

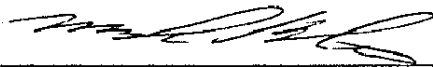
## Affidavit of Mark Klein

I, Mark Klein, hereby declare as follows:

1. Between June 30, 2004 and December 10, 2004 I received at least 14 unsolicited facsimile advertisements on behalf of Optima Funding, Inc. of Santa Ana, California.
2. I did not invite or otherwise approve of the sender transmitting these facsimiles to me.
3. I called the interest number on the faxes and was transferred to Optima Funding, Inc. In every case, the representative was aware of the content of the fax and acknowledged the specific offer contained in the fax.
4. I sent three demand letters to Ali Shah Velayati, CEO of Optima Funding, Inc. These letter were sent on October 17, 2004, November 29, 2004, and December 7, 2004. Each demand letter informed him of the TCPA violations. I included a copy of the TCPA with the first demand letter.
5. Between March 1, 2005 and March 28, 2005 I received 3 prerecorded solicitations on behalf of Optima Funding, Inc. One of these calls was made to a telephone number on the National Do-Not-Call list. All of these calls were in violation of the TCPA.
6. I filed 6 small claims complaints against Optima Funding, Inc. and Ali Shah Velayati over 6 of the unsolicited faxes. I won default judgments in all cases on February 17, 2005. The Defendants filed a motion to vacate, on the final day possible, claiming an administrative error caused them to miss the court date.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 2, 2005 at Los Altos, California.



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