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Transcript Management Services

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April 24, 2009

This is Exhibit " 5 " referred to in the
Affidavit of

DONALD H. BRODER

Sworn before me this 14 day

of DEC A.D., 2010

[Signature]

A Commissioner for Oaths in and for Alberta

#0686559

Mr. Craig Boder
57 West Edge Road
Cochrane, AB
T4C 1M7

Dear Sir:

RE: File Number 9703 12949/~~EO 04 1159~~ Broder et al v. Broder et al

Thank you for your correspondence dated April 21, 2009.

In reference to your letter addressing "The Opening Statements of Donald Broder read by Craig Broder were not included," and your last paragraph "Opening Statements would have been on January 19, 2004 following the opening statements of MacInnis," I can advise upon careful listening of the audio there is nothing missing in the transcript as you suggest.

You also refer to ordering a copy of the tape. You are required to make application at Court of Queen's Bench for a Judge's order to release a copy of the audio to you. There is a cost involved should you be granted an order for a copy of the audio and if you are granted an order you must produce the order to Transcript Management Services before any request can be processed.

Should you have any further questions, please feel free to contact Transcript Management Services at the above address or telephone number.

Yours truly,

[Signature]

C. Emblin, Supervisor
Transcript Management Services