

IN UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF TEXAS
 HOUSTON DIVISION

SECURITIES AND EXCHANGE	§	
COMMISSION	§	
	§	
Plaintiffs,	§	
	§	
v.	§	Case No. 4:09-cv-3674
	§	
ALBERT FASE KALETA and KALETA	§	
CAPITAL MANAGEMENT, INC.,	§	
	§	
and	§	
	§	
BUSINESSRADIO NETWORK, L.P.,	§	
d/b/a BizRadio and DANIEL FRISHBERG	§	
FINANCIAL SERVICES, INC., d/b/a	§	
DFFS CAPITAL MANAGEMENT, INC.,	§	
	§	
Relief Defendants.	§	

AFFIDAVIT

STATE OF TEXAS §
 COUNTY OF FORT BEND §

Before me, the undersigned authority, personally appeared, David G. Wallace, who, being by me first duly sworn, deposed as follows:

“My name is David G. Wallace. I am over the age of 18 years of age and fully competent to make this affidavit. The facts stated herein are true and correct, and are based on my personal knowledge.

1. Par. 1.9 of the Compromise Settlement and Release Agreement provides:

“Wallace Bajjali Parties” means Wallace, Bajjali, WB Dev. Partners, W. Houston Fund, LFW Fund, WB Fund II, and Spring Cypress Investments, collectively.

2. WB Dev. Partners: The full name is Wallace Bajjali Development Partners, L.P. I am the Chief Executive Officer. This entity has employees who perform development services, accounting, investor relations and other services. It is a limited partnership. Costa Bajjali owns 50%. Two trusts for my two children own 50%.

3. W. Houston Fund: The full name is West Houston WB Realty Fund, L.P. Costa Bajjali and I are Managers of W. Houston Fund's general partner, WB Substitute, GP, LLC. It was created to make real estate investments. It owns approximately 13.5% of WB Real Estate Holdings, LLC. It is a limited partnership and has about twenty-five individual limited partners.

4. LFW Fund: The full name is Laffer Frishberg Wallace Economic Opportunity Fund, LP. Costa Bajjali and I are managers of its general partner, LFW Management, LLC. It was created to make real estate and private equity investments. It owns approximately 12.5% of WB Real Estate Holdings, LLC. It is a limited partnership and has approximately forty individual limited partners.

5. WB Fund II: The full name is Wallace Bajjali Investment Fund II, L.P. Costa Bajjali and I are managers of the general partner, WBIF GP, LLC. It was created to make real estate and private equity investments. It owns approximately 74% of WB Real Estate Holdings, LLC. It is a limited partnership and has about ninety-eight individual limited partners.

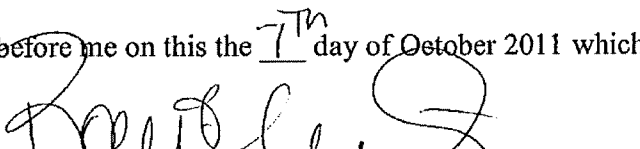
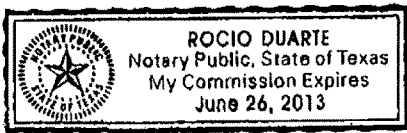
6. Spring Cypress Investments: The full name is Spring Cypress Investments, LP. Costa Bajjali and I are officers and managers of its general partner, Spring Cypress Investments GP, LLC. Its purpose was to develop about 170 acres into single family and commercial lots, and to sell the single family lots to home builders and the commercial lots to end users. The name of the development is Trails of Cypress Lakes. It is a limited partnership. It is owned by K&S / WB Holdings Associates, and it's general partner. K&S is a third party, non-affiliated investor located in New York, and the remaining ownership is held by WB Real Estate Holdings, LLC.

Further affiant sayeth not."



David G. Wallace

SUBSCRIBED AND SWORN TO before me on this the 7th day of October 2011 which witness my hand and seal of office.


NOTARY PUBLIC, STATE OF TEXAS

Notary's printed name: Rocio Duarte
My commission expires: 6/26/2013