the fields of news reporting, legal republication, or blogging.

The articles and blogs that I used in this section were as follows:

- a. an article entitled “D.C. Superior Court judge declares mistrial over attorney’s competence,” published online by *The Washington Post* on April 1, 2011, a true and correct copy of which is attached hereto as Exhibit 2;
- b. an article entitled “Lawyer Who Never Tried a Case Proud of Murder Mistrial on Facebook, Humiliated in Interview,” published on abajournal.com on April 5, 2011, a true and correct copy of which is attached hereto as Exhibit 3;
- c. an article entitled “‘Astonished’ Judge Declares Murder Mistrial Due to Defense Lawyer Who Never Tried a Case,” published on abajournal.com on April 4, 2011, a true and correct copy of which is attached hereto as Exhibit 4;
- d. an article entitled “My Cousin Vinny IRL,” published on minnlawyer.com on April 7, 2011, a true and correct copy of which is attached hereto as Exhibit 5;
- e. an article entitled “Inexperienced Lawyer Dismissed in D.C. Murder Trial,” published on koehlerlaw.net on April 2, 2011, a true and correct copy of which is attached hereto as Exhibit 6;
- f. an article entitled “The Object Lesson of Joseph Rakofsky,” published on bennettandbennett.com on April 4, 2011, a true and correct copy of which is attached hereto as Exhibit 7;
- g. an article entitled “The Day, The Music, Died. (Reactions from Criminal Defense Lawyers and Marketers),” published on criminaldefenseblog.blogspot.com on April 5, 2011, a true and correct copy of which is attached hereto as Exhibit 8;

- h. an article entitled "Six Steps Backward," published on [blog.simplejustice.us](http://blog.simplejustice.us) on April 6, 2011, a true and correct copy of which is attached hereto as Exhibit 9;
  - i. an article entitled "Small Firms, Big Lawyers: Six Steps to Becoming an Expert," published on [abovethelaw.com](http://abovethelaw.com) on April 4, 2011, a true and correct copy of which is attached hereto as Exhibit 10;
  - j. an article entitled "The Right To Counsel Includes The Right To Fire Your Lawyer," published on [litigationandtrial.com](http://litigationandtrial.com) on April 5, 2011, a true and correct copy of which is attached hereto as Exhibit 11;
  - k. an article entitled "Time to Kill" published on [blondejustice.blogspot.com](http://blondejustice.blogspot.com) in April 2011, a copy of which is no longer available (*see* Exhibit 12);
  - l. an article entitled "A Silver Lining" published on [notguiltynoway.com](http://notguiltynoway.com) on April 5, 2011, a true and correct copy of which is attached hereto as Exhibit 13;
  - m. an article entitled "Ineffective assistance of counsel, again," published on [notguiltynoway.com](http://notguiltynoway.com) on April 8, 2011, a true and correct copy of which is attached hereto as Exhibit 14; and
  - n. an article entitled "Prosecutor Concerns About Defense Spur Reversal; Lawyer Accused of Calling Client 'Toast,'" published on [abajournal.com](http://abajournal.com) on April 7, 2011, a true and correct copy of which is attached hereto as Exhibit 15.
4. Under penalty of perjury, I affirm that the foregoing is true and correct to the best

of my knowledge

*Sarah Randag*

Sarah Randag

*Subscribed and Sworn  
to before me this 29th  
day of March, 2012*  
*Amy Eggert*

