

1 I, Jack Dirmann, declare and state as follows:

2 1. I make this declaration in support of the Defendants' Notice Of Opposition To  
3 Application For Right To Attach Order And Order For Writ Of Attachment filed concurrently  
4 herewith in the above-captioned action. The facts set forth herein are true of my own personal  
5 knowledge, and if called upon to testify thereto, I could and would competently do so under oath.

6 2. I have read the Declaration Of Reed E. Slatkin In Support Of The Trustee's Ex Parte  
7 Application For A Right To Attach Order And Order For Issuance Of Writ Of Attachment (the  
8 "Slatkin Declaration"), which was filed in the adversary proceeding entitled R. Todd Neilson,  
9 trustee v. Anthony and Margaret Hitchman, adversary proceeding number AD-02-01111-RR, on  
10 August 28, 2002, and attached to the Declaration Of Timothy B. Jafek In Support Of The Motion  
11 Of The Trustee For A Right To Attach Order And Order For Issuance Of Writ Of Attachment (the  
12 "Jafek Declaration"), filed on October 2, 2002.

13 3. In the Slatkin Declaration, Reed E. Slatkin ("Debtor" or "Slatkin") states that on  
14 March 31, 2001, Slatkin was locked in a room in Mr. Hitchman's home while Mr. Hitchman and I  
15 physically restrained Slatkin from leaving until he signed a document and threatened him that he  
16 could not leave until said document was executed. Additionally, Slatkin states that Mr. Hitchman  
17 told me that Slatkin had engaged in fraud and that both Mr. Hitchman and I demanded money from  
18 Slatkin. See Jafek Declaration, Ex. 1, Slatkin Declaration, p.7, ¶ 30. None of these statements are  
19 true.

20 4. I did not meet with Slatkin and Mr. Hitchman on March 31, 2001 nor was I at Mr.  
21 Hitchman's home on that date.

22 5. I did meet with Slatkin and Mr. Hitchman at Mr. Hitchman's home on March 27,  
23 2001. During our March 27, 2001 meeting at Mr. Hitchman's home, neither Slatkin, Mr. Hitchman  
24 nor I discussed Earthlink stock or anyone's interest therein. The purpose of this meeting was for  
25 me to confront Slatkin with the fact that Slatkin had been lying to investors regarding their requests  
26 to withdraw their funds from the investment group.

27 6. I told Slatkin that the reasons and justifications as to why Slatkin was unable to  
28 fulfill the demands from his investors for return of their funds that Slatkin had told them in January

1 2001 were untrue. I demanded that Slatkin tell me the actual reason for Slatkin's failure to return  
2 the funds.

3 7. In response, Slatkin told me that all of the investors' funds and securities were  
4 perfectly safe, but that he could not gain access to such funds and securities because they were tied  
5 up in Switzerland in his trust company, NAA, due to government restrictions regarding transfers of  
6 these funds. He further told me that the Swiss government's concerns over money laundering was  
7 causing undue delays in the release of funds despite his best efforts and that he would provide me  
8 with documents evidencing the same (which he never did).

9 8. I have never physically or otherwise restrained or coerced Slatkin in any way.

10 9. I have never locked Slatkin in a room or threatened to do so.

11 10. I have never physically or otherwise forced or coerced Slatkin to sign any  
12 document.

13 11. I have never discussed Mr. Hitchman's interests in Earthlink with Slatkin.

14 12. Mr. Hitchman has never told me that Slatkin was engaged in fraud nor have I ever  
15 heard Mr. Hitchman make such statement to a third person.

16 13. I am a parishioner in the Church of Scientology, but hold no special rank or office  
17 with the Church nor am I a representative of the Church.

18 I declare under penalty of perjury under the laws of the United States of America that the  
19 foregoing is true and correct.

20 Executed on this 16<sup>th</sup> day of October, 2002, at Clearwater Florida

21 

22 Jack Dirmann  
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