

STATEMENT

My name is David Keener. I am a manager at Reliable Heating & Air ("Reliable"). This is a statement regarding my experience with Dan Jape over the past 18 months.

Very rarely have I witnessed Dan work a full day in the office. More often, the few times I saw Dan he would be arriving late in the afternoon (usually around 4 or 5 p.m.), waiting until everyone else left and then having the office to himself. But even this was very infrequent. I would estimate that I've seen Dan at the office about 20 times in the past 18 months.

When Dan was in the office, he would usually end up in an explosive argument with Barbara regarding everything from women that he would bring into the office to how the company was being run. To try to subvert Barbara, he blatantly manipulated meetings that he and I had. For example, when he and I spoke about Barbara needing help with some things regarding the company, he turned around and told Barbara that I said I didn't think she could run the company, that no one wanted her to run the company, and that everyone wanted him back. Despite the fact that he was rarely in the office, he still managed to disrupt our work environment when he was there.

As far as Dan's conduct regarding the police, I've had occasion to witness him not only threaten law enforcement personnel that were onsite but also to willfully defy a restraining order by driving to Reliable and sitting in his car looking in the office and appearing to check his pockets, frightening some employees who were wondering whether he had a gun.

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