

DECLARATION OF RON SMITH

I, Ron Smith, declare:

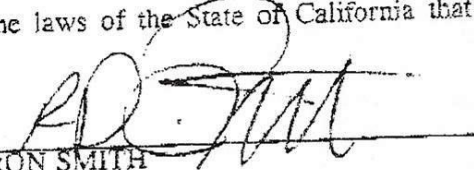
1. That I am an individual over the age of eighteen years and that I am a councilman for the City of Lancaster, County of Los Angeles, State of California.
2. That I am one of the named defendants in the pending action entitled *Arnold Rodio vs. Ron Smith, etc.*, (Case Number BC388069) and that I make this declaration in support of my Special Motion to Strike, pursuant to Code of Civil Procedure Section 425.16.
3. That I have personal knowledge of each and every fact as stated herein and that I would and could testify competently thereto in a court of law if so requested.
4. That I have read and reviewed the complaint that has been filed against me in this action.
5. That as alleged in the complaint, the subject mailers were made during the period in which the plaintiff, Arnold Rodio, was running for the office of Mayor of the City of Lancaster, State of California, and are related thereto.
6. That my role in the creation of the mailers was that of graphic designer working for the printers.
7. That the plaintiff's complaint does not allege that the subject campaign mailers (Exhibits "A", "B" and "C" to the complaint) were made with actual malice, or with a reckless disregard whether true or not.
8. That not now or at any time have I acted with malice against the plaintiff with regard to the mailers or any other matter whatsoever.
9. That not now or at any time did I believe that anything contained in the subject mailers was false.
10. That the subject mailers merely express opinions as to the qualifications of the plaintiff to hold political office.

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- 11. That as evidenced by the subject mailers, they cite numerous sources relied upon to support the opinions contained therein (i.e., quotes from several individuals and copies of checks in issue).
- 12. That at no time have I ever harbored malice toward the plaintiff and at no time did I know or believe anything contained in any of the political mailers (Exhibits "A", "B" and "C") to be false.
- 13. That I respectfully request that the court grant this Special Motion to Strike plaintiff's complaint and award me reasonable attorney fees and costs incurred in the bringing of this motion.

Dated this 23rd day of April 2008 at LANCASTER California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



RON SMITH
Declarant