

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiffs,)
)
STATE OF NEW YORK, STATE OF NEW)
JERSEY, STATE OF CONNECTICUT,)
HOOSIER ENVIRONMENTAL COUNCIL,)
and OHIO ENVIRONMENTAL COUNCIL,)
) Civil Action No. 1:99-cv-1693-LJM-JMS
Plaintiff-Intervenors,)
)
v.)
)
CINERGY CORP., PSI ENERGY, INC., and)
THE CINCINNATI GAS & ELECTRIC)
COMPANY,)
)
Defendants.)

**DECLARATION OF KOSTA STANKO STOJILKOVIC IN RESPONSE TO ORDER TO
SHOW CAUSE**

I, Kosta Stanko Stojilkovic, declare as follows under penalty of perjury:

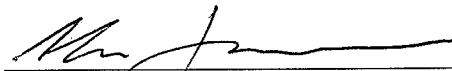
1. As an associate with Sidley Austin LLP, I have worked on the case referenced above since September 2007.
2. I was admitted *pro hac vice* to the United States District Court for the Southern District of Indiana for purposes of this case on April 25, 2008.
3. I was not aware, at any time prior to or during the liability trial in this case, of the existence of any compensation agreement between Mr. Robert Batdorf and Cinergy or Duke Energy.

4. I first learned of the existence of such an agreement in October 2008 by reviewing email exchanges between Plaintiffs' and Defendants' counsel discussing the matter of Mr. Batdorf's compensation. I did not participate in any of the email exchanges.

5. I did not personally review the history or terms of the agreement until after the parties submitted briefing on Plaintiffs' Motion for New Trial.


I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NAUGHT.



KOSTA STANKO STOJILKOVIC
Sidley Austin LLP
1501 K Street, NW
Washington, DC 20005
(202) 736-8131

Sworn to and subscribed in my presence this 7th day of January 2009.



Notary Public