

STATE OF WISCONSIN      CIRCUIT COURT      MANITOWOC COUNTY

IN MATTER OF SUBPOENA TO: **MANITOWOC COUNTY  
STATE OF WISCONSIN  
FILED**

LAURA RICCIARDI, and      DEC 7 2006  
SYNTHESIS FILMS,

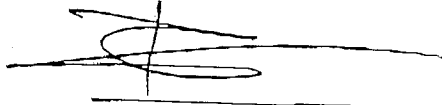
Incident No. 05-157-955

**CLERK OF CIRCUIT COURT**

AFFIDAVIT OF COUNSEL IN SUPPORT OF MOTION TO QUASH SUBPOENA

Robert J. Dvorak, being sworn, states:

1. I am an attorney licensed to practice in the State of Wisconsin and represent Laura Ricciardi and Synthesis Films, LLC.
2. On November 28, 2006, I left a message for John Byrnes, administrator of the Calumet County Jail. I wanted to know whether Ricciardi's visits with Avery were tape recorded. On November 30, 2006, Mr. Byrnes left a message on my voice mail that if Ricciardi visited Avery in the general visiting area (with glass between the parties and phones for communication), then their conversation would have been recorded. Mr. Byrnes was 99% sure that Ricciardi's visits were in the general visiting area and were, therefore, recorded.
3. Ricciardi's affidavit confirms that her visits with Avery were through a glass using phones, and that she was not allowed to bring recording equipment into the visiting area.

  
 \_\_\_\_\_  
 Robert J. Dvorak

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(1)

Subscribed and sworn to before me  
This 1<sup>st</sup> day of December, 2006.



\_\_\_\_\_  
Notary Public

My commission is permanent/ expires: \_\_\_\_\_