

**IN UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**SECURITIES AND EXCHANGE
COMMISSION**

Plaintiff,

VS.

**PATRICK O. HOWARD; HOWARD
CAPITAL HOLDINGS, LLC; AND OPTIMAL
ECONOMICS CAPITAL PARTNERS, LLC**

Defendants.

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Civil Case No. 3:17-CV-420-L

**AFFIDAVIT OF PATRICK O. HOWARD IN SUPPORT OF HIS MOTION TO STRIKE
MOTION TO STRIKE RECEIVER'S OMNIBUS RESPONSE AND BRIEF IN SUPPORT**

STATE OF TEXAS

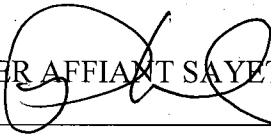
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COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared Patrick O. Howard, known to me to be the person whose name is subscribed to the foregoing instrument, and after being placed under oath, stated as follows:

1. My name is Patrick O. Howard and I am over 18 years of age and competent to make this affidavit.
2. Starting on February 17, 2017, I was in a joint defense agreement with Dovile Soblinkas, our counsel, and potential counsel. I never authorized Ms. Soblinkas to share privileged communications. Ms. Soblinkas never withdrew.

FURTHER AFFIANT SAYETH NOT.
Signed: _____



Date: 6/9/2017

PATRICK O. HOWARD, AFFIANT

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9th day of June, 2017.

Erica Sinclair Jason
Notary Public in Texas

My Commission Expires: 10-23-2019

