

**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.

Richard B. Tomlinson (P27604)
Daniel R. Boynton (P30359)
Joseph W. Thomas (P33226)
DRIGGERS, SCHULTZ & HERBST, P.C.
Attorneys for Plaintiff
2600 West Big Beaver Road, Suite 550
Troy, MI 48084
(248) 649-6000
rtomlinson@driggerssschultz.com

Todd A. Holleman (P57699)
Lara Lenzotti Kapalla (P67667)
MILLER CANFIELD PADDOCK AND
STONE, PLC
Attorneys for Defendant
150 W. Jefferson, Suite 2500
Detroit, MI 48226
(313) 963-7420
holleman@millercanfield.com
kapalla@millercanfield.com

DECLARATION OF TERRY D ENNIS

I, Terry D Ennis, 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 makes available to its customers user guides for the products and services to which they subscribe.

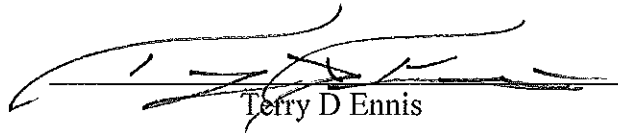
3. Exhibit 12 to the Reply Supporting Comerica Bank's Motion for Summary Judgment is a true and accurate copy of version 3.7 of the User Guide for Comerica NetVision.

4. Exhibit 12 was made and kept in the course of the regularly conducted activity of Comerica Bank's business.

5. Exhibit 12 was made at or near the time of the occurrence of the matters set forth within it.

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

Dated: May 13, 2010



Terry D Ennis

17,985,836.1\022754-01932