

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

SHANA SANDLER,

Plaintiff

v.

MIA CALCAGNI *et al*,

Defendants

Case No. 1:07-cv-00029

**DECLARATION OF BERNARD J. KUBETZ IN SUPPORT OF
PLAINTIFF'S MEMORANDUM IN OPPOSITION TO DEFENDANT
BOOKSURGE AND DEFENDANT MARS' MOTIONS FOR SUMMARY JUDGMENT**

I, Bernard J. Kubetz, under penalty of perjury, do hereby declare:

1. My name is Bernard J. Kubetz. I make this declaration based on my personal knowledge. This declaration is filed in support of Plaintiff's Memorandum in Opposition to the Motions for Summary Judgment filed by Defendants Booksurge and Peter Mars in this case. (Docket Nos. 96 & 104).

2. I am an attorney licensed to practice law in the State of Maine. I am counsel for Plaintiff Shana Sandler in this case.

3. In the course of discovery in this case, documents have been produced, depositions have been taken and exhibits have been marked at depositions.

4. Attached to this affidavit are true and accurate copies of:

(a) The résumé of H. Allen Fernald (attached hereto as *Exhibit 1*);

- (b) Report of H. Allen Fernald concerning “*Help Us Get Mia*” (attached hereto as *Exhibit 2*);
- (c) Excerpts from the Deposition of H. Allen Fernald, taken on January 24, 2008 (attached hereto as *Exhibit 3*);
- (d) Excerpts from the first Deposition of Ralph Calcagni, taken on November 5, 2007 (attached hereto as *Exhibit 4*).

I declare the foregoing to be true and correct under penalty of perjury. Executed at Bangor, Maine this 14th day of April, 2008.

/s/ Bernard J. Kubetz
Bernard J. Kubetz