

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

T-PEG, INC and )  
TIMBERPEG EAST, INC., )  
Plaintiffs, )  
)  
vs. ) No. 03-CV-462-M  
)  
VERMONT TIMBER WORKS, INC. and )  
DOUGLAS FRIANT, )  
Defendants. )

AUTHENTICATING AFFIDAVIT

I, W. E. Whittington, state the following on oath:

I am counsel to defendants in the case of T-Peg, Inc. v. Vermont Timberworks, No. 03-cv-462-M in the United States District Court for the District of New Hampshire, and authenticate the Exhibits appended to Defendants' Motion For Summary Judgment Based On Lack Of Standing as follows:

1. Exhibit 1 is a true copy of plaintiffs' claimed copyright registration, attached to and incorporated into the Complaint and Amended Complaint in the case.
2. Exhibit 2 is a true copy of defendant's initial responses to Interrogatory 1 and Request to Produce No. 7.
3. Exhibit 3 is a true copy of a June 19, 2004 e-mail and memo between counsel summarizing their "meet and confer" discussion concerning the response to Interrogatory 10.
4. Exhibit 4 is a true copy of plaintiffs' supplemental response to Interrogatory 10, dated July 13, 2004.
5. Exhibit 5 is a true copy of the five sheets attached to the copyright application/registration, VAu 51-781, as produced by plaintiffs in the case.
6. Exhibit 6 is a true copy of excerpts of the deposition of Jonathan Vincent, taken March 31, 2004.
7. Exhibit 7 is a true copy of the U.S. Copyright Instructions for Form VA, revised June 1999 and in effect during April and May 2001.

8. Exhibit 8 is a true copy of a document produced by plaintiffs and submitted by them in opposition to defendants' prior motion for summary judgment.

W. E. Whittington  
W. E. Whittington

Signed and sworn to before  
me this 26<sup>th</sup> day of June 2007



Mary Lou Robinson  
Notary Public

MARY LOU ROBINSON  
Notary Public - New Hampshire  
My Commission Expires April 21, 2009