

EXHIBIT 6

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

In re PAYMENT CARD INTERCHANGE : MDL No. 1720(JG)(JO)
FEE AND MERCHANT DISCOUNT :
ANTITRUST LITIGATION : Civil No. 05-5075(JG)(JO)
: :
: DECLARATION OF ABRAHAM HARARI
: :
This Document Relates To: :
: :
ALL ACTIONS. :
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I, Abraham Harari, of full age, do hereby declare and say:

1. My name is Abraham Harari. I am the President, owner and co-founder of Capital Audio Electronics, Inc. (“Capital Audio” or the “Store”).

2. Capital Audio is a small, family-run business that sells consumer electronics (televisions, stereo equipment, video cameras, etc.). Its “retail division” is a single storefront on Duane Street in lower Manhattan. A few doors down the block on Duane Street is the Store’s “corporate division.” From this location, Capital Audio runs a separate wholesale business that sells consumer electronics to retailers in the New York metropolitan area.

3. Capital Audio previously submitted a declaration in support of the proposed settlement in this case on April 11, 2013. Dkt. No. 2113-7.

4. As I said in my previous declaration, Capital Audio, believes that the proposed settlement is fair, reasonable and adequate and in the best interest of all members of the Rule 23(b)(2) and (b)(3) Settlement Classes.

5. Capital Audio is familiar with many of the objections that have been filed in opposition to the proposed settlement, including the objections made by some of the named plaintiffs.

6. Capital Audio is familiar with the unfounded claim, made by NACS and others, that the named plaintiffs that signed the Class Settlement Agreement did so only in exchange for the guarantee of receiving incentive awards. This is completely false. Capital Audio agreed to serve as a class representative without any guarantee that it would receive an incentive award if the case settled, and agreed to the settlement without any promise that it would receive an incentive award. There was no “quid pro quo,” contrary to the objectors’ claim.

7. Capital Audio has always understood that the decision whether to award incentive payments to class representatives, and the amount of any such awards, lies solely within the discretion of the District Court.

8. Capital Audio carefully evaluated the proposed settlement and its alternatives, and concluded that it was an excellent result for the Rule 23(b)(2) and (b)(3) Settlement Classes.

9. On behalf of Capital Audio, I respectfully request that this Court grant final approval of the Class Settlement Agreement and Plan of Administration and Distribution, and enter judgment accordingly.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 8 day of August, 2013, at New York, New York.


Abraham Harari