

FOR THE COUNTY OF MULTNOMAH

Case No. 090202464

DECLARATION OF MICHAEL PAPADOPOULOS

Defendants.

1 Supplementary Request, Second Supplementary Request, and Third Supplementary Request
2 presented in the above described email of December 12, 2008 to The KBOO Foundation

3 5. The express purpose and use for which I seek to use the KBOO Foundation's
4 membership list for my First Supplementary Request is "to locate at least 5% of KBOO members
5 willing to sign a written demand pursuant to ORS 54.204 and KBOO Bylaws Article V Section 2
6 for the holding of a special membership meeting."

7 6. The express purpose and use for which I seek to use the KBOO Foundation's
8 membership list for my Second Supplementary Request is "for the purpose of first locating at
9 least thirty members who agree to petition to have proposed bylaw amendments submitted to the
10 membership, pursuant to KBOO Bylaws Article XIII, and thereafter for the purpose of presenting
11 arguments for and against adopting such proposed amendments."

12 7. The express purpose and use for which I seek to use the KBOO Foundation's
13 membership list for my Third Supplementary Request is "for the purpose of locating members to
14 enable the bringing of a derivative suit (ORS 65.174) by at least twenty members in their own
15 names and in the name of the KBOO Foundation."

16 8. The KBOO Foundation has never formally responded to my First Supplementary
17 Request, my Second Supplementary Request, or my Third Supplementary Request that were
18 presented in my email of December 12, 2008 to The KBOO Foundation. However, the Board of
19 the KBOO Foundation and its manager have indicated that they do not believe that the purposes
20 for which I seek to use the KBOO membership list described in those requests are "proper
21 purposes" and they have never authorized me to obtain or use the KBOO membership lists for
22 the purposes stated in those KBOO membership record requests. Therefore, although I have been
23 provided with copies of the KBOO Foundation membership list for other uses, associated with
24 my 2009 campaign for a position on the KBOO Board, the KBOO Foundation has, to date, not
25 authorized or allowed me to use these KBOO membership list for the purposes set forth in my
26 First Supplementary Request, Second Supplementary Request, and Third Supplementary

1 Request, described in my email of December 12, 2008 to The KBOO Foundation.

2 9. I understand that the KBOO Foundation objects to providing me with an electronic
3 copy of the KBOO membership list or any purpose. However, even if I cannot receive an
4 electronic copy of KBOO membership list, I nonetheless seek to receive authorization from the
5 KBOO Foundation to use the KBOO membership list for the three purposes and uses described
6 in my First Supplementary Request, Second Supplementary Request, and Third Supplementary
7 Request within my email of December 12, 2008 to The KBOO Foundation.

8 10. I fully understand and acknowledge that I can only use the KBOO membership list
9 for the specific purposes for which use of these records has been approved by the KBOO Board.
10 There is no merit to The KBOO Foundation's suggestion that I would ever use the organization's
11 membership list for any use or purpose other than the express purpose for which I am authorized
12 by The KBOO Foundation. I have never used the KBOO membership lists that I have been
13 provided to date in an unauthorized manner or in any respect outside of the scope of the use and
14 purposes for which said lists were provided.

15 11. I seek to use the KBOO membership list at this time only for the specific purposes
16 set forth in my First Supplementary Request, Second Supplementary Request, and Third
17 Supplementary Request to the KBOO Foundation.

18 12. I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST
19 OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND THAT IT IS MADE
20 FOR THE USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY OF PERJURY

21
22 DATED: March ___, 2010

23 Michael Papadopoulos
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