

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN W. FERRON,	:	CASE NO. 2:06-CV-0322
	:	
Plaintiff,	:	JUDGE FROST
	:	MAGISTRATE JUDGE ABEL
v.	:	
	:	
VC E-COMMERCE SOLUTIONS, INC.,	:	AFFIDAVIT OF
et al.	:	STEVEN RICHTER
	:	
Defendants.	:	
	:	

Before me, the undersigned authority, duly authorized to take acknowledgements and administer oaths, personally appeared Steven Richter and after having been first duly placed under oath by me did state:

1. I, Steven Richter, am President and General Counsel for OptInRealBig.com, LLC. I have been General Counsel for the company since 2003, and President of the company since January 1, 2006.

2. As President and General Counsel, I am responsible for the operations of the Company and am familiar with its business practices. OptInRealBig.com, LLC provides online marketing services to a multitude of businesses, assisting those clients in the advertisement and dissemination of information regarding their products and services through the Internet.

3. The process by which a person may request commercial advertisements is quite simple. By going to the company's landing page and providing an e-mail address, a person can receive commercial e-mail messages. To discontinue receiving the advertisements, a person may "unsubscribe" at any time, at no cost. The

unsubscribe process is just as simple. The person can either click a link asking to unsubscribe, or send a letter to the postal address in the e-mail.

4. Through my position with the company, I have become familiar with the case of *John W. Ferron v. VC E-Commerce Solutions, Inc. and Optinrealbig.com, LLC*, which is currently pending in the U.S. District Court, Southern District of Ohio, case No. 2:06cv0322.

5. Through my involvement in this case and my responsibilities with the company, I have received, subject to a Stipulated Protective Order, 62,388 e-mail messages which were alleged to have been received by Plaintiff John Ferron through his 'work' and 'home' Microsoft Outlook accounts.

6. In reviewing those e-mail messages I was able to determine the following:

a) The majority of the e-mail messages produced by Plaintiff were contained within his 'work' account, which had an e-mail address of "jferron@ferronlaw.com". The total number of e-mail messages contained within Plaintiff's 'work' account was 52,012. The remaining e-mail messages were contained within a 'home' account, which had an e-mail address of "jferron@columbus.rr.com". The total number of e-mail messages contained within Plaintiff's 'home' account was 10,376.

b) Thousands of the e-mail messages produced by Plaintiff were "unread". Microsoft Outlook uses a format of regular and bold-face type to distinguish between "read" and "unread" e-mail messages, respectively. Several thousand of the e-mail messages produced by Plaintiff appeared in the bold-face type, which is the format for "unread" messages.

c) After conducting an exhaustive search of the company's records, I determined the company never received an "unsubscribe" request from either of Plaintiff's e-mail accounts.

d) My review of the 62,388 e-mails to date reveals that tens of thousands of were never sent by OptInRealBig.com, LLC, or any entity acting on the company's behalf.

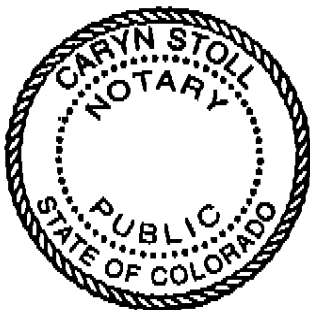
7. The company has never knowingly disseminated or reproduced information through the Internet, and specifically to Plaintiff John Ferron, in violation of Ohio Revised Code Sections 1345.01 to 1345.13.

Further, Affiant sayeth naught.

Steven Richter by Judy
Steven Richter
President and General Counsel
OptInRealBig.com, LLC

Sworn to before me and in my presence this 1st day of November, 2006.

Caryn Stoll
Notary Public



My Commission Expires 06/03/2009