

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF  
FLORIDA

TRIPLE7VAPING.COM, LLC, and  
JASON W. CUGLE,

Plaintiffs,

Case No. 16-CV-80855

vs.

SHIPPING and TRANSIT, LLC,

Defendant.

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**PLAINTIFFS NOTICE OF FILING AFFIDAVIT OF EDWARD TURNBULL IN  
SUPPORT OF DEFENDANTS MOTION TO DISMISS**

COMES NOW, Plaintiff, Shipping and Transit, and gives notice of filing Affidavit of  
Edward Turnbull in support of Defendants Motion to Dismiss.

Dated: July 4, 2016

Respectfully submitted,

/s/ Jason P. Dollard  
JASON P. DOLLARD, FBN: 0649821  
jdollard@lrevanspa.com  
Leslie Robert Evans & Associates, PA  
214 Brazilian Avenue, Suite 200  
Palm Beach, FL 33480  
Telephone: (561) 832-8288  
Facsimile: (561) 832-5722  
Counsel for Defendant

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FOR THE SOUTHERN DISTRICT OF FLORIDA**

TRIPLE7VAPING.COM, LLC,

Plaintiff,

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Defendant.

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**AFFIDAVIT OF CEO OF EDWARD TURNBULL**


STATE/PROVINCE OF: BRITISH COLUMBIA

ss:

COUNRTY OF: CANADA

That on this 04 day of July, 2016, personally came and appeared before me Edward Turnbull known, and known to me, who after being first duly sworn, deposes and says:

1. My name is Edward Turnbull.
2. I am over the age of 18 and a resident of the State/Province of BRITISH COLUMBIA
3. I have personal knowledge of all the statements made herein.
4. I am an independent contractor, who works as a licensing agent for multiple companies including Shipping and Transit, LLC.
5. I have never been convicted of any crimes involving dishonesty. Nor have I ever been charged with any allegations of dishonesty.
6. In January of 2016 I was contacted by Shipping and Transit, LLC ("Shipping") to assist with a Notice Letter ("Notice Letter") that had been sent to Triple7Vaping.com ("Triple7").

 E.T.

7. On January 10, 2016, I forwarded a copy of the Notice Letter to Triple7 through their customer service email.
8. On January 13, 2016, I had a telephone conference with Jason Cugle, in which he stated that the statements regarding automated email notifications on Triple7's website were false and that its ordering system was done manually.
9. Following this conversation, I sent Mr. Cugle an email memorializing our conversation.
10. On January 20, 2016 I sent an email to Mr. Cugle following up on status of the affidavit that had been forwarded to him.
11. On January 29, 2016, I forwarded a draft copy of the complaint to Mr. Cugle. The same day Mr. Cugle finally responded to my email regarding the affidavit, saying he was going to get back with me about the affidavit.
12. I never got a response from Mr. Cugle, so on February 9, 2016, I again tried to follow up with Mr. Cugle. Later that day, I received an email from Mr. Cugle saying that his system did not do what Shipping said it did. I responded via email that same day, saying that Shipping still needed the affidavit sign, but offered an alternative resolution in the form of a covenant not to sue in exchange for a lump sum payment of \$10,000.00.
13. Mr. Cugle never responded.
14. I understand that by signing below that I am subjecting myself to perjury in the event any of the above statements are incorrect.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Edward Turnbull

SUBSCRIBED TO AND SWORN TO before me this 04 day of July, 2016.

\_\_\_\_\_  
Notary Public

My Commission Expires: N/A  
\_\_\_\_\_

**FILIP de SAGHER**  
NOTARY PUBLIC  
2515 ALMA STREET  
VANCOUVER, B.C. V6R 3R8  
TEL: 604-221-4343

**CERTIFICATE OF SERVICE**

I hereby certify that on July 4, 2016, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. I also certify that the foregoing document is being served this day, via email on the counsel listed below.

**Julie S. Turner**

Turner Boyd, LLP  
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Suite 640  
Redwood City, CA  
650-521-5933

Email: turner@turnerboyd.com

*ATTORNEY TRIPLE7VAPING.COM, LLC and JASON CUGLE  
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**Vera Ranieri**

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