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<b>DOCKET</b> 08-CRI-1
DATE 03/25/09
RECD. 03/27/09

14 STATE OF CALIFORNIA  
15 ENERGY RESOURCES CONSERVATION  
16 AND DEVELOPMENT COMMISSION

17 CALIFORNIA LIVING & ENERGY (a  
18 division of William Lilly & Associates, Inc.)  
19 and DUCT TESTERS, INC.,

Docket Number 08-CRI-01

20 Complainants,

Affidavit of Dan Calton

21 vs.

22 MASCO CORPORATION and  
23 ENERGYSENSE, INC.,  
24 Respondents.

25 Being first duly sworn under oath, Dan Calton deposes and states as follows:

26 1. I am Controller for Masco Administrative Services, Inc., a position I have  
27 held since June 2008. I have personal knowledge of all facts set forth below. In my  
28 capacity as Controller, I am responsible for maintaining and preparing the accounting  
records and financial statements of EnergySense, Inc., and other subsidiaries of Masco  
Corporation ("Masco").

2. Masco Administrative Services, Inc. is a wholly-owned subsidiary of  
Masco Corporation that performs certain back office administrative functions, including

1 accounting and human resources support, for EnergySense, Inc. and other Masco  
2 subsidiaries.

3 3. To the best of my knowledge, EnergySense's financial performance has  
4 been included in Masco's consolidated financial statements since EnergySense began  
5 operations. Those consolidated financial statements are included in Masco's publicly  
6 available Annual Reports and Form 10-Ks on file with the Securities and Exchange  
7 Commission.

8 4. To the best of my knowledge, the financial performance of Masco's  
9 insulation installation subsidiaries operating in California (that include Western  
10 Insulation, LP, Coast Insulation Contractors, Inc., Sacramento Insulation Contractors and  
11 Masco Contractor Services of California, Inc.) is contained in Masco's consolidated  
12 financial statements since those companies began operations or were acquired by Masco.  
13 Those consolidated financial statements are included in Masco's publicly available  
14 Annual Reports and Form 10-Ks on file with the Securities and Exchange Commission.

15 I swear or affirm, under penalty of perjury under the laws of the State of the  
16 California, that all facts set forth herein are true and correct.

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1 FURTHER AFFIANT SAYETH NOT.

2 Executed this 25<sup>th</sup> day of March, 2009.

3 Dan Calton  
4 Dan Calton

5 State of Florida ))

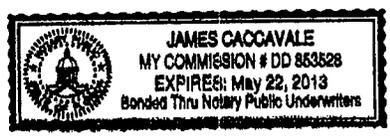
6 County of Volusia )

7 On March 25<sup>th</sup>, 2009 before me, James Caccavale, Notary Public, personally appeared Dan  
8 Calton, who provided to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
9 subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
10 his/her/their authorized capacity/ies, and that by his/her/their signature(s) on the instrument the person(s), or  
11 the entity upon behalf of which the person(s) executed the instrument.

12 I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true  
13 and correct.

14 WITNESS my hand and official seal.

15 [Signature] (Seal)  
16 Notary Public



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SONNENSCHN NATH & ROSENTHAL LLP  
525 MARKET STREET, 26<sup>TH</sup> FLOOR  
SAN FRANCISCO, CALIFORNIA 94105  
(415) 882-5000

**PROOF OF SERVICE**

*California Living & Energy v. MASCO Corporation*  
Docket No. 08-CRI-01

I, Diane Donner, hereby declare:

I am employed in the City and County of San Francisco, California in the office of a member of the bar of this court and at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Sonnenschein Nath & Rosenthal, 525 Market Street, 26<sup>th</sup> Floor, San Francisco, California 94105.

On March 27, 2009, I served the following documents, filed electronically with the State of California Energy Resources Conservation and Development Commission, and described as

1. **Affidavit of David Bell**
2. **Affidavit of Jim Brewer**
3. **Affidavit of Israel Calleros**
4. **Affidavit of Dan Calton**
5. **Affidavit of Mark Curry**
6. **Affidavit of Richard A. Davenport**
7. **Affidavit of Steven Heim**
8. **Affidavit of Jaime Padron**
9. **Affidavit of Richard Smith**
10. **Affidavit of Steve Weber**
11. **Affidavit of Sharon Werner**
12. **Affidavit of Timothy Williams**

on the interested parties in this action by placing a true copy thereof, on the above date, enclosed in a sealed envelope, following the ordinary business practice of Sonnenschein Nath & Rosenthal LLP, addressed as follows:

Brett L. Dickerson (via e-mail also)	Dave Hegarty
Gianelli & Associates PLC	Duct Testers, Inc.
1014 16th Street	P.O. Box 266
P.O. Box 3212	Ripon, CA 95366
Modesto, CA 95353	

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Carol A. Davis  
CHEERS Legal Counsel  
3009 Palos Verdes Drive West  
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1036 Commerce Street, Suite B  
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Stockton, CA 95210-3370

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1000 Broadway, Suite 410  
Oakland, CA 94607

Robert Scott  
California Home Energy Efficiency  
Rating System (CHEERS)  
20422 Beach Boulevard  
Huntington Beach, CA 92648

Bill Lilly, President  
California Living & Energy  
3015 Dale Court  
Ceres, CA 95307

- U.S. MAIL: I am personally and readily familiar with the business practice of Sonnenschein Nath & Rosenthal for collection and processing of correspondence for mailing with the United States Postal Service, pursuant to which mail placed for collection at designated stations in the ordinary course of business is deposited the same day, proper postage prepaid, with the United States Postal Service.
- FACSIMILE TRANSMISSION: I caused such document to be sent by facsimile transmission at the above-listed fax number for the party.
- FEDERAL EXPRESS: I served the within document in a sealed Federal Express envelope with delivery fees provided for and deposited in a facility regularly maintained by Federal Express.
- HAND DELIVERY: I caused such document to be served by hand delivery.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on March 27, 2009, at San Francisco, California.

  
\_\_\_\_\_  
DIANE VIVIAN DONNER

[27282008]

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