

**IN THE DISTRICT COURT OF LEA COUNTY  
STATE OF NEW MEXICO**

**MICHAEL HARTON, LINDA HARTON §  
JOE ANN DUNCAN (AKA JOE ANN §  
MISSEY AND F/K/A JOE ANN §  
ANDERSON), ROBERT WRALDO §  
DUNCAN, JR., WRALDO PRESLEY §  
DUNCAN, IVALEE THOMPSON, §  
BETTY BAUM COOPER, DEBORAH §  
THOMPSON (F/K/A DEBRA ANN §  
CAMPBELL), TOM RAY GAINOR §  
(AS HIS SOLE AND SEPARATE §  
PROPERTY), AND LELA RENÉE §  
THOMAS §**

**v. §**

**No. CV-2001-417G**

**GREKA AM, INC., SABA ENERGY OF §  
TEXAS, INCORPORATED, STRATA §  
VARIOUS L.C., RALPH KEHLE, §  
DENNIS EIMERS, JERRY BARNES, §  
LEON JEFFCOAT, CHRISTENSEN §  
PETROLEUM, INC., CIELO ENERGY §  
CORPORATION, TATUM ENERGY, L.C. §  
CAPCO ACQUISUB, INC., §  
DR. IFTIKHAR AHMAD; DARSHAM S. §  
MUNDAY, DR. BIJAY PHARA, §  
DR. HAMID UR RAHMAN, §  
MUHAMMAD SAEED, KALEEM §  
AHMAD SAYED, SEHER §  
ENTERPRISES, INC., DR. K. M. §  
SHEIKH, SAJID A. SOHAIL, §  
SUMMER ENTERPRISES, INC. §**

**AFFIDAVIT OF MICHAEL TAYLOR**

**STATE OF NEW MEXICO §  
§  
COUNTY OF LEA §**

BEFORE ME, the undersigned authority, a notary public in and for the State of New Mexico, on this day personally appeared Michael Taylor, known to me to be the person whose

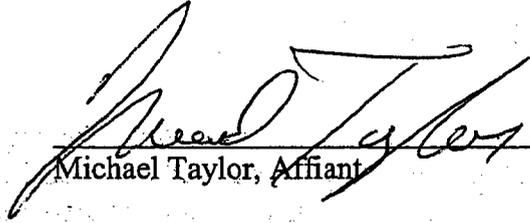
**Before the OCD  
Case 13363  
OCD Ex. 28**

name is subscribed to this instrument, and having been by me duly sworn, upon his oath, deposes and says as follows:

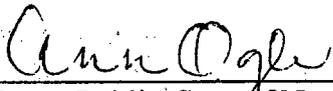
1. "My name is Michael Taylor. I am the Sales Manager of A&M Machine Works located at 501 North Grimes Street, Hobbs, New Mexico. I have never been convicted of a felony or a misdemeanor involving moral turpitude. I am over the age of 21 years and am fully competent and able to testify herein and able to swear, as I do hereby swear, that all facts and statements contained herein are true and correct and that I have personal knowledge of all the facts and matters stated in this affidavit.
2. At the request of Greka AM, Inc., the operator of the Harton State No. 1 Well in the N/2 of Section 7, T-13-S, R-36-E, NMPM, Lea County, New Mexico, on or about August 13, 2001, my company removed the gear box from the pumping unit that was located on such well for needed repairs.
3. Although the work on the gear box was completed by the end of August 2001 and Greka AM Inc., was invoiced for the work shortly thereafter, Greka AM, Inc., did not pay the invoice for the necessary gear box repairs until on or about October 25, 2001. Because of prior problems with receiving prompt payment from Greka AM, Inc., A&M Machine Works undertook the repair of the gear box on the condition that the repaired gear box would be re-installed on the pumping unit for the Harton State No. 2 Well when payment for the repairs was received.
4. On or about August 25, 2001 I called Greka AM, Inc.'s contract pumper for the Harton State No. 1 Well, Mr. Tracy Headstream, regarding the work that was completed on the gear box and confirming that A&M Machine Works would reinstall the repaired gear box upon receipt of wire transferred funds to cover the cost of repairs.
5. During the time the gear box was in my company's possession for repairs, the Harton State No. 1 Well was incapable of production.
6. The wire transferred funds to pay for repairs to the gear box was received on or about October 25, 2001.
7. On or about October 29, 2001, a crew from my company reinstalled the repaired gear box on the pumping unit on the Harton State No. 1 Well.

Further, Affiant saith not.

DATED this 3<sup>rd</sup> day of July, 2003.

  
Michael Taylor, Affiant

SWORN TO AND SUBSCRIBED before me, the undersigned Notary Public, on this the 3<sup>rd</sup> day of July 2003, to certify which witness my hand and seal of office.

  
Notary Public, State of New Mexico