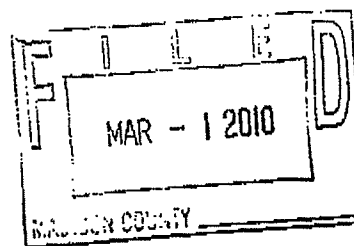


EXHIBIT B



**HOPKINS RODEN CROCKETT
HANSEN & HOOPES, PLLC**
Gregory L. Crockett, ISBN 1640
Sean J. Coletti, ISBN 7199
428 Park Avenue
P. O. Box 51219
Idaho Falls, Idaho 83405-1219
Telephone: 208-523-4445
Attorneys for Defendant Robert E. Tardif,
Bankruptcy Trustee

**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MADISON**

**FIDELITY NATIONAL TIMBER
RESOURCES, INC.**, formerly known as
Fidelity National Ranch Properties, Inc., a
Delaware corporation,

Plaintiff,

vs.

DOUGLAS INVESTMENTS LLC, an
Idaho limited liability company, **ROBERT
E. TARDIF**, as Trustee of the Bankruptcy
Estate of Ulrich Felix Anton Engler,
CONGRO FINANZ AG, a foreign entity,
PRIMUS GmbH, a foreign entity, et al.,

Defendants.

Case No. CV-09-197

**AFFIDAVIT OF DOUGLAS
INVESTMENTS, LLC IN
OPPOSITION TO PLAINTIFF'S
MOTION FOR SUMMARY
JUDGMENT**

STATE OF FLORIDA)

) SS:

COUNTY OF LEE)

DAVID B. DOUGLAS, being duly sworn, deposes and says:

1. I am over the age of eighteen (18) years and am competent to execute this Affidavit. If called upon to testify, I could and would competently testify of my own personal knowledge as to the truth of the following facts.

2. At all relevant times, I was the managing member of Douglas Investments, LLC (hereinafter "Douglas Investments") and continue to hold this office to the present day. This

Affidavit is being submitted on behalf of Douglas Investments and in opposition to Fidelity National Timber Resources, Inc.'s f/k/a Fidelity National Ranch Properties, Inc. (hereinafter the "Plaintiff") Motion for Summary Judgment.

3. Douglas Investments is the party that initially closed the transaction evidenced by the Vacant Land Real Estate Purchase And Sale Agreement by and between Plaintiff and Engler Land Investments, LLC or its assignees for the property commonly referred to as the "Teton River Canyon Ranch a/k/a Linderman Ranch" dated November 9, 2006 and attached to the Complaint as Exhibit "A" (hereinafter the "Contract for Deed").

4. On November 10, 2006, the Chapter 7 Debtors transferred \$500,000.00 to Alliance Title & Escrow Corporation for Plaintiff's benefit as and for the earnest money deposit required under the Contract for Deed. A true and correct copy of the wire transfer confirmation is attached hereto as Exhibit "A" and is incorporated herein by this reference.

5. Douglas Investments obtained the funds for the remaining payments required under the Contract for Deed from Ulrich Felix Anton Engler and Private Commercial Office, Inc. (hereinafter referred to collectively as the "Chapter 7 Debtors").

6. The Chapter 7 Debtors were the sole source of the funds for the payments required under the Contract for Deed and Douglas Investments paid those funds over to Alliance Title & Escrow Corporation (hereinafter "Alliance Title") for Plaintiff's benefit in accordance with the Contract for Deed.

7. According to my records, the Chapter 7 Debtors transferred \$11,365,885.25 to Douglas Investments and Douglas Investments made the following payments totaling \$11,865,885.25 to Alliance Title for Plaintiff's benefit:

- (a) December 21, 2006 - \$1,502,623.25;


- (b) February 28, 2007 - \$3,144,631.00;
- (c) September 5, 2007 - \$3,144,631.00; and
- (d) March 3, 2008 - \$3,574,000.00.

True and correct copies of the cancelled checks and wire transfer confirmation are attached hereto as Composite Exhibit "B" and are incorporated herein by this reference.

8. Douglas Investments informed Plaintiff that the Chapter 7 Debtors were the sole source of funds for the payments required under the Contract for Deed.

9. Since the Chapter 7 Debtors have a significant, material interest in this action by virtue of the \$11,865,885.25 transferred to the Plaintiff pursuant to the Contract for Deed and the Chapter 7 Debtors have pending bankruptcy cases in the United States Bankruptcy Court for the Middle District of Florida (Case No. 9:08-bk-04360-ALP), I respectfully request this Honorable Court to enter an Order denying Plaintiff's Motion for Summary Judgment and to provide such other and further relief as the Court may deem just and proper.

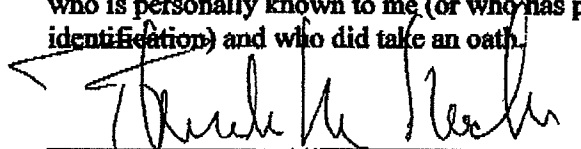
FURTHER AFFIANT SAYETH NAUGHT.




 DAVID B. DOUGLAS

STATE OF FLORIDA)
)SS.
 COUNTY OF LEE)

The foregoing Affidavit was acknowledged before me this 25th day of February, 2010, by DAVID B. DOUGLAS in his capacity as the Managing Member of DOUGLAS INVESTMENTS, LLC, who is personally known to me (or who has produced FL-21 0242-162-54-190-D as identification) and who did take an oath.



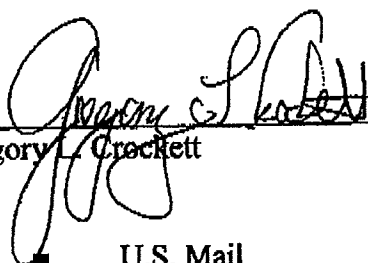
 Notary Public, State of Florida

(SEAL) 
 RHONDA M. MACHADO
 Comm# DD060807
 Expires 3/8/2010
 Bonded thru (800)432-4284
 Florida Notary Assn., Inc

**CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY
OR FACSIMILE TRANSMISSION**

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the persons named below, at the addresses set out below their name, either by mailing, hand delivery or by telecopying to them a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid; by hand delivery to them; or by facsimile transmission.

DATED this 1st day of March, 2010.



Gregory L. Crockett

Janet D. Robnett, Esq.
Paine Hamblen, LLP
701 Front Avenue, Suite 101
P. O. Box E
Coeur d'Alene, ID 83816-0326

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

Sean Moulton
Moulton Law Office
60 East Wallace
P. O. Box 631
Driggs, ID 83422

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

EXHIBIT A

SunTrust Online Treasury Manager

<https://online.treasurymanager.suntrust.com/showwebui/trustcenter/transfer...>



Online Treasury Manager

Home | Search | Contact Us | Help

ULRICH ENGLER		Accepted on: Nov 09, 2008 at 07:19:17 PM	
PRIVATE COMMERCIAL OFFICE INC		Send Date: Nov 10, 2008	
1217 CAPE CORAL PKWY E STE 121			
CAPE CORAL, FL 33904			
Debit Bank: 053102152 - SUNTRUST CENTRAL FLORIDA	Credit Bank: 424103780 - FIRST BANK OF IDAHO		
Debit Account: 168810004281 - Private Commercial Office Inc	Credit Account: 4121130626 - ALLIANCE TITLE & ESCROW CORP.		
Debit Currency: USD - US Dollar	Credit Currency: USD - US Dollar		
Debit Amount: 800,000.00	Credit Amount: 800,000.00		
Template ID: Free Form - 0 Approvals			
Originator-to-Beneficiary: line 1 - THE TETON RIVER CANYON RANCH			
line 2 - EARNEST MONEY			
Entry Cust/User: 204882 - FL4251		Value Date: Nov 10, 2008	
		Entry Date/Time: Nov 09, 2008 - 07:19:16 PM	

Bank Trace #: 2008314000284

Cust Trace #: 003727

Please press the print button on your browser to generate a hard copy of this wire transfer request.

This transaction is subject to bank rules and regulations governing such electronic transactions as described in our services agreement. Please keep these numbers handy in case you have any questions regarding this transaction. If any portion of the above is incorrect, or you have further questions, please contact customer service. Thank You.

You are logged in as: Customer 204882 / User FL4251

11/9/06 5:19 PM

COMPOSITE EXHIBIT B

12/10/2009 11:21 FAX 12063086084

ALLIANCE TITLE CORPORATE

0002/002

Date: December 9, 2009

Wells Fargo PhotoCopy Request

Page 1 of 1

Reference: 100024907742;100024907743;100024907742

OFFICIAL CHECK No. 280436519

DATE 12/21/2009

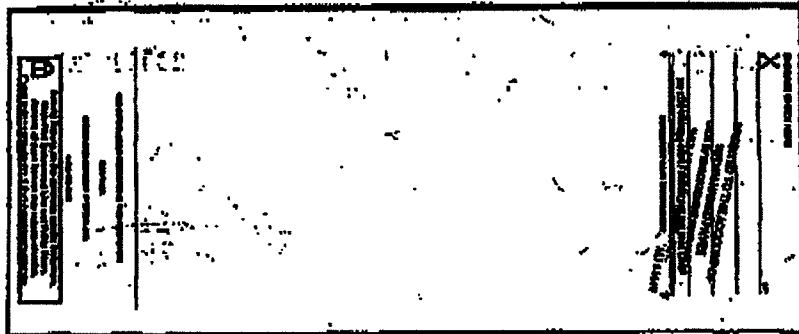
FOR DEPOSIT ONLY

ALLIANCE TITLE

Amount: Million Five Hundred Two Thousand Six Hundred Twenty Three AND 00/100 DOLLARS

UNDEPOSITED FUNDS

01220871145



R/T Number 87011111
 Sequence Number 7448471145
 Account Number 68000280436519

Processing Date 20061222
 Amount 1502629.20
 Check Number

WELD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

OFFICIAL CHECK

NO. 280436586

KEY BANK NATIONAL ASSOCIATION DATE 02222007 OFFICE 0011700E

150 NORTH MAIN DR:6555, ID 83422

PAY TO THE ORDER OF ALLIANCE TITLE \$ **3,144,667.00

Three Million One Hundred Forty Four Thousand Six Hundred Sixty Seven and 00/100 DOLLARS

MEMO: FIDELITY PROPERTY received 2/28/07 30415101

Authorized Signature: *Shalal M. Stealy*

⑈000151⑈ ⑆12203717⑆ ⑆8000280436586⑆

FOR YOUR PROTECTION, PLEASE SIGN AND RETURN THIS CHECK TO THE ISSUING BANK.

DO NOT WRITE / SIGN / STAMP BELOW THIS LINE

ENDORSE HERE (RECOMMENDED)

CASH ON HAND

⑆

Date:03/01/07 Sequence Num:40451855 Account:68000280436586 Serial:154 Amount:\$3,144,667.00 Dep Seq#:40451891

advice[1].txt

zions bank
wire department

Incoming Wire - Advice of Credit

Date: 09/05/2007
Beneficiary Party:
Account #: ****1344
ALLIANCE TITLE

Amount: \$ 3,144,867.00

Message Ref #: 20072480512900

Sender Information:

Sending Bank Name: PST BK ID KEYCHK
Sending bank ABA: 124103760

Received From: DAVID DOUGLAS

By Order Of:

Additional Information
Beneficiary bank:

Reference for Beneficiary (RFB):

Originator to Beneficiary Info (OSI):

Bank to Bank Info (BBI):
ZIONS BANK

Fed Reference Number (FRN):
20070903LAb74b3C00236909051849FT01

advice[1].txt

Zions Bank
Wire Department

Incoming Wire - Advice of Credit

Date: 03/03/2008
Beneficiary Party:
ACCOUNT #: ****1344
ALLIANCE TITLE & ESCROW

Amount: \$ 3,574,036.00

Message Ref #: 20080630508800

Sender Information:

Sending Bank Name: FST BK IN KETCHUM
Sending Bank ABA: 124103760

Received From: DAVID DOUGLAS

By order of:

Additional Information
Beneficiary Bank:

Reference for Beneficiary (RFB):

Originator to Beneficiary Info (OBI):
FIDELITY ESCROW

Bank to Bank Info (BBI):
ZIONS BANK

Fed Reference Number (OMAD):
200803031487483C00275803031639FT01