

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,  
c/o United States Attorney's Office  
555 Fourth Street, N.W.  
Washington, DC 20530,

Plaintiff,

vs.

8 GILCREASE LANE, QUINCY  
FLORIDA 32351,

and

ONE CONDO LOCATED ON  
NORTH OCEAN BOULEVARD IN  
MYRTLE BEACH, SOUTH  
CAROLINA,

AND

ALL FUNDS, INCLUDING  
APPROXIMATELY \$53 MILLION,  
HELD ON DEPOSIT AT BANK OF  
AMERICA ACCOUNTS IN THE NAMES  
OF (1) THOMAS A. BOWDOIN, JR.,  
SOLE PROPRIETOR, DBA  
ADSURFDAILY, (2) CLARENCE  
BUSBY, JR. AND DAWN STOWERS,  
DBA GOLDEN PANDA AD BUILDER,  
AND (3) GOLDEN PANDA AD BUILDER,

Defendants. \_\_\_\_\_/

**DECLARATION OF CHARLES JOHN OSMIN**

1. My name is Charles John Osmin.
2. I am the team leader of AdSurfDaily, Inc.'s special Customer Service Department,  
known as Customer Service Investigators ("CSI").

{M2717265;1}

3. I was in the United States Navy (active duty) from July 1976 to December 1987.
4. I worked for the United States Postal Service from approximately December 2003 until April 2008.
5. I left the United States Postal Service because it was cutting back on hours.
6. I am married and have two sons, one of whom is serving in Iraq, and two daughters at home.
7. I am team leader Adsurf's CSI group, which serves as the bridge between Customer Service and Accounting. One of our primary jobs was to locate ad packages for members.
8. The Customer Service Department has approximately 25 to 30 employees, working three shifts. The Department is open (or was open, until AdSurf was effectively shut down by the seizure of its bank accounts and computers) from 7 a.m. to 11:30 p.m. The CSI group has (or had) three active employees, working from 8:30 a.m. to 5:30 p.m.
9. When I was first hired by ASD, I was assigned to the Customer Service Department, answering telephones.
10. Because AdSurfDaily recognized in late May or early June 2008 that the communications between the Accounting and Customer Service Departments was inefficient, a Special Customer Service Department, called CSI, was created. I am (or was) was the team leader of this CSI department, which had access to accounting and software materials not routinely available to Customer Service representatives.
11. CSI's goal was to develop better, more-efficient communications, both internally and externally, and to find the "lost" ad packages for members.

12. In my position as team leader of AdSurfDaily's CSI Department, I usually worked approximately 60 hours per week or more. A good portion of my daily work was devoted to reviewing and responding to e-mails from Adsurfdaily members.

13. Despite the employees in the Customer Service Department and the CSI Department, AdSurfDaily experienced several log jams as a result of its growth.

14. I am aware that the Government contends that AdSurfDaily's Customer Service was "illusory" because it says that Task Force operators unsuccessfully attempted to contact the company's Customer Service telephone number. AdSurfDaily did have a Customer Service Department and it had more than 30 employees devoted to answering phone calls and responding to emails to and from members. In fact, I personally communicated by email each day with dozens and dozens of AdSurfDaily members in my capacity as manager of the CSI division.

15. AdSurfDaily is an advertising company and the advertising works. I know this from personal experience. In fact, I have three businesses which advertised on the AdSurfDaily rotator: a water supplement company, a vegan whole food business and a party/entertainment business. All of these businesses received increased traffic through the advertisements on the AdSurfDaily rotator.

16. My job at AdSurfDaily is the best job I have had in 30 years, and I am devastated that the Government has effectively shut down the business.

**I HEREBY DECLARE, under penalty of perjury, that the foregoing is true and correct.**

**Executed on this 14<sup>TH</sup> day of August, 2008.**

By: Charles John Osmin  
**CHARLES JOHN OSMIN**