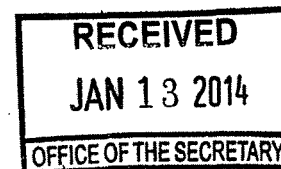


HARD COPY

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION



ADMINISTRATIVE PROCEEDING
File No. 3-14630

In the Matter of

DANIEL J. GALLAGHER,

Respondent.

DECLARATION OF JOHN J.
GRAUBARD

JOHN J. GRAUBARD declares under penalty of perjury pursuant to 28 U.S.C. 1746:

1. I am a senior attorney employed by the Commission in the Division of Enforcement, New York Regional Office.
2. As a part of my duties, I have been working to collect the amount due from Daniel James Gallagher, also known as Daniel J. Gallagher ("Gallagher"), as a result of the judgment entered against him on August 19, 2009 in *Securities and Exchange Commission v. Christopher Castaldo, et al.*, 08 CV 8397 (JSR) (S.D.N.Y.).
3. The judgment ordered that Gallagher, jointly and severally with Vision Securities, Inc., pay disgorgement of \$126,466.91, plus prejudgment interest of \$29,251.32, for a total of \$155,718.23. This amount was to be paid in monthly installments of 10% of the sum of (a) Vision's gross monthly income for the preceding month and (b) Gallagher's gross monthly income less \$9,000. In addition, the judgment ordered Gallagher to pay a civil money penalty of \$24,000 in installments of \$1,000 a month. These payments were to commence on October 1, 2009.
4. Gallagher failed to pay the first installment on the judgment when it became due on October 1, 2009. On October 22, 2009, I sent Gallagher a "TOP Letter" demanding payment,

and stating that if he did not make payment the Commission might refer his debt to the United States Treasury for collection. Gallagher did not respond to this letter.

5. On December 22, 2009, I noticed Gallagher for a post-judgment asset discovery deposition on January 26, 2010. Gallagher then contacted me and requested additional information about his obligations under the judgment. I responded to him by letter dated January 5, 2010. However, Gallagher did not appear for his deposition.

6. On July 12, 2010, I again wrote to Gallagher requesting either payment or document production; Gallagher did not respond.

7. On November 16, 2010 I noticed Gallagher again for a deposition on December 17, 2010; again Gallagher did not appear.

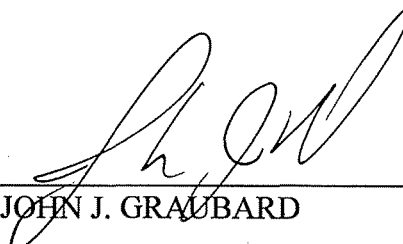
8. On April 13, 2011, I requested that Gallagher complete a financial statement. Gallagher did not respond.

9. On August 5, 2011, I sent Gallagher a letter indicating that if Gallagher did not respond the Commission would seek to have him held in contempt. Shortly after that date, Gallagher called me and promised that he would provide the financials shortly.

10. On January 5, 2012, Gallagher sent me a note stating "Please allow for more time so that I may fulfill my obligation to the United States Securities and Exchange Commission."

11. The Commission's records indicate that Gallagher has not made any payment on the judgment against him.

I declare under penalty of perjury that the foregoing is true and correct. Executed at New York, New York, on January 8, 2014.



JOHN J. GRAUBARD