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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

AMIGA, INC., a Delaware corporation,  
Plaintiffs,

v.

HYPERION VOF, a Belgian corporation,  
Defendant.

No. 07-0631-RSM

**DECLARATION OF WILLIAM A. KINSEL IN OPPOSITION TO ITEC'S MOTION TO DISMISS, OR IN THE ALTERNATIVE, TO TRANSFER**

HYPERION VOF, a Belgian General Partnership,  
Counterclaim Plaintiff,

v.

ITEC, LLC, a New York Limited Liability Company,  
Counterclaim Defendant.

William A. Kinsel, under penalty of perjury, declares and states as follows:

1. I am counsel for defendant/counterclaim plaintiff Hyperion VOF. I am over the age of 18. I have personal knowledge of the matters stated herein and am competent to testify.

2. Attached hereto as Exhibit A is a true and accurate copy of an "Acknowledgment of Information Search" that I obtained from the Washington Department of Licensing on July 19, 2007. Exhibit A provides a listing of all financing statements and liens for Amiga, Inc. The only secured party listed is the law firm of Cairncross & Hempelmann.

3. The secured party search I conducted, and that is recorded on Exhibit A, was on the company that is referred to in this litigation as Amiga Washington. This is confirmed by Exhibit A, which lists the debtor's UBI number as 601983734, and Exhibit B, which is a true and accurate copy of a Registration Data Search run on Amiga Washington on May 4, 2007. As can be seen from Exhibit B, Amiga Washington's UBI number is also listed there as 601983734. Exhibit B further shows that Cairncross & Hempelmann was the registered agent of Amiga Washington.

**I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.**

November 25, 2007  
Date

William A. Kinsel  
William A. Kinsel

Seattle, WA  
Place

526p.doc

## Acknowledgment of Information Search

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<b>File Search Number</b>	2007-200-4392-3S
<b>Search On</b>	Amiga, Inc
	Search Type: All
	Result Type: Listing
	Include Lapsed: Yes
<b>Certified Through Date</b>	07/18/2007
<b>Fee Amount (\$US)</b>	15.00

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### Initial Financing Statement

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<b>File Number</b>	2002-276-5672-5
<b>File Date/Time</b>	10/03/2002
<b>Lapse Date</b>	10/03/2007
<b>Debtor</b>	Amiga, Inc. P. O. Box 887 Snoqualmie WA 98065 USA Organizational Type: C Corporation Jurisdiction: Washington Organizational ID: 601 983 734
<b>Secured Party</b>	Cairncross & Hempelmann, P.S. 524 Second Avenue, Suite 500 Seattle WA 98104-2323 USA

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The above listing is a record of all financing statements and liens for the specific name requested and which are currently on file in the Department of Licensing as of the certified through date. The Department of Licensing hereby disclaims responsibility in this record search and certification other than the name specified in your request for information.



*Elizabeth A. Luce*  
Elizabeth Luce, Director, Department of Licensing

7/19/2007

Exhibit A, page 3



CORPORATIONS

Corporations Menu

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Enter Keywords

Search

### Corporations Division - Registration Data Search

#### AMIGA, INC.

UBI Number	601983734
Category	Regular Corporation
Profit/Nonprofit	Profit
Active/Inactive	Inactive
State of Incorporation	WA
Date of Incorporation	09/30/1999
License Expiration Date	09/30/2004
<b>Registered Agent Information</b>	
Agent Name	CAIRNCROSS & HEMPELMANN PS
Address	524 SECOND AVE #500
City	SEATTLE
State	WA
ZIP	981042323
<b>Special Address Information</b>	
Address	
City	
State	
Zip	

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Exhibit B, page 4

**Disclaimer**  
Information in the Secretary of State's Online Corporations Database is updated Monday through Friday by 5:00 Pacific Standard Time (state holidays excluded). Neither the State of Washington nor any agency, officer, or employee is responsible for any errors or omissions in this information.