

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

SHANA SANDLER,

*Plaintiff*

v.

MIA CALCAGNI *et al.*,

*Defendants*

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Case No. 1:07-cv-00029

**AFFIDAVIT OF BERNARD J. KUBETZ**

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

1. My name is Bernard J. Kubetz. I make this affidavit based on my personal knowledge. This affidavit is filed in support of Plaintiff's Motion for entry of default judgment on the issue of liability against Defendant Mia Calcagni.

2. Attached as *Exhibit 1* is a copy of a deposition notice served on the attorney who represents Mia Calcagni in this litigation.

3. As indicated to the Court in a November 2, 2007 telephone conference, Mia Calcagni's attorney advised me on or about October 31, 2007 that Mia Calcagni had decided that she would not appear for her scheduled deposition on November 6, 2007.

4. Mia Calcagni did not appear for her scheduled deposition on November 6, 2007.

Dated at Bangor, Maine, this 6<sup>th</sup> day of November, 2007.

/s/ Bernard J. Kubetz

Bernard J. Kubetz

STATE OF MAINE  
PENOBSCOT, ss.

November 6, 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, State of Maine

My Commission Expires Dec. 10, 2009