

## AFFIDAVIT OF TRUTH

November 28, 1998

I, Kevin Smith, the undersigned, do affirm, declare and depose as follows:

1. I am competent to state the matters set forth herein;
2. I have personal knowledge of the facts stated herein;
3. All the facts stated herein are true, correct and certain, admissible as evidence, and if called upon to testify, I will attest to their veracity.

On November 27, 1998, I, Kevin Todd Smith, had occasion to speak with a woman of about 45 years of age who is working as an airline and airport auditor for the FAA. Her statement to this fact was not only verified by information she gave, but by the coil-retractable badge she wore on her lapel. Though I don't recall the exact figure, she has been working for the FAA for over 15 years. Her name, and details which disclose her identity, are put forth in a separate affidavit.

As we spoke, she told me of some of her experiences as an FAA auditor; like the time a mechanic left his wrenches in the engine of a plane and nearly failed to get the pilot to abort take-off because the pilot didn't want to get off schedule. The pilot, fortunately, did come to his senses and stopped on the runway. I asked her what the FAA's internal position was on TWA flight 800. She said the investigation was still open.

Being familiar with the Burnelli Web site ([www.communicate.com/aircrash.html](http://www.communicate.com/aircrash.html)), I thought it a great opportunity to ask her if she knew about the aircraft. So, after about an hour of conversation, I took out an introductory card with the Web address on it and, handing it to her, asked if she would mind taking a look at the site and commenting on it. She read the card and said she would give it to one of her "rogue" co-workers. I then asked her if she had ever heard about the Burnelli aircraft. She said, "Oh yes." She then got up and went to the restroom.

When she returned, I asked her what she had heard about the Burnelli. She replied, "I can't talk about it." I said, "That's interesting. It seems nobody wants to talk about it, yet it's such a far superior and safer plane." She said, "It'll probably never happen." I said, "From what I understand, it's political, not technical." She nodded her head and said, "Definitely. I'll pass this on to somebody who'll talk to you." I thanked her and she changed the topic of conversation.

As we parted ways, I asked her if she had a card or a way for me to follow up with her. She said she had no cards on her but asked if I could be reached through the Web site. I said yes and we said our good-byes.

I, Kevin Todd Smith, do hereby state that the foregoing statement of facts is true and correct to the best of my recollection.

(See following page for signature and jurat.)

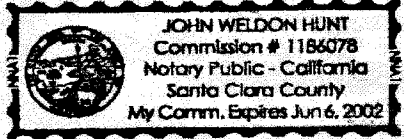
By: Kevin T. Smith  
Kevin Todd Smith  
San Jose, California

Made on this 3<sup>rd</sup> day of the  
twelfth month in the year of our  
Lord nineteen hundred and ninety-  
eight.

"Thou shall not bear false witness  
against thy neighbor"  
-Holy Bible, Exodus 20:16

On this 3 day of DECEMBER 1998, a Notary  
Public of California, affirm that Kevin Smith did personally  
appear before me and was personally known to me, or proved to  
me on the basis of satisfactory evidence to be the person whose  
name is subscribed to the within instrument, and acknowledged  
to me that he executed the same in his authorized capacity, and  
that by his signature(s) on the instrument, he executed the  
instrument.

WITNESS my hand and official seal:  
[space below for official Notarial seal]



John W. Hunt  
SIGNATURE OF NOTARY PUBLIC  
MY COMMISSION EXPIRES: 6-6-2002