

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

RICKY B. PERRITT, Individually;
The Cupcakery, LLC, a Texas Limited
Liability Company; Buster Baking, LLC,
a Texas Limited Liability Company; and the
Woodlands Baking, LLC, a Texas Limited
Liability Company,

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Plaintiffs,

CAUSE NO. 4:11-CV-23

v.

PAMELA F. JENKINS, Individually; and
The Cupcakery, LLC, a Nevada Limited
Liability Company,

Defendants.

AFFIDAVIT OF PAMELA F. JENKINS

THE STATE OF NEVADA §
COUNTY OF LAS VEGAS §

BEFORE ME, the undersigned authority, personally appeared Pamela F. Jenkins, who
being first duly sworn, did depose and say as follows:

1. My name is Pamela F. Jenkins. I am the founder and Managing Member of The
Cupcakery, LLC, a Nevada Limited Liability Company (the "Nevada Cupcakery"). This
affidavit is made on personal knowledge and is true and correct.

2. I am a single mother. I have a 2 year old child who I raise in Las Vegas, Nevada.

3. I am the owner and operator of the Nevada Cupcakery, which has three (3)
locations in Las Vegas, Nevada and employs approximately twenty-five (25) employees in the
Las Vegas area.

4. In October 2009, I entered into a Settlement Agreement with Ricky B. Perritt. I negotiated that Settlement Agreement while I was in Las Vegas, Nevada. I also executed the Settlement Agreement while I was in Las Vegas, Nevada. I did not travel to Texas at any point during the negotiation or execution of the Settlement Agreement.

5. The Nevada Cupcakery's actions and managerial decisions regarding performance of the Settlement Agreement occur or have occurred at the Nevada Cupcakery's offices in Las Vegas, Nevada.

6. The business records of The Cupcakery are located in Las Vegas, Nevada. These records include accounting detail for payment of legal fees and payments made and received pursuant to the Settlement Agreement. None of the Nevada Cupcakery's business records are located in the Eastern District of Texas.

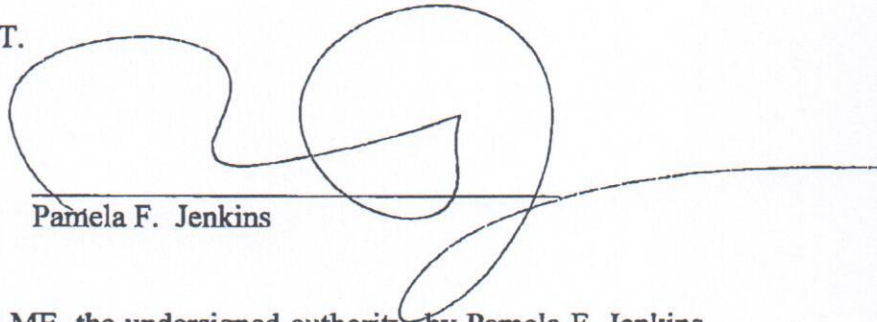
7. The Las Vegas, Nevada office of the law firm of Greenburg Traurig, LLP has been retained to pursue the trademark registration for The CupcakeryTM and has represented The CupcakeryTM in litigation involving its trademark.

8. The Nevada Cupcakery works with Laura Herlovich at the public relations firm of PR Plus. PR Plus is located in Las Vegas, Nevada, and Ms. Herlovich resides in the Las Vegas area.

9. The website host for www.thecupcakery.com is BannerView.com, which is located in Las Vegas, Nevada.


10. The Las Vegas Sun has run three (3) articles on this lawsuit in Las Vegas, Nevada.

AFFIANT FURTHER SAITH NOT.



Pamela F. Jenkins

SUBSCRIBED & SWORN TO BEFORE ME, the undersigned authority, by Pamela F. Jenkins
on this 23rd day of February 2011.



Notary Public In and for the State of Nevada

My commission expires: May 07, 2013

