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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

SOARING HELMET CORPORATION, a
Washington Corporation,

Plaintiff,

v.

NANAL, INC., a Nevada corporation, d/b/a
LEATHERUP.COM,

Defendant.

NO. C 09-0789 JLR

DECLARATION OF STACIE
FOSTER IN SUPPORT OF
PLAINTIFF'S RESPONSE TO
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT

My name is Stacie Foster. I am over the age of 21, have personal knowledge of the facts stated herein, and am otherwise competent to make this declaration. I declare as follows:

1. I am an attorney at Invicta Law Group, PLLC, counsel to Plaintiff in this matter.
2. When I deposed Mr. Bootesaz on September 20, 2010, he promised to follow-up with answers to many of my questions, including providing information related to deductions he would claim to "back out" the gross sales numbers he provided for 2007, 2008,

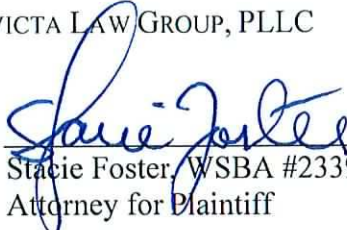
1 2009, and 2010, so that we could determine the net profits for those years, not just gross
2 sales. Attached hereto as Exhibit A is a true and correct copy of a letter I sent to Shahrokh
3 Mokhtarzadeh, counsel for Nanal, Inc., on September 21, 2010, to follow-up on my request
4 for information related to deductions from gross sales.

5 3. Attached hereto as Exhibit B is a true and correct copy of a letter from Stacia
6 Lay, counsel for Nanal, Inc., dated October 1, 2010, in response to my above letter.
7 However, Nanal did not provide sales and cost information related exclusively to XElement
8 Extreme Vega jackets enclosed with the letter. Instead, it merely provided additional gross
9 sales information, without the promised deductions. Also in Paragraph 1 of that letter,
10 Defendant admitted that, like Plaintiff, it attended the Advanstar Powersports Expo.

11 I declare under penalty of perjury under the laws of the state of Washington that the
12 foregoing is true and correct to the best of my knowledge and belief.

13 DATED this 22nd day of November, 2010.

14 INVICTA LAW GROUP, PLLC

15 By 
16 Stacie Foster, WSBA #23397
17 Attorney for Plaintiff

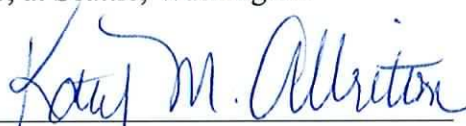
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following persons/attorneys of record:

Ms. Katherine Hendricks
Ms. Stacia N. Lay
HENDRICKS & LEWIS, PLLC
901 Fifth Avenue, Suite 4100
Seattle, WA 98164

Dated this 22nd day of November, 2010, at Seattle, Washington.



Katy M. Albritton
Legal Assistant