

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX COUNTY

AYER DISTRICT COURT  
DOCKET NUMBER 0748CV0568

TROY CAPITAL, LLC, ASSIGNEE OF EASY	)
LOAN CORPORATION, ASSIGNEE OF GE	)
CAPITAL FINANCIAL INC.	)
Plaintiff	)
	)
Vs	)
	)
	)
FRANK P. KARKOTA, JR	)
Defendant	)
	)
	)

**DEFENDANT’S OBJECTION TO PLAINTIFF’S REQUEST FOR SUMMARY JUDGMENT**

The defendant objects to summary judgment because there is evidence of perjury and criminal conduct in this case. Full discovery should be conducted to determine the scope of this perjury.

1. Attached are two exhibits which were both signed under penalty of perjury and contradict each other. Exhibit 1 is a sworn statement by the plaintiff. Paragraph 14 states “The last payment on the Account of \$97.00 was received on or about January 24, 2003.” Paragraph 18 states “There are no further credits or setoffs due to the Defendant.” Exhibit 2 is a sworn statement by Attorney George Nader to the Bankruptcy Court. On the fifth page of that exhibit marked as “EXHIBIT B – FINAL ACCOUNT – Schedule of Disbursements” there is a report of \$983.95 made to the GE Capital Corporation account.
2. The document by Attorney George Nader was sent to the plaintiff’s attorney on November 13, 2007. Thus the plaintiff has had ample time to contact GE Capital Corporation and to determine its authenticity and verify whether this payment was actually made. The plaintiff also had the opportunity to determine from GE Capital Corporation that this was not a clerical error. He has clearly stated in Exhibit 1 that the payment was never made through the Bankruptcy Court.
3. On March 1, 2006 the defendant filed a complaint, with the Massachusetts Board of Bar Overseers, against Attorney George Nader charging that he embezzled funds intended for GE Capital Corporation and committed perjury to cover his crimes. On December 1, 2006 the BBO concluded its investigation and ruled that

Attorney George Nader had done nothing illegal or unethical. Exhibit 3 is the final letter from the BBO. The entire complaint and the response were submitted to this Court as an exhibit on January 30, 2008.

4. The defendant submitted an interrogatory to the plaintiff to determine the cause of the discrepancy between the plaintiff's statements and the documents from the bankruptcy. The plaintiff refused to answer these questions. Exhibit 4 is the defendant's interrogatory and the plaintiff's response.
5. The defendant requested documents from the BBO regarding their investigation. The BBO refused to supply those documents. On January 30, 2008 the defendant asked the court to compel discovery from the BBO and again the request was refused.
6. GE Capital Corporation never filed objections with the Bankruptcy Court. Since the purported investigation by the BBO occurred between March 1, 2006 and December 1, 2006, GE Capital Corporation should have been aware of the discrepancy before they sold the account to the plaintiff.
7. The defendant DID NOT file for bankruptcy because he was unwilling or unable to pay the creditors. The defendant was behind on withholding taxes and was dealing with an extremely hostile IRS agent. The defendant entrusted \$20,000 to his Attorneys George Nader and Edmund Polubinski to pay the IRS in full. The attorneys claimed that the IRS refused payment and was in the process of seizing the business. They stated that bankruptcy was the only alternative to IRS seizure. The attorneys never examined the company books, business plan, pending orders or any aspect of the business. They took approximately \$8000 of the funds, intended for the IRS, for their legal fees, retainers and filing fees. They were advised that most (97%) of the company debt was in the name of, or cosigned by, the defendant. The Bankruptcy Court ordered that payment be withheld from ALL creditors. In order to pay the attorneys' legal fees, assets had to be liquidated, making the company no longer viable. For every dollar that the creditors lost, the defendant lost ten dollars. The defendant's career has been irreparably damaged by the bankruptcy and subsequent legal actions.
8. Attorney George Nader was aware that most of the company debt was in the name of, or cosigned by, the defendant. Both the Bankruptcy judge and the US Trustee were also aware that many accounts were in the name of, or cosigned by, the defendant. When the complaint was filed with the BBO, they, too, were advised that most of the debt was in the name of, or cosigned by, the defendant. Attorney George Nader, the Bankruptcy Judge, the US Trustee and the BBO found this to be irrelevant and they all considered the bankruptcy to be ethical, legal and proper.

This case has exposed serious legal misconduct. It appears that the plaintiff has committed perjury in an attempt to collect an account that was discharged in a

bankruptcy. The other alternative is that the defendant's attorney, George Nader, perpetrated a fraudulent bankruptcy in which he embezzled funds and committed perjury to conceal his crime. Then the Massachusetts Board of Bar Overseers obstructed the investigation of the crime to prevent Attorney Nader from being prosecuted.

I urge the court to wait until all of the evidence is presented before making a judgment.

---

Frank P. Karkota, Jr.  
Pro Se  
17 Cowdry Hill Road  
Westford, MA 01886  
~~978-392-0091~~

April 10, 2008

#### **CERTIFICATE OF SERVICE**

I, Frank P. Karkota, Jr. pro se, hereby certify that I have, this April 10, 2008, handed a copy of the above request for documents to the Plaintiff's attorney, Brian Aylward, 5 Essex Green Drive, Peabody, MA 01960, or his agent.

---

Frank P. Karkota, Jr. Pro Se

# Exhibit 1

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

Ayer District Court  
CIVIL ACTION NO. 0748 CV 0568

TROY CAPITAL, LLC, ASSIGNEE OF EASY )  
 LOAN CORPORATION, ASSIGNEE OF GE )  
 CAPITAL FINANCIAL INC., )  
 Plaintiff, )  
 )  
 VS. )  
 )  
 FRANK P. KARKOTA, JR. AKA FRANK P. )  
 KARKOTA AKA FRANK KARKOTA, )  
 Defendant )

**AFFIDAVIT OF PLAINTIFF IN SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

I, TROY DUPUIS, hold the position of  
Plaintiff and Keeper of Records with the Plaintiff,  
 TROY CAPITAL, LLC, ASSIGNEE OF EASY LOAN CORPORATION, ASSIGNEE OF GE  
 CAPITAL FINANCIAL INC.. I provide this affidavit in support of PLAINTIFF'S MOTION  
 FOR SUMMARY JUDGMENT ON THE COMPLAINT AND ON THE COUNTERCLAIM.  
 This affidavit is based upon personal knowledge and information and belief.

1. There is a reasonable likelihood that the Plaintiff will recover a judgment in the amount as set forth in the Complaint, plus interest, costs, and attorney fees, as applicable. I am setting forth the following specific facts on which this statement is based.
2. I am the Keeper of the books and records of the Plaintiff and have examined same and have determined that said books and records are true and correct and were made in the ordinary course of business of the Plaintiff, and that the balance now due and in arrears according to the Plaintiff's records from the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, is:

\$ 5,619.40	Original Principal. See Final Statement attached as Exhibit "A."
\$ 1,404.85	25% Attorney's fees/Collection costs requested, as allowed for in the Agreement. See Agreement attached as Exhibit "B."
\$ <u>3,034.48</u>	12% Judgment Rate Interest from 30 days after the date of demand, September 9, 2003, through March 9, 2008.
<b>\$10,058.73</b>	<b>Total</b> , as of March 9, 2008.

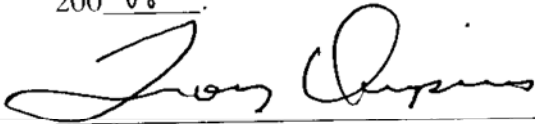
3. The balance due to Plaintiff on the Complaint is a liquidated amount meaning that the debt owed to Plaintiff is capable of calculation based upon the records and Exhibits

presented.

4. The Agreement allows for reasonable attorney fees/collection costs. See Agreement attached as Exhibit "B."
5. Plaintiff is paying attorney fees/collection costs in the amount of 25% of any amount recovered, and therefore seeks recovery of same from the Plaintiff as part of the balance due on the Complaint.
6. Upon information and belief, the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, is an individual with a place of residence in Westford, Middlesex County, Massachusetts.
7. Upon information and belief the Defendant signed an application requesting a GE Visa credit card from GE CAPITAL FINANCIAL INC. on or about June 16, 1995. See Application attached as Exhibit "C."
8. Upon information and belief, on or about June 20, 1995 GE CAPITAL FINANCIAL INC. issued credit card account #4046910010456711 (the "Account") to the Defendant and COMPOL, INC., a New Hampshire corporation.
9. The credit card and financing pursuant thereto was provided pursuant to the Agreement attached as Exhibit "B."
10. The terms and conditions of the Agreement appear clearly on the Agreement and on the Application. See attached Exhibits "B" and "C."
11. The Defendant and COMPOL, INC. received the benefit of the credit card and monies loaned pursuant thereto.
12. Upon information and belief the Defendant and COMPOL, INC. made charges to the Account.
13. Upon information and belief invoices were issued monthly by the Plaintiff to the Defendant and COMPOL, INC.. See attached Exhibit "A."
14. The last payment on the Account of \$97.00 was received on or about January 24, 2003.
15. After nonpayment, the Account went into default and was charged off on September 9, 2003.
16. That unpaid balance at the time the Account was charged off was \$5,619.40.
17. The Plaintiff has made repeated demand upon the Defendant for payment of this debt, but an original principal balance of \$8,249.19 remains unpaid.
18. There are no further credits or setoffs due to the Defendant.

19. Upon information and belief COMPOL, INC. filed bankruptcy on or about March 21, 2003.
20. Upon information and belief the Account was assigned from GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION on or about March 29, 2007. See Assignment attached as Exhibit "D-1."
21. The Account was assigned from EASY LOAN CORPORATION to the Plaintiff, TROY CAPITAL, LLC, on or about April 5, 2007. See Assignment attached as Exhibit "D-2."
22. There have been no further payments.
23. There have been no payments since the Complaint was filed.
24. The Plaintiff is unaware of any genuine dispute regarding the balance due in its Complaint, or any reason why judgment should not enter for the Plaintiff and against the Defendants.
25. The information set forth herein is true, to the best of my knowledge and belief, the allegations set forth in the complaint are true, to the best of my knowledge and belief.
26. The documents attached hereto and to the Complaint are true and accurate copies of the originals in the Plaintiff's files.

SIGNED UNDER THE PENALTIES OF PERJURY THIS 21 DAY OF MARCH,  
2008.



(Signature)

TROY DUPUIS, President

(Printed name and Title)

Dated: 03/21/08

## Exhibit 2



UNITED STATES BANKRUPTCY COURT  
FOR THE  
DISTRICT OF NEW HAMPSHIRE

FILED

11 2004 JUN 29 A 9:54

_____ )	
In Re: )	
)	Case No.03-10920-MWV
COMPOL, INC., )	Chapter 11
)	
Debtor )	Hearing Date: None Required
_____ )	

CLERK OF THE  
BANKRUPTCY COURT  
DISTRICT OF NH.

**FINAL REPORT AND APPLICATION FOR FINAL DECREE**

Compol, Inc., the confirmed Chapter 11 debtor (the "Debtor"), submits this Final Report and Application for Final Decree, thereby closing this Chapter 11 case.

In support of this Application, the Debtor represents as follows:

1. On April 5, 2004, the Court entered an Order confirming the Debtor's Plan of Reorganization Dated January 22, 2004 (the "Plan"). The Plan has been substantially consummated as defined in 11 U.S.C. Section 1101(2), as well as in accordance with the terms of the Plan and the Order confirming the Plan, that any subsequent Orders of the Court have been complied with.

2. The Debtor has disbursed to all persons entitled thereto, and who have timely filed applications for services rendered and reimbursement of expenses incurred, all sums allowed by the Court, except as otherwise agreed to between the Debtor and such person(s), as evidenced by the attached Exhibit A.

3. The Debtor has completed the distribution to creditors of the sums due them under the Plan. Specifically, the Debtor has made its first and final dividend distribution to the general unsecured creditors under the Plan, as evidenced by the attached Exhibit B and Exhibit C.

4. Despite reasonable attempts, the Debtor has been unable to make distribution to the creditors on the attached Exhibit D, in that payments has been tendered but returned to the Debtor.

5. The Debtor states that based upon the representations contained herein, this Chapter 11 case may be closed in accordance with Federal Bankruptcy Rule 3022 by the entry of a Final Decree.

6. A Statistical Report in accordance with Local Bankruptcy Rule 3022-1(c)(c) is filed along herewith.

WHEREFORE, the Debtor respectfully requests that the Court enter a Final Decree, in the proposed form attached hereto, thereby closing this Chapter 11 Case.

Signed under the pains and penalties of perjury this 28 day of June, 2004.



---

George J. Nader  
Zimble & Brettler, LLP  
21 Custom House Street  
Boston, MA 02110  
(617) 723-2222

B100BX (Rev. 8/91) SUPPLEMENTAL BANKRUPTCY CLOSING REPORT

DOCKET NUMBER	
YR-NUMBER	3
03-10920	
CHECK IF APPLICABLE	Joint Petition

Forward this form to:  
 Administrative Office of the United States Courts  
 Attn: Statistics Division—Bankruptcy  
 Washington, D.C. 20544

DIST. NO.	1	OFF. NO.	2
DATE PETITION FILED	March 21, 2003	REOPENED	4

DEBTOR	NAME OF DEBTOR (Last, First, Middle)		NAME OF JOINT DEBTOR		
	Compol, Inc.				
	AKA/DBA		AKA/DBA		
	N/A				
	SS or EMPLOYEE ID		SS or EMPLOYEE ID		
	02-0417150				
ADDRESS OF DEBTOR		ADDRESS OF JOINT DEBTOR			
415 Campbell Hill Rd. Mason, NH 03048					
NAME OF COUNTY		COUNTY CODE	NAME OF JUDGE	JUDGE CODE	TRUSTEE CODE
				5	6

DISPOSITION (CHECK ONE)		TERMINATED UNDER (CHECK ONE)		
1. Discharge Granted				
2. Discharge Denied		1. Ch. 7		9. Ch. 12
3. Discharge Waived/Revoked				
4. Discharge Not Applicable		4. Ch. 9		7. Ch. 13
5. Petition Dismissed				
6. Transferred to Another District		5. Ch. 11		8. Sec. 304

COMPLETE FOR CHAPTER 11 CASES ONLY

<input type="checkbox"/> 1 Plan Confirmed	% Dividend to Be	<input type="checkbox"/> 1 Check box if future payments are contemplated under Chapter 11 Plan but percentage dividend is not determinable.
<input type="checkbox"/> 2 Plan Not Confirmed	Paid	
9	10	11

REPORT PREPARED BY (Name)	DATE REPORT PREPARED	DATE CASE CLOSED
George J. Nader	6/28/04	
		12

13 \$97,031.50 1. TOTAL RECEIPTS AND DISTRIBUTIONS (Do not complete below if amount is zero)

**FEES AND EXPENSES**

\$ N/A 2. Trustee Compensation

\$ N/A 3. Fee for Attorney for Trustee

\$ 56,687.28 4. Other Professional Fees and All Expenses (Including Fee for Attorney for Debtor)

**DISTRIBUTIONS**

\$ N/A 5. Secured Creditors

\$ 22,344.18 6. Priority Creditors

\$ 18,000.04 7. Unsecured Creditors

\$ N/A 8. Equity Security Holders

\$ N/A 9. Other Distributions (Including Payments to Debtor)

Distributions to include all payments to be made pursuant to confirmed plan.

**EXHIBIT A**

<b>Creditor</b>	<b>Amounts Paid</b>
Zimble & Brettler, LLP 21 Custom House Street Boston, MA 02110	\$22,470.00
Thomas Weber 15 Sullivan Street Charlestown, MA 02129	\$33,434.02
Steven Solomon, Esq. Backus, Meyer, Solomon, Rood & Branch, LLP 116 Lowell Street Manchester, NH 03105-0516	\$783.26

**EXHIBIT B**  
**FINAL ACCOUNT**  
**Schedule of Disbursements**

<b>Creditor</b>	<b>Amounts Paid</b>
AMERICAN EXPRESS PO Box 7863 Ft. Lauderdale, FL 33329-7863	\$8,159.38
ADVANTA BUSINESS CARDS P.O. Box 30715 Salt Lake City, UT 84130-0715	\$3,682.98
US Bank P.O. Box 6344 Fargo, ND 58125-6344	\$1,106.07
BANK ONE First USA P.O. Box 8650 Wilmington, DE 19899-8650	\$326.69
GE Corporation P.O. Box 671747 Marietta, GA 30006-9806	\$983.95
CUI INC. P.O. Box 609 Beaverton, OR 97075-0609	\$693.92
KW MANUFACTURING 919 8th Street PO Box 508 Prague, OK 74864	\$37.36
ANTHEM Blue Cross-Blue Shield 3000 Goffs Falls Road Manchester, NH 03111-0001	\$208.83
WELLS FARGO MAC A0514-011 PO Box 90099 San Jose, CA 95109-3099	\$179.91

UPS P.O. Box 7247-0244 Philadelphia, PA 19170-0001	\$91.01
DHL Worldwide Express P.O. Box 78016 Phoenix, AZ 85062-8016	\$57.48
FEDERAL EXPRESS P.O. Box 371461 Pittsburgh, PA 15250-7461	\$51.99
SWEENEY & SWEENEY 6 Manchester Street Nashua, NH 03064	\$19.82
SAM'S CLUB/GECF PO Box 105995 Atlanta, GA 30348	\$19.82
DIGITAL RAPIDS P.O. Box 910566 St. George, UT 84791	\$19.82
QUILL P.O. Box 94081 Palatine, IL 60094-4081	\$19.82
STAPLES CREDIT Dept. 82 - 0004312377 PO Box 9020 Des Moines, IA 50368-9020	\$19.82
COMPETITIVE COMPONENTS, INC. 105 E. Brooks Ave. N. Las Vegas, NV 89030	\$199.79
EASTERN PROPANE GAS, INC. 600 School Street Winchendon, MA 01475-1920	\$79.80

**EXHIBIT C**

**Creditor** **Amount To Be Paid**

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None

**EXHIBIT D**

<b><u>Creditor</u></b>	<b><u>Amount Returned</u></b>
BANK ONE First USA P.O. Box 8650 Wilmington, DE 19899-8650	\$332.72
VERIZON PO Box 15150 Worcester, MA 01615-0150	\$49.69
LIGHTYEAR 1901 EastPoint Parkway Louisville, KY 40223	\$10.80
PSNH P.O. Box 360 Manchester, NH 03105-0360	\$14.63
NATIONAL GRANGE Mutual Insurance P.O. Box 2004 Keene, NH 03431	\$28.68
HRS USA Retail Services P.O. Box 17298 Baltimore, MD 21297-1298	\$758.54



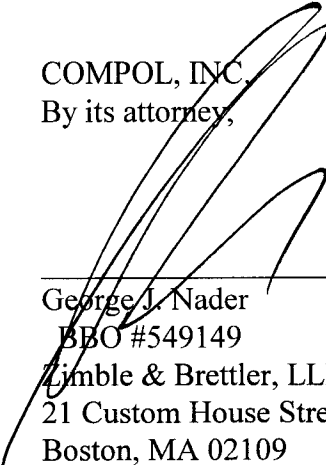
UNITED STATES BANKRUPTCY COURT  
FOR THE  
DISTRICT OF NEW HAMPSHIRE

_____	)	
In Re:	)	
	)	Case No. 03-10920-MWV
COMPOL, INC.,	)	Chapter 11
	)	Hearing Date: None Required
Debtor	)	
_____	)	

**CERTIFICATE OF SERVICE**

I, George J. Nader, do hereby certify that I have this day served a copy of the **FINAL REPORT AND APPLICATION FOR FINAL DECREE, STATISTICAL REPORT, FINAL DECREE (proposed)**, by first class mail, postage prepaid to the individuals on the attached Service List.

COMPOL, INC.  
By its attorney,

  
\_\_\_\_\_  
George J. Nader  
BBO #549149  
Zimble & Brettler, LLP  
21 Custom House Street  
Boston, MA 02109  
(617) 723-2222

Dated: June 28, 2004

SERVICE LIST

Gerry Karonis, Esq.  
Office of the U.S. Trustee  
66 Hanover Street, Suite 302  
Manchester, NH 03101

Steven A. Solomon, Esq.  
Backus, Meyer, Solomon, Rood & Branch, LLP  
116 Lowell Street  
P.O. Box 516  
Manchester, NH 03105-0516

Theodore Maniatis, Vice President  
Fleet Bank  
777 Main Street  
Mail Stop CTEH40219G  
Hartford, CT 06115

## Exhibit 3

# BOARD OF BAR OVERSEERS

*of the Supreme Judicial Court*

99 HIGH STREET  
BOSTON, MASSACHUSETTS 02110-2320

617-728-8700

Fax: 617-482-8000

www.state.ma.us/obcbbo

## BOARD OF BAR OVERSEERS

ALAN D. ROSE, CHAIR  
JAMES B. RE, VICE CHAIR  
GEORGE A. BERMAN  
JAMES P. CAREY  
DANA A. CURHAN  
LISA A. GRANT  
MARGUERITE T. GRANT  
FRANCIS P. KEOUGH  
LINDA R. MCKENZIE  
J. CHARLES MOKRISKI  
DAVID RIND, M.D.  
FRANCIS J. RUSSELL

GENERAL COUNSEL  
MICHAEL FREDRICKSON  
ASSOCIATE GENERAL COUNSEL  
KAREN D. O'TOOLE  
ASSISTANT GENERAL COUNSEL  
CAROL WAGNER  
ASSISTANT GENERAL COUNSEL  
LISA A. YEE  
ASSISTANT GENERAL COUNSEL  
PAUL M. REZENDES

December 1, 2006

## PERSONAL AND CONFIDENTIAL

Mr. Frank P. Karkota  
17 Cowdry Hill Road  
Westford, MA 01886

RE: BBO File No(s). B2-06-(9)222BE (George J. Nader, Esq., & Edmund Polubinski, Jr., Esq.)

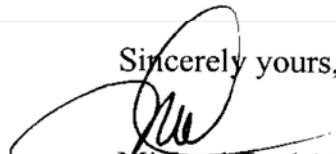
Dear Mr. Karkota:

This will acknowledge receipt of your recent letter requesting a review of Bar Counsel's decision to close the matter referenced above.

Please be advised that a member of the Board of Bar Overseers has reviewed the file in this matter and Bar Counsel's decision to close the file. Based on that review, it is the opinion of the Board member that Bar Counsel has properly closed the file.

This matter is closed and will remain closed. I thank you for your cooperation throughout the process.

Sincerely yours,



Michael Fredrickson  
General Counsel

mf/elk

cc: Bar Counsel

## Exhibit 4



- who was handling the bankruptcy. What was the name and address of the attorney working for GE Capital Financial Inc?
15. Did the above attorney receive a response from attorney George Nader?
  16. The defendant was contacted by attorney Gary H. Kreppel on December 1, 2005 regarding this account. Was GE Capital Financial Inc notified by attorney Kreppel that GE Capital Financial Inc was a creditor in a bankruptcy and that the debt was discharged?
  17. Has GE Capital Financial Inc notified any law enforcement agency that the bankruptcy was fraudulent?
  18. Does GE Capital Financial Inc have a legal responsibility to notify law enforcement of illegal financial activities?
  19. What is the name of the GE Capital Financial Inc officer who will testify in court?

---

Frank P. Karkota, Jr.  
Pro Se  
17 Cowdry Hill Road  
Westford, MA 01886  
~~978-392-0091~~

February 13, 2008

### **CERTIFICATE OF SERVICE**

I, Frank P. Karkota, Jr. pro se, hereby certify that I have, this February 13, 2008, mailed a copy of the above request for documents, postage prepaid, to the Plaintiff's attorney, Brian Aylward, 5 Essex Green Drive, Peabody, MA 01960

---

Frank P. Karkota, Jr. Pro Se



**U. S. Department of Justice**

**Office of the United States Trustee**

***Districts of Maine, Massachusetts,  
New Hampshire, and Rhode Island***

66 Hanover Street, Room 302  
Manchester, New Hampshire 03101

603-666-7908  
603-666-7913 (FAX)

March 31, 2003

The Unsecured Creditors  
Identified on the Enclosed List

Re: **COMPOL, Inc.**  
**Chapter 11 - Case No. 03-10920-MWY**

Dear Sir/Madam:

The above debtor filed its voluntary Chapter 11 petition on March 21, 2003 in Manchester, New Hampshire. The Debtor has indicated that you are one of the Debtor's twenty largest unsecured creditors.

The United States Trustee has scheduled a meeting with the twenty largest unsecured creditors in order to form an Official Creditors' Committee. This Creditors' Committee formation meeting and the scheduled §341 meeting is set to take place at **10:00 a.m. on Wednesday, April 23, 2003, in Room 122, Norris Cotton Federal Building, 275 Chestnut Street, Manchester, New Hampshire 03101.** You are invited, but not required, to attend. You need not attend this meeting on April 23, 2003 to be considered for selection.

I enclose a Creditors' Committee Formation Questionnaire. If you are interested in being considered for a seat on the Creditors' Committee, please complete the form and return it to me by fax or mail as soon as possible. My fax number is (603) 666-7913. You may also call me at (603) 666-7908 with questions.

Sincerely,

Geraldine Karonis  
Assistant U.S. Trustee  
Geraldine.L.Karonis@usdoj.gov

GBK/gdh  
Enclosures  
cc: George J. Nader, Esq. Counsel  
Frank Karkota, Debtor



COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

Ayer District Court  
CIVIL ACTION NO. 0748 CV 0568

TROY CAPITAL, LLC, ASSIGNEE OF EASY )  
LOAN CORPORATION, ASSIGNEE OF GE )  
CAPITAL FINANCIAL INC., )  
Plaintiff, )

VS. )

FRANK P. KARKOTA, JR. AKA FRANK P. )  
KARKOTA AKA FRANK KARKOTA, )  
Defendant )

**PLAINTIFF'S RESPONSES TO DEFENDANT'S INTERROGATORIES TO PLAINTIFF**

**General Objections**

Plaintiff generally objects to the definitions set forth in the interrogatories on the grounds and to the extent that they exceed the scope and requirements of Massachusetts Rule of Civil Procedure, including but not limited to Rules 26 and 34. Plaintiff generally objects to the definitions set forth in the interrogatories on the grounds and to the extent that are unduly burdensome, vague, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this general objection, Plaintiff intends to answer these interrogatories completely and fully in accordance with the Massachusetts Rules of Civil Procedure and in accordance with the usual and customary meanings for the terms defined therein.

Plaintiff generally objects to these interrogatories to the extent they seek information and/or documents protected from discovery by the attorney-client or attorney work-product privileges, including information or documents obtained or prepared in anticipation of litigation, or is otherwise immune from discovery.

Plaintiff further objects to these interrogatories on the grounds and to the extent that they require Plaintiff to form legal conclusions or arrive at ultimate factual determinations.

Plaintiff further objects to these interrogatories on the grounds and to the extent that they are vague and ambiguous because of ill-defined terms, or factual assumptions, and the extent that they impose obligations on Plaintiff beyond the obligations specified in Rules 26 and 33 of the Massachusetts Rules of Civil Procedure.

Plaintiff reserves the right to supplement each answer.

These general objections are incorporated by reference into each and every interrogatory answer that follows, as if specifically stated therein. Subject to and without waiver of the General Objections set forth above, and any specific objections, Plaintiff answers as follows:

1. State your name, your position and your capacity to answer these questions.

**Plaintiff's Response:**

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

Troy Dupuis, President  
TROY CAPITAL, LLC

2. How many copies of the attached document were received by GE Capital Financial Inc?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

3. Did GE Capital Financial Inc fill out the questionnaire(s) attached to the document?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

4. Did GE Capital Financial Inc appear at the creditor's meeting(s)?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

5. If the answer to the above question was "no," then why did GE Capital Financial Inc not appear?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK

P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

6. Did GE Capital Financial Inc ever file any objections with the bankruptcy court?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has

filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

7. If the answers to the above question was "no," then explain why GE Capital Financial Inc did not object to the bankruptcy.

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

8. Did GE Capital Financial Inc received the debtor's reorganization plan?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

9. How did GE Capital Financial Inc vote?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

10. Did GE Capital Financial Inc receive the checks for settlement payment?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

The Plaintiff has no records of any payment after of January 24, 2003.

According to the Plaintiff's records, the last payment on this account was made on or about January 24, 2003 in the amount of \$97.00.

11. Were the checks valid and did GE Capital Financial Inc accept the payment?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible



evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

The Plaintiff has no records of any payment after of January 24, 2003.

According to the Plaintiff's records, the last payment on this account was made on or about January 24, 2003 in the amount of \$97.00.

12. Was GE Capital Financial Inc ever contacted by the Massachusetts Board of Bar Overseers regarding their investigation of the bankruptcy?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonably, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA

AKA FRANK KARKOTA, only.

13. Was GE Capital Financial Inc ever contacted by the FBI, the US Attorney, the US Secret Service or by any other law enforcement agency investigating the bankruptcy?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

14. During the bankruptcy, the defendant was contacted by an attorney employed by GE Capital Financial Inc. The letter was forwarded to attorney George Nader who was handling the bankruptcy. What was the name and address of the attorney working for GE Capital Financial Inc?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows: I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

15. Did the above attorney received a response from attorney George Nader?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by

GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

16. The defendant was contacted by attorney Gary H. Kreppel on December 1, 2005 regarding this account. Was GE Capital Financial Inc notified by attorney Kreppel that GE Capital Financial Inc was a creditor in a bankruptcy and that the debt was discharged?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P.

KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

17. Has GE Capital Financial Inc notified any law enforcement agency that the bankruptcy was fraudulent?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

18. Does GE Capital Financial Inc have a legal responsibility to notify law enforcement of illegal financial activities?

**Plaintiff's Response:**

Plaintiff objects to this interrogatory to the extent that it is vague, unreasonable, not properly limited in time and scope, not reasonably calculated to lead to the discovery of admissible evidence.

The Plaintiff further objects on the grounds that this question is directed to the wrong party.

The Plaintiff further objects on the grounds that this request calls for a legal conclusion.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

I am answering these questions on behalf of the Plaintiff, TROY CAPITAL, LLC.

Per the allegations and documentation attached the Complaint, this account was assigned by GE CAPITAL FINANCIAL INC. to EASY LOAN CORPORATION, and then to the Plaintiff, TROY CAPITAL, LLC.

The Plaintiff filed this suit as the result of a claim for unpaid monies loaned on a credit card issued to COMPOL INC. and to the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA.

Pursuant to the terms of the credit card agreement, both COMPOL, INC. and the FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA were liable for any charges made to the account.

Upon information and belief COMPOL, INC. filed bankruptcy in New Hampshire and was discharged in bankruptcy.

The Plaintiff has received and/or obtained no information indicating that the Defendant, FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, has filed bankruptcy.

The Plaintiff is not seeking any monies from COMPOL, INC..

The Plaintiff's claim is against FRANK P. KARKOTA, JR. AKA FRANK P. KARKOTA AKA FRANK KARKOTA, only.

19. What is the name of the GE Capital Financial Inc officer who will testify in court?

**Plaintiff's Response:**

The Plaintiff objects to this Interrogatory on the grounds that is it premature.

Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

The Plaintiff has not made any decisions as to witnesses or expert witnesses at this time.

The Plaintiff reserves the right to supplement this answer with reasonable notice to the Defendant.

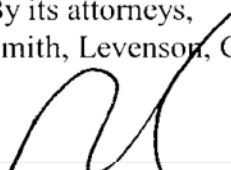
I, TROY DUPUIS, hereby depose and state on oath that I have read the foregoing answers to interrogatories, and subscribe to the same on behalf of Plaintiff, that the foregoing answers to interrogatories are based in part on personal knowledge, in part on information communicated to me, and in part on information obtained from the records in this matter; and that I believe that the foregoing answers to interrogatories to be true to the best of my knowledge.

SIGNED UNDER THE PENALTIES OF PERJURY THIS \_\_\_\_ DAY OF \_\_\_\_\_,  
200\_\_.

\_\_\_\_\_  
(Title)

As To Objections:

The Plaintiff,  
By its attorneys,  
Smith, Levenson, Cullen & Aylward, P.C.

  
\_\_\_\_\_  
Brian K. Aylward (BBO# 552296)  
5 Essex Green Drive  
Peabody, MA 01960  
(978) 532-9494

Dated:

**Plaintiff's Response:**

The Plaintiff objects to this Interrogatory on the grounds that is it premature.

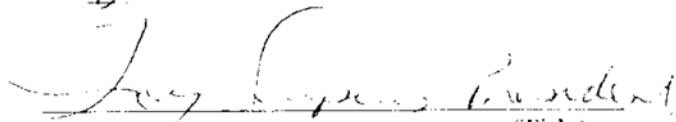
Without waiving the foregoing general and specific objections, Plaintiff responds as follows:

The Plaintiff has not made any decisions as to witnesses or expert witnesses at this time.

The Plaintiff reserves the right to supplement this answer with reasonable notice to the Defendant.

I, TROY DUPUIS, hereby depose and state on oath that I have read the foregoing answers to interrogatories, and subscribe to the same on behalf of Plaintiff, that the foregoing answers to interrogatories are based in part on personal knowledge, in part on information communicated to me, and in part on information obtained from the records in this matter; and that I believe that the foregoing answers to interrogatories to be true to the best of my knowledge.

SIGNED UNDER THE PENALTIES OF PERJURY THIS 27 DAY OF March, 2003.

  
\_\_\_\_\_  
(Title)

As To Objections:

The Plaintiff,  
By its attorneys,  
Smith, Levenson, Cullen & Aylward, P.C.

  
\_\_\_\_\_  
Brian K. Aylward (BBO# 552296)  
5 Essex Green Drive  
Peabody, MA 01960  
(978) 532-9494

Dated: