



4. GEMS IT provides hospitals and healthcare systems with advanced solutions to improve their clinical performance. GEMS IT operates several facilities, including the one in Sioux Falls, South Dakota.

5. GEMS IT acquired Micro Medical Systems, Inc. in September 2000. My position as a GEMS IT employee was Lead Product Integrator ("LPI"). I now hold the position of Engineering Program Manager with GEMS IT.

6. Mr. Roller worked as a Senior Engineer for the User Interface Group. He was a software engineer.

7. Mr. Roller lived in Sioux Falls, South Dakota during his employment with Micro Medical Systems, Inc. and GEMS IT. He lived approximately four blocks away from my house in Sioux Falls.

8. Mr. Roller and I were friendly and generally got along well for most of the time that Mr. Roller worked with GEMS IT.

9. As Mr. Roller's supervisor, I was responsible for evaluating him during his employment with GEMS IT.

10. I evaluated Mr. Roller for the first time in 2001. This evaluation was based on Mr. Roller's performance in 2000. In this evaluation, I noted Mr. Roller's strengths were his wealth of knowledge and his strong architectural design talent. I stated that Mr. Roller needed to make himself more approachable and that I wanted to see Mr. Roller work with a new developer on a project in the coming year.

11. In Mr. Roller's first GEMS IT evaluation, I also asked Mr. Roller to take a more active role in long-term technical design planning. As the most senior engineer on the user interface team, I felt he should take more ownership in this area.

12. I also evaluated Mr. Roller in 2002. This evaluation was based on Mr. Roller's performance in 2001. A true and correct copy of this evaluation is attached hereto as Exhibit A.

13. In my second evaluation of Mr. Roller, I noted Mr. Roller needed to work on his focus. I also noted that Mr. Roller's contributions to projects did not reflect his status as one of the most senior engineers on the Sioux Falls design team because most of the work Mr. Roller had done in the past year could have been done just as easily by more junior engineers.

14. Because of his high level, I expected Mr. Roller to be contributing in more significant ways, from project planning to high-level design, database normalization, and similar activities.

15. At the close of my second evaluation of Mr. Roller, I suggested that Mr. Roller consider transitioning to a position where he could better use his entrepreneurial skills, as he seemed to have reached the extent of his potential in his role at GEMS IT.

16. I am aware of a number of incidents involving Mr. Roller during his employment with Micro Medical and GEMS IT.

17. Shortly after GEMS IT acquired Micro Medical, Mr. Roller left some half-empty beer cans and fake vomit on Larry Galecki's desk. At the time, Mr. Galecki was the acquisition coordinator for GEMS IT's acquisition of Micro Medical.

18. Mr. Roller also left fake pieces of feces in the men's room on two occasions. The first time, Mr. Roller left fake feces on the toilet rim in the men's bathroom. On the second occasion, Mr. Roller left fake feces on a urinal in the men's bathroom. At that time, the building was under renovation, and the contractor who found the fake feces complained to Mr. Adcock.

19. Mr. Roller also sent several inappropriate e-mails during his employment with GEMS IT.

20. In August 2000, Mr. Roller e-mailed a link to a survey from his website, [www.ivote.com](http://www.ivote.com), to the entire Sioux Falls facility. The survey contained the following questions: "What's Chris' favorite position?", "What does Chris call out when he climaxes?", and "What is Chris' favorite orifice." A true and correct copy of the e-mail and survey page Mr. Roller sent in August 2000 is attached hereto as Exhibit B.

21. I spoke to Mr. Roller twice following this incident and explained that his actions could be considered harassment and that he could be disciplined for this behavior. I did not feel Mr. Roller intended to offend anyone. However, Mr. Roller was fully aware that sending the e-mail was inappropriate. I wrote a memorandum to Mr. Adcock regarding my conversations with Mr. Roller on this issue. A true and correct copy of that memorandum is attached hereto as Exhibit C.

22. Mr. Roller was also reprimanded after sending an e-mail to another Bob Moore within GEMS IT. This Bob Moore was the VP of Marketing for Cardiology. Mr. Roller sent the e-mail to Mr. Moore under the pretense of misaddressing the e-mail while intending it for me. The e-mail stated, "Bob, thanks for the great links. Try this one – [www.kiddieporn.com](http://www.kiddieporn.com)." I never sent pornographic website links to Mr. Roller or anyone else at GEMS IT. A true and correct copy of the e-mail Mr. Roller sent is attached hereto as Exhibit D.

23. During the summer of 2001, another engineer reported witnessing an altercation between Mr. Roller and Rod Kindt, also an engineer, during which Mr. Roller accused Mr. Kindt of trying to "sabotage" his work. The reporting employee informed me that Mr. Kindt was concerned for his safety during the altercation because Mr. Roller had backed Mr. Kindt up against a wall. Mr. Kindt remained concerned for his safety following this incident. Mr. Roller was sent home for the rest of the day after this incident.

24. I also had an altercation with Mr. Roller in October of 2001. Mr. Roller accused me of being "out to get him." The exchange was quite volatile, and I was concerned for my safety.

25. On February 15, 2002, Mr. Roller had a heated exchange with Kevin Impecoven, a senior engineer. Mr. Impecoven came to me after the exchange and expressed concern regarding his family's safety.

26. Shortly after the altercation between Mr. Roller and Mr. Impecoven, Mr. Impecoven came to me and reported that Mr. Roller had tried to run him down while driving near the entrance to the Sioux Falls facility. On or about February 18, 2002, Mr. Roller was placed on leave because of altercations with Mr. Impecoven and his declining performance.

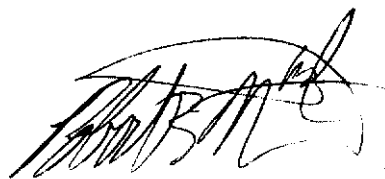
27. In January or February of 2002, Mr. Roller did tell me he was on some medications that were making him drowsy, but Mr. Roller did not ask for any assistance performing his job. I never had any conversations with Mr. Roller about his bipolar condition.

28. Jason Hopkins is a former GEMS IT employee. He did not engage in the same workplace misconduct as Mr. Roller and did not have the same performance problems that Mr. Roller had during his employment with GEMS IT.


29. I am not aware of any other GEMS IT employees with employment histories similar to Mr. Roller's employment history who were not discharged.

Under 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 24, 2006.



*Robert E. Moore*



Alan Gebhard, Notary Public  
My Commission Expires September 2, 2011  
10/24/06