

EXHIBIT 9

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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 JOY LOGA
IN SUPPORT OF PLAINTIFF'S
RESPONSE TO DEFENDANT'S
MOTION FOR SUMMARY
JUDGMENT

1. My name is Joy Loga. I reside in Maryland. I am over the age of eighteen and I am competent to testify to, and have personal knowledge of, the facts stated herein.

2. I am a sales representative for VEGA Helmets. My territory includes the South East. I am based in Bel Air, Maryland and I have been with VEGA Helmets for 8 years.

1 3. As part of my job, I am aware of VEGA Helmet corporate policies,
2 which are printed in our annual product catalogue. I am also aware of VEGA
3 products, which are included in our product catalogue. Every VEGA retailer
4 receives annual copies of the catalogue, and prospective dealers receive the
5 policies along with the price list.
6

7 4. In the summer of 2009, I received a telephone call from a long-
8 time customer of VEGA.

9 5. The caller has been a customer of VEGA since 2005. He is one of
10 VEGA's top dealers, and sells, on average, \$150,000-\$300,000 worth of VEGA
11 products each year.
12

13 6. The caller asked me if VEGA was now selling leather jackets.

14 7. I said no, and asked the customer what he was referring to. He
15 directed me to a website offering "Xelement Vega" jackets, and asked me if
16 those were products of VEGA Helmet. When I looked at the website, I was
17 confused, because I did not know that VEGA made jackets, or whether VEGA
18 was doing some sort of joint venture or licensing with a company called
19 XElement.
20

21 8. I said not to my knowledge, but that I would call the head office
22 and ask.
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9. When I called the head office I spoke to Jeanne DeMund, and she looked at the website and said they were not VEGA Helmet products.

10. I called my customer and informed him that although the ad said "VEGA" they were not our products.

11. At that point, I had never heard of Leatherup.com. I had never heard of Xelement as a separate company, so I assumed that "Xelement Vega" was a new Soaring Helmet product that I had not yet heard about.

I declare under penalty of perjury under the laws of the state of Maryland and the United States that the foregoing is true and correct to the best of my knowledge.

Executed this 22nd day of November, 2010.

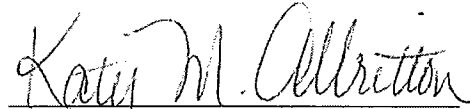

Joy Loga

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