

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

DOCKET NO. 07-CV-11807 RGS

WAREHAM FREE LIBRARY, INC. and  
PRISCILLA PORTER, MARY NYMAN, HAZEL TABER,  
MICHELLE BAUM, SANDRA WHEELER, JOHN LANCI,  
MARTHA MAGUIRE, YELENA FARIOLI-BEAUPRE, and  
DIANE LAZARUS, Individually and As Trustees of Wareham  
Free Library, Inc.

Plaintiffs / Defendants in Counterclaim /  
Third Party Plaintiffs

v.

THE TOWN OF WAREHAM

Defendant / Plaintiff in Counterclaim

and

BRENDA ECKSTROM, BRUCE SAUVAGEAU, JOHN  
CRONAN, JAMES POTTER, and M. JANE DONAHUE,  
Individually and As Members of The Board of Selectmen of  
Wareham

Defendants

v.

FRIENDS OF THE WAREHAM FREE LIBRARY, INC.,  
and THE WAREHAM LIBRARY FOUNDATION, INC.

Defendants in Counterclaim

v.

MASSACHUSETTS INTERLOCAL INSURANCE  
ASSOCIATION

Third Party Defendant

**AFFIDAVIT OF**  
**ATTORNEY TIMOUR ZOUBAIDOU**

I, Timour Zoubaidouline, hereby state and affirm as follows:

1. My name is Timour Zoubaidouline. I am an attorney duly licensed to practice law in the Commonwealth of Massachusetts. I am also admitted to practice law in the United States District Court for the District of Massachusetts.

2. I am an associate attorney with the Law Offices of Beauregard, Burke & Franco, representing The Wareham Library Foundation, Inc. in this case. Attorney Philip N. Beauregard is the founding partner of the firm.

3. The Wareham Library Foundation, Inc. retained the Law Offices of Beauregard, Burke & Franco to represent it in this matter in late February 2008. Until then, the Foundation was not represented by Attorney Beauregard or the Law Offices of Beauregard, Burke & Franco. Attorney Beauregard did not represent the Foundation when he received Defendants' request for waiver of service in early November 2007.

4. John Lanci served as the President of The Wareham Library Foundation, Inc. until August 2007, when he resigned from that position. On August 3, 2007, the next President of the Foundation became Patricia Wylde, who later also resigned due to health problems in the family. On October 17, 2007, the President of the Foundation became Kerry Mello. Also on that date, John Lanci resigned from the Foundation.

5. On May 21, 2008, I spoke with counsel for Defendants, Attorney Elizabeth Corbo, regarding Defendants' Motion for Costs and Fees Pursuant to Federal Rule 4(d). Attorney Corbo asked if the Foundation would agree to pay Defendants' counsel's fees incurred in serving the Foundation by usual process. I responded that the Foundation would not pay Defendants' legal fees.

Signed under the pains and penalties of perjury this 4<sup>th</sup> day of June, 2008.

/ S / Timour Zoubaidouline

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TIMOUR ZOUBAIDOUILLINE, BBO # 656212

**CERTIFICATE OF SERVICE**

In accordance with the Electronic Case Filing (“ECF”) Administrative Procedures of the United States District Court for the District of Massachusetts, I, Timour Zoubaidouline, hereby certify that the foregoing document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (“NEF”) and that paper copies will be sent to those indicated as non-registered participants by first class mail on June 4, 2008.

/ S / Timour Zoubaidouline

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TIMOUR ZOUBAIDOUILLINE, BBO # 656212