

STATE OF TEXAS

HARRIS COUNTY

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AFFIDAVIT OF GREGG PHILLIPS

Before me, the undersigned notary, on this day personally appeared Gregg Phillips, whose identity is known to me, who under oath states as follows:

1. "My name is Gregg Phillips. I am over 18 years of age, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct;

2. I have read carefully again the Temporary Restraining Order entered in Civil Action No. 4:22-CV-03096; in the United States District Court for the Southern District of Texas, Houston Division (the "Civil Action"), to which I am a named party, and I have conferred extensively with counsel in recent days;

3. I can confirm and have been entrusted by the other named defendants to confirm that all defendants will comply fully with the Temporary Restraining Order and Preliminary Injunction in all respects and honor and respect the Court's admonishments; and

4. Concerning the subsections of the Court's Order Directing Defendants to Appear and Show Cause [Dkt. 33], I represent

- With regard to subsection v, to the best of my personal knowledge, the name and identity of the person or organization who accessed the electronic information from a computer as alleged in the Complaint was revealed in open court during the hearing on October 6, 2022. To be precise, it is my understanding that the computer in question may not have been actually "owned" by Konnech Inc., as that term is commonly understood. Upon information and belief the server from which the information was accessed is located in China. See Exhibit A.;

- With regard to **subsection vi**, directly or through counsel as the Court may direct, Defendants and Defendants' counsel will work confidentially, with all diligence, expedience and in good faith with Plaintiff and counsel for Plaintiff to answer the questions set out and to address all matters identified to the best of their personal knowledge, subject to any protective order the Court may issue at the very earliest opportunity convenient for all parties and counsel;
- With regard to **subsection vii**, to the best of my personal knowledge, the only persons and/or entities who have had the electronic information to which I understand the order is directed in his, her, or its possession, custody, or control is the person identified during the hearing in open Court on October 6, 2022, and the Federal Bureau of Investigation, including but not necessarily limited to Special Agents Huy "Bobby" Nguyen and/or Keven McKenna of the San Antonio Division.

Further Affiant Sayeth Not.



Gregg Phillips

Subscribed to and sworn before me on this 27th day of October, 2022.





Notary Public in and for the state of Texas

STATE OF TEXAS

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HARRIS COUNTY

AFFIDAVIT OF CATHERINE ENGELBRECHT

Before me, the undersigned notary, on this day personally appeared Catherine Engelbrecht, whose identity is known to me, who under oath states as follows:

1. "My name is Catherine Engelbrecht. I am over 18 years of age, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct;

2. Attached are true and accurate copies of text exchanges between me and special agents of the Federal Bureau of Investigation. I have reviewed each. Each text is an accurate copy of a text communication between me and the other conversant captured on my phone and accurately memorializing the text communication at the time and on the date it took place."

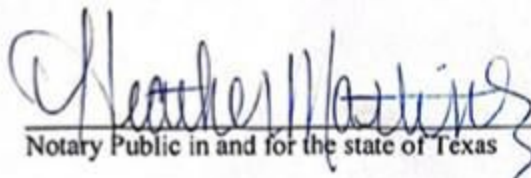
I certify under penalty of perjury that the foregoing is true and correct.

Further Affiant Sayeth Not.



Catherine Engelbrecht

Subscribed to and sworn before me on this 28th day of October, 2022.


Notary Public in and for the state of Texas