

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ERIC E. HOYLE,

Plaintiff,

v.

Civil Action No. 08-CV-347C

FREDERICK DIMOND, ROBERT DIMOND,
and MOST HOLY FAMILY MONASTERY,

Defendants.

AFFIDAVIT

STATE OF MICHIGAN)
)
COUNTY OF SAGINAW)

ss:

KEITH McKAY, being duly sworn, deposes and says:

1. I am a resident of the State of Michigan and presently reside at 1485 W. Rathbun, Burt, MI 48417.
2. Prior to December 31, 2007 I visited the website for the Most Holy Family Monastery ("MHFM") at www.mostholymonastery.com. Prior to that date, I also had occasion to purchase materials from MHFM and was a supporter of the organization. Indeed, for

several years prior to December 31, 2007 I had donated money to MHFM. During the occasions that I ordered materials from and/or donated money to MHFM, I spoke and/or dealt with an individual by the name of "Brother Edmund" who represented himself to be a monk at MHFM.

3. In the course of purchasing materials from MHFM, I provided my personal address, telephone number, and e-mail address. The personal telephone number I gave to MHFM during the ordering process is not information that is publicly available as it is not a phone number that is listed under my name, but that of my private business. The name of that business was never shared with MHFM during the ordering process. My personal contact information was provided to MHFM only, and only as part of the ordering and purchasing process. I understood this to be a secure transaction and did not intend for my personal information to be used in any fashion other than that of communicating with MHFM. I neither intended for, nor authorized, my personal contact information to be used by anyone not affiliated with MHFM.

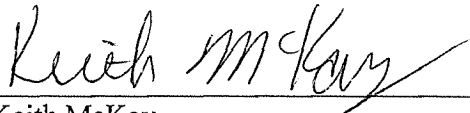
4. In January of 2008, I received a telephone call from Eric Hoyle. At that time, Mr. Hoyle informed me that he was formerly associated with MHFM and while there was known as Brother Edmund. Prior to receiving this telephone call, I did not know Mr. Hoyle personally, nor was I aware that he was Brother Edmund at MHFM. During my dealings with MHFM, I never gave my personal contact information to Mr. Hoyle for his personal use. As such, I was surprised that Mr. Hoyle contacted me at my personal telephone number.

5. When Mr. Hoyle contacted me by telephone, he informed me that he left MHFM because of a dispute he had with certain beliefs espoused by the organization. In particular, Mr. Hoyle stated that he left because Brother Michael (Frederick Dimond) and Brother Peter (Robert Dimond) attended Mass and received the Sacraments at a certain church. Mr. Hoyle told me he believed this constituted heresy and suggested that I visit his personal website which opposed the teachings and beliefs of MHFM. Mr. Hoyle told me that he had already contacted some people, and would be contacting more people, that he communicated with while he was at MHFM to inform them of his new beliefs and his position that Brothers Michael and Peter are heretics.

6. In a subsequent e-mail that I received from Mr. Hoyle, he directed me to his website at www.genesis49.com. Subsequent to this, I visited Mr. Hoyle's website and observed a link to an account through which donations to Mr. Hoyle could be made. This link was in the form of a button one could click on in order to get to PayPal and transmit or forward money to Mr. Hoyle.

7. During the course of our initial conversation, Mr. Hoyle also told me that when he joined MHFM he gave an unspecified amount of money to the organization and that it was supposed to be returned to him when he left. Mr. Hoyle told me that Brothers Michael and Peter were now wrongfully holding his money and refused to return it to him.

8. Following my initial telephone conversation with Mr. Hoyle, I spoke with him on another occasion. That date was on or around April 6, 2008. During the course of that conversation, Mr. Hoyle again recommended that I visit his website and change my beliefs to match his own. Also at that time, Mr. Hoyle again talked about the money donation he gave to MHFM when he joined the organization. During this conversation, Mr. Hoyle was very clear that the money he had first claimed was being wrongfully held by MHFM was, in fact, a donation to MHFM.


Keith McKay

Sworn to before me this
4 day of June, 2008.


Notary Public

