IN THE CIRCUIT COURT OF TENNESSEE
FOR THE NINETEENTH JUDICIAL DISTRICT AT MONTGOMERY COUNTY

STATE OF TENNESSEE, ex rel. ROBERT E. COOPER, JR., Attorney General,	)	
Plaintiff,	)	
v.	)	Case No. 50500795
BRITLEE, INC., d/b/a The MILITARY ZONE, MILITARYZONE.COM and LAPTOYZ COMPUTERS AND ELECTRONICS, STUART L. JORDAN, individually and d/b/a BRITLEE, INC., MILLENIUM FINANCE, INC. and MILLENIUM, and ROME FINANCE COMPANY, INC.,	)	Judge Ross Hicks
Defendants.	)	

AFFIDAVIT OF ROBERT E. MOORE, JR.

STATE OF TENNESSEE)
DAVIDSON COUNTY)

Personally appeared before the undersigned officer, duly authorized to administer oaths, ROBERT E. MOORE, JR., who being sworn, deposes and says as follows:

1. My name is Robert E. Moore, Jr. I am over the age of twenty-one and suffer from no legal disabilities.

2. I am an attorney licensed to practice law in the State of Tennessee and the State of Kentucky.

3. My current business address is 783 Old Hickory Blvd., Suite 255, Brentwood, Tennessee, and my business telephone number is 615-370-0051.

4. I currently serve as Chief Operations Officer for Receivership Management, Inc. of Brentwood, Tennessee and have been so employed for approximately four (4) years. Prior to this I worked for 13 years in the Legal Office at the Tennessee Department of Commerce and Insurance, 10 of those years as Chief Counsel of Securities and Consumer Affairs, 5 of those years as Chief Counsel of Insurance, Securities, Consumer Affairs and TennCare.

5. The business of Receivership Management, Inc. is to provide administrative services to individuals who are appointed as Receivers, Custodians, Trustees, or Independent Fiduciaries. Among the services the company provides is distribution and payment services for liquidating estates and restitution programs. These services include the development of databases, identification of claimants, development of forms and procedures to certify rightful claimants, skip-tracing to locate claimants who have moved, issuance of disbursements, completion of applicable federal tax forms and filings, and the transfer of unclaimed funds to appropriate state authorities. The company has been engaged to conduct the termination of and payment to participants in health plans and pension plans, including large organizations such as Shelby County Headstart Inc. Defined Contribution Plan (546 participants), Access Health Systems 401K Plan (571 participants), Service and Business Workers of America Local 125 Health Benefit Plan (2,400 claimants), the International Union of Industrial and Independent Workers Benefit Fund (4,500 claimants), and the ePEO Link Group Health ERISA Class Action Settlement (13,000 class members).

6. Receivership Management, Inc. and its president, Jeanne Bryant, have acted and/or are currently acting as receivers or special deputy receiver of other matters, including RBS Gas Utility, Inc., Sentinel Trust Company of Hohenwald, Tennessee, Service and Business Workers of America Local 125 Benefit Plan, International Union of Industrial and Independent

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Workers Benefit Plan, and Doctors Insurance Reciprocal, that have involved significant, complex litigation with insurance companies, financial organizations, and professionals.

7. I was contacted by the Tennessee Attorney General's Office inquiring as to whether Receivership Management Inc. (RMI) would be willing to serve as the third party Restitution Administrator if the court appoints one to handle a restitution program for consumers arising from Rome's Default Judgment under the State's civil law enforcement action commenced under the Tennessee Consumer Protection Act. In addition, the Tennessee Attorney General's Office requested if RMI would perform an analysis of financial transactions provided to the Tennessee Attorney General. I agreed we would be able to perform such analsysis.

8. This analysis was to produce the following:

A. To identify Tennessee-related transactions and identify such transactions by date, consumer name and address, and vendor name and address;

B. Calculate and quantify the total amount of monies paid by each consumer in a Tennessee-related transaction to Rome Finance Company, Inc.;

C. Calculate and quantify the total amount of monies paid by each consumer in a Tennessee-related transaction to Rome Finance Company, Inc. since September 23, 2005.

9. An analysis was performed regarding the consumer and financial transaction data provided to RMI by the Tennessee Attorney General. It is my understanding this information was provided to the Tennessee Attorney General by Rome Finance Company. The data was provided to RMI on a 2.5" external hard drive, which contained approximately 76 GB of data. This information constitutes what I describe as the "Rome Databases." We were also provided with copies, produced by the Attorney General's office, of First Citizens Bank of Elizabethtown, Kentucky statements for 120 individuals. RMI was also provided additional data relating to 513 customers of Britlee was also provided in addition to the referenced data disk.

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10. The analysis of the financial transaction data was based on the information provided to RMI as stated. RMI began the analsys work on September 4, 2008 with a deadline of September 19, 2008.

11. RMI analyzed the First Citizens Bank information. These statements show "allotment payment" processed through the bank. RMI extracted "cash" transactions from the Rome transaction database for these 120 individuals. The Cash transactions identified as "allotment payment" on this extracted file were then traced to the First Citizens Bank statements. We were able to trace 91% (1,749) of the transactions to the bank statements. We were able to account for the fact that an additional 91 transactions did not appear on the bank statements because the transaction date on the Rome database preceded the first date on the bank statement. Therefore, we traced directly or accounted for 95% of the "allotment payment" transactions.

12. The Rome Database provided included a disk containing approximately 726,000 data files. The files were in 5 formats: tif files, pdf files, txt files, csv files and xls files. A review of the files was performed and the following observations were made:

A. pdf files contained scanned documents relating to financing transaction agreements and court records reflecting collection activities of Rome Finance Company, including the vendor sales contract;

B. tif files are single-page scanned images of documents provided;

C. txt files contained the results of optical character recognition processing of the scanned images contained in the tif files;

D. a spreadsheet in Microsoft Excel format (xls) containing all customer names, addresses, and each customer's Rome Finance account number (the master customer list). There were approximately 69,000 customers on this list;

E. a set of csv files containing transactional information by account number;

F. a set of csv files containing account notes, including collections activity, (an account diary) by account number

13. To determine the transactions conducted by Tennessee vendors, it was decided that the pdf files would be utilized as source data information for Tennessee vendors. These pdf files were indexed so as to make data searches faster. The pdf files were subjected to an indexed text search for specific identifying terms associated with Tennessee vendors. These terms were associated with only known Tennessee vendors as provided to us by the Tennessee Attorney General. Because these searches were keyed to known Tennessee vendors, to the extent there may be other Tennessee vendors not known to the Tennessee Attorney General, those vendors would not have been identified by these searches. The results of those searches were reviewed for relevance and then extracted for manual review to collect consumer name and account information. That information was then loaded into a spreadsheet whereby that information could be used to identify the related account and transactional information from the master customer list and the transactional history spreadsheet utilizing Microsoft Access software.

14. Given the time constraints, the search and analysis of the pdf files was easier as it gave direct access to the documents supporting the data. A search of the tif-txt files did not provide such direct access and that search, as a result, would have been more time consuming. Nevertheless, a brief review was conducted of the txt-tif files to determine whether consumers could be identified from this data and RMI determined it could find more consumers, if additional time had been available.

15. To determine the transactions entered into by Tennessee-resident consumers, the information contained in the master customer list was sorted to identify those Rome customers with Tennessee addresses. Their account information was then associated with the transactional history spreadsheet utilizing Microsoft Access software.

16. Based upon these data searches and analyses, we believe we have provided the

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identification of every Tennessee-related transaction, the five (5) Tennessee vendors identified by the Tennessee Attorney General, and the total amount paid in each consumer transaction that is a Tennessee-related Rome Finance Company financing transaction. The process followed will accurately determine Tennessee consumers and consumers who purchased from those five (5) Tennessee vendors identified by the pdf data. It will not necessarily identify all vendors for Tennessee residents. The master list of Tennessee residents may not be usable in identifying the vendor involved in a transaction related to Tennessee residents.

17. RMI's analysis, in summary, found there are 4,396 Tennessee-related consumer transactions in the information provided. Of that number 3,909 made payments to Rome Finance Company. These consumers, in Tennessee-related transactions, paid a total of $8,894,706.06 in payments on financing contracts issued by Rome Finance Company. This figure is not inclusive of statutory interest or cancellation of debt amounts.

18. These figures break down as follows:

Total Tennessee resident consumers: 1,800
Total amount paid by Tennessee resident consumers $4,746,598.10

Total non-Tennessee resident consumers who purchased goods from Tennessee vendors whose transactions were financed through Rome Finance Company: 2,109

Total amount paid by non-Tennessee resident consumers in Tennessee vendor transactions financed through Rome Finance Company $4,148,107.96.

19. The Tennessee Attorney General provided the name and address of known Tennessee vendors. By Tennessee vendor, the transactional information breaks down as follows:

	Total Number of Consumers	Total Paid
Britlee, Inc.: Governor Square Mall	500	$1,205,183.41

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2801 Wilma Rudolph Blvd Clarksville, TN 37040		
Blu Grass Distribution 895 Potters Lane Clarksville, TN 37040	1	$397.50
Cyberlink Marketing, Inc.: 3260 York Highway Gainesboro, TN 38562	67	$94,781.61
Computer Brokers, Inc.: 2539 Park Drive Nashville, TN 37214	1,585	$3,012,319.70
P.C. Connections, Inc.: 3260 York Highway Gainesboro, TN 38562	110	$170,888.96

20. No additional procedures were performed to verify the cash transactions shown on the Rome Finance Company transaction database with an outside source document. Each transaction in the financial transaction data was identified by a 2 digit code (eg. 23 = Payment, 35 = Finance charge). Based on the description of the 2 digit code in the financial transaction file we assumed that each transaction was (a) an amount billed to the consumer or (b) an amount received from the consumer. For example, a code 23 is identified as a "Payment…Thank You" on the database. We assumed that this was an amount received. A code 35 is identified as a "Finance charge" on the transaction database. We assumed that this was an amount billed to the customer.

21. Attached as Exhibit A is my resume.

22. Attached as Exhibit B is a listing of all Tennessee related transactions where there were consumer payments.

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23. Attached as Exhibit C is a listing of all Tennessee related transactions activity which occurred after September 23, 2005.

24. Attached as Exhibit D is a summary of the reports.

FURTHER AFFIANT SAITH NOT.

ROBERT E. MOORE, JR.

Sworn to and subscribed before me
on September 22, 2008.

Notary Public

My commission expires: 8/23/2011

JEREMY S. HARWELL
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires AUG. 23, 2011

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