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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 DENNIS MONTGOMERY, and the)
11 MONTGOMERY FAMILY TRUST,) Case Nos. 3:06-CV-00056-PMP-VPC
12 Plaintiffs,) **BASE FILE**
13 v.) 3:06-CV-00145-PMP-VPC
14 ETREPPID TECHNOLOGIES, LLC,) **DECLARATION OF ATTORNEY ALFRED G.**
15 WARREN TREPP, and the UNITED) **RAVA IN SUPPORT OF MOTION FOR**
16 STATES DEPARTMENT OF DEFENSE,) **ATTORNEY FEES**
17 Defendants.)
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28)
AND ALL RELATED MATTERS.)

19 I, Alfred G. Rava, declare:

- 20 1. I am an attorney licensed to practice in the states of Texas and California. I am a sole
21 practitioner. At all times relevant to the March 2006 meeting discussed below, and at all
22 times subsequent to that meeting, I was not a partner or associate of Michael Flynn or of
23 any law firm he has been involved in. I have personal knowledge of the facts stated herein,
24 and if called as a witness, I could and would testify competently to them.
25 2. On or about Sunday, March 5, 2006, I traveled to Rancho Mirage, California with Michael
26 Flynn and met with Dennis Montgomery, Edra Blixseth and Michael Sandoval. The
27 meeting was held at Ms. Blixseth's mansion, called "Porcupine Creek."
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- 1 3. During the meeting, I heard Michael Flynn explain to Mr. Montgomery, Ms. Blixseth and
2 Mr. Sandoval that Mr. Flynn was a Massachusetts attorney from Boston, that he had
3 litigated many complex cases in different areas of the United States, that he was
4 representing Dennis Montgomery in the Nevada courts under a procedure called "*pro hac*
5 *vice*," and that he was not a Nevada attorney but was sponsored by Nevada lawyers. I, on
6 the other hand, introduced myself as a licensed California attorney with my own firm.
- 7 4. Ms. Blixseth and Mr. Flynn talked about mutual acquaintances in New England including
8 Bill Cohen from Maine, the former Secretary of Defense. Ms. Blixseth commented on Mr.
9 Flynn's Boston accent.
- 10 5. Mr. Flynn said he had a "California partner" who was also working on the cases for Mr.
11 Montgomery. Mr. Flynn said that while he had a home in Rancho Santa Fe, California, as
12 well as a home in Massachusetts, he was not a California lawyer.
- 13 6. During the meeting, Mr. Flynn explained to Ms. Blixseth and Mr. Sandoval that Mr.
14 Montgomery's home had been raided by the FBI, that the Nevada state court had issued a
15 preliminary injunction relating to certain software technology allegedly taken by Mr.
16 Montgomery from eTreppid, his former company, and that Mr. Montgomery's position was
17 his software technology had never been located at eTreppid. Dennis Montgomery injected
18 himself into the discussion several times, calling the preliminary injunction a "TRO."
- 19 7. Mr. Montgomery also explained in detail how the technology was used in the war on terror
20 in "top secret" military applications, how the U.S. government was willing to pay \$100
21 million dollars for it, how it was derived from his copyrights that had never been conveyed
22 to eTreppid, and how Warren Trepp was trying to "steal" it from him by using the FBI and
23 Trepp's political influence with Jim Gibbons who was running for Nevada Governor.
- 24 8. Ms. Blixseth stated she did not want to hear about the FBI raid or the civil cases, Warren
25 Trepp was of "no concern" to her, and she wanted to use the technology for unspecified
26 "commercial purposes." Mr. Sandoval essentially expressed the same sentiments.
- 27 9. Ms. Blixseth said she had full confidence and trust in Mr. Sandoval, who was her "partner"
28 in a software company in the State of Washington, and she wanted "to get a deal done"

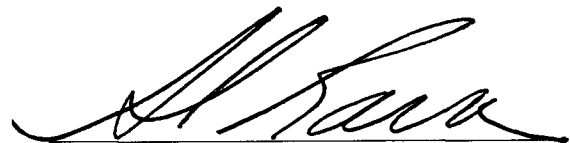
1 between all of them - or words to that effect.

2 10. I understand Mr. Montgomery is claiming under oath that Mr. Flynn held himself out to
3 Mr. Montgomery as being licensed to practice law in California. This is ridiculous.

4 11. I have known Mr. Flynn since 2001, and from Day One he has been up front about not
5 being a licensed California attorney. When I met Mr. Flynn for the first time, in his office
6 in 2001, I pointed out several BAR/BRI California bar exam preparation books on a
7 bookshelf. Mr. Flynn was quick to tell me he was considering taking the California bar
8 exam because he was only licensed to practice law in Massachusetts.

9 12. I have seen many examples of Mr. Flynn's correspondence stating "Only Admitted in
10 Massachusetts," or words to that effect. Several times I have heard him tell people he is not
11 a California lawyer. I heard him say that to those in attendance at the above March 2006
12 meeting at Porcupine Creek, as has been his custom when introducing himself as a lawyer
13 to prospective clients.

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15 I declare under penalty of perjury under the laws of the United States and the State of
16 Nevada the foregoing is true and correct. Signed this 20th day of September 2007 in San
17 Diego, California.

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20 Alfred G. Rava, Esq.

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