

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Roger Cleveland Golf Company, Inc.,)	Civil Action No. 2:09-CV-2119-MBS
)	
Plaintiff,)	
)	
vs.)	<u>AFFIDAVIT OF FREDERICK</u>
)	<u>FESSENDEN</u>
Christopher Prince, Sheldon Shelley,)	
Prince Distribution, LLC, and Bright)	
Builders, Inc..)	
)	
Defendants.)	

I, Frederick Fessenden, declare as follows:

1. I have personal knowledge of the facts stated in this affidavit and if called upon by a court of law to do so, I could and would testify competently to them.

2. I am over eighteen years of age, of sound mind, and competent to provide this affidavit.

3. I work as a "mystery shopper" for Roger Cleveland Golf Company, Inc. ("Cleveland Golf"). As part of my duties as a "mystery shopper" for Cleveland Golf, I am often asked to purchase golf clubs from various online sources.

4. In June of 2009, I purchased a Cleveland Golf HiBore driver and Cleveland Golf CG14 wedge from the domain name copycatclubs.com. The clubs arrived in July of 2009 and mailed from an entity in Continental Burlding NO. 172, room No. 402, Bei Yuan Street Chao Yang Drstrioct, Beijing, China. This address spelling is taken directly from the shipping label and is not a typo.

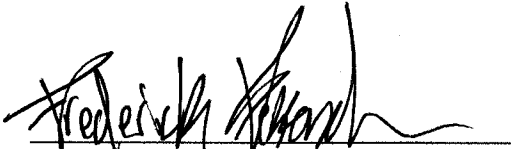
5. In July of 2009, I purchased Cleveland CG10, CG12, and 588 wedges from copycatclubs.com. I could not read the shipping label on this box as it was in a foreign language, but from the characters used, I believe that these clubs were also shipped directly from China.

6. Soon thereafter, I took photos of the clubs I purchased from copycatclubs.com. True and accurate copies of these photographs are attached hereto.

7. After purchasing the clubs, I provided them to Roger Cleveland Golf Company care of their law firm Nelson Mullins Riley and Scarborough.

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

Executed this 4 day of March, 2011.


Frederick Fessenden