Electronically Filed - LAFAYETTE - August 22, 2023 - 09:22 AM

Not an Official Court Document

IN THE CIRCUIT COURT OF LAFAYETTE COUNTY, MISSOURI

BOTTLING GROUP, LLC DBA PEPSI COMPANY,	)	Case No.
Plaintiff,	)	
v.	)	AFFIDAVIT
THE ODESSA O, ZIP, LLC DBA THE ZIP MOTORSPORTS, MICHELLE JARRETT BRIAN KNAPP	)	
Defendant.		

STATE OF NC)
) ss.
COUNTY OF Forsyth)

COMES NOW James Edwards, being first duly sworn upon oath, deposes and states from personal knowledge as follows:

1. Affiant is the duly authorized, in his/her capacity of authorized representative for the Plaintiff, to make this Affidavit. Specifically, Plaintiff's job duties include the review and handling of delinquent accounts of the Plaintiff.

2. In the normal course of Affiant's duties with the Plaintiff, Affiant has the care, custody and control of Plaintiff's business records pertaining to account number 3472273 which is the account number assigned to Defendant by Plaintiff ("Account").

3. Affiant has caused the books and records of the Plaintiff to be searched and finds that the entire balance of $4,273.87, is past due and owing.

4. Since the date of this Affidavit there are no unapplied credits or payments made by or due the Defendant from the Plaintiff.

5. Affiant has reviewed the records of the Plaintiff and knows from his/her own personal review, that no actual legitimate negotiable instruments have been tendered by the Defendant as payment of the balance owed by Defendant and that the entire balance prayed for in Plaintiff's Complaint remains past due and owing by the Defendant to the Plaintiff.

FURTHER YOUR AFFIANT SAYETH NOT.

Affiant

Printed Name James D Edwards

Subscribed and sworn to (or affirmed) before me, on this 16th day of February 2023 James Edwards personally known to me or proved to me on the basis of satisfactory evidence to the person(s) who appeared before me.

Theresa Fleming
Notary Public

THERESA FLEMING
NOTARY PUBLIC
STOKES COUNTY, NC
MY COMMISSION EXPIRES
12/01/2027

paffbal.frm
22003166

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THE CIRCUIT COURT OF LAFAYETTE COUNTY, MISSOURI
ASSOCIATE DIVISION

BOTTLING GROUP, LLC DBA PEPSI COMPANY — Case No.

Plaintiff,

vs.

THE ODESSA O, ZIP, LLC DBA THE ZIP MOTORSPORTS
MICHELLE JARRETT,
BRIAN KNAPP,

Defendant(s).

AFFIDAVIT PURSUANT
TO SERVICE MEMBER CIVIL RELIEF ACT

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

COMES NOW the undersigned, being first duly sworn upon oath, and deposes and states from personal knowledge as follows:

On or about the date of this Affidavit, BQ & Associates, P.C., L.L.O., obtained a certificate from the DMDC Military Verification website, which is hosted by the Director of the Department of Defense Human Resources Activity Defense Manpower Data Center (DMDC). Attached hereto and incorporated herein by referenced as Exhibit "A" is a true and accurate copy of the information which was obtained from the DMDC, and verified as follows:

■ The Defendant(s) is not an active member of the Military.

☐ The Defendant(s) is an active Member of the Military.

☐ Based upon the information we have, the DMDC is unable to determine whether or not the Defendant(s) is or is not an active member of the Military.

☐ Based upon the information which we furnished the DMDC does not possess any information indicating the individual status.

FURTHER, AFFIANT SAYETH NAUGHT.

BY: _____, Affiant

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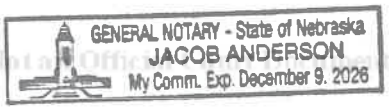
SUBSCRIBED AND SWORN to before me on this 22 day of August, 2023.



Notary Public

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Department of Defense Manpower Data Center

Results as of: Aug-18-2023 07:08:13 AM

SCRA 5.17

Status Report
Pursuant to Servicemembers Civil Relief Act

SSN:

Birth Date:

Last Name: THE ODESSA O ZIP LLC

First Name:

Middle Name:

Status As Of: Aug-18-2023

Certificate ID: TQ46LKN636Q5KBZ

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Sam Yousefzadeh

Sam Yousefzadeh, Acting Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Alexandria, VA 22350

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The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 3901 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service. Service contact information can be found on the SCRA website's FAQ page (Q35) via this URL: https://scra.dmdc.osd.mil/scra/#/faqs. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 3921(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

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