

CAUSE NO. 2024-48085

ATLANTIC WAVE HOLDINGS, LLC
and SECURE COMMUNITY, LLC,

Plaintiff/Judgment-Creditor

v.

CYBERLUX CORPORATION and
MARK D. SCHMIDT, Individually,

Defendant/Judgment-Debtors

§
§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

129TH JUDICIAL COURT

AFFIDAVIT OF J. CHAPMAN PETERSEN

I, J. Chapman Petersen, being of sound mind and over the age of 18, hereby state as follows:

1. My name is J. Chapman Petersen, and I am a Virginia-Licensed Attorney working as a Principal attorney at Chap Petersen & Associates, PLC, located at 3970 Chain Bridge Road, Fairfax, VA 22030.

2. I represent the plaintiffs, Atlantic Wave Holdings, LLC (“AWH”), and Secure Community, LLC (collectively, “Plaintiffs”), in connection with the actions filed in Virginia by or against Cyberlux Corporation (“Cyberlux”).

3. I am submitting this Affidavit in support of Plaintiffs’ response to Defendants’ letter to the Honorable Michael Gomez of the 129th Judicial District of Harris County, Texas, dated May 20, 2025 in the above-captioned matter.

4. As to the dispute regarding payments, Cyberlux was to make two (2) monthly payments (one payment for StrikePoint and one for AWH) prior to an accelerated payment due in September 2023. Defendant failed to make the accelerated payment.

5. Cyberlux has made no regular payment since October 2023 (AWH) or May 2024 (StrikePoint).

6. Since May 2024, Cyberlux has made five (5) random payments towards the judgement balance – none of them is an accord and satisfaction.

7. There is a pending garnishment action in Fairfax County, Virginia.

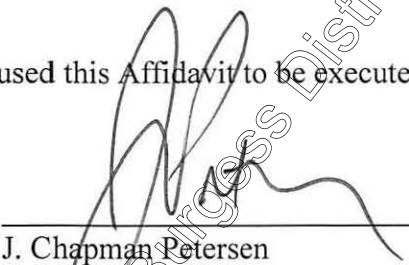


8. No agreement has been made about interpleading \$1.44 million into the Court Registry for Fairfax County, Virginia.

9. To date, Defendant Cyberlux's counsel has not filed a Notice of Appearance in the Fairfax County action.

10. I hereby declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge and information.

IN WITNESS WHEREOF, I have caused this Affidavit to be executed on this 21 day of May 2025.



J. Chapman Petersen

COMMONWEALTH OF VIRGINIA

CITY OF FAIRFAX to-wit:

I, the undersigned, a Notary Public in and for the Commonwealth and County aforesaid, so hereby certify that J. CHAPMAN PETERSEN, whose name is signed to the foregoing instrument has this day acknowledged the same before me.

GIVEN under my hand this 21 day of May 2025.



Notary Public

Registration No. 8099896
My Commission Expires 05/31/2028

