

# **EXHIBIT 3**

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 VINCENT ARCHER
This Document Relates To:	:	
	:	
ALL ACTIONS.	:	
	:	

---

I, Vincent Archer, declare as follows:

1. I am (and have at all material times been) the Administrator for class representative Leon's Transmission Service, Inc. ("Leon's"). I certify that the matters stated in this declaration are true of my own knowledge, except as to those matters which are herein stated upon information and belief, and as to those matters, I believe them to be true.

2. Leon's previously submitted a declaration in support of the proposed settlement in this case on April 11, 2013. Dkt. No. 2113-12.

3. As I said in my previous declaration, Leon's, 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.

4. Leon's 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.

5. Leon's is familiar with the unfounded claim, made by NACS and others, that the named plaintiffs who signed the Class Settlement Agreement did so only in exchange for the promise of receiving incentive awards. Insofar as Leon's is aware, any such assertion is completely false. Leon's agreed to serve as a class representative without any promise that it would receive an incentive award if the case settled, and agreed to the pending settlement without any promise that it would receive an incentive award. There was no "quid pro quo," contrary to the objectors' claim.

6. Leon's 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.

7. Leon's carefully evaluated the proposed settlement and its alternatives, and concluded that it was and remains a result that is both reasonable and satisfactory for the Rule 23(b)(2) and (b)(3) Settlement Classes.

8. On behalf of Leon's, 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 12<sup>th</sup> day of August, 2013, at Reseda, California.



---

Vincent Archer