

Affidavit

STATE OF FLORIDA

COUNTY OF Pinellas

BEFORE ME, the undersigned authority personally appeared William Tidwell, who, upon being sworn, deposes and says that:

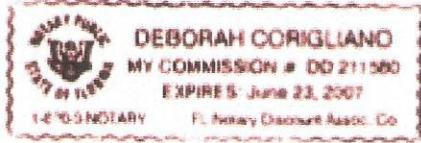
- 1.) Affiant has personal knowledge of the facts herein.
- 2.) Affiant was retained by Mr. Esdale to examine and retrieve the 911 call made on 1/13/03 from the Freedom Dictaphone hard drive, which was in use on 1/13/03.
- 3.) Affiant was the certified Dictaphone computer expert who maintained the system in question for the Sarasota Emergency Call Center during this time period of 1/13/03.
- 4.) Affiant reviewed the hard drive on two separate occasions. The first time was for sixteen (16) hours, the second time eight (8) hours.
- 5.) Affiant has examined the Dictaphone Freedom hard drives (5), which were in operation on 1/13/03, and discovered that the 911 calls from the main recorder have been deleted, and the auxiliary back up recorder was not recorded or backed up onto the server.
- 6.) Affiant has discovered that 911 calls are intact for part of 2002 and 2003.
- 7.) Affiant discovered 911 calls made on 1/12/03 are intact, and calls made on 1/14/03 are intact.
- 8.) Every day in January 2003 is intact, except for 1/13/03.
- 9.) The calls deleted on 1/13/03 are not due to overwriting. Affiant believes the only reasonable conclusion is that they were purposely deleted.

AND FURTHER AFFIANT SAYETH NAUGHT.



Affiant

SWORN TO and SUBSCRIBED before me by WILLIAM TIDWELL, who is personally known to me, or who exhibited Florida Driver's License number [REDACTED] for personal identification, this 9th of January, 2006.
Feb 2007.



Deborah Corigliano

Notary Public
DEBORAH CORIGLIANO

My Commission Expires: