

STATE OF WISCONSIN

CIRCUIT COURT  
BRANCH

JEFFERSON COUNTY

DAVID J. WOLF,  
N6248 Christberg Road  
Johnson Creek, WI 53038

Plaintiff,

v.

AFFIDAVIT OF ERIC R. DECATOR

Case No. 12-CV-906

ARLAND CLEAN FUELS, LLC,  
630 Davis Street, Suite 300  
Evanston, IL 60201-4480

Defendant.

JEFFERSON CO CIRCUIT COURT

**FILED**

**MAR 19 2013**

\_\_\_\_ O'CLOCK \_\_\_\_ M.

**CARLA J. ROBINSON, Clerk**

State of Wisconsin            )  
  ) ss.:  
County of Jefferson            )

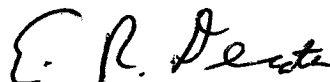
COMES NOW Attorney Eric R. Decator, being duly sworn on oath, and hereby deposes and says:

1. That I am the General Counsel and Chief Financial Officer of GCF Resources, LLC, a Delaware limited liability company formerly known as Arland Energy Systems, LLC.
2. That I am a graduate of the University of Colorado School of Law and an active member, in good standing, of the Bar of the State of Illinois.
3. That, on January 10, 2013, I contacted Plaintiff's counsel, Travis James West, to discuss the Complaint in the above-captioned case.
4. That, during that call, I informed Mr. West that I was not a litigator and not a member of the Wisconsin bar.

5. That, during that call, Mr. West and I agreed to an extension of time for Defendant to file its answer or responsive pleading with the Court.
6. That Mr. West and I agreed that Defendant would have until February 11, 2013 to either file its answer or responsive pleading with the Court or provide Mr. West with an offer to settle the controversy. See my contemporaneously made notes of the conversation attached hereto as Exhibit A.
7. That on February 11, 2013, in accordance with the agreement I reached with Mr. West, I forwarded to Mr. West an offer to settle the controversy.
8. That Mr. West did not respond to the settlement offer until 4:32 pm on Friday, February 15, 2013, at which time Mr. West informed me via e-mail that Plaintiff had rejected the settlement offer and that, contrary to our agreement, Mr. West had filed with the Court a Motion for Default Judgment.
9. That in a subsequent telephone conversation later in the day on February 15, 2013, Mr. West informed me that the Court would not rule on the Motion for Default Judgment for at least ten days, or prior to February 25, 2013.
10. That notwithstanding Mr. West's representation to me, this Court entered a Default Judgment on February 19, 2013 (just 2 business days after the Motion for Default Judgment was filed), prior to the time that I could arrange for Wisconsin counsel to draft and file a response to the Motion for Default Judgment.

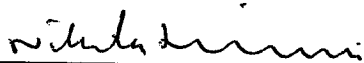
Date: March 18, 2013

Signed:



Attorney Eric R. Decator  
GCF Resources, LLC  
630 Davis Street, Suite 630  
Evanston, Illinois 60201

Sworn and subscribed before  
me this 18 day of March, 2013



Notary Public

OFFICIAL SEAL  
Nihila Sivarajan  
Notary Public - State Of Illinois  
Cook County  
My Commission Expires September 12 2016