

# **EXHIBIT B**

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

ADVANCEME, INC.

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§

CIVIL ACTION NO. 6:05-CV-424

VS.

RAPIDPAY, LLC

DAVIS

AFFIDAVIT OF DAN WELLHOEFER

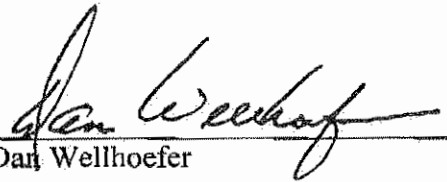
STATE OF TEXAS §

COUNTY OF TRAVIS §

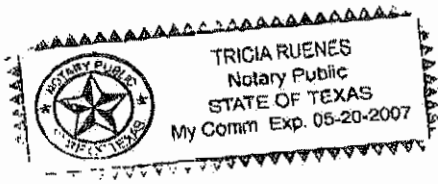
My name is Dan Wellhoefer. I am over the age of eighteen and competent to make this affidavit. I have personal knowledge of the facts stated herein and they are true and correct.

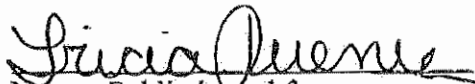
“In October of 2005, I called the 1-800 toll-free number for Rapidpay and asked to speak to a sales representative. Someone took my number and thereafter, a representative who identified himself as Jim D’Alesandro called me back. I told Mr. D’Alesandro that I was from Texas and interested in information regarding financial assistance for a small business. I asked if Rapidpay could provide its services to a restaurant in Beaumont, Texas and Mr. D’Alesandro told me that Rapidpay could do so. I asked for Rapidpay’s customer references in Texas and Mr. D’Alesandro told me that because of privacy concerns, he could not give me any names to contact directly, but he gave me the contact information for Rapidpay’s Texas attorney, who has an office in Austin, Texas. Mr. D’Alesandro also stated that Rapidpay could factor all credit cards and that their discount rate was between 20-26%. ”

Further affiant sayeth not.

  
Dan Wellhoefer

SUBSCRIBED AND SWORN TO BEFORE ME by the said Dan Wellhoefer this  
14 day of December, 2005.



  
Notary Public in and for  
the State of Texas