

GEOFFREY K. DAVIDIAN,

Plaintiff,

v.

Case No. 02-CV-9453

Case Code: 30106
 30301
 30704

STEVE CORDER,
T. MICHAEL O'MARA,
JIMMY DALE SHIPLEY and
JOHN C. DUFFY,

Defendants.

AFFIDAVIT OF T. MICHAEL O'MARA

STATE OF TENNESSEE:

:SS

COUNTY OF PUTNAM :

I, T. MICHAEL O'MARA, being first duly sworn on oath, affirm and state as follows:

1. I am an adult resident of the City of Cookeville, Putnam County, Tennessee, and I make this affidavit in support of the Defendants' motion to dismiss for lack of personal jurisdiction.
2. I have been to the State of Wisconsin only one time. That occurred in 1980 when I flew from Rochester, Minnesota to Chicago, Illinois with an intermediate stop at the Milwaukee Airport. I did not leave the plane.
3. Regarding this case I have communicated with Mr. Davidian beginning October 24, 2001 by regular mail and e-mail. In each instance I was responding to an inquiry made by Mr. Davidian either to Jim Shipley, City Manager of the City of Cookeville or directly to me.

4. In September of 2001 I was preparing for a trial involving the City of Cookeville and Mr. Davidian. As part of the discovery process Mr. Davidian provided a CD-Rom containing archives of the stories and graphics that appeared in his Internet newspaper, *The Putnam Pit*. I wanted to use some of the text and images as trial exhibits. I requested that Steve Corder crop some specific articles and images so that portions of the archived records could be used to make trial exhibits.

5. It was my intention that Mr. Corder use the articles and images on the CD-Rom because those were the articles and images I had seen. Until after the incident of September 26, 2001, I was unaware that Mr. Corder was actually going to the Internet website to capture the images.

Further Affiant sayeth not.



T. MICHAEL O'MARA

Sworn and subscribed before me,

on this 26th day of November, 2002.

Angela Clouse

My commission expires: 6-20-06