

IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

LET'S TAKE BACK CONTROL LTD.
A/K/A FAIR VOTE PROJECT AND KYLE TAYLOR

PLAINTIFFS

V.

CIVIL ACTION NO. 18-612

BIG DATA DOLPHINS LTD. AND
ELDON INSURANCE SERVICES LTD.

DEFENDANTS

MOTION TO DISMISS

For reasons set forth in their Memorandum Brief, Defendants request that the Court dismiss the Complaint. Defendants rely on the following exhibit in support of their Motion:

Exhibit A: Affidavit of Victoria Sena

This the 25th day of May, 2018.

Respectfully submitted,

ELDON INSURANCE SERVICES LTD.
AND BIG DATA DOLPHINS LTD.

By Their Attorneys,
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC

By: s/ D. Sterling Kidd
D. STERLING KIDD

BAKER, DONELSON, BEARMAN
CALDWELL & BERKOWITZ, PC
One Eastover Center
100 Vision Drive (ZIP 39211)
P. O. Box 14167
Jackson, MS 39236
Telephone: (601) 351-2410
Facsimile: (601) 592-2410
skidd@bakerdonelson.com

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the MEC system, which served a copy upon registered participants.

This the 25th day of May, 2018.

s/ D. Sterling Kidd

D. STERLING KIDD

IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

LET'S TAKE BACK CONTROL LTD.
A/K/A FAIR VOTE PROJECT AND KYLE TAYLOR

PLAINTIFFS

V.

CIVIL ACTION NO. 18-612

BIG DATA DOLPHINS LTD. AND
ELDON INSURANCE SERVICES LTD.

DEFENDANTS

AFFIDAVIT

**LONDON, ENGLAND
UNITED KINGDOM**

Victoria Sena, duly sworn, deposed and says:

1. My name is Victoria Sena. I am over the age of 18, have personal knowledge of the matters set forth in this affidavit, and am competent to testify to the matters in this affidavit.

The facts stated herein are true and correct.

2. I work for Eldon Insurance Services, Ltd, ("Eldon") where I serve as a Project Manager.

3. Due to that position, I am familiar with the relationship between Eldon, Big Data Dolphins, Ltd. ("Big Data") and the University of Mississippi.

4. Big Data was incorporated in the United Kingdom on December 16, 2016.

5. In 2017, Big Data and Eldon became interested in leasing space at the University of Mississippi's Insight Park.

6. Representatives of Big Data and Eldon visited Insight Park twice in October 2017 to tour the space and begin lease negotiations.

7. On February 5, 2018, Big Data signed a lease for a space at Insight Park, which Eldon guaranteed.

EXHIBIT A



15.

16.

8. Neither Big Data nor Eldon has made any payments on the lease, and neither is required to do so at this time.

9. The space has not been built out, and it has no furniture or information technology equipment. The build-out will take substantial work; involving an expenditure of up to \$200,000 for creating an open floor plan, re-wiring electricity, expanding air-conditioning capacity, and laying carpet as per the lease.

10. Other than incidental laptop use, neither Big Data nor Eldon has previously or currently had any information technology equipment anywhere in Mississippi, including but not limited to at Insight Park. Further, the incidental laptop use occurred when I used my laptop to log into Insight Park's guest WIFI network. However, I did not then and do not now have access to Eldon's customer database, and I did not access, and could not have accessed, the personal data of any United Kingdom citizens.

11. As the foregoing paragraph explains, neither Big Data nor Eldon have had or now have any equipment in Mississippi that would allow them to store the private data of British citizens there.

12. Neither Big Data nor Eldon has, at any point in time, sent any personal data relating to citizens of the United Kingdom to the University of Mississippi, or to anyone else in Mississippi.

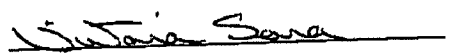
13. In addition, neither Big Data nor Eldon have had any access to the University's servers or other information technology equipment that would allow them to transfer the type of data referenced in the preceding paragraph.

14. Other than Big Data's lease with the University of Mississippi, neither Big Data nor Eldon have any relationships with Mississippi.

and neither is

- 15. Neither Big Data nor Eldon have any employees or staff in Mississippi.
- 16. Neither Big Data nor Eldon have created any United States entities, which is a predicate step the companies will take before moving forward with the build-out of the space.

FURTHER AFFIANT SAYETH NOT.


 Victoria Sena

Sworn to and subscribed before me this the 25th day of May, 2018.


 Notary Public

My Commission Expires with life

Anthony David Samuels
 Notary Public for
 England and Wales
 Number One London Bridge
 London SE1 9BG
 UK 07769-900565



Anthony Samuels

Notary Public

Protocol no: 2018/77

BE IT KNOWN that I, Anthony David Samuels of Number One London Bridge London SE1 9BG in England , a duly authorised notary public , CERTIFY that the signature set and subscribed on the hereunto annexed affidavit produced to me today as an original is the true and proper signature of Victoria Lisa Nadine Sena.

TO AUTHENTICATE these facts I have signed and sealed this certificate this twenty-fifth day of May two thousand and eighteen in England.

ANTHONY DAVID SAMUELS
Notary Public
England and Wales



Anthony David Samuels
Notary Public for
England and Wales
Number One London Bridge
London SE1 9BG
UK 07769-900565

