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Attorneys for Defendant

U.S. COURTS  
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CLERK OF DISTRICT COURT  
BOISE, IDAHO

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

KIMBERLEY SMITH, MICHAEL B.  
HINKLEY, JACQUELINE T. HLADUN,  
MARILYN J. CRAIG, JEFFERY P.  
CLEVENGER, and TIMOTHY C.  
KAUFMANN, individually and on behalf of  
those similarly situated,

Plaintiffs,

vs.

MICRON ELECTRONICS, INC., a  
Minnesota corporation,

Defendant.

) Case No. CIV 01-0244-S-BLW

) **AFFIDAVIT OF LARRY R. CHASE**

STATE OF IDAHO )  
)  
County of Canyon )

ss.

I, Larry R. Chase, being first duly sworn, state that the following facts are true and correct and based upon my personal knowledge. If called to testify regarding these facts, I am competent to do so and would testify as follows:

1. I was first employed by Micron Electronics, Inc. ("Micron Electronics") in 1994. From 1994 to 1996, I worked for Micron Electronics as a Direct Response Group inside sales representative in Consumer sales. Later in 1996 I worked for Micron Electronics as a State/Local inside sales representative in Government sales. I subsequently worked for MicronPC, Inc. ("MPC") as a supervisor in Consumer sales. In early 1999, I left MPC for approximately a year. When I returned in May of 2000, I worked for MPC as an inside sales representative in Small Business sales.

2. I no longer work for any company owned or operated by Micron Electronics.

3. I understood that I was subject to the timekeeping and overtime policies distributed by Micron Electronics. I could read these policies either in hard copy or on-line on the InfoNet.

4. As a supervisor in Consumer sales, I understood that MPC was a separate subsidiary with its own compensation plan, commissions, incentives, business hours and customers. The inside sales representatives on the team I supervised serviced customers who had less than 500 employees.

5. As a supervisor in Consumer sales, I instructed the inside sales representatives on my team about working overtime hours. If I told an inside sales representative on my team not to work overtime, I expected that he or she would follow my instructions. If someone on my team worked overtime without prior permission, the employee would still be paid in accordance with Micron Electronics' policy that hourly employees must be paid for all time worked.

6. It was an inside sales representative's responsibility to accurately record his or her time. I assumed the inside sales representatives under my supervision would not intentionally falsify or under-report the number of hours they recorded.

7. I never altered an inside sales representative's timesheet for the purpose of reducing overtime hours. The only situation that would have prompted me to alter a timesheet would be if someone had forgotten to properly note time away from the office or overtime on his or her timesheet. Even then, I would not change the timesheet until I had first spoken with the employee.

8. I was never aware of the inside sales representatives on my team working off the clock. I never told anyone on my team to not accurately report all of the time that they worked.

9. From May of 2000 to May 31 of 2001, I worked for MPC in Small Business sales as an inside sales representative. My supervisor was Dominic Casey.

10. During this time period, I recorded and was paid for all of the overtime I worked. I never worked off the clock, nor was I ever told or pressured to work off the clock by any of my supervisors or managers.

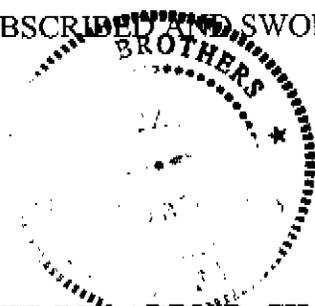
11. I was trained on how to record my time on the computer using both the VAX system and later the Me@micronpc.com system. It was made clear to me through the training and policies that it was my responsibility to accurately record my time.

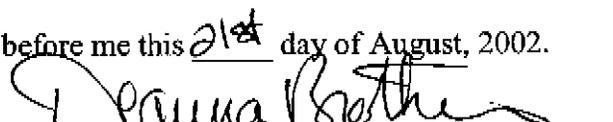
12. To my knowledge, Dominic Casey never altered my timesheets for the purpose of reducing my overtime hours.

DATED this 21 day of August, 2002.

  
\_\_\_\_\_  
Larry R. Chase

SUBSCRIBED AND SWORN to before me this 21<sup>st</sup> day of August, 2002.



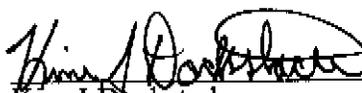
  
\_\_\_\_\_  
Notary Public for Idaho  
Residing in: Boise Id  
My Commission Expires: 08/19/06

CERTIFICATE OF SERVICE

I hereby certify that on this 21<sup>st</sup> day of August, 2002, a true and correct copy of the foregoing **AFFIDAVIT OF LARRY R. CHASE** was served on the following individuals by the manner indicated:

William H. Thomas  
Daniel E. Williams  
HUNTLEY, PARK, THOMAS,  
BURKETT, OLSEN & WILLIAMS  
250 S. Fifth Street, Suite 660  
Boise, Idaho 83701-2188

By Hand Delivery  
 By Facsimile  
 By U.S. Mail  
 By Overnight Delivery

  
\_\_\_\_\_  
Kim J Dockstader