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JOHN DOE A/K/A KNOWFCFS

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA**

FIRST CASH FINANCIAL SERVICES,)
INC.,)

Plaintiff,)

v.)

JOHN DOE A/K/A KNOWFCFS,)
et al.,)

Defendant.)
_____)

CASE NO.: 1-03-CV002135

**DECLARATION OF PAUL CLIFFORD IN
SUPPORT OF DEFENDANT'S SPECIAL
MOTION TO STRIKE PURSUANT TO
C.C.P. § 425.16.**

BY FAX

Date: November 20, 2003

Time: 9 a.m.

Dept.: 2

Judge: Hon. William J. Elfving

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1. I am a member in good standing with the California State Bar. I have personal knowledge of the facts contained in this declaration, unless otherwise indicated, and, if called as a witness, I am competent to testify to those facts.

3. Attached hereto as Exhibit B is a true and correct copy of a news release dated 1/30/03, which I downloaded from the First Cash Financial Services company website. The URL for this release is <http://www.firstcash.com/files/310200381.pdf>. I downloaded this page on November 12, 2003. In this release, plaintiff announced that its diluted earnings per share for 2002 had increased 31% over 2001, that its revenues had increased 7.6% over 2001, that its net income had increased 39% over 2001, and that its fourth quarter net income had increased 43% over 2001. The release states, “Rick Powell, ... commented, ‘Fiscal 2002 was a record-setting performance for the Company. The Company recorded its highest levels ever of revenues, net income and earnings per share. Net income for the year exceeded \$10 million for the first time in Company history...”

4. Attached hereto as Exhibit C is a true and correct copy of a news release dated 2/18/03, which I downloaded from the First Cash Financial Services company website. The URL for this release is <http://www.firstcash.com/files/310200316.pdf>. I downloaded this page on November 12, 2003. The release quotes Rick Powell, "We are extremely pleased with our quarter-to-date operating results and are

1 very encouraged about the balance of 2003. Last year, fiscal 2002, was a record-breaking year for First
2 Cash in revenues, net income and earnings per share and we fully expect to break records again in
3 2003.”

4 5. Attached hereto as Exhibit D is a true and correct copy of a news release dated 10/22/03,
5 which I downloaded from the First Cash Financial Services company website. The URL for this release
6 is <http://www.firstcash.com/files/1022200301.pdf>. I downloaded this page on November 12, 2003. In
7 this release, plaintiff announced that its diluted earnings per share for the third quarter had increased
8 37% over the third quarter 2002, that its net income for the quarter had increased 56% over the same
9 quarter 2002, that its diluted earnings per share for the first three quarters of 2003 had increased 28%
10 over the same period of 2002, and that its year-to-date net income had increased 38% over 2002. The
11 release quotes Rick Powell, “The third quarter results for First Cash were exceptional.”

12 6. Attached hereto as Exhibit E is a true and correct copy of a chart, generated by Yahoo!, of
13 the First Cash Financial Services stock price in relation to the NASDAQ Index (“IXIC”), the Dow Jones
14 Index (“DJI”), and the Standard & Poor’s Index (“SPX”). The URL for this page is
15 <http://finance.yahoo.com/q/bc?t=2y&s=FCFS&l=on&z=m&q=l&c=&c=%5ESPX&c=%5EIXIC&c=%5EDJI>. I downloaded this page on November 13, 2003.

17 7. Attached hereto as Exhibit F is a list of First Cash Financial Services’ competitors, as
18 indicated by Yahoo!. The URL for this page is <http://finance.yahoo.com/q/co?s=FCFS>. I downloaded
19 this page on November 13, 2003. The competitors listed are Ace Cash Express, Inc., Cash America
20 International, Inc., and Ezcorp, Inc.

21 8. Attached hereto as Exhibit G is a true and correct copy of a chart, generated by Yahoo!,
22 of the First Cash Financial Services stock price in relation to that of Ace Cash Express, Inc. The URL
23 for this page is <http://finance.yahoo.com/q/bc?t=2y&s=FCFS&l=on&z=m&q=l&c=aace>. I downloaded
24 this page on November 13, 2003.

25 9. Attached hereto as Exhibit H is a true and correct copy of a chart, generated by Yahoo!,
26 of the First Cash Financial Services stock price in relation to that of Cash America International, Inc.
27 The URL for this page is <http://finance.yahoo.com/q/bc?t=2y&s=FCFS&l=on&z=m&q=l&c=pwn>. I
28 downloaded this page on November 13, 2003.

1 10. Attached hereto as Exhibit I is a true and correct copy of a chart, generated by Yahoo!,
2 of the First Cash Financial Services stock price in relation to that of Ezcorp, Inc. The URL for this page
3 is <http://finance.yahoo.com/q/bc?t=2y&s=FCFS&l=on&z=m&q=l&c=ezpw>. I downloaded this page on
4 November 13, 2003.

5 11. The attached charts of First Cash Financial Services' stock price, the NASDAQ Index,
6 Dow Jones Index, Standard & Poor's Index, and the stock prices of its competitors, indicate that
7 plaintiff's stock price has generally tracked the trends of the indexes and its competitors' stocks.

8 12. Attached hereto as Exhibit J is a true and correct copy of a randomly chosen message
9 from the First Cash Financial Services Yahoo! message board with a statement at the bottom which
10 reads: "REMINDER: This board is not connected with the company. These messages are only the
11 opinion of the poster, are no substitute for your own research, and should not be relied upon for trading
12 or any other purpose..." The URL for this page is
13 <http://finance.messages.yahoo.com/bbs?.mm=FN&action=m&board=7081924&tid=fcfs&sid=7081924>
14 &mid=2347. I downloaded this page on November 13, 2003.

15 13. Attached hereto as Exhibit K is a true and correct copy of the Yahoo! Page which
16 appears when the "REMINDER" link at the bottom of the Yahoo! financial message page is clicked.
17 The URL for this page is <http://messages.yahoo.com/reminder.html>. I downloaded this page on
18 November 13, 2003.

19 I hereby declare that the above statements are true and correct. Signed under the penalty of
20 perjury under the laws of the State of California, on the date set forth below, in Berkeley, California.

21 Dated: November 14, 2003

22 _____
Paul Clifford