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File No: 5815.08
Attorneys for Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

AHMAD GOLRANGI,)
)
Plaintiff,)
)
vs.)
)
ROMAR ELECTRIC, INC., and)
McALVAIN CONSTRUCTION, INC.)
)
Defendants.)
_____)

Case No: CIV 04-225-S-BLW

AFFIDAVIT OF JESSE BUSACK
IN SUPPORT OF MOTION
FOR SUMMARY JUDGMENT

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

Jesse Busack, being first duly sworn upon oath, deposes and states as follows:

1. I am and at all times relevant hereto have been a foreman for Defendant Romar Electric Co., Inc., and as such have personal knowledge of the matters herein stated.
2. Plaintiff Ahmad Golrangi came to work for Romar Electric on or about June 23, 2003; he was referred by his Union on a call out by Romar for a journeyman electrician.
3. On September 12, 2003, I had not been informed that the electricians were planning a birthday celebration in the electrical room during the afternoon rest period for one of

the electricians. This use would have been improper, inasmuch as rest periods, which are not mandatory breaks, are allowed by the employer in order that employes may for a few minutes cease manual labor and catch up on paper work or merely rest. There was no "break room" on site, and many places on the jobsite were available to take a break where work was not ongoing.

4. While working on a project for McAlvain Construction to which Plaintiff had been assigned, I received a cell phone call from Allan Lane of McAlvain Construction. He told me that some of Romar's electricians were not allowing sheetrockers to work in the electrical room during the electricians' break and that an electrician had unplugged power and was arguing with him. I asked him who it was and he said, "Get that fucking Iranian off the job or I will."

5. I contacted Kurt Carlson, Vice President of Romar Electric, and told him that Plaintiff Gohrangi was interfering with the work of another trade. I did not report Alan Lane's statement to Kurt Carlson.

6. I am not aware of any action being taken by Romar Electric against Plaintiff or any other employee of Romar Electric because of their race or national origin.

Dated this 30 day of August, 2004

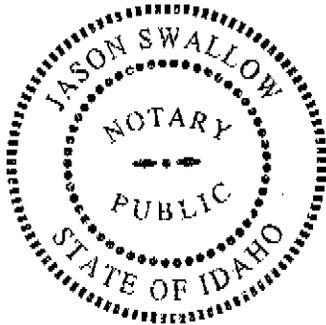


Jesse Busack

STATE OF IDAHO)
)ss.
County of ADA)

On this 30th day of August, 2004, before me a notary public, personally appeared Jesse Busack personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



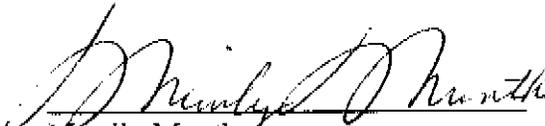
Jason Swallow
Notary Public for Idaho
Residing in MERIDIAN
My Commission Expires 8/12/2010

CERTIFICATE OF SERVICE

I, the undersigned, certify that on the 1st day of ~~August~~ ^{September}, 2004, caused a true and correct copy of the foregoing to be forwarded with all required charges prepaid, by the method(s) indicated below, in accordance with the Rules of Civil Procedure, to the following person(s):

Chris Kronberg, Esq.
Bowen & Bailey, LLP
P.O. Box 1007
Boise, Idaho 83701-1007
Facsimile No. (208) 344-9670

Hand Delivery	_____
U.S. Mail	<u> X </u>
Facsimile	_____
Overnight Mail	_____


Merrily Munther