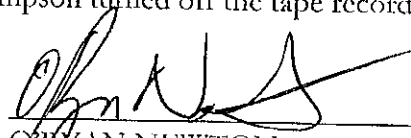


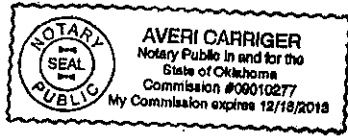
O'Ryan Newton, being first duly sworn, says:

1. I am a witness in this action and have personal knowledge of the matters set forth in this affidavit.
2. I make this affidavit in support of the motion for sanctions brought by Marcus Stephenson, the Plaintiff in this action. I do not know Mr. Stephenson personally and have never met him.
3. On October 19, 2010, I was in my car, sitting in traffic on Czech Hill Road in Yukon, Oklahoma, near the on-ramp to Interstate 40. My wife, Chrislyn Newton, was in the car with me.
4. Ahead of me on the road, I saw a Canadian County, Oklahoma, deputy sheriff fire his weapon at a green Jeep that was making a left turn. After the shooting, I made a left turn at the same place Mr. Stephenson made a left turn at before being shot at.
5. I saw quite clearly that the Jeep had not struck the deputy. My wife and I discussed this and she agreed that the Jeep had not struck the deputy and that there appeared to be no reason for the deputy shooting at the Jeep.
6. That same day, at approximately 10am, I made a telephone call to the Canadian County Sheriff's Department to report the deputy sheriff's conduct. I do not know if that telephone call was recorded.
7. On or about October 25, 2010, Sergeant Ken Thompson of the Canadian County Sheriff's Department came to my home to interview me. When beginning the interview, Sergeant Thompson placed a small digital tape recorder between us and started recording. The recorder was operating throughout the interview.
8. During the interview, Sergeant Thompson seemed to be trying to persuade me rather than interviewing me. For example, Sergeant Thompson kept stating that the Jeep struck Deputy Todd and knocked him to the ground and I would correct him, stating that the Jeep did not strike Deputy Todd. Sergeant Thompson kept stating that general premise in different ways seemingly so as to convince me to agree with his story.
9. Despite Sergeant Thompson's attempts to have me tell the story the way he wanted, I stuck to telling the truth, which was that the Jeep did not strike the deputy and the deputy shooting at the Jeep appeared to me to be completely random. That is why I called the Sheriff's Department to complain in the first place.
10. At the end of the interview, Sergeant Thompson turned off the tape recorder and took it with him when he left.


O'RYAN NEWTON



Subscribed and sworn to before me this 17 day of January, 2012.



(SEAL)

Averi Carriger
Notary Public

My Commission Expires: 12/18/2013