

TAB 5

Court File No. T-514-10

FEDERAL COURT

BETWEEN:

HIS HIGHNESS PRINCE KARIM AGA KHAN

Plaintiff

- and -

NAGIB TAJDIN, ALNAZ JIWA, JOHN DOE and DOE CO. and all other persons or entities unknown to the Plaintiff who are reproducing, publishing, promoting and/or authorizing the reproduction and promotion of the Infringing Materials

Defendants

AFFIDAVIT OF JENNIFER A. COLMAN

(sworn June 1, 2010)

I, JENNIFER A. COLMAN, of the City of Boston, in the State of Massachusetts, MAKE OATH AND SAY:

1. I am a paralegal at the law firm of Nutter McClennen & Fish LLP ("Nutter") at its home office in Boston, Massachusetts, where I have worked since 2001. I am a certified Notary Public of the Commonwealth of Massachusetts and as such, am authorized to take oaths and affirmations within the Commonwealth.
2. I have read the accompanying affidavit of Daniel J. Gleason, Esq., whom I accompanied to the Mandarin Oriental on the afternoon of May 12, 2010, to attend the meeting with the Aga Khan that he describes in said accompanying affidavit.
3. I hereby affirm that Mr. Gleason has accurately described the events that took place at that meeting and that I am the person who officially witnessed and then notarized His Highness' signatures on the three copies of the Affirmation. A copy of the executed Affirmation dated May 12, 2010, is attached as **Exhibit "A"** to my affidavit.

4. I make this affidavit in support of the Plaintiff's motion for summary judgment and for no other purpose.

SWORN before me at the City of Boston, on June 1, 2010.

Mon R. Robich
A Commissioner for taking affidavits



Jennifer A. Colman
JENNIFER A. COLMAN

TAB A

This is Exhibit "A" to the Affidavit of
Jennifer A. Colman sworn to before me this 1th day
of June, 2010.



Commissioner for Oath

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AFFIRMATION

I, Prince Karim Aga Khan, do solemnly affirm pursuant to sections 14 and 15 of the Canada Evidence Act as follows:

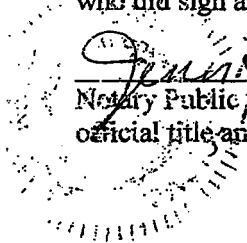
- 1. I am the Plaintiff in Court File No T-514-10 filed in the Federal Court of Canada. I have personally reviewed and approved the contents of the Statement of Claim filed with the Court in this case.
- 2. I have retained the firm of Ogilvy Renault LLP to act as my solicitors on my behalf and have authorized the action for copyright infringement against the named defendants.
- 3. I do not consent and have never consented to the publication and copying of the works in dispute and that are set out in the Statement of Claim.
- 4. I have informed one of the defendants Nagib Tajdin in two letters which I have written to him of my instructions to stop the unauthorized publication and to deliver up the undistributed books. In the second letter I purposely added a handwritten note in order to show that the letter came from me personally.
- 5. I authorized the Ismaili Leaders International Forum (LIF) to inform my Community about this matter and I know that this communication reached both Mr. Jiwa and Mr. Tajdin.

Agakhan.

Now appeared before me on this 12th day of May, 2010, Prince Karim Aga Khan, a person who did identify himself to me by means of a passport (Republique and Francaise) and who did sign and solemnly affirm the above.

Jennifer A. Colman

Notary Public in and for the Commonwealth of Massachusetts [Please put name and official title and seal]



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Plaintiff

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DOE CO. and all other persons or entities unknown to
the Plaintiff who are reproducing, publishing,
promoting and/or authorizing the reproduction and
promotion of the Infringing Materials**

Defendants

AFFIDAVIT OF JENNIFER A. COLMAN

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