UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

JERRY GREENBERG, individually,
and IDAZ GREENBERG, individually,

Plaintiffs,

vs.

NATIONAL GEOGRAPHIC SOCIETY, a District of Columbia corporation, NATIONAL GEOGRAPHIC ENTERPRISES, INC., a corporation, and MINDSCAPE, INC., a California corporation,

Defendants.
_____/

CASE NO. 97-3924
CIV-LENARD
Magistrate Judge Turnoff

AFFIDAVIT OF JOHN DAVID

John David appeared before the undersigned authority and stated as follows:

1. My name is John David. The statements in this affidavit are based on my personal knowledge.

2. I am an account supervisor with Weber/RBB in Miami, a public relations consulting firm. I have occupied that position for approximately three-and-one-half years.

3. On or about December 22, 1997, I contacted by telephone the Washington, D.C. office of the National Geographic Society, and asked to speak with someone in the display advertising department. I was given a telephone number in New York City and was urged to contact that office.

4. I called the New York City telephone number and was informed that I had reached an office of the sales department for the National Geographic Society. I requested

information as to various editions of the Society's monthly magazine in which advertising could be purchased.

5. The individual to whom I spoke indicated that each United States edition of the magazine could be segmented regionally for advertising, and that advertising also could be placed in various international editions of the magazine. The individual offered to send written material as to such advertising, and I provided my business address for that purpose.

6. A few days after that telephone contact, various materials pertaining to the National Geographic Society magazine arrived in a National Geographic Society envelope. Three documents that were contained in that envelope are attached to and incorporated in this affidavit as Attachment A.

AFFIANT SAID NOTHING FURTHER.

_____

John David

STATE OF FLORIDA)
) ss
COUNTY OF DADE)

The foregoing instrument was acknowledged before me this_____ day of February, 1998, by John David, who was sworn and who said that the information set forth above is true and correct to the best of his knowledge and belief. Mr. David is personally known to me, or produced _____ as personal identification.

_____

Notary Public

My Commission Expires: