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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**COMMODITY FUTURES TRADING  
COMMISSION,**

**Plaintiff,**

**vs.**

**Civil Action No.: 04CV1512**

**Honorable Robert B. Kugler**

**EQUITY FINANCIAL GROUP, LLC,  
TECH TRADERS, INC., TECH  
TRADERS, LTD., MAGNUM CAPITAL  
INVESTMENTS, LTD., VINCENT J.  
FIRTH, ROBERT W. SHIMER, COTY  
E. MURRAY, and J. VERNON  
ABERNETHY**

**Defendants.**

**AFFIDAVIT OF THOMAS LIST, CLAIMANT (CLAIM #37) IN SUPPORT OF  
RESPONSE TO FACTUAL ISSUES IN THE EQUITY RECEIVER'S  
OBJECTION**

Thomas List first being duly sworn, states as follows:

1. I have personal knowledge of the contents of this affidavit and I am competent to testify as to them.
2. My initial investment in Kaivalya Holding Group, Inc. was for \$47,500.00 under the terms of a Promissory Note which provided for repayment of his principle.
3. I received two checks from Kaivalya on August 7, 2003. The first check from Kaivalya was Patriot Bank check number 620 for \$12,500.00 and the second was Patriot Bank check number 622 for \$5,000.00.

4. I received a third check from Kaivalya, Patriot Bank check number 631 for \$15,000.00 on October 17, 2003.
5. I have never received any interest on the principle invested in Kaivalya.
6. I invested in Shasta Capital Associates, LLC. by wiring \$95,000.00 of my IRA retirement funds to Shasta pursuant to the Subscription Agreement.
7. The total amount of funds I invested with Shasta was \$95,000.00.
8. I have reviewed the content of the Response To Legal Issues In The Equity Receiver's Objection and the Response To Factual Issues In The Equity Receiver's Objection filed by my Attorneys on my behalf and affirm the accuracy of the information contained therein.

Affiant says nothing further.

Thomas B List  
Thomas List

5-11-2005

SWORN TO AND SUBSCRIBED before me  
this 11<sup>th</sup> day of May, 2005.

Eliza L Sheaffer  
Notary Public

