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| <b>Jefferson County District Court</b><br>100 Jefferson County Pkwy<br>Golden, CO 80401<br>(720) 772-2500   | <p style="text-align: center;">▲ Court Use Only ▲</p>                            |
| <b>WILLIAM MONTGOMERY</b><br>Plaintiff<br><br>vs.<br><br><b>BEST BUY STORES, L.P.</b><br>Defendant  |  |
| Attorney Or Party Without Attorney:<br><br><b>William Montgomery</b><br>2443 S University Blvd # 129<br>Denver, CO 80210<br>(970) 412-5463<br>zoinbergs@gmail.com | Case Number: <b>2023CV226</b><br><br>Division: <b>6</b><br>Courtroom: <b>520</b> |
| <b>PLAINTIFF'S SECOND AFFIDAVIT</b>   |  |

COMES NOW that William Montgomery, proceeding *pro se*, respectfully submits to the Court the following Affidavit:

1. My name is WILLIAM MONTGOMERY. I am a United States citizen, and a permanent resident of Denver, CO. I am over the age of 21 years, and am of sound mind. I am the Plaintiff in this action, and I have personal knowledge of the facts and matters set forth below. If called as a witness, I could and would testify competently to these particular facts and matters. I submit this Affidavit in support of my Reply to Defendant's Response to my Cross-Motion for Summary Judgment.

2. My credit and debit card agreements allow me to give others full authorization to use my credit and debit cards – including my Citibank credit card ending in 0527 – on my behalf, in order to make purchases for me, both at “brick and mortar” stores, and online.

3. For at least five years now, I have observed that Best Buy automatically associates my Best Buy account with whatever credit or debit cards I choose to link to it, in that whenever a linked credit or debit card of mine is swiped at one of their registers – either by me or by anybody else whom I authorize to conduct business on my behalf – Best Buy reflects the associated sale in their system [and any receipts, either emailed or printed, also reflect that particular association].

4. For at least twenty years now, I have observed that Best Buy provides multiple checkout registers throughout its stores, including the store located at 9369 Sheridan Blvd, Westminster, CO, 80031, whereby customers can purchase at those registers items gathered from anywhere in the store. From my recollection, I have observed there to be registers located in the computer, television, home entertainment, cell phone, and home appliance sections of the stores.

5. About five years ago I opted to have all Best Buy receipts emailed to me upon completion of making a purchase at any and all of their stores. When somebody else whom I have authorized to use a credit or debit card of mine that is linked to my Best Buy account makes a purchase on my behalf, I receive the same email in my inbox as if I had made the purchase myself.

FURTHER AFFIANT SAYETH NAUGHT.

I, WILLIAM MONTGOMERY, do hereby declare, under penalty of perjury, that the foregoing statements are true and correct.

Executed on this, the 28th day of October, 2024.

  
**William Montgomery**

### CERTIFICATE OF SERVICE

I hereby certify that on this, the 28th day of October, 2024, the foregoing **PLAINTIFF'S SECOND AFFIDAVIT** was filed with the Court, and a true and correct copy of it was electronically sent to the following people:

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**William Montgomery**