

1 **SUPPLEMENTAL DECLARATION OF PAUL CLIFFORD IN SUPPORT OF SPECIAL**  
2 **MOTION TO STRIKE THE COMPLAINT**

3 I, Paul Clifford, declare:

4 1. I have personal knowledge of the facts contained in this declaration, unless  
5 otherwise indicated. If called upon to testify I am competent to do so. The documents attached  
6 to this declaration are true copies of what they purport to be.

7 2. Attached hereto as Exhibit A is a true copy of message number 621277 from the  
8 Yahoo! Finance message board for Eagle Broadband, which I downloaded on January 23, 2006,  
9 from the URL indicated thereon.

10 3. Attached hereto as Exhibit B is a true copy of "Preliminary Deletions for the  
11 Russell 3000 Index and Russell Microcap Index", which I downloaded on January 23, 2006,  
12 from the URL indicated thereon, and relevant portions of the Russell 3000 Index membership  
13 list as of June 24, 2005, which I downloaded from the Russell website at  
14 www.russellmellon.com/products/indexes/membership on February 15, 2006.

15 4. Attached hereto as Exhibit C is a true copy of Eagle Broadband Yahoo! Finance  
16 message board message number 621310, which I downloaded on January 23, 2006, from the  
17 URL indicated thereon.

18 5. Attached hereto as Exhibit D is a true copy of Eagle Broadband Yahoo! Finance  
19 message board message number 621314, which I downloaded on January 23, 2006, from the  
20 URL indicated thereon.

21 6. Attached hereto as Exhibit E is a true copy of Eagle Broadband Yahoo! Finance  
22 message board message number 621326, which I downloaded on January 23, 2006, from the  
23 URL indicated thereon.

24 7. Attached hereto as Exhibit F is a true copy of Eagle Broadband Yahoo! Finance  
25 message board message number 621345, which I downloaded on January 23, 2006, from the  
26 URL indicated thereon.

27 8. Attached hereto as Exhibit G is a true copy of the Securities and Exchange website  
28 page titled "Internet Fraud: How to Avoid Internet Investment Scams", to which a link is

1 provided at the bottom of every Yahoo! message page, which I downloaded on February 14,  
2 2006, from the URL indicated thereon.

3 9. Attached hereto as Exhibit H is a true copy of portions of Eagle's SEC Form 10-  
4 QSB, filed 1/22/01, which I downloaded on February 9, 2006, from the URL indicated thereon.

5 10. Attached hereto as Exhibit I is a true copy of portions of Eagle's SEC Form 10-Q,  
6 filed 1/18/05, which I downloaded on February 8, 2006, from the URL indicated thereon.

7 11. Attached hereto as Exhibit J is a true copy of portions of Eagle's SEC Form 10-K,  
8 filed 12/29/04, which I downloaded on February 13, 2006, from the URL indicated thereon.

9 12. Attached hereto as Exhibit K is a true copy of Eagle's SEC Form S-3, filed  
10 1/21/05, which I downloaded on February 8, 2006, from the URL indicated thereon.

11 13. Attached hereto as Exhibit L is a true copy of Eagle's SEC Form 8-K, filed  
12 8/27/03, which I downloaded on February 13, 2006, from the URL indicated thereon.

13 14. Attached hereto as Exhibit M is a true copy of an Eagle Broadband press release  
14 titled "Eagle Broadband Names Dave Weisman as New CEO and Closes \$10 Million Financing  
15 Round", which I downloaded on February 14, 2006, from the URL indicated thereon, and true  
16 copies of Aggregate press releases dated July 2, 2003, and August 27, 2003, which I downloaded  
17 from Aggregate Networks' website located at [www.aggregatenetworks.net](http://www.aggregatenetworks.net) on FEBRUARY 14,  
18 2006.

19 15. Attached hereto as Exhibit N are true copies of Nexa Technologies website pages,  
20 which I downloaded on February 13, 2006, from the URL indicated thereon.

21 16. Attached hereto as Exhibit O is a true copy of portions of Eagle's SEC Form S-  
22 3/A, filed 12/2/04, which I downloaded on February 9, 2006, from the URL indicated thereon.

23 17. Attached hereto as Exhibit P is a true copy of Eagle Broadband Yahoo! Finance  
24 message board message number 559852, which I downloaded on January 26, 2006, from the  
25 URL indicated thereon.

26 18. Attached hereto as Exhibit Q is a true copy of Eagle Broadband Yahoo! Finance  
27 message board message number 560081, which I downloaded on January 26, 2006, from the  
28 URL indicated thereon.

1           19. Attached hereto as Exhibit R is a true copy of Eagle Broadband Yahoo! Finance  
2 message board message number 560258, which I downloaded on January 26, 2006, from the  
3 URL indicated thereon.

4           20. Attached hereto as Exhibit S is a true copy of Eagle Broadband Yahoo! Finance  
5 message board message number 679748, which I downloaded on January 26, 2006, from the  
6 URL indicated thereon.

7           21. Attached hereto as Exhibit T is a true copy of Eagle Broadband Yahoo! Finance  
8 message board message number 679750, which I downloaded on January 26, 2006, from the  
9 URL indicated thereon.

10          22. Attached hereto as Exhibit U is a true copy of Eagle Broadband Yahoo! Finance  
11 message board message number 682918, which I downloaded on January 26, 2006, from the  
12 URL indicated thereon.

13          23. Attached hereto as Exhibit V is a true copy of Eagle Broadband Yahoo! Finance  
14 message board message number 682982, which I downloaded on January 26, 2006, from the  
15 URL indicated thereon.

16          24. Attached hereto as Exhibit W is a true copy of Eagle's SEC Form 8-K, filed  
17 10/20/05, which I downloaded on January 27, 2006, from the URL indicated thereon.

18          25. Attached hereto as Exhibit X is a true copy of the Eagle Broadband, Inc. "Key  
19 Statistics" page from Yahoo! Finance, which I downloaded on February 14, 2006, from the URL  
20 indicated thereon.

21          26. Attached hereto as Exhibit Y are portions of Eagle's SEC Form 10-KSB, filed  
22 11/16/01, which I downloaded on February 15, 2006, from the URL indicated thereon.

23          27. Attached hereto as Exhibit Z are portions of Eagle's SEC Form 10-K, filed  
24 12/9/03, which I downloaded on February 15, 2006, from the URL indicated thereon.

25          28. Attached hereto as Exhibit AA is a true copy of a chart of historical prices for  
26 Eagle Broadband stock, which I downloaded on January 25, 2006, from the Yahoo! Finance  
27 section on Eagle Broadband from the URL indicated thereon.

28          29. Attached hereto as Exhibit BB are true copies of tables of historical prices for

1 Eagle Broadband stock, which I downloaded on February 13, 2006, from the Yahoo! Finance  
2 section on Eagle Broadband from the URLs indicated thereon.

3 I declare under penalty on perjury under the laws of the State of California that the  
4 foregoing is true and correct.

5 Dated: February 15, 2006

6 \_\_\_\_\_  
7 Paul Clifford

8 EXHIBITS TO THIS DECLARATION:

- 9 A. Eagle Broadband Yahoo! Finance message board message number 621277, 6/10/05  
10 B. "Preliminary Deletions for the Russell 3000 Index and Russell Microcap Index"  
11 C. Eagle Broadband Yahoo! Finance message board message number 621310, 6/10/05  
12 D. Eagle Broadband Yahoo! Finance message board message number 621314, 6/10/05  
13 E. Eagle Broadband Yahoo! Finance message board message number 621326, 6/10/05  
14 F. Eagle Broadband Yahoo! Finance message board message number 621345, 6/10/05  
15 G. Securities and Exchange website page titled "Internet Fraud: How to Avoid Internet  
Investment Scams"  
16 H. Eagle's SEC Form 10-QSB, filed 1/22/01  
17 I. Eagle's SEC Form 10-Q, filed 1/18/05  
18 J. Eagle's SEC Form 10-K, filed 12/29/04  
19 K. Eagle's SEC Form S-3, filed 1/21/05  
20 L. Eagle's SEC Form 8-K, filed 8/27/03  
21 M. Eagle Broadband press release titled "Eagle Broadband Names Dave Weisman as New  
CEO and Closes \$10 Million Financing Round"  
22 N. Nexa Technologies website pages  
23 O. Eagle's SEC Form S-3/A, filed 12/2/04  
24 P. Eagle Broadband Yahoo! Finance message board message number 559852, 3/11/05  
25 Q. Eagle Broadband Yahoo! Finance message board message number 560081, 3/11/05  
26 R. Eagle Broadband Yahoo! Finance message board message number 560258, 3/12/05  
27 S. Eagle Broadband Yahoo! Finance message board message number 679748, 9/15/05  
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- 1 T. Eagle Broadband Yahoo! Finance message board message number 679750, 9/15/05
- 2 U. Eagle Broadband Yahoo! Finance message board message number 682918, 9/25/05
- 3 V. Eagle Broadband Yahoo! Finance message board message number 682982, 9/26/05
- 4 W. Eagle's SEC Form 8-K, filed 10/20/05
- 5 X. Eagle Broadband, Inc. "Key Statistics" page from Yahoo! Finance
- 6 Y. Eagle's SEC Form 10-KSB, filed 11/16/01
- 7 Z. Eagle's SEC Form 10-K, filed 12/9/03
- 8 AA. Historical prices for Eagle Broadband stock (chart)
- 9 BB. Historical prices for Eagle Broadband stock (tables)

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