

First National Bank of Montgomery,

Plaintiff

-vs-

A F F I D A V I T

Jerome Daly,

Defendant

Theodore R. Mellby being duly sworn, on oath, deposes and states:

On October 1, 1969, the above identified Court demanded Jerome Daly to deliver to the said Court the file consisting of the transcripts and all process and other papers in the above entitled action within five (5) days of the service of a copy of said demand and order. Said order was personally served upon Jerome Daly by the Deputy Sheriff of Scott County on October 1, 1969. Affiant contacted the above identified Court on Thursday, October 9, 1969, and was informed that Jerome Daly had not complied with said demand.

The file in the above identified matter is in the possession of Jerome Daly. Returns to the Writ of Attachment issued by Arlo E. Haering, Judge of District Court, First Judicial District, reveal that said file is in the possession of Jerome Daly. When the Deputy Sheriff of Scott County demanded of Jerome Daly that he relinquish possession of said file, Jerome Daly "refused to talk about the matter".

Jerome Daly has disobeyed the lawful order of the above Court dated October 1, 1969, which was personally served upon him on the same date.

These and other actions taken by Jerome Daly constitute a deliberate and willful intent to frustrate the proceedings of the above Court and thereby deny Plaintiff its civil remedies.

Subscribed and sworn to
before me this 9th day of
October, 1969

Theodore R. Mellby
Theodore R. Mellby

Wilma V. Fortney
Wilma V. Fortney, Notary Public
Le Sueur County, Minnesota
My commission expires November 23, 1971