

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

SHANA SANDLER,)
)
Plaintiff)
)
v.)
)
MIA CALCAGNI, ET AL)
)
Defendants)

Case No. 1:07-cv-00029

AFFIDAVIT OF BERNARD J. KUBETZ

I, Bernard J. Kubetz, being duly sworn, do hereby depose and state:

1. I am counsel for the Plaintiff, Shana Sandler, in the above-captioned action.

2. A Complaint has been filed with the Court, and said Complaint is in order for service upon Defendants Mia Calcagni and Emet Gabar.

3. Information known to me about Defendant Mia Calcagni is that she grew up in Winthrop, Maine and her family home is in Winthrop. However, her parents have refused to answer the door upon attempted service by a Kennebec County Deputy Sheriff Laurier L. Brunelle. *See Exhibit A attached.* According to Deputy Brunelle, Mia Calcagni may reside in Florida. *See Exhibit B attached.* However, our research into the Florida address provided by the Deputy reveals that it is an address for a fraternity house at the University of Central Florida. *See Exhibit C attached.* Mia Calcagni holds a Maine real estate license, which license reveals that she is a resident of Winthrop and that she is associated with the Thomas Real Estate Agency in Winthrop. *See Exhibit D attached.* According to Town records, Mia Calcagni is a registered voter in the Town of Winthrop. In addition, a check with the Bureau of Motor Vehicles indicates that Ms. Calcagni currently holds a Maine driver’s license. *See Exhibit E attached.*

4. Information known to me about Defendant Emet Gabar is that he has an address in Boca Raton, Florida; and an email address of emetgabar@hotmail.com. The “About the Author” section of “*Help Us Get Mia*,” the publication at issue in this case, indicates that Mr. Gabar is a free-lance reporter in New York City and that he is a founding member of the United States Holocaust Memorial Museum.

5. Attached hereto as *Exhibit F* are online printouts of attempts to locate Emet Gabar, as follows:

a. online Switchboard searches of Emet Gabar in New York, New York and Boca Raton, Florida;

b. online AnyWho searches of Emet Gabar in New York, New York and Boca Raton, Florida;

c. a search of LexisNexis’ Person Locator files;

d. an attempted email, returned “undeliverable.”

6. A check with the Holocaust Memorial Museum indicates that Mr. Gabar is not listed as a founding member.

7. This affidavit is made in support of Plaintiff’s Motion to the Court requesting that service upon Defendant Emet Gabar by publication be granted.

Dated at Bangor, Maine, this 15th day of March, 2007.

/s/ Bernard J. Kubetz

Bernard J. Kubetz

STATE OF MAINE
PENOBSCOT, ss.

March 15, 2007

Personally appeared, the above-named Bernard J. Kubetz, and made oath that the statements made in the foregoing affidavit are true and accurate to the best of his personal knowledge and belief.

Before me,

Nicole Behr

Notary Public

Commission Expires December 10, 2009