

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

|                            |   |                                |
|----------------------------|---|--------------------------------|
| ALVIS COATINGS, INC.,      | ) |                                |
| Plaintiff,                 | ) |                                |
| v.                         | ) | Civil Action No. 3:04-CV-374-H |
| JOHN DOES ONE THROUGH TEN, | ) |                                |
| Defendants.                | ) |                                |

DECLARATION OF CRAIG HARTMAN

The undersigned declares and says:

1. I, Craig Hartman, am the Chief Operating Officer for Plaintiff Alvis, Inc. ("Alvis"). I have been employed by Alvis since April 2001. I am over eighteen (18) years of age and am competent to provide this Declaration. I have personal knowledge of the matters set forth below and give this Declaration in support of the *Response of Alvis Coatings, Inc. to Motion to Quash Subpoena*.

2. I am familiar with the statements made on [www.bobvila.com](http://www.bobvila.com) that are attributable to IP address 68.62.45.214. Many of the statements made by the author of these messages are false. These statements have caused financial harm to Alvis as well as reputational harm, and they have caused harm to the goodwill of Alvis and its valuable trademarks and service marks, including the ALVIS SPRAY ON SIDING® mark.

3. I have reviewed Post Number 215268. It is false that Alvis sells a product that is a privately labeled Duron product. It is false that Alvis sells Duron's "Siding in a

Can" product. It is false that the ALVIS SPRAY ON SIDING® exterior coating product is an ordinary paint product.

4. To the contrary, the premier product of Alvis, ALVIS SPRAY ON SIDING®, is privately manufactured for Alvis by a company other than Duron, and cannot be bought over the counter or by "consumers everywhere." The ALVIS SPRAY ON SIDING® product comes with a limited, transferable lifetime warranty. The ALVIS SPRAY ON SIDING® product is not ordinary paint, but rather is a thick coating with a high solids content including a high content of polymers and resins.

5. I have reviewed Post Number 210945. It is false that Alvis buys and labels a product made by Duron.

6. I am familiar with Post Number 209918. It is false that the Alvis' exterior coating product is "purchased from an unnamed Fla. paint manufacturer." Alvis also never has added or has had anyone add additives to its products to manipulate or change test results.

7. I am familiar with Post Number 185841. It is false that Alvis is a slimy company. It is false that Alvis is giving its products, employees and others associated with Alvis Spray on Siding exterior coating products a "bad name." Alvis is a company engaged in the business of distributing, and authorizing others to use, distribute and apply coating products used in commercial, residential and industrial applications. Alvis cares about its reputation and the quality of its products and services. Alvis products are distributed through independently owned dealers who market, sell and install such products including, *inter alia*, ALVIS SPRAY ON SIDING® permanent coating


products, to their customers in their territories. The Alvis dealer network now makes Alvis products available in approximately 75 markets in 29 states throughout the nation.

8. I am familiar with Post Number 204527. While I will not comment on the statements made about the alleged dealers and/or former dealers, I can say that those statements are outright false or contain elements of falsities to the extent I am familiar with the facts. I most certainly can say that it is false that a top sales executive of Alvis disappeared with a "boar-load" of company funds. I also am outraged that the author of this posting accused me of being a "criminal." I never have been charged with or convicted of any crime.

9. I am familiar with Post Number 204812. It is false that Alvis "signed up" jobs of any kind. Alvis is a company in the business of selling products to its authorized dealers. The sale of applications of those products to consumers is the sole responsibility of those authorized dealers.

10. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted this 8<sup>th</sup> day of November, 2004.

  
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Craig Harman,  
Chief Operating Officer  
Alvis, Inc.