

AFFIDAVIT

NOW COMES F. JEFFEREY MARSHALL, being of legal age and duly sworn according to law and deposes and says as follows:

1) Affiant was at all times relevant was acquainted with Chad Evans, hereinafter Defendant;

2) Affiant says further that Defendant lived with Amanda Bortner, with whom Defendant was romantically involved and her young child, Kassidy Bortner;

3) Affiant says further that he lived with Amanda's sister and Kassidy's aunt, Jennifer, and together they from time to time looked after Kassidy, Jennifer's niece;

4) Affiant says further that on the morning of November 9, 2001, he called for emergency help in response to the condition in which he found Kassidy Bortner, whom he was baby-sitting the morning of November 9, 2001;

5) Affiant says further that Kassidy Bortner was later pronounced dead at York Hospital;

6) Affiant says further that an investigation into Kassidy's death was initiated by authorities in both New Hampshire, the residence of Kassidy Bortner, and Maine, where Kassidy died;

7) Affiant says further that defendant was later charged with the murder of Kassidy Bortner;

8) Affiant says further that defendant asserted that he was not responsible for the death of Kassidy Bortner, rather that the Affiant, F. Jefferey Marshall was responsible, that is to say, that affiant murdered Kassidy Bortner;

9) Affiant says further that after his initial questioning he was not a suspect in the death of Kassidy Bortner, and that he later testified for the State at the trial in which defendant was convicted of her murder and other criminal counts;

10) Affiant further says, on information and belief, that Defendant Evans, from the time of Kassidy's death, accused affiant, F. Jefferey Marshall, of her murder;

11) Affiant says further, on information and belief, that defendant accused affiant, F. Jefferey Marshall of Kassidy Bortner's murder, to various persons of affiant's and defendant's mutual acquaintance including Lawrence Lane and Jeremy Hinton;

12) Affiant says further that he is prepared to prove the foregoing;

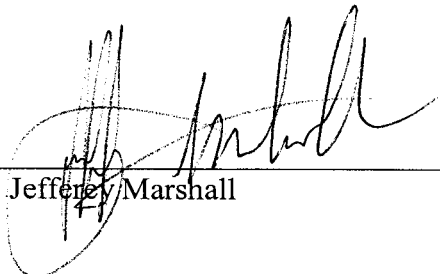
13) Affiant says further that the foregoing constituted a campaign of ongoing defamation by Defendant Evans, which, as a matter of law, has damaged affiant's reputation;

14) Affiant says further that Defendant Evans' accusation during the trial of his case, in which his counsel declared that affiant was the true killer of Kassidy Bortner, was but an element of Chad Evans' defamatory campaign, which defendant continued after his conviction;

15) Affiant says further that other members of the public, including but not limited to Jason Shunk, Elaine Shunk and Jeremy Hinton, have informed him that the defendant has told others that affiant was responsible for Cassidy Bortner's death;

16) Affiant says further that it has been determined conclusively, beyond reasonable doubt, that defendant murdered Cassidy Bortner, hence any claim to the contrary must, as a matter of law, be false.

FURTHER AFFIANT SAY IT NOT:

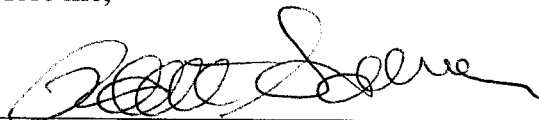


F. Jeffrey Marshall

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD

Personally appeared before me the above-named F. Jeffrey Marshall, and made oath that the foregoing affidavit is true and correct to the best of his knowledge and belief, this the 24th day of February, 2004

Before me,



Justice of the Peace/Notary Public
Expiration Date: _____

Robert W. SANBORN, Justice of the Peace
My Commission Expires **May 7, 2008**