

EXHIBIT "1"

DECLARATION OF SCHUL

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**MAID OF THE MIST CORPORATION)
and MAID OF THE MIST)
STEAMBOAT COMPANY, LTD.,)**

Plaintiffs,

v.

**ALCATRAZ MEDIA, LLC,)
ALCATRAZ MEDIA, INC., and)
WILLIAM M. WINDSOR,)**

Defendants.

Civil Action No.

1:06-CV-0714-ODE

DECLARATION OF ROBERT J. SCHUL

STATE OF NEW YORK)
) SS:
COUNTY OF NIAGARA)

ROBERT J. SCHUL (“Declarant”) declares that the following statements are true and correct and based upon his own personal knowledge.

1.

Declarant is the Controller of Plaintiffs Maid of the Mist Corporation (“Corporation”) and Maid of the Mist Steamboat Company, Ltd. (“Steamboat”) (collectively “Maid”). As such, Declarant has personal knowledge of the facts set forth herein.

2.

Declarant is a resident of the State of New York.

3.

Declarant offers this affidavit in support of all motions for attorney's fees and expenses, and for all other purposes allowed by law.

4.

In or about August 2005, Maid employed the law firm of Hawkins & Parnell, LLP ("HP") to prosecute Maid's claim against Alcatraz Media, Inc., Alcatraz Media, LLC (collectively, "Alcatraz") and William M. Windsor and to defend Alcatraz's counterclaims.

5.

As the Controller, I have been charged with reviewing HP's bills and ensuring that they get paid. Maid has received monthly invoices from HP since this litigation began. The invoices identified the attorney's fees and expenses incurred by HP during the previous month in connection with this lawsuit. Beginning in April, 2009, William M. Windsor began a new post-judgment-and-post-mandate phase. This Declaration covers the post-judgment-and-post-mandate phase only.

6.

I have reviewed each invoice from HP. Based on my calculation, the total amount of attorney's fees HP has invoiced Maid for this lawsuit in the post-judgment-and-post-mandate phase through November 30, 2009 is \$170,159.50. The total expenses that HP has invoiced Maid for this lawsuit in the post-judgment-and-post-mandate phase through November 30, 2009 equals \$2,819.51. Maid has paid HP for all such attorney's fees and expenses. Declarant notes that there may be unbilled or uninvoiced attorney's fees and expenses outstanding.

7.

Maid also retained the law firm of Phillips Lytle, LLP ("PL") to serve as counsel for Maid in New York in connection with this lawsuit. Maid has received monthly invoices from PL proceeding the months when PL worked on this lawsuit. The invoices identified the attorney's fees and expenses incurred by PL during the previous month in connection with this lawsuit.

8.

I have reviewed each invoice from PL. Based on my calculation, the total amount of attorney's fees PL has invoiced Maid for this lawsuit in the post-judgment-and-post-mandate phase through November 30, 2009 totals \$12,075.89. The total expenses PL has invoiced Maid for this lawsuit in the post-judgment-and-

post-mandate phase through November 30, 2009 equals \$45.20. Maid has paid PL for all such attorney's fees and expenses. Declarant notes that there may be unbilled or uninvoiced attorney's fees and expenses outstanding.

FURTHER SAITH DECLARANT NOT.

In accordance with 28 U.S.C. § 1746, Declarant declares under penalty of perjury that the foregoing is true and correct.

This 6TH day of January, 2010.



ROBERT J. SCHUL