

# AFFIDAVIT

STATE OF TEXAS §

COUNTY OF MIDLAND §

Margarita C. Salgado, of lawful age, being first duly sworn, upon her oath deposes and says that:

1. I am employed by Doyle Hartman, Oil Operator, 500 North Main, P.O. Box 10426, Midland, Texas, in the capacity of Secretary/Receptionist and have worked for Doyle Hartman in said capacity for approximately four (4) years.
2. Part of my immediate job duties and responsibilities include mail pickup and distribution of mail received for Doyle Hartman at his post office box 10426 located at the U.S. Post Office Downtown Station, 100 East Wall, Midland, Texas, 79701.
3. On Tuesday, February 18, 1997, when I picked up the mail for Doyle Hartman, Midland, Texas, a Second "Notice of Attempt to Deliver" (dated February 15, 1997) corresponding to certified letter P 551 044 646 was found in Doyle Hartman's post office box 10426 located at the U.S. Post Office Downtown Station, 100 East Wall, Midland, Texas, 79701. Copy attached hereto as Exhibit "A" and made a part hereof by reference thereto.
4. Doyle Hartman, Oil Operator, never received a First "Notice of Attempt to Deliver" corresponding to certified letter P 551 044 646 and the only notice received by Doyle Hartman was the notice I retrieved on the morning of Tuesday, February 18, 1997.
5. I promptly discussed this matter with Mr. Rudy P. Garcia, Manager, Customer Service, U.S. Post Office Downtown Station, 100 East Wall, Midland, Texas, 79701. Mr. Garcia stated that due to the volume of certified mail that it handles, it is not unusual or uncommon for the Downtown Station to experience problems with certified letter notices being misboxed and/or misplaced by postal employees. With the exception of the handwritten notation appearing on the face of the mailing envelope for certified letter P 551 044 646, the U.S. Post Office Downtown Station cannot locate any other documentation pertaining to the existence of a First "Notice of Attempt to Deliver".
6. Moreover, subsequent to February 3, 1997, we have received several certified letter notices and promptly retrieved the corresponding certified letters; however, until this morning, we did not find in our post office box a "Notice of Attempt to Deliver" corresponding to certified letter P 551 044 646.

FURTHER AFFIANT SAYETH NOT.

Margarita C. Salgado  
MARGARITA C. SALGADO, Affiant

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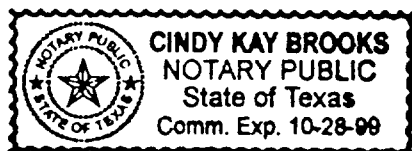
Before me, the undersigned authority, on this day personally appeared **MARGARITA C. SALGADO**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.


Given under my hand and seal of office this 18<sup>th</sup> day of February, 1997.

Cindy Kay Brooks  
Notary Public in and for the  
State of Texas

My Commission Expires:  
10-28-99

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 <b>Sorry We Missed You!</b> <b>We ReDeliver For You!</b>		Article No. <u>P 551 044 646</u> Today's Date <u>8/15/97</u> Sender's Name <u>8887504</u>
Item <input checked="" type="checkbox"/> Post Office (see reverse) is at: <input type="checkbox"/>		<b>We ReDeliver or you can pick up, see back</b>
<b>IF CHECKED, YOU MUST BE PRESENT AT TIME OF DELIVERY TO SIGN FOR ITEM.</b>		
<input type="checkbox"/> Letter <input type="checkbox"/> Large envelope, magazine, catalog, etc. <input type="checkbox"/> Parcel <input type="checkbox"/> Delivery Restricted to Addressee <input type="checkbox"/> Perishable Item <input type="checkbox"/>	<input type="checkbox"/> Express Mail (redelivery next delivery day unless you call to hold at post office) <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Insured <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt <input checked="" type="checkbox"/> Registered Receipt <input type="checkbox"/> Registered Receipt (International) <input type="checkbox"/> Registered Receipt (Special Delivery)	Article Requiring Payment: <input checked="" type="checkbox"/> FINAL NOTICE <input type="checkbox"/> Postage Due <input type="checkbox"/> COD <input type="checkbox"/> Customs to sender pp: Amount Due: \$ <u>2-18-97</u> Addressee Name (Print) <u>Boyle Kristina</u> Address <u>Box 10426</u> Received By (Print Name and Sign) <u>X / 11-5-97</u> Customer: Describe any Visible Damage
Delivered By <u>8/15/97</u>		Delivery Notice/Reminder/Receipt