

DECLARATION OF JASON HATTORI

Declarant JASON HATTORI ("Declarant"), declares under penalty of perjury that the statements made hereinbelow are true and correct to the best of his knowledge, information and belief.

1. Declarant is currently employed by Kessner Duca Umabayashi Bain & Matsunaga as the firm's IT Administrator. He has held this position for the past three years.

2. Declarant has personal knowledge of the matters set forth below and if called upon to testify, would do so as to the facts stated herein.

3. Declarant holds the following certifications which are pertinent to his position as IT Administrator:

a. CompTIA A+. This certification confirms the technician's ability to perform tasks such as installation, configuration, diagnosing, preventive maintenance, and basic networking;

b. CompTIA Network+. This certification recognizes the technician's ability to describe the features and functions of networking components and to install, configure, and troubleshoot basic networking hardware, protocols, and services;

c. Microsoft MSCA. This certification allows the technician to implement, manage, and maintain the typically complex computing environment of medium to large sized companies; and

d. Microsoft MCSE. This certification allows the technician to plan, design, and implement Microsoft Windows server solutions and architectures in medium to large sized companies.

In addition to the foregoing, Declarant also has basic training in and knowledge of web design and development.

4. This Declaration is submitted in support of Plaintiff-Successor Trustee JAMES B. NICHOLSON's ("Plaintiff") Motion for Entry of Judgment on the Arbitration Award Against Bobby N. Harmon ("Summary Judgment Motion") filed herein on April 11, 2006.

5. Declarant was informed by Steven Guttman, one of the attorneys representing Plaintiff in this proceeding, that Defendant Bobby N. Harmon ("Defendant") maintains the website located at www.the-catbird-seat.net ("Harmon Website"). Mr. Guttman inquired with Declarant as to the feasibility of downloading the entire Harmon Website and creating a hard copy thereof for the purpose of introducing the Harmon Website as evidence in support of Plaintiff's Summary Judgment Motion.

6. After thoroughly reviewing the Harmon Website, Declarant informed Mr. Guttman that due to the tremendous quantity of information located at the Website, it would not be feasible nor within the realms of physical practicality to download all the information stored at the site. Any attempt to convert all the Website information to a hard copy format would result in a product which was far too voluminous and physically unmanageable to present as evidence in a court proceeding. The reason for this conclusion is that there are multitude of links on each page of the material, and each link has multiple levels of sub-links.

For example, in reviewing Plaintiff's Exhibits F, G, and H, which correspond respectively to the *Rico in Paradise* web page, the *Claims by Harmon* web page, and the *More Claims by Harmon* web page of the Harmon Website, one will notice there are numerous words which are underscored. Each underscored word, connects to another link, which then connects to another link, and so on. Copies of Plaintiff's Exhibits F, G and H are attached to this Declaration as Exhibit "A" for the reader's reference and convenience.

7. As a further illustration of the volume and magnitude of the Harmon Website, attached as Exhibit "B" is a copy of the *Catbird Seat*

Guide provided on the home page of the Website for the web viewers' use. Again, each page of each link and sub-link refers and instantly connects the web reader to another multitude of sites.

8. Attached hereto as Exhibit "C" is an additional index of Harmon Website links.

DATED: Honolulu, Hawaii, June 26, 2006.

A handwritten signature in black ink, appearing to read "Jason Hattori", with a stylized flourish at the end.

JASON HATTORI