

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

IN RE:

EAGLE BROADBAND, INC.

Debtor.

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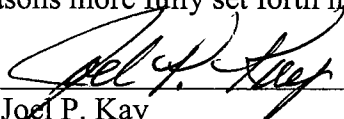
CASE NO. 07-80605
(Chapter 11)

STATE OF TEXAS

COUNTY OF HARRIS

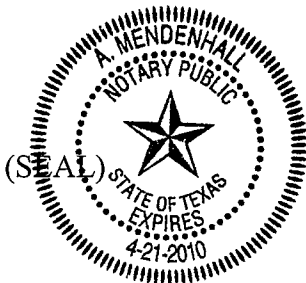
BEFORE ME, the undersigned authority, on this day personally appeared Joel P. Kay known to me to be the person whose name is subscribed to the foregoing instrument, who being by me duly sworn, upon his oath deposed as follows:

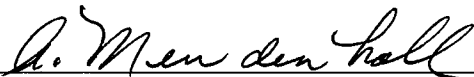
1. "My name is Joel P. Kay. I am over eighteen (18) years of age and otherwise competent to make this affidavit. I am an attorney with the law firm of Hughes, Watters & Askanase, L.L.P. I am counsel for Eagle Broadband, Inc. the Debtor in the above captioned case. I am duly authorized to make this affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct."
2. "Emergency consideration of the Motion for Emergency Hearing on Debtor's Emergency Motion for the reasons more fully set forth in the Motion."



 Joel P. Kay

SUBSCRIBED AND SWORN TO BEFORE ME, this 16th day of November, 2007.





 NOTARY PUBLIC, STATE OF TEXAS
 Printed Name of Notary: A. MENDENHALL
 My Commission Expires: 04-21-2010

