

# **EXHIBIT**

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**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**MICAH FIALKA-FELDMAN,**

Plaintiff,

v.

Case No. 08-CV-14922  
Hon. Patrick J. Duggan

**OAKLAND UNIVERSITY BOARD OF TRUSTEES,**

Defendant.

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Chris E. Davis (P52159)  
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Attorney for Plaintiff

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**AFFIDAVIT OF THERESA M. ROWE**

STATE OF MICHIGAN                    )  
  ) ss  
COUNTY OF OAKLAND                )

I, Theresa M. Rowe, state under oath that the following is true:

1. I have personal knowledge of the facts in this Affidavit and, if sworn as a witness in this matter, I can competently testify to the facts stated herein.
2. I am currently employed by Oakland University as its Chief Information Officer. In that capacity, I am responsible for oversight of the university's technology services, including the enterprise resource planning system known as "Banner" which is used in part to house many different types of data.
3. The Banner database includes but is not limited to contact and other information related to university students, vendors, employees, donors, and undergraduate and graduate applicants.

4. Banner automatically and randomly assigns a "G-number", a unique numeric identifier, to all contacts within the database including all university vendors, employees, applicants, and donors have a "G-number."

Further affiant saith not.

*Theresa M. Rowe*

Theresa M. Rowe, Chief Information Officer  
Oakland University

STATE OF MICHIGAN    )  
                                  )SS  
COUNTY OF OAKLAND    )

The signator is known to me and acknowledged the foregoing instrument this 16<sup>th</sup> day of December, 2009.

*Jennifer L. Swiatowy*  
JENNIFER L. SWIATOWY, Notary Public  
Oakland County, Michigan  
My Commission expires:

**Jennifer L. Swiatowy**  
Notary Public  
Oakland County, Michigan  
My Commission Expires: 10-11-15