

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
ANITA M. FLYNN,)	
)	
Plaintiff,)	
)	
v.)	C.A. 99-CV-11379
)	
A K PETERS, LTD.,)	
)	
Defendant.)	
_____)	

**AFFIDAVIT OF KLAUS PETERS IN SUPPORT
OF A K PETERS' MOTION FOR SUMMARY JUDGMENT**

I, Klaus Peters, on oath depose and state as follows:

1. I am the President of A K Peters, Ltd. and have personal knowledge of the facts set forth below.

2. On August 23, 1997, I wrote a letter to Anita Flynn and Joe Jones suggesting a new, revised edition of the book *Mobile Robots: Inspiration to Implementation* ("Mobile Robots").

3. In my letter, I made several suggestions for the new edition of Mobile Robots. One suggestion was to include educational uses and curriculum proposals in the new edition. My letter does not state and A K Peters never determined which co-author should write such chapter(s).

4. In order to publish a Second Edition of Mobile Robots, the book was revised by its co-authors. Revisions were made by Joe Jones and Bruce Seiger. I have been informed that Anita Flynn also assisted Joe Jones with some revisions in May, 1998, as stated by Joe Jones in

the Declaration of Joe Jones, attached as Exhibit 5 to the Houle Affidavit. A K Peters did not perform the revisions about which the Plaintiff complains in this litigation.

5. A K Peters relied on Joe Jones as the lead author at all pertinent times relevant to the Second Edition. The use of a lead author is standard practice in the Scientific, Technical and Medical ("STM") publishing field for multi-authored books, such as this. In STM publishing, the lead author, here Joe Jones, represents the interests of all co-authors of a book.

6. The Second Edition of Mobile Robots contains all the elements I suggested in my offer letter dated August 23, 1997. In particular, the book does, in fact, contain sections addressing educational uses and curriculum proposals. Examples can be found in Chapters 10 and 12, Appendix B, and other places throughout the book.

7. The Second Edition was sent to the printer on September 30, 1998. Two days later, A K Peters sent a completed copy of the manuscript to Dr. Flynn by UPS on October 2, 1998. The UPS tracking order indicates that Dr. Flynn received the manuscript on October 9, 1998.

8. A K Peters could have made corrections or changes to the Second Edition up until October 21, 1998, before the book was ready for final printing.

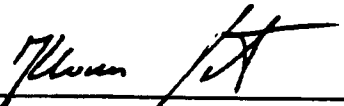
9. Because Dr. Flynn waited until October 31, 1998 to send her suggested corrections and changes to Joe Jones, it was too late to incorporate those corrections and changes into the first printing of the Second Edition.

10. Instead, Jones created an errata sheet that incorporated some of Dr. Flynn's corrections and/or changes. This errata sheet was sent to all purchasers of the book and inserted into all existing copies in the warehouse.

11. A K Peters originally printed 7,500 copies of the Second Edition. Sales of the first printing of the Second Edition exceeded A K Peters' initial projections. A second printing of the Second Edition was completed in December, 1999.

12. With the second printing of the Second Edition, A K Peters corrected errors from the first printing as instructed by Joe Jones, the lead author. A K Peters changed the order of authors so that Anita Flynn is the second named author of the book. A K Peters also corrected each item listed on the Errata Sheet from the first printing to that they are now permanently included in the Second Edition.

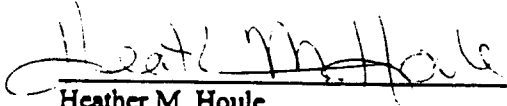
SIGNED UNDER THE PENALTIES OF PERJURY THIS 13 DAY OF MARCH, 2000.



Klaus Peters, President
A K Peters, Limited

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served, by first class mail, upon all counsel of record on March 14, 2000.



Heather M. Houle