

1 private internet chat. My research confirmed that "cheesegrate" is Adam Ceremuga of Brisbane,
2 Australia.

3 11. Many people posting on the bulletin boards immediately called into question the
4 authenticity of the e-mail alleged to be from Amiga's Chief Technology Officer. I provide a few
5 examples for reference. Attached as Exhibit E is a true and correct copy of a post ten minutes
6 after the forged e-mail was posted questioning its authenticity. Attached as Exhibit F is a true
7 and correct copy of a post two hours after the original post again questioning its authenticity.

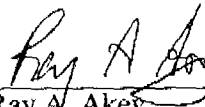
8 12. In the 24 hours after the initial post of the forged e-mail, 15 people responded
9 indicating the e-mail was a fraud. In the time after the initial post until March 1, over 100 people
10 posted messages regarding the fake e-mail. As examples, attached as Exhibit G and H are true
11 and correct copies of a few posts during that time period that questioned the validity of the
12 posted e-mail.

13 13. I reviewed posts by "bbrv" between the time Mr. Ceremuga posted the forged e-
14 mail (February 25) and March 9. From February 25th through March 1st, "bbrv" posted a
15 minimum of nine times to these same public bulletin boards that contained more than 100 posts
16 regarding the forged e-mail. From the time Mr. Ceremuga claimed authorship of the fake e-mail
17 on March 4, 2004 until March 9, 2004, "bbrv" publicly posted a minimum of seven times to the
18 bulletin boards at issue.

19 14. Attached as Exhibits J and K are true and correct copies of posts by "bbrv" on a
20 public bulletin board on February 23, 2004.

21 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE
22 OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

23 DATED this 14th day of March, 2004 at Windsor, Ontario.

24
25 
Ray A. Akey

DECLARATION OF RAY A. AKEY IN SUPPORT OF
AMIGA, INC.'S RESPONSE TO MOTION TO MODIFY THE
ORDER GRANTING SPECIFIC PERFORMANCE - 3

Cairncross & Hempelmann, P.S.
Law Offices
524 Second Avenue, Suite 500
Seattle, Washington 98104-2323
Phone: 206-587-0700 • Fax: 206-587-2308