

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

RESPONDING MOTION RECORD OF THE PLAINTIFF
(Defendants' Motions for Summary Judgment)

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TAB 1

FEDERAL COURT

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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 CHRISTIAN LANDETA

(sworn June 28, 2010)

I, Christian Landeta, of the Town of Richmond Hill, in the Province of Ontario, MAKE OATH AND SAY:

1. I am a law clerk in the Intellectual Property Group of Ogilvy Renault LLP, solicitors for the Plaintiff. I am assisting the lawyers with primary responsibility for this file and have personal knowledge of the facts set out in this affidavit.

Pleadings

2. Attached as **Exhibit "A"** to my affidavit is a copy of the Plaintiff's Statement of Claim, dated April 6, 2010.
3. Attached as **Exhibit "B"** to my affidavit is a copy of the Statement of Defence of Nagib Tajdin, dated April 25, 2010.
4. Attached as **Exhibit "C"** to my affidavit is a copy of the Statement of Defence of Alnaz I. Jiwa, dated April 28, 2010.
5. Attached as **Exhibit "D"** to my affidavit is a copy of the Reply to the Statement of Defence of Alnaz I. Jiwa, dated May 25, 2010.

6. Attached as **Exhibit "E"** to my affidavit is a copy of the Amended Reply to the Statement of Defence of Nagib Tajdin, dated June 17, 2010.

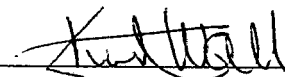
Plaintiff's Affirmation

7. Attached as **Exhibit "F"** to my affidavit is a copy of an e-mail dated May 14, 2010, from Mr. Brian Gray, counsel for the Plaintiff, to the Defendants. This e-mail attaches an Affirmation sworn by the Plaintiff on May 12, 2010.
8. On or about June 1, 2010, counsel for the Plaintiff provided the Defendant, Mr. Jiwa, with an original copy of the Affirmation on the undertaking that it be returned within 10 days.

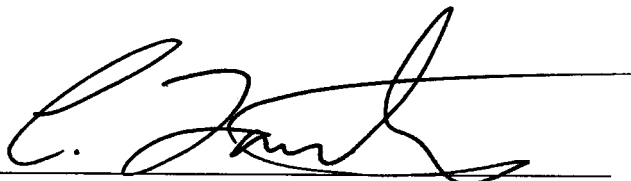
Defendants' Motion for Summary Judgment

9. Attached as **Exhibit "G"** to my affidavit is a copy of the Notice of Motion of the Defendant, Nagib Tajdin, dated June 18, 2010.
10. Attached as **Exhibit "H"** to my affidavit is a copy of the Notice of Motion of the Defendant, Alnaz Jiwa, dated June 18, 2010.
11. Attached as **Exhibit "I"** to my affidavit is a copy of the Affidavit of Karim Alibhay, sworn April 28, 2010, as contained in the summary judgment motion record of Messrs. Tajdin and Jiwa.
12. I make this affidavit in support of the Plaintiff's motion dated June 28, 2010 for summary judgment and for no other purpose.

SWORN before me at the City of
Toronto, on June 28th, 2010.



A Commissioner for taking affidavits



CHRISTIAN LANDETA