

# **EXHIBIT C**

**Case No. 2:12-cv-08333-ODW-JC**

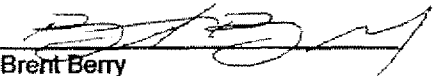
**Dkt. No. 108-3**

**Affidavit of Brent Berry**

I, Brent Berry, being duly sworn, depose and state:

- 1 I am over the age of eighteen, suffer no legal disabilities, have personal knowledge of the facts set forth below, and am competent to testify.
- 2 I am a resident of Andover, MN.
- 3 I have known Alan Cooper ("Alan") since 2006.
- 4 I consider myself a close confidant of Alan's and have assisted him in various personal matters over the years.
- 5 I introduced Alan to Mr. Steele and brokered the arrangement whereby Alan could live at Mr. Steele's property for free in exchange for basic caretaking services.
- 6 I have had many occasions to see Alan and interact with him since the time he became a caretaker at Mr. Steele's cabin property in McGrath, Minnesota. Alan lived in the guest cabin about 100 yards from Mr. Steele's main cabin.
- 7 During the first few years of observing of Alan, I would say he appeared to behave pretty responsibly towards Mr. Steele's property.
- 8 On several dates, I had occasion to be present when Mr. Steele and Alan would speak about various matters. Normally this occurred while we were sitting around campfire located between the two cabins.
- 9 Alan and Mr. Steele seemed to have a very good relationship and Alan would routinely ask John how he wished he could help Mr. Steele for all the things Mr. Steele did for Alan, such as allowing him to live on the property for free.
- 10 It was clear from their conversations and references to Mr. Steele's legal work that Alan was involved working with Mr. Steele. Alan did not seem upset about this relationship, and in fact often made jokes about not having to worry about ever buying beer again due to his assisting Mr. Steele.
- 11 I remember Mr. Steele at various times asking Alan to assist him with certain paperwork and I never saw Alan objecting to this assistance.
- 12 On at least one occasion, I recall Alan asking John, "How's my porn company doing?"
- 13 Beginning in late 2011, Alan began exhibiting unusual behavior on various occasions when I was visiting the property. Alan began acting erratic, frequently threatening to hurt others.
- 14 On several occasions, Alan bragged that "If I pissed him off, they would never find my body, just like the others"
- 15 Due to Alan's strange behavior, I began to minimize my contacts with him unless others were around. Although I still consider Alan a very good person and a friend to this day, on some days he acted like a completely different person and extremely agitated. I later found out from Alan that the days he had acted very unusual were the ones in which he had not taken certain antipsychotic medication his doctor had prescribed.

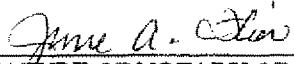
- 16 I was hired by John Steele to sell his log home at auction in the summer of 2012. The auction was to be held September 29, 2012.
- 17 During the summer I had to enter Mr. Steele's property frequently to allow access to handymen and prospective buyers. Alan was still living in the guest cabin at that time.
- 18 Almost immediately I became aware that Alan's mental state had further deteriorated and I felt very uncomfortable to be alone around him.
- 19 On approximately August 13th of 2012, I went to Mr. Steele's property to prepare it for a potential buyer. My girlfriend was with me on this trip. Alan came out of his cabin and was clearly in an extremely agitated state. Before I could even speak with him, he began threatening to hurt me. Due to the manner in which made the threats were made, his comments about past violence, I felt in fear for my life.
- 20 I immediately called John Steele and told him what happened and that I could not show the property under these conditions. I contacted the Aitkin County police department to report what had happened. Due to Mr. Steele's request, I did not follow through with filing charges.
- 21 Alan has sent me a variety of bizarre text messages, accurate copies of which are attached in Exhibit A hereto. In these text messages, Alan threatened to shoot me, indicated that he was removing wood from Mr. Steele's property, explained that he had some mental disorder(s), and apologized for his bizarre behavior.
- 22 Although Alan requested in his texts that I go to his doctor that was treating him for his mental illness.
- 23 Alan indicated that if I entered the property he would shoot me. Although Alan stated he would only shoot me in the foot, I felt out of an abundance of caution not to trust his assurance that he would only shoot me in a non-critical part of my body.
- 24 Regrettably I have not had much interaction with Mr. Cooper in the past few months and am concerned that he is not getting the medical treatment that he himself has stated he needs in various conversations and texts.

  
 Brent Berry

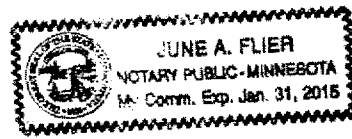
STATE OF MINNESOTA  
 COUNTY OF Aitkin ss.

The foregoing instrument was acknowledged before me this 15th day of February, 2013.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

  
 SIGNATURE OF NOTARY OR AUTHORIZED OFFICIAL

My Commission Expires: 1-31-15



att. T-Mobile

11:38 AM

Messages

Cooper

Edit

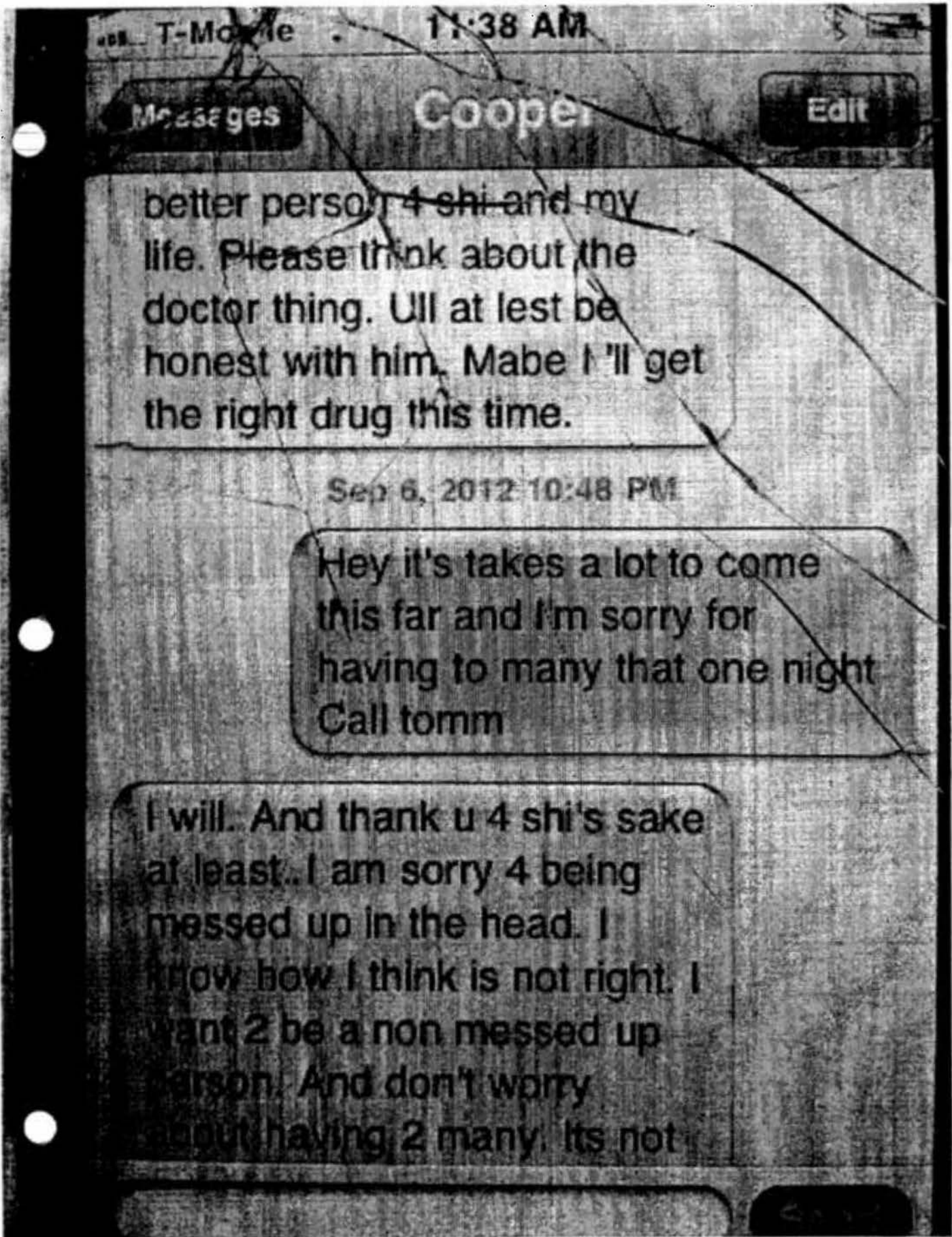
Car tomm

I will. And thank u 4 shif's sake at least. I am sorry 4 being messed up in the head. I know how I think is not right. I want 2 be a non messed up person. And don't worry about having 2 many. Its not easy 2 deal with a crazy person. U we

Sep 6, 2012 11:00 PM

Ur a good guy Alan! U know it. But things have changed to say the least. I will do what I can for u and shi. I think u know I care about people

Yes u do care about every



T-Mobile

11:38 AM

Messages

Cooper

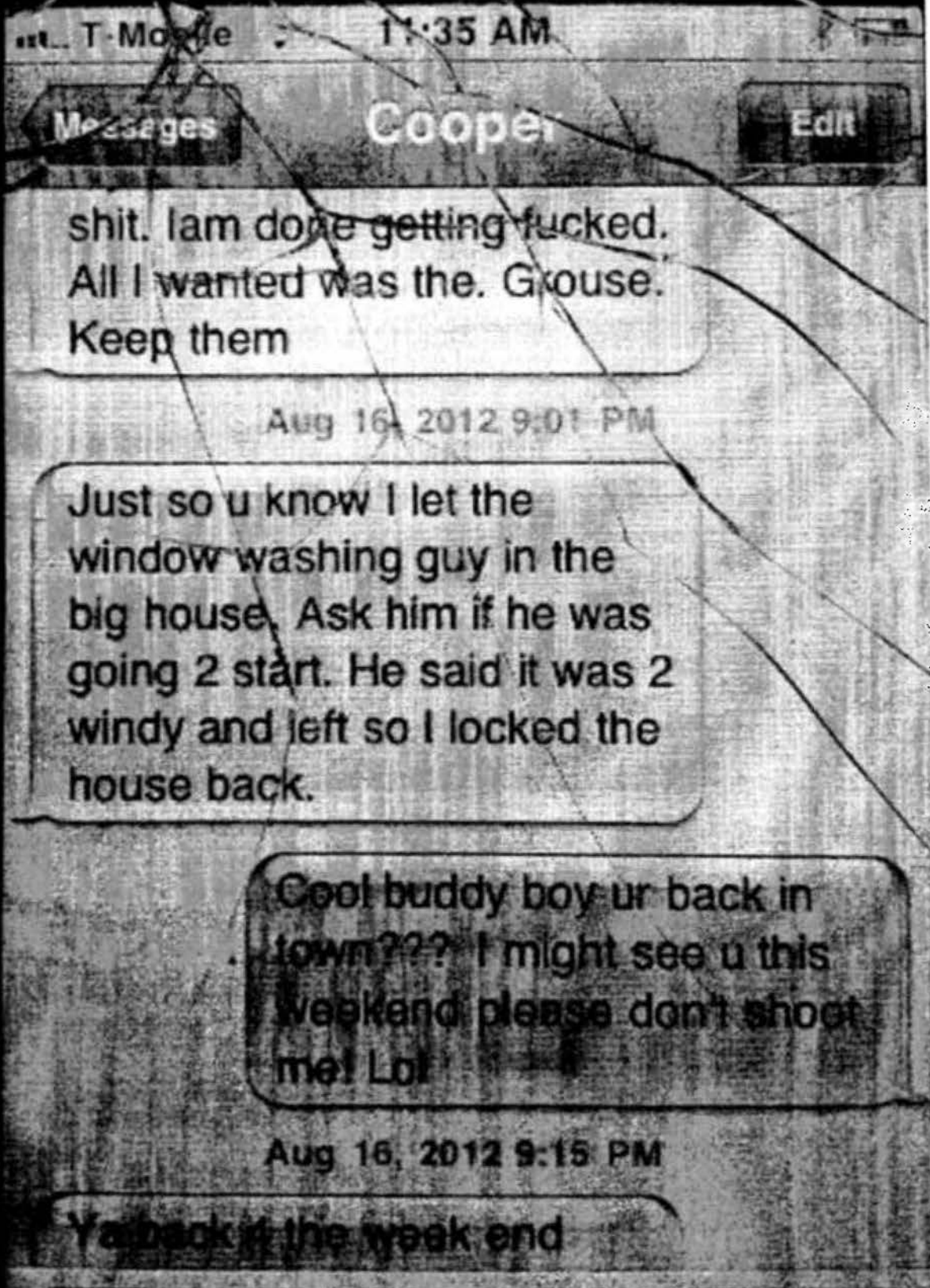
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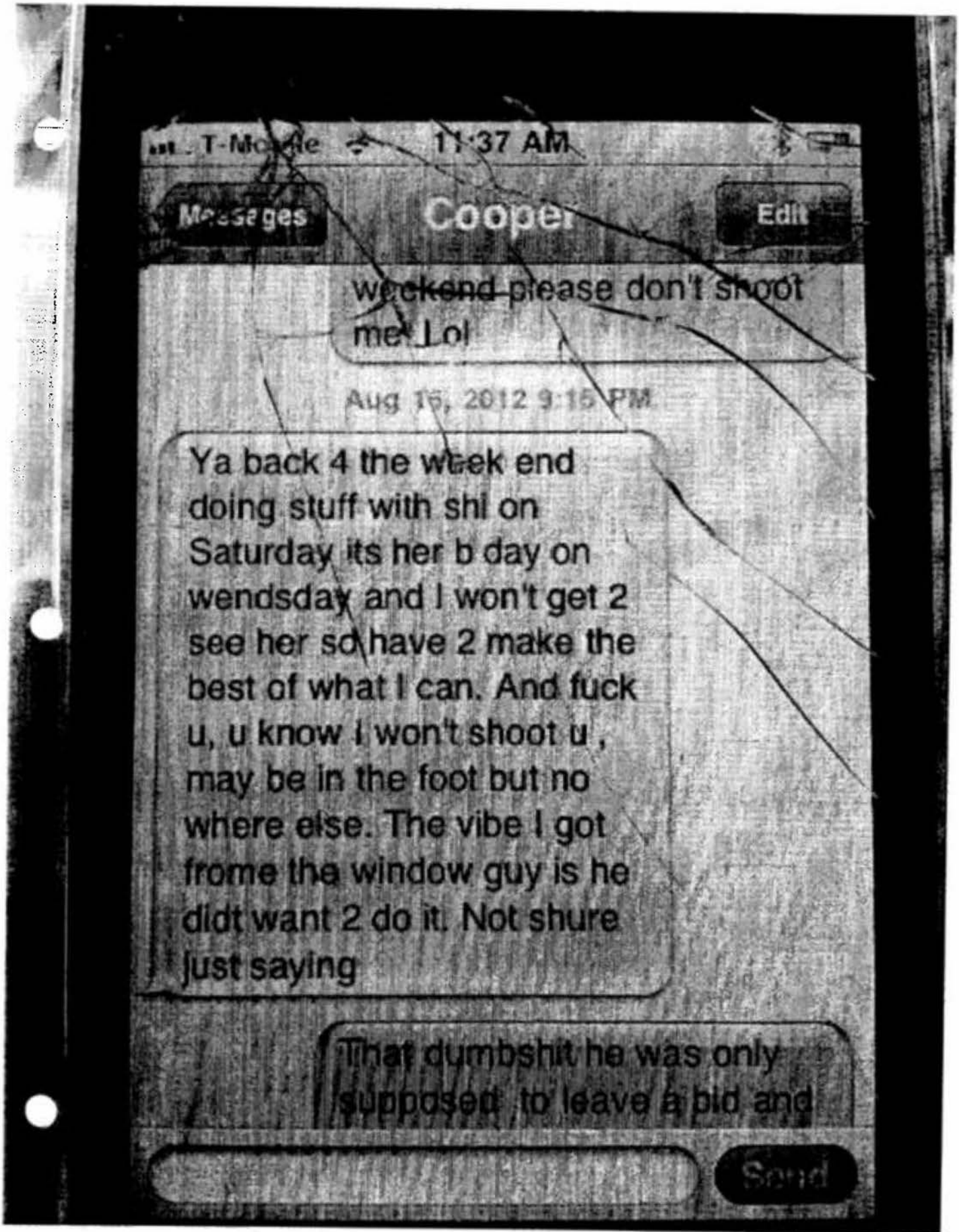
better person 4 shi and my life. Please think about the doctor thing. Ull at least be honest with him. Mabe I'll get the right drug this time.

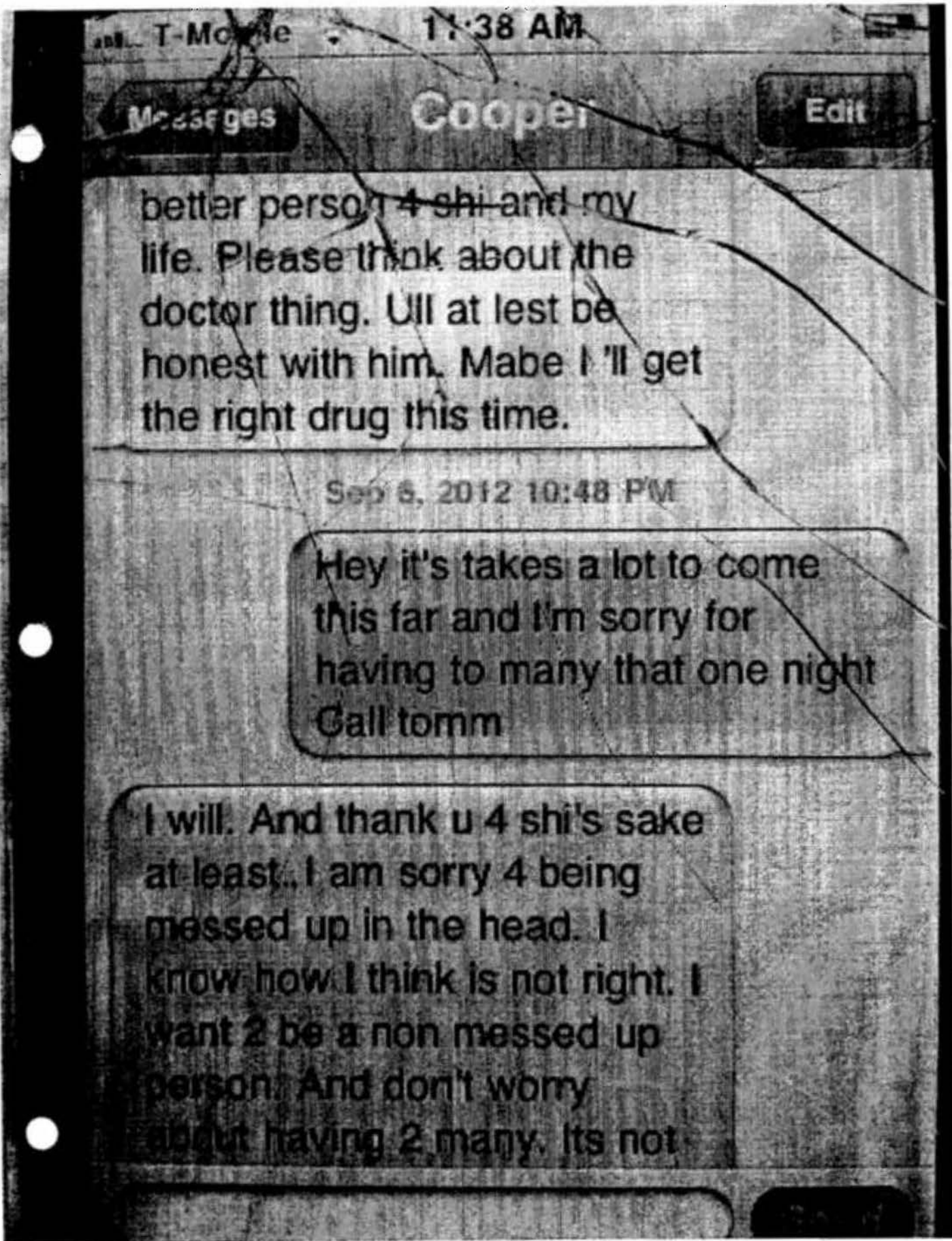
Sep 6, 2012 10:48 PM

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Cooper

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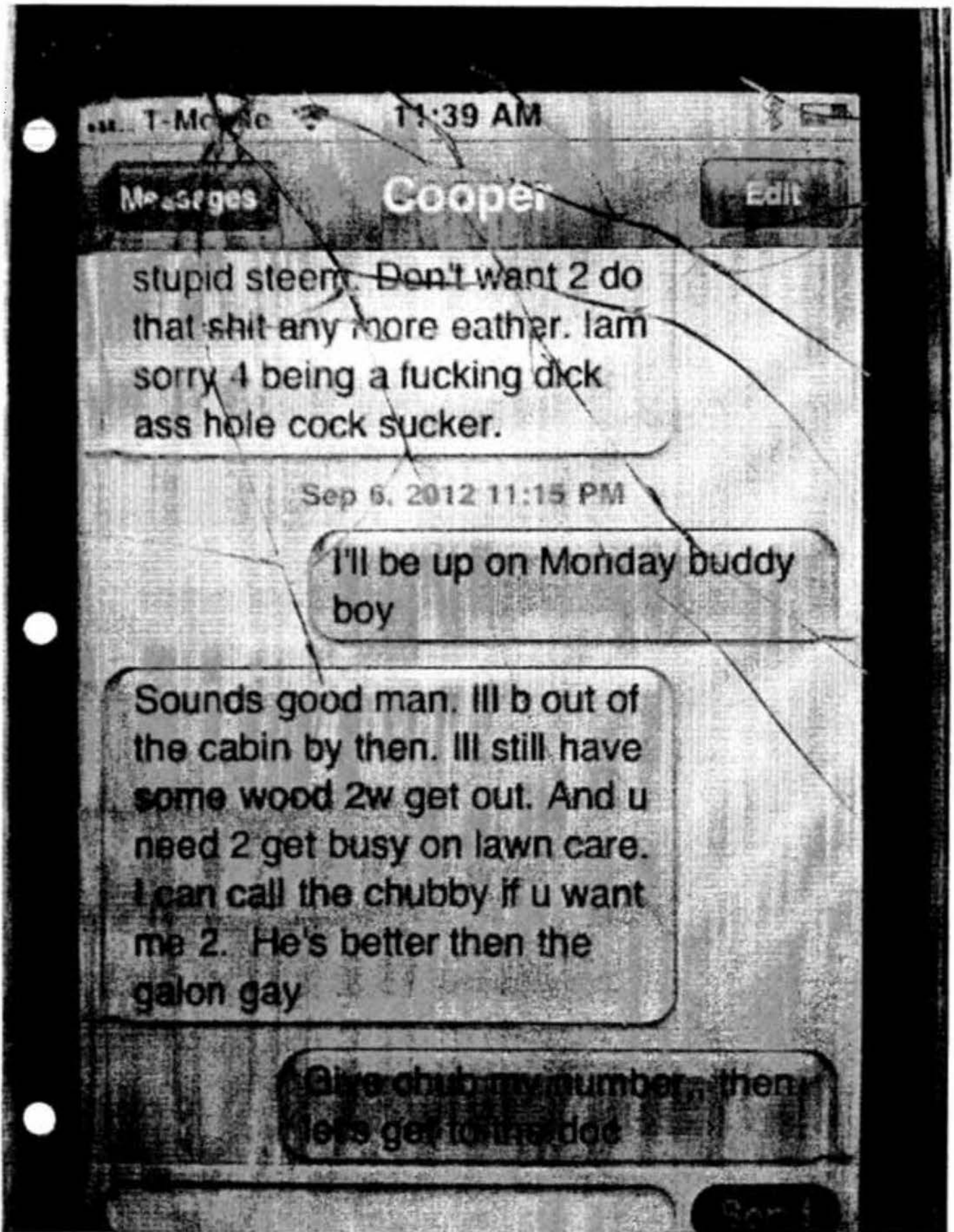
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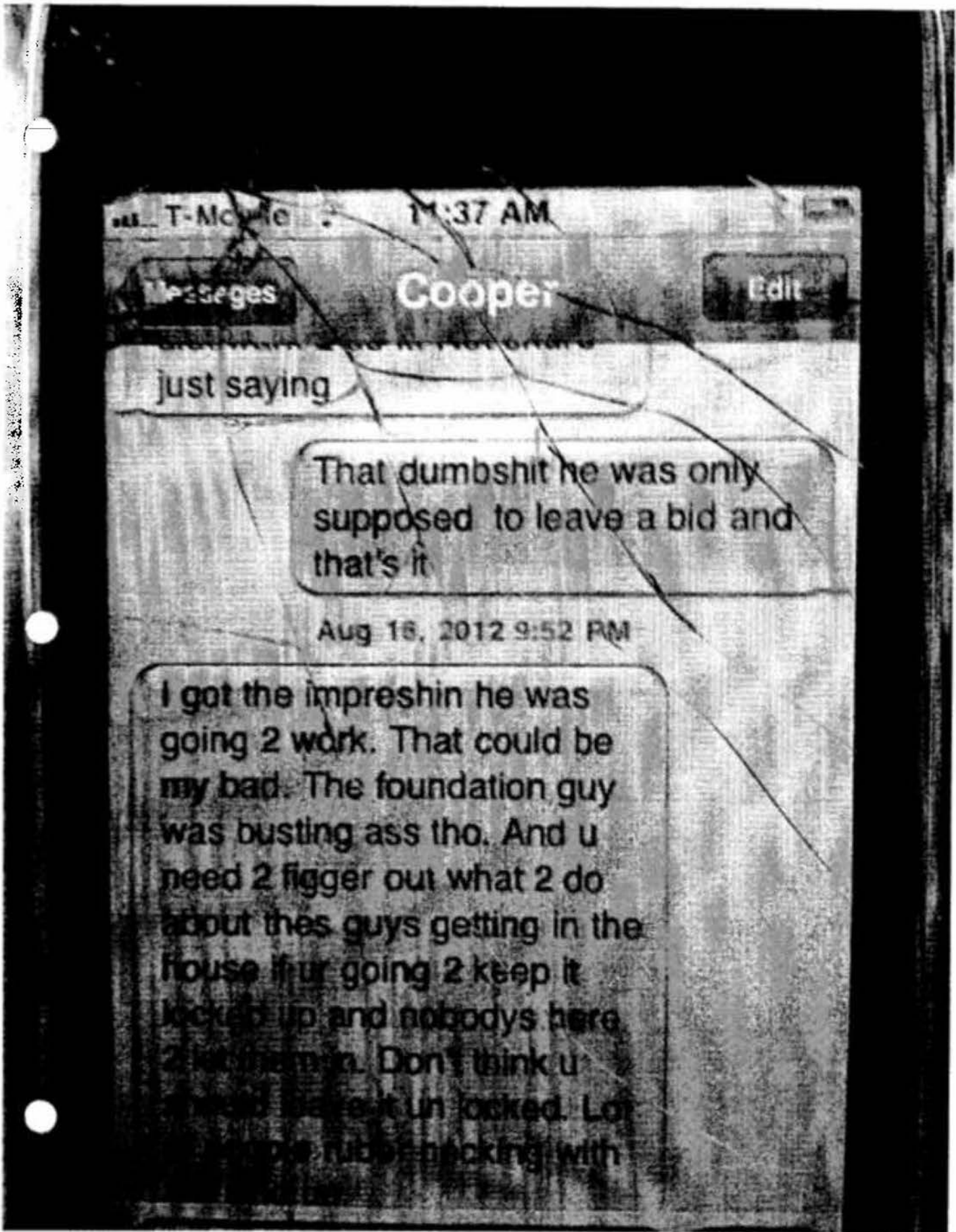
Sep 8, 2012 10:48 PM

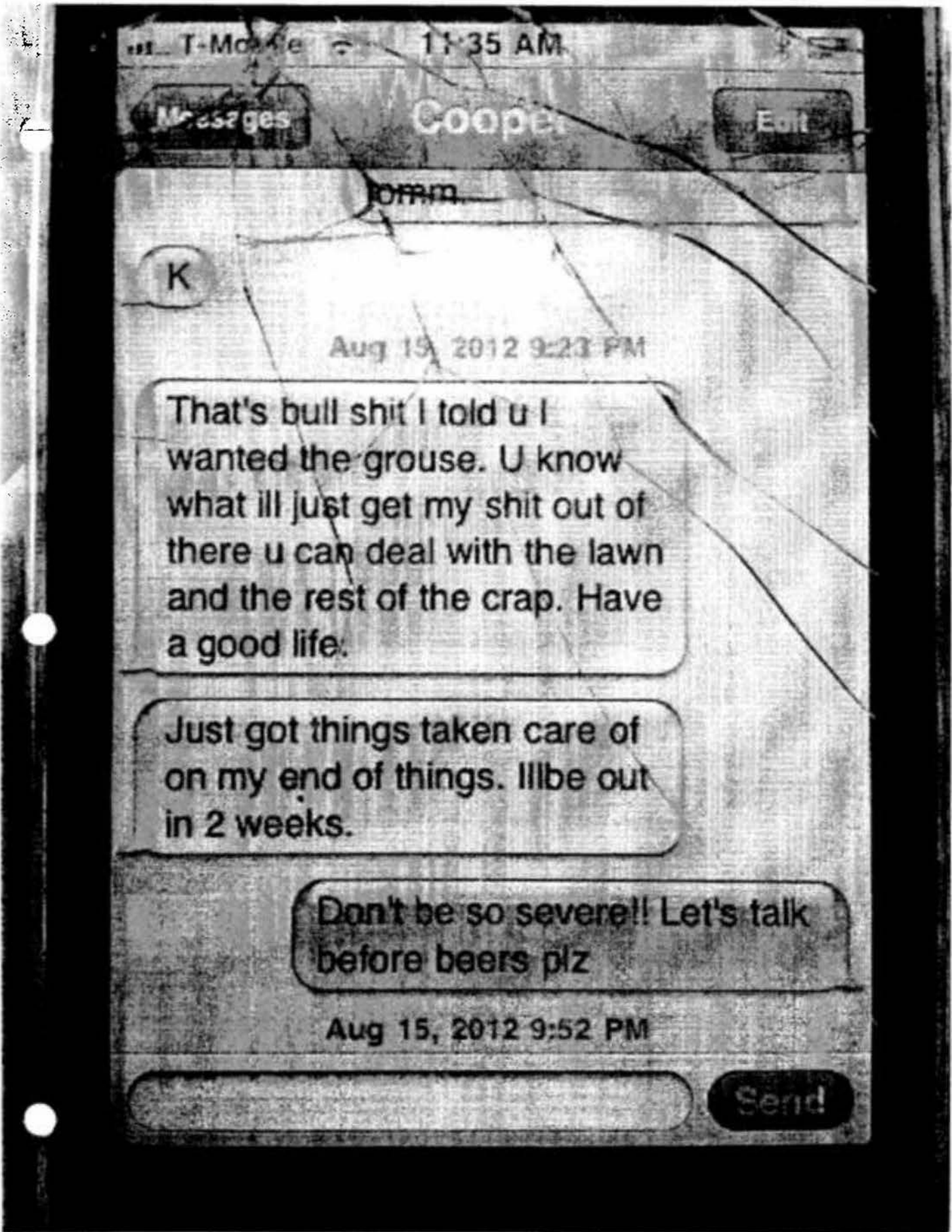
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want 2 be a non messed up  
person. And don't worry  
about having 2 many. Its not









Messages

Coope

Edit

K

Aug 15, 2012 9:23 PM

That's bull shit I told u I wanted the grouse. U know what ill just get my shit out of there u can deal with the lawn and the rest of the crap. Have a good life.

Just got things taken care of on my end of things. Illbe out in 2 weeks.

Don't be so severe!! Let's talk before beers plz

Aug 15, 2012 9:52 PM

Send

