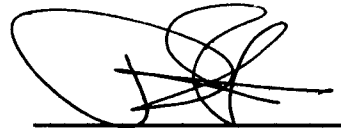


ATTACHMENT C

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 participated in the deposition of Nicholas Stevenson "Stevenson" by the CFTC by listening to the questions and answers on my cell phone.
2. That at the time of the Stevenson deposition I was traveling in the mountains of North Carolina.
3. That cell phone reception in that particular part is often difficult.
4. That there were times when I could not clearly hear the exact question being asked if reception faded out during the question.
5. That at times I could not necessarily clearly hear the answer given by Mr. Stevenson if reception faded out during his answer.
6. That I was not aware that the CFTC would choose to rely solely upon Stevenson's deposition testimony at trial.
7. That I fully expected to be able to object to any improper questions or answers at trial.
8. That as a courtesy to the CFTC's counsel I did not want to constantly interrupt the deposition of Stevenson claiming that I did not hear a particular CFTC's question or a particular Stevenson answer.

A handwritten signature in black ink, consisting of several loops and a horizontal line at the end, positioned above a solid horizontal line.

Robert W. Shimer, Esq.

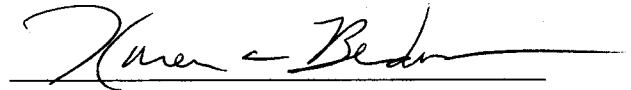
State of Pennsylvania}

}ss

County of Berks}

On this 13<sup>th</sup> 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: 0/27/11

Commonwealth of Pennsylvania

NOTARIAL SEAL  
KAREN A. BEDNAR, Notary Public  
Wyomissing Boro, Berks County  
My Commission Expires June 27, 2011