

STATE OF SOUTH DAKOTA  
COUNTY OF PENNINGTON

IN CIRCUIT COURT  
SEVENTH JUDICIAL CIRCUIT

Expedition League, Inc., )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Badlands Big Sticks Baseball Club, LLC, )  
 owner of Badlands Big Sticks, and Dave )  
 Ouellette; .402 Sports and Entertainment, )  
 LLC, owner of Fremont Moo, and Chad )  
 Miller and Daniel Cyza; Frew Enterprises, )  
 LLC, owner of Hastings Sodbusters, and )  
 Bryan Frew and Scott Galusha; Diamond )  
 Enterprises, LLC, owner of Spearfish )  
 Sasquatch, and Eric Schmidt, Rory Maynard, )  
 Rodney Schatz and Roger Riley; CH )  
 Baseball, LLC, owner of Hub City Hotshots, )  
 and Charles Heeman and Mayra Heeman; HA )  
 Baseball, LLC, owner of Casper Horseheads, )  
 and Charles Heeman and Mayra Heeman; HF )  
 Baseball, LLC, owner of Western Nebraska )  
 Pioneers, and Charles Heeman and Mayra )  
 Heeman, )  
 )  
 Defendants. )

Court File No.: 51CIV22-000150

**AFFIDAVIT OF KELLY BRAUN**

STATE OF NORTH DAKOTA )  
 ) ss  
COUNTY OF STARK )

I, Kelly Braun, being first duly sworn, state as follows:

- 1) I am Kelly Braun. I present this Affidavit in support of the Brief Defendants have filed in opposition to the motion for a preliminary injunction filed by the Expedition League, Inc.
- 2) I am above 18 years of age, and I make this Affidavit of my own personal knowledge.

3) As the Past Board President, I previously lead fundraising efforts in Dickinson, North Dakota for the Make-A-Wish® Foundation of North Dakota.

4) Since transitioning to local ownership with Mr. Dave Ouellette, the Badlands Big Sticks have always been major sponsors and assistants with the foundation's fundraising efforts.

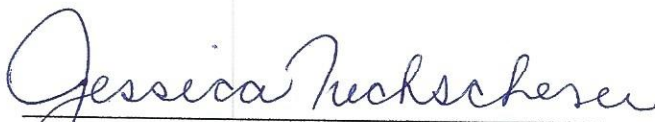
5) If the Badlands Big Sticks were for some reason not able to put on their events this summer, it would negatively impact the Dickinson community. It would have a particularly detrimental impact on the foundation's primary fundraising events that are planned for 2022.

6) Dickinson needs the Badlands Big Sticks to be playing baseball every year, both for the good of our community and for the good of the Make-A-Wish® Foundation of North Dakota's fundraising efforts.

FURTHER YOUR AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Kelly Braun

Subscribed and sworn to before me on  
this 22<sup>nd</sup> day of April, 2022.

  
\_\_\_\_\_  
Notary Public

