

June 27, 2006 2:43PM

No. 6191 P. 3/3

UNITED STATES DISTRICT COURT
Eastern District of New York

06-CV-2429 (JS) (WDW)

David D'Amato,

Plaintiff,

-v-

AFFIDAVIT OF SERVICE

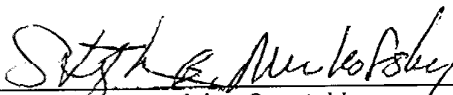
David W. Starr, et al.

Defendants.

I hereby certify and return that on June 26, 2006, at 7:30 PM, I served true and attested copies of the within: Order of Judge Seybert dated May 19, 2006; Eastern District of New York Docket Sheet; Plaintiff's Memorandum of Law in Support of Plaintiff's Order to Show Cause for a Temporary Restraining Order and Permanent Injunction; Exhibit A - Summons and Complaint; Exhibit B - Order To Show Cause For Temporary Restraining Order; and Exhibit C - Attorney Certification, in this action upon the within named **Kent Barclay**, by effecting personal service upon Kent Barclay. The said service was effected at Room 12 of the Capeway Motel, 149 Washington St., Norwell, MA 02061.

As Mrs. Barclay (the defendant's mother) opened the door to Room 12, I heard the bathroom door shut. After I told Mrs. Barclay that I had a delivery for Kent Barclay and that I needed to see him for a moment, she approached the bathroom door and called the defendant by name, saying: "Kent, there's a man here to see you." The defendant could be heard speaking to his mother, through the door, saying: "Ask him who he is." I identified myself as a constable and said I had some legal documents for him. Additional discussion between Mrs. Barclay and the defendant followed, during which he was heard to tell her that he didn't want them. Mrs. Barclay approached me saying "He refuses them..." At that time, I spoke loudly enough to be heard throughout the one-room motel unit / bathroom and said: "Kent Barclay, I have some legal documents here for you, if you are not going to come out, I'm leaving them here for you." As I was unable to hear whether there was any response over Mrs. Barclay's protestations, I dropped the service package onto the floor inside the unit door and left.

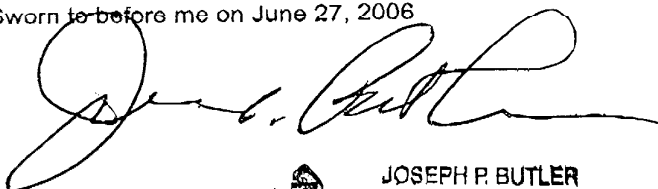
I declare under the penalty of perjury under the laws of the United States of America that the foregoing information is true and correct. Executed on June 27, 2006.



Stephen B. Minkofsky, Constable
& Disinterested Person over Age 18.

Commonwealth of Massachusetts
County of Suffolk

Sworn to before me on June 27, 2006



Butler and Witten
Boston, MA
(617) 325-6455



JOSEPH P. BUTLER
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 9, 2010