

**AFFIDAVIT OF GARY L. JONES**

STATE OF FLORIDA            )  
  ) SS.:  
COUNTY OF BROWARD        )

**GARY L. JONES**, being duly sworn, deposes and says:

1. I am fully familiar with the facts and circumstances stated herein.
  
2. In or about January 2013, I learned from a friend of mine, Porter Fischer, that he stole documents from Biogenesis clinic containing private client/customer information because Tony Bosch owed Fischer money.
  
3. In or about January 2013, I obtained from Fischer a flash drive data storage device containing copies of certain Biogenesis documents (Document Set I) that Fischer stole from Biogenesis, so that I could sell those documents.
  
4. In or around January or February 2013, I tried to sell Document Set I to Major League Baseball Players, including Alex Rodriguez, but they all refused to buy any documents.
  
5. In or about February or March 2013, I called MLB and spoke with Dan Mullin. I told Mullin that I had Biogenesis documents that I wanted to sell and he agreed to meet me in Florida. Approximately one day later, we met in Florida and I handed him the flash drive containing Document Set I and he inserted the flash drive into his laptop computer and viewed the documents. I told Mullin that the documents he was looking came from the set of documents that Fischer had stolen from Biogenesis. Mullin told me that he would get back to me if MLB wanted to buy the documents. I called Mullin approximately one day later and we negotiated a price for the documents. We had several more

calls and meetings thereafter in March 2013, and finally agreed on a price of \$125,000 for Document Set I, which I repeatedly told Mullin were documents stolen by Fischer from Biogenesis.

6. In or about March 2013, at around 1130 a.m., I met with Mullin at Cosmos Diner on Atlantic Blvd. in Pompano Beach, Florida, where he paid me \$125,000 cash in a yellowish colored envelope in exchange for Document Set I, which had been stolen from Biogenesis by Porter Fischer. Before I sold these documents to Mullin I made an extra copy on another flash drive. The cash was in \$100 bills, in \$1,000 bands, which were then in \$10,000 bands. The meeting lasted approximately 10 minutes. The exchange of documents for money was video recorded by a friend of mine present at the meeting. Also present at the meeting was another MLB investigator with a laptop computer who appeared to be video recording the meeting also. Before the meeting occurred, Mullin and I spoke by phone that same day, and he told me that he needed to get the money from the bank (possibly Bank of America) before meeting me. After the exchange and before the meeting ended, I told Mullin that I thought the documents were worth more than \$125,000 and he said he would have paid me much more if the documents had been originals and not just copies. I told Mullin that I could get the originals and he asked me to do so, and he agreed to pay me more, up to ten times, if I did.

7. On or about March 24, 2013, I was with Porter Fischer tanning at Boca Tanning Club in Boca Raton, FL. After we finished tanning, Fischer went outside and came back in and told me that his car had been broken-into while we had been tanning, and that certain original Biogenesis documents (Document Set II) that Fischer had stolen from Biogenesis, had been stolen from the car. Fischer immediately called the Boca Police Department and filed a report.

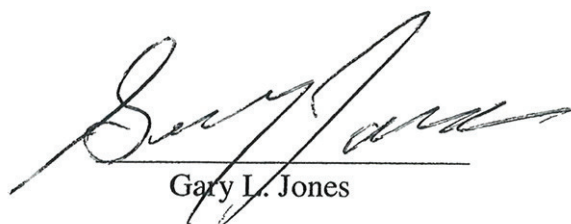
8. Within approximately one week later, I obtained Document Set II, the Biogenesis documents that had been stolen from Fischer's car. The reason I obtained these documents is because

Dan Mullin told me that MLB would pay me additional money if I could get to MLB original Biogenesis documents. Thereafter, I called Mullin and told him that I had obtained original Biogenesis documents as he had requested and which were different from the copies I had previously sold him. Mullin agreed to meet. Thereafter, in or about March or April 2013, I met with Mullin and I told him that the new original documents that I obtained (Document Set II) were the documents stolen from Porter Fischer's car. Mullin asked me how much I wanted for the documents. We went back and forth on price and could not immediately agree on a price so I decided to shop these documents to MLB players including Alex Rodriguez, but he and the other players again refused to purchase the documents. I also called the New York Yankees and spoke to Randy Levine and told him that I had Biogenesis documents with Alex Rodriguez name on them and that I wanted to sell them to the Yankees, but he refused to purchase the documents and directed me to Major League Baseball.

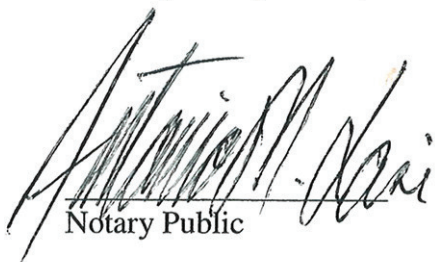
9. Thereafter, in or about April 2013, I continued negotiating with Dan Mullin the price for Document Set II, the Biogenesis documents that I had previously told him were stolen from Porter Fischer's car. He came to visit me again in Florida and with a cell phone took photographs of these original documents. He then left and we exchanged phone calls about a purchase price. Mullin eventually offered to pay me \$25,000 cash for Document Set II, and I accepted his offer. Continuing in or about April 2013, Mullin returned to Florida and met me again at Cosmos Diner in Pompano Beach where he paid me \$25,000 cash in a white envelope for Document Set II, the documents that were stolen from Fischer's car. The cash was loose in \$50s and \$100s. Before I sold Mullin these documents, I made copies of some of those documents.

10. In or about September 2013, a reporter from the Miami Herald showed up at my home asking to talk to me about whether MLB had purchased stolen Biogenesis documents from me. Thereafter, I called Dan Mullin and told him about the reporter and he said he would come down to

Florida to talk to me. A few days later, Mullin and a lawyer met me at a lawyer's office in Boca Raton. I asked them what my exposure was, or if I could get in trouble, for having sold them Document Set II, which were the documents stolen from Porter Fischer's car. They told me that I could be arrested for having been involved with stolen property. I told them that I was not the one who actually stole the documents. They told me that I could still have a problem. Since that meeting, I have received several calls from MLB that I have not answered.

  
Gary L. Jones

Sworn to before me this  
30th day of September, 2013

  
Notary Public

