

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
Southern Division**

COSTAR REALITY INFORMATION,  
INC. et al.,

Plaintiffs

v.

Civil No.: 08-CV-01575-AW

KLEIN & HEUCHAN, INC., et al.,

Defendants

\_\_\_\_\_ /


**AFFIDAVIT OF SCOTT BELL**

I, SCOTT BELL, do solemnly declare and affirm on this 8<sup>th</sup> day of August, 2008, under the penalties of perjury that the following facts are true and based on my personal knowledge:

1. I am over the age of 18 years and am competent to testify to the matters set forth herein.
2. I am an independent real estate sales professional and have been working with K&H since December 2006.
3. I am a resident of Florida, where I maintain my sole office. I don't engage in any business outside of the State of Florida, and my real estate agent license is restricted to the State of Florida.
4. I have never been to Maryland for any reason whatsoever – social, professional or otherwise. I don't have any contacts with Maryland.
5. If I were forced to litigate in Maryland, the travel and related expenses would pose extreme personal, financial and professional hardship and, I believe, would considerably impair my ability to participate and defend my interests and rights.

6. I started using the CoStar database when I was a real estate agent with CBC, but – until I was sued – I never read, signed or entered any license agreement with CoStar and didn't read the Terms of Use, including its language about jurisdiction. I never understood that, by using the database, I might be sued in Maryland. If I had known that, I wouldn't have used CoStar's database products.

I SOLEMNLY AFFIRM under the penalties of perjury and upon personal knowledge that the contents of the foregoing affidavit are true.

  
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Scott Bell