

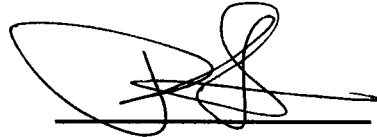
ATTACHMENT B

Affidavit of Robert W. Shimer, Esq.

I, Robert W. Shimer, hereby state that I reside at 1225 W. Leesport Road, Leesport, PA 19533 and that I am a member in good standing of the Massachusetts Bar and do further state under oath the following:

1. That I had no notice or information about the CFTC's intention to continue the deposition of Elaine Teague on January 12 and January 13, 2006 until I was advised of that fact on the afternoon of December 21, 2005.
2. That I merely acknowledged to those present that if the deposition of Elaine Teague was going to continue on the above two referenced days in mid January I would not attend.
3. I did not disclose to anyone the reason why I would not be able to attend Plaintiff's continuation of the Teague deposition until I filed my response brief dated December 30, 2005 to the Receiver's Motion to Compel which advised the Court that I would be out of the country for the month of January, 2006.
4. I did not indicate to any person present at Teague's deposition on December 21, 2005 that I waived my right to attend the Teague deposition scheduled by the CFTC for mid January nor did I indicate to anyone present on December 21, 2005 in Portland that I waived my right to object to improper questioning of Teague by the CFTC that might occur on either January 12th, 13th or 14th 2006.
5. Beovich Walter & Friend refused to release the transcript of Teague's deposition conducted by me on December 21, 2005 until the invoice for that deposition transcript was paid in full.
6. Vincent Firth sent small payments to Beovich Walter & Friend in the amount of approximately \$300.00 every few months throughout 2006. To the best of my recollection Vince Firth finally extinguished the bill for the Teague deposition sometime in either April or early May of 2007.
7. Until I received the transcript of the Teague deposition in late April or early May of 2007 I never saw a copy of the transcript of the deposition of Teague taken on December 21, 2005.

- 8. Additional funds in the approximate amount of \$400.00 were paid by Vince Firth and myself in order to obtain in May of 2007 the pages of the Teague deposition conducted by the CFTC on January 12 and January 13, 2006 as well as the missing pages of the deposition of Teague taken on January 14, 2006 not attached to the CFTC's motion for partial summary judgment.
- 9. I did not have a complete transcript of the Teague deposition taken by the CFTC for my review until May of 2007.
- 10. I reviewed the complete transcript of the Teague deposition of January 12, 13 and 14, 2006 for the first time while preparing my part of the Pretrial Order in May of 2007.



Robert W. Shimer, Esq.

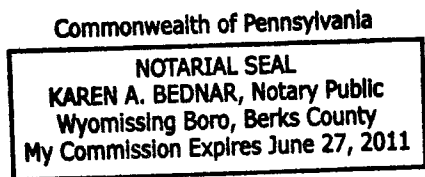
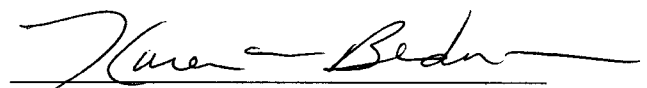
State of Pennsylvania}

}ss

County of Berks}

On this 13th day of August, 2007, before me, Karen A. Bednar, a Notary Public personally appeared Robert W. Shimer who, being satisfactorily identified to me, did first state under oath that all statements contained in his affidavit are true and correct and then did execute this affidavit in my presence for the purpose stated therein.

IN WITNESS WHEREOF I have hereunto set my hand and official seal on the above stated date.

Notary Public

My Commission Expires: 6/27/11