

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EXPERI-METAL, INC.,
a Michigan corporation,

Plaintiff,

Case No. 2:09-CV-14890

v.

Hon. Patrick J. Duggan

COMERICA BANK,
a foreign banking organization,

Defendant.

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DECLARATION OF TIMOTHY W HABER

I, Timothy W Haber, declare:

1. I am a Vice President of Product Management for Comerica Bank.
2. As a regularly conducted activity and as a regular practice of Comerica Bank, Comerica Bank sends letters to its customers advising them of upcoming changes to the online Treasury Management Services that they subscribe to, such as TM Connect Web, through which Payment Order initiation services are conducted.


3. The letter attached as Exhibit 10 to the Reply Supporting Comerica Bank's Motion for Summary Judgment is a true and accurate copy of a letter sent to Comerica Bank's online Treasury Management Services customers advising them that beginning January 23, 2006, the name of Comerica NetVision would be changed to Comerica Treasury Management Connect Web ("TM Connect Web").

4. Exhibit 10 was made and kept in the course of the regularly conducted activity of Comerica Bank's business.

5. Exhibit 10 was drafted near the time of the occurrence of the matters set forth in the letter.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 17, 2010



Timothy W Haber

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