

I, Thomas L. Taylor, III, under penalty of perjury state as follows:

1. My name is Thomas L. Taylor, III. I am a resident of Harris County, Texas. I am an attorney licensed to practice in the State of Texas, and a member of the bar of this Court. I am the Court-appointed Receiver for Kaleta Capital Management, Inc., BusinessRadio Network, L.P. d/b/a BizRadio, Daniel Frishberg Financial Services, Inc., d/b/a DFFS Capital Management, Inc. and all entities they own or control. I have personal knowledge of the facts stated herein, which are true and correct.

2. On July 6, 2011, I filed with the United States District Court for the Southern District of Texas in the above-styled consolidated matter a Motion for Summary Judgment (Doc. 89) (the "Motion") against ProTechnik, Inc. and Brian DeArmas ("Defendants"), using the DC/ECF filing system.

3. The Motion contained a signed Certificate of Service, in which I certified that I had "provided copies to all counsel of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2)."

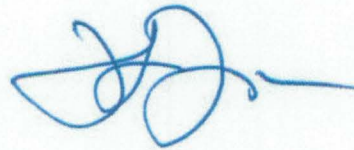
4. I served Defendants in accordance with FRCP 5(b)(2)(C), which states that "[a] paper is served under this rule by: (C) mailing it to the person's last known address — in which event service is complete upon mailing[.]" Attached as Exhibit A is the cover letter which accompanied the Motion as mailed via USPS from my office on July 6, 2011.

5. Defendants' former counsel of record is George A. Kurisky, Jr. and his firm Johnson DeLuca Kennedy & Kurisky, P.C. Mr. Kurisky's and his firm's representation of Defendants was withdrawn on March 10, 2011 by Order of this Court (Doc. 63). The Order gave no instruction as to future service of Defendants. Accordingly, I contacted Mr. Kurisky to obtain an address at which to reach the Defendants, and Mr. Kurisky supplied the address to which the

Motion was mailed. That address is a different address than the address on file with the Court, from which several mailings have been returned.

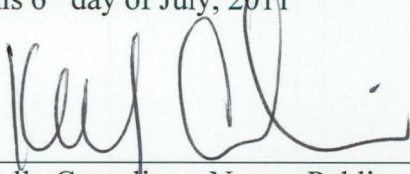
6. As of the date of signature of this affidavit, my office has not received, as returned mail or otherwise, the envelope in which the Motion was mailed to Defendants on July 6, 2011.

Executed on August 17, 2011.



Thomas L. Taylor III

Subscribed and sworn before me
this 6th day of July, 2011



Kelly Cornelison, Notary Public
Harris County, Texas



My Commission Expires: _____

2/25/14