## **EXHIBIT 31**

to the

AFFIDAVIT OF RACHEL E. FUGATE IN SUPPORT OF THE PUBLISHER DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

## UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA FOURTH DIVISION

Terry Bollea,

Civil File No. 4-96-9

Plaintiff,

vs.

AFFIDAVIT OF TERRY G. BOLLEA

Peter W. Johnson, Johnson & Wood, P.A., and Kate Kennedy,

Defendants

STATE OF	CALIFORNIA	)
		) ss.
COUNTY OF	LOS ANGELES	)

Terry G. Bollea, being first duly sworn upon oath, deposes and says:

- 1. I am the plaintiff in the above matter, and have knowledge of the facts regarding this case.
- 2. I do not sexually assault defendant Kate Kennedy on September 2, 1995 or at any other time.
- 3. I have reviewed the affidavit of Alan M. Kronschnable, who purports to have personally served me on the December 15, 1995, extortive letter from attorney Peter W. Johnson. To begin with, the site at 130 Willedel Drive, Clearwater, Florida, then was just a residential construction site where obviously no one could be residing and if people were on site they were merely were construction employees. Moreover, I work out at several health clubs and gyms in the Tampa-Clearwater area and there is no one club or gym that I exclusively or primarily attend.
  - 4. Be that as it may, the person who met me and hand

FRANCIS E DOSAL, CLERK
JUDGMENT ENTO
DEPUTY CLERK
PA

(31)

delivered the extortive letter on Christmas Eve day, December 24, 1995, apologized for serving me the letter during the holiday season but advised me that he had been expressly instructed to do so. He stated that he has asked "them" to give me a break and delay service until after the holidays but that "they" had said no and instructed him that delivery must be made during the holidays.

5. The things that have happened from December 1995 on that relate to this case including the contents and timing of the delivery of the letter have been very distressing and damaging to me both personally and professionally.

Further affiant saith not, excepting only that this Affidavit is made in opposition to defendants' motion to dismiss.

Subscribed and sworn to before me this  $\frac{4/6}{}$  day of April, 1995.

Notary Public

Terry G. Bolled

IRMA CAHAN TO COMMIN # 1035423
NOTARY MUBLIC CALFORNIA TO Los Angeles County
My Comm. Expires Aug. 7, 1998