

iXL ENTERPRISES, INC.,)
a Delaware Corporation,)
)
Plaintiff,)
)
v.)
)
JOHN DOES 1-10, individuals,)
)
Defendants.)

AFFIDAVIT OF WRESTLINMAN_99

1. My name is [DELETED]

2. I am the person who registered as a Yahoo! account-holder with the pseudonym “wrestlinman_99.” Using that pseudonym, I have posted a number of messages on the Yahoo! Message Board for iXL Enterprises, the plaintiff in this action. So far as I am aware, I am the only person who owns the wrestlinman_99 account, and thus am the only person who can post on Yahoo! message boards using that name.

3. I am not currently an employee of iXL, and I never have been an employee of iXL.

(a) Since August 1999, until the present, I have been continuously employed by [DELETED].

(b) Before that I worked for [DELETED].

4. None of my postings on the iXL chat board have been insider information; rather, all of it has been based on information that is in the public domain, as well as expressing my opinions about such information.

5. At the time I made each of my postings, I believed that the information contained in the posts

was true; and I still so believe.

6. I have provided my counsel, Paul Alan Levy, Esquire, with a copy of the notice that I received from Yahoo! This notice contained my name, as well as the e-mail address I used to sign up for Yahoo!, which reveals my name because it contains the initial of my first name followed by my last name.

7. I have provided Mr. Levy with truthful information, including documents from my employer, that he could use to verify my employment. It is my understanding that he will be submitting an affidavit recounting the efforts he made to do so.

6. I am a citizen of a state other than Georgia and Delaware, and I have been a citizen of the same state since before this action was filed.

[DELETED]

Subscribed and sworn before me this 6th day of September, 2000, in Washington, D.C.

Victor Lewton