

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JAMES R. ZAZZALI, as Trustee for the)
DBSI Private Actions Trust,)

Plaintiff,)

v.)

C.A. No. 12-828 GMS

ALEXANDER PARTNERS, LLC, et. al.)

Defendants.)

DECLARATION OF BRETT G. EVANS


I, Brett G. Evans, declare:

1. I am an attorney-at-law and a partner in the law of Hull Evans & Kob LLP, which represents Jeffrey Augspurger, Ron Barton, Tod Billings, Trent Bryerly, Scott Cavey, Allan Crumes, Ron Davies, Tim Duma, Mike Eden, David Kowalski, Robert Kuh, Michael Myers, Dwain Owens, Mark Pearson and Royce Ruth (“Representative Defendants”).
2. I am duly admitted to practice in the courts of California.
3. This declaration is submitted in support of the Opening Brief in Support of Representative Defendants’ Motion to Dismiss the Complaint for Improper Venue.
4. I reviewed the investor files for Deane Henderson (“Henderson”), listed as Exhibit A of the Complaint as the PAT Beneficiary investing in DBSI Chattahoochee, LLC, a tenant-in-common investment offered by DBSI. The investor files listed Henderson’s SPE as Deane-Farms-Chattahoochee, LLC, a limited liability company formed in Georgia.



5. I performed a search on the website of the Corporations Divisions of the Secretary of Georgia Secretary of State for entities starting with "Deane Farms." Attached hereto as Exhibit A is the Certificate of Formation and the 2012 Annual Registration Statement of Deane Farms-Chattahoochee, LLC.

I certify under penalty of perjury under the laws of California that this affidavit was executed in Tustin, California on March 14, 2014 and that the foregoing statements are true and correct.

By: 

Brett G. Evans

