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IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, IN AND FOR ST. JOHNS COUNTY, FLORIDA

CASE NO.: 2025-CA-001320A000MX

BRADLEY BYRD, an individual, and ANNA BYRD, an individual,

Plaintiffs,

v.

COSTCO WHOLESALE CORPORATION, a foreign for profit corporation, COSTCO-INNOVEL SOLUTIONS, LLC, d/b/a COSTCO WHOLESALE LOGISTICS, a foreign limited Liability company, and RXO LAST MILE, INC., a foreign for profit corporation,

Defendants.

_____/

AFFIDAVIT OF TONY DATTILO

STATE OF ILLINOIS
COUNTY OF DUPAGE

BEFORE ME, the undersigned authority, personally appeared **TONY DATTILO**, to me well known, who, having first been duly sworn, deposes and says:

1. I am TONY DATTILO and I have personal knowledge of all matters and things set forth herein.

2. I am Vice President (VP) of Costco Logistics at Costco Wholesale Corporation, and I work at Costco's corporate logistics office, 2250 S. Pinehurst, Blvd., Addison, Illinois, 60102.

3. As VP of Costco logistics, I oversee, at a national-level, Costco's one-hundred thirty (130) home delivery centers whereby third-party vendors take possession, deliver, and handle installation of large appliances after customer purchase.

4. I oversee approximately one-thousand six hundred (1,600) Costco employees at Costco's corporate logistics office in Illinois, and eight (8) regional offices. I am two-levels below Costco's Chief Executive Officer (CEO), and report directly to an executive vice president, who reports directly to Costco's CEO. Given my position at Costco, I do not oversee day-to-day operations of the home deliver centers, which are handled by the local, onsite Costco managers and employees.

5. I do not have unique, independent, personal knowledge of how a refrigerator Plaintiffs purchased at Costco allegedly leaked at their home following installation (incident). One of Costco's third-party vendors, RXO (co-defendant) provided the delivery and installation of Plaintiffs' refrigerator. I have no knowledge as to when, what, or who, caused the alleged incident, nor did I investigate any particulars regarding Plaintiffs' alleged property damage forming the basis of this case (scope or amount).

6. However, circa February 2025, upon request of Costco's CEO, I had courtesy phone and email communication with Bradley Byrd. **Exhibit A**. I advised that a Costco vendor, RXO, was tasked to deliver and install the subject refrigerator and Mr. Byrd would likely hear from RXO, in the near term. Shortly thereafter, it is my understanding that RXO, or its representative, contacted Mr. Byrd in good faith, and assessed Mr. Byrd's alleged damages, to potentially resolve this matter.

7. The information above is the corpus of knowledge I have of this matter. All other knowledge would be inferior to that of those with direct knowledge of the facts and circumstances giving rise to this case or was attained from Costco's legal counsel and would constitute attorney-client privileged information.

DocuSigned by:
Tony Dattilo
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Tony Dattilo
Vice President, Costco Logistics

STATE OF ILLINOIS
COUNTY OF DUPAGE

BEFORE ME, the undersigned authority personally appeared Tony Dattilo, who is personally known to me, or has produced _____ as identification and who executed the foregoing in my presence.

WITNESS my hand and official seal this 5th day of Aug, 2026.

Lisa Reagor
Notary Public (Signature)

My Commission Expires:____

LISA L. REAGOR
Commission # HH 286122
Expires November 8, 2026