

**AFFIDAVIT OF ALAN C. TRIGGS
CORPORATE COUNSEL CMI, INC**

I, Alan C. Triggs, being duly sworn, state:

1. I am over twenty-one (21) years old.
2. I am the Corporate Counsel and Compliance Officer for CMI, Inc. (CMI), located at 316 E. 9th Street, Owensboro, Kentucky 42303.
3. CMI is the manufacturer of the Intoxilyzer® 5000, 8000 and 9000 breath alcohol testing instruments.
4. The Colorado Department of Public Health and Environment uses the Intoxilyzer®9000 in its evidential breath alcohol testing program.
5. CMI offers a basic maintenance, repair and instructor course for the Intoxilyzer® line of breath testing instruments.
6. Upon completion of a CMI course, attendees will receive a certificate of completion.
7. Matthew Malhiot attended a CMI courses for the Intoxilyzer® 5000 and Intoxilyzer® 8000.
8. These courses were Mr. Malhiot's only instrument training at CMI.
9. Mr. Malhiot has never been employed by CMI.
10. Mr. Malhiot has never worked with CMI as a contractor.
11. Mr. Malhiot has never assisted CMI in the development of any instrument.
12. Mr. Malhiot did not provide input in the development of the Intoxilyzer® 9000.
13. Mr. Malhiot did not work with CMI engineers in the development of the algorithms for the slope detection in the Intoxilyzer® 5000, Intoxilyzer® 8000 or the Intoxilyzer® 9000.
14. Mr. Malhiot did not provide input on histogram development.

15. Mr. Malhiot did not assist in creating debugging software for the Intoxilyzer® 9000.

16. Affiant further sayeth not.

Alan C. Triggs
Alan C. Triggs

12/13/13
Date

State of Kentucky)
County of Daviess)

Subscribed and sworn to before me in the county of Daviess, State of Kentucky, this 13th day of December 2013.

Notary Public Rachael Phelps

My Commission expires:

10-22-2015

