

COURT OF COMMON PLEAS
MEDINA COUNTY, OHIO

MED EXPRESS, INC.,)
)
Plaintiff,)
)
v.) Case Nos. 13-CIV-0351
) and 13-CIV-0352
AMY NICHOLLS, *et al.*,)
)
Defendants.)

AFFIDAVIT OF AMY NICHOLLS

1. My name is Amy Nicholls. I am a defendant in this case. This affidavit is made on personal knowledge in support of my motion for sanctions.

2. I understand that Richard Radey testified at the sanctions hearing in this case that I entered detailed seller ratings (“DSR”) for my transaction with Med Express of one star in each of four categories. This claim seemed wrong to me, but I was unable to view individual DSR entries through my own eBay account.

3. On January 24, 2014, I contacted eBay customer service, and spoke to “Joe,” Employee Reference # 1-20566558353, who was able to look up individual DSR entries associated with my account. According to Joe, eBay’s records show the following to have been my entries for Med Express:

Item Description: 5 Stars
Communication: 1 Star
Shipping Time: 5 Stars
Shipping/Handling Charges 3 Stars

Subscribed and sworn:

Debra Adams Ryzal

Amy Nicholls

Amy Nicholls



My Commission Expires
September 1, 2015

COURT OF COMMON PLEAS
MEDINA COUNTY, OHIO

MED EXPRESS, INC.,)

Plaintiff,)

v.)

AMY NICHOLLS and DENNIS ROGAN)

Defendants.)

Case Nos. 13-CIV-0351
and 13-CIV-0352

AFFIDAVIT OF DENNIS ROGAN

1. My name is Dennis Rogan. I am a defendant in this case. This affidavit is made on personal knowledge in support of my motion for sanctions.


2. I understand that Richard Radey testified at the sanctions hearing in this case that I entered detailed seller ratings ("DSR") for my transaction with Med Express of one star in each of four categories. This claim seemed wrong to me, but I was unable to view individual DSR entries through my own eBay account.

3. On January 26, 2014, I contacted eBay customer service, and spoke to an individual who was able to look up individual DSR entries associated with my account. According to this individual, eBay's records show that I gave Med Express five stars with respect to shipping and gave no rating on the other specifics. I am not sure to which "shipping" category he was referring, but I assume that it would have been the shipping and handling charges (which I must have thought were entirely reasonable), rather than shipping time inasmuch as no article was actually shipped.

Subscribed and sworn:



Dennis Rogan

 JAN 28, 2014

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
JOHN MINETOLA, NOTARY PUBLIC
WYOMING BORO., LUZERNE COUNTY
MY COMMISSION EXPIRES AUG 26, 2017