

STATE OF OHIO)
)SS
COUNTY OF FRANKLIN)

AFFIDAVIT OF DENNIS HANZEL

Dennis Hanzel, being first duly cautioned and sworn, states the following:

1. I reside in Franklin County, Gahanna, Ohio, within the Southern District of Ohio.
2. I worked as a Special Agent for the Internal Revenue Service for 28 ½ years before retiring in March 2006. As a Special Agent, I conducted numerous financial investigations.
3. Since retiring, I have assisted attorneys in developing facts in their cases.
4. In connection with the present matter, I was requested to contact various retail outlets to determine if retailers offered for sale either the Hannah Montana Talking Poster or the Cheetah Girls Singing Concert Scenes posters.
5. In May, June and September of 2008, I telephonically contacted central Ohio Toys R Us and K B Toys stores that are located within the Southern District of Ohio. The following is a detailed summary of the contacts that I made.
6. On May 27, 2008, I telephoned KB Toys store located at 5043 Tuttle Crossing Boulevard, Dublin, Ohio at (614) 760-5790 and talked to an individual named Ginger Beatty who identified herself as “the boss.” Ms. Beatty told me the store had for sale six singing concert scenes posters for the Cheetah Girls at a price of \$7.98 per poster. She indicated the store did not have Hanna Montana singing concert scenes posters.
7. On June 2, 2008, I again telephoned the KB Toys store at 5043 Tuttle Crossing Boulevard, Dublin, Ohio at (614) 760-5790 and talked to an individual who identified

himself as Zack. Zack told me the store had for sale Cheetah Girls singing concert scenes posters, but did not have Hannah Montana singing concert scenes posters.

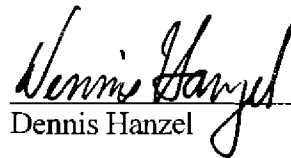
8. On June 2, 2008, I telephoned the KB Toys store at 1500 Polaris Parkway, Columbus, Ohio at (614) 847-8240 and talked with a female who identified herself as Jessie Rios who also described herself as “the Boss.” Ms. Rios told me the store had Hanna Montana and Cheetah Girls singing concert scenes posters for sale.
9. On June 2, 2008, at 3:50 p.m. I telephoned the Toys R Us store at 6547 Sawmill Road, Dublin, Ohio at (614) 792-9194, and talked to a female who identified herself as Jennifer. Jennifer said the store had the Hanna Montana singer concert scenes posters in inventory, and sold them for \$10.99.
10. On June 2, 2008, at 3:55 p.m. I telephoned the Toys R Us store at 4285 Groves Road, Columbus, Ohio, at (614) 866-9163, and talked to a female who identified herself as Patty Woodward. Ms. Woodward said the store had for sale a variety of Hannah Montana singing concert scene posters in different colors at a cost of \$10.99 each.
11. On June 2, 2008, at 4:00 p.m. I telephoned the Toys R Us store at 1265 Morse Road, Columbus, Ohio, at (614) 268-3586, and talked to a female named Connie who described herself as a service person in clearance. Connie said that the Hannah Montana singing concert scenes posters were located in the back of the Hannah Montana section, and sold for \$10.99 per poster. Connie also said the store also carried a Cheetah Girls singing concert scenes poster called “Do Your Own Thing” that sold for \$6.98.
12. On September 12, 2008, at 2:20 p.m. I telephoned the Toys R Us store at 6547 Sawmill Road, Dublin, Ohio at (614) 792-9194, and talked to an individual who identified himself as Jonathon. Jonathon said that the Hannah Montana singing concert scenes posters were

located in aisle 13C, and sold for \$10.99 each. Jonathon said Cheetah Girls singing concert scenes posters were in clearance, located in aisle 14C, and were selling for \$3.98 each.

13. On September 12, 2008, at 4:40 p.m. I telephoned KB Toys store at 1500 Polaris Parkway, Columbus, Ohio at (614) 847-8240 and talked to an individual who identified himself as Zack who was the assistant manager of the store. In response to my questions, Zack said the store had one Hannah Montana singing concert scenes poster that was titled "If We Were a Movie" that sold for \$7.98. In addition, the store had five Cheetah Girls singing concert scenes posters with the title "Do Your Own Thing" that also sold for \$7.98. Zack indicated the singing concert scenes posters were located to the left of the cash registers.
14. On September 12, 2008, at 4:55 p.m. I telephoned KB Toys store at 5043 Tuttle Crossing Boulevard, Dublin, Ohio at (614) 760-5790. I talked to a sales associate named Ginger who told me that this KB's location had six of the singing concert scenes posters of the Cheetah Girls including; "Party is Just Begun", "Do Your Own Thing", and "Amigas Cheetahs". Ginger stated the posters sold for \$7.98. Ginger also told me there were no Hanna Montana items because they were sold out.
15. I also researched the internet to determine if I could find the Hannah Montana and Cheetah Girls singing concert scenes posters for sale. The following is a summary of the information I located on various websites.
16. On August 4, 2008, I visited <http://www.kbtoys.com>. KB Toys offered the Cheetah Girls singing concert scene posters for sale for \$12.99 each.

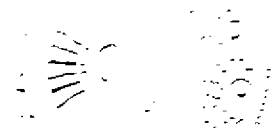
17. On September 10, 2008, I visited <http://disneyshopping.go.com>. Disney's website listed a Hannah Montana singing poster "If We Were a Movie" for sale at \$5.99.
18. On September 10, 2008, I visited <http://www.amazon.com>. Amazon.com listed for sale singing concert scenes posters for Hannah Montana and the Cheetah Girls for varying prices.
19. On September 10, 2008, I visited <http://www.kbtoys.com>. KB Toys listed for sale various Cheetah Girls singing concert scenes posters for a sale price of \$9.99.
20. On September 11, 2008, I visited <http://shopping.aol.com>. This site listed both the Cheetah Girls and Hannah Montana singing concert scenes posters for sale.
21. On September 11, 2008, I visited <http://www.toysrus.com>. Toys R Us listed Hannah Montana singing concert scenes posters for sale for \$6.98.
22. I printed the information described above in the related websites, and have retained these documents.

FURTHER AFFIANT SAYETH NAUGHT.


Dennis Hanzel

Sworn to before me and subscribed in my presence this 17th day of October, 2008.


Notary Public


SHARLENE I. CHANCE, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.