

PAUL R. HAIK (10897)  
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Attorney for Plaintiff

IN THE THIRD JUDICIAL DISTRICT COURT OF SALT LAKE COUNTY  
STATE OF UTAH

MARVIN A. MELVILLE, AS TRUSTEE  
OF THE MARVIN A. MELVILLE  
TRUST, AND AS AN INDIVIDUAL,

Plaintiff,

vs.

JOHN H. GULDNER and  
the TOWN OF ALTA,

Defendants.

AFFIDAVIT OF  
CYLE BUXTON

Civil No. 070912899

Judge Medley

STATE OF UTAH            )  
                                  ) S.S.  
COUNTY OF SALT LAKE )

I, Cyle Buxton, being of legal age, swear that the following is true:

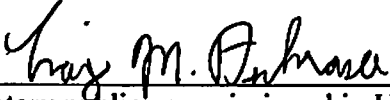
1. I was at the Alta-Helena Tunnel working on its repair on July 20, 2005.
2. John Guldner and a Town of Alta Marshall approached me.
3. John Guldner spoke to me; I heard and understood him.
4. Among other things, Guldner said words to the effect Mr. Melville was a "crook" and a "liar" and that he should be a hero and donate or sell his lots for watershed or open space.

I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

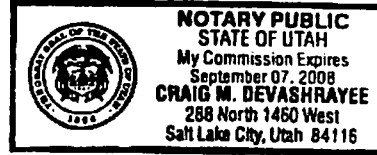
Executed on April 24, 2008:



Acknowledged before me on April 24, 2008:



A notary public commissioned in Utah



(Seal, if any)

My commission expires: September 7, 2008