

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

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FUND.COM INC.,	:	Index No. 650321/2012
	:	
Plaintiff,	:	Motion Sequence No. 008
	:	
-against-	:	<b><u>AFFIRMATION OF</u></b>
	:	<b><u>ARIEL FAITH GURSKY</u></b>
	:	
ADVISORSHARES INVESTMENTS, LLC, et al.,	:	
	:	
Defendants.	:	
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ARIEL FAITH GURSKY, an attorney duly admitted to practice before the courts of this State, affirms under penalty of perjury:

1. I am an associate with the law firm of Morgan, Lewis & Bockius LLP (“Morgan Lewis”), attorneys for Defendant AdvisorShares Investments, LLC (“ASI”) in the above-captioned action. I am fully familiar with the facts and circumstances of this action as they relate to this answer and affirmation. I base this affirmation upon my personal knowledge and my review of the file maintained by my firm relating to this action, as well as all prior proceedings had and papers filed herein.

2. I submit this affirmation according to the so-ordered “Order to Show Cause” issued by Justice Oing on December 23, 2016 (Dkt.# 438), and in opposition to the “Affirmation of Jeffrey Chubak,” dated December 22, 2016 (Dkt.# 435, the “Chubak Aff.”), and the “Memorandum of Law in Support of Receiver’s Motion to Vacate Sealing Order,” dated December 22, 2016 (Dkt.# 437, the “Receiver’s Memo,” and all papers collectively, the “Receiver’s Motion”).

3. On December 13, 2016, I discussed with Jeffrey Chubak, counsel for the

