

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

NELSON BARBADOS GROUP LTD.

Plaintiff

-and-

RICHARD IVAN COX, GERARD COX, ALAN COX, PHILIP
VERNON NICHOLLS, ERIC ASHBY BENTHAM DEANE, OWEN
BASIL KEITH DEANE, MARJORIE ILMA KNOX, DAVID
SIMMONS, ELNETH KENTISH, GLYNE BANNISTER, GLYNE B.
BANNISTER, PHILIP GREAVES, a.k.a. PHILP GREAVES,
GITTENS CLYDE TURNEY, R. G. MANDEVILLE & CO., COTTLE,
CATFORD & CO., KEBLE WORRELL LTD., ERIC IAIN STEWART
DEANE, ESTATE OF COLIN DEANE. LEE DEANE, ERRIE
DEANE, KEITH DEANE, MALCOLM DEANE, LIONEL NURSE,
LEONARD NURSE, EDWARD BAYLEY. FRANCIS DEHER,
DAVID SHOREY, OWEN SEYMOUR ARTHUR, MARK
CUMMINS, GRAHAM BROWN, BRIAN EDWARD TURNER, G.S.
BROWN ASSOCIATES LIMITED, GOLF BARBADOS INC.,
KINGSLAND ESTATES LIMITED, CLASSIC INVESTMENTS
LIMITED, THORNBROOK INTERNATIONAL CONSULTANTS
INC., THORNBROOK INTERNATIONAL INC., S.B.G.
DEVELOPMENT CORPORATION, THE BARBADOS
AGRICULTURAL CREDIT TRUST, PHOENIX ARTISTS
MANAGEMENT LIMITED, DAVID C. SHOREY AND COMPANY,
C. SHOREY AND COMPANY LTD., FIRST CARIBBEAN
INTERNATIONAL BANK (BARBADOS) LTD. , PRICE
WATERHOUSE COOPERS (BARBADOS), ATTORNEY GENERAL
OF BARBADOS, the COUNTRY OF BARBADOS, and JOHN
DOES 1-25, PHILIP GREAVES, ESTATE OF VIVIAN GORDON
LEE DEANE, DAVID THOMPSON, EDMUND BAYLEY, PETER
SIMMONS, G.S. BROWN & ASSOCIATES LTD., GBI GOLF
(BARBADOS) INC., OWEN GORDON FINLAY DEANE, CLASSIC
INVESTMENTS LIMITED and LIFE OF BARBADOS LIMITED
c.o.b. as LIFE OF BARBADOS HOLDINGS, LIFE OF BARBADOS
LIMITED, DAVID CARMICHAEL SHOREY,
PRICewaterhouseCOOPERS EAST CARIBBEAN FIRM, VECO
CORPORATION, COMMONWEALTH CONSTRUCTION CANADA
LTD. AND
COMMONWEALTH CONSTRUCTION, INC.

Defendants

AFFIDAVIT OF STUART HEASLET

I, Stuart Heaslet of the City of **Summerland** in the State of California, United States of America MAKE OATH AND SAY AS FOLLOW:

1. I am 54 years old. My background is as an environmentalist and construction project manager. Among the accomplishments of which I am proud is being a driving force behind the creation of a National Park in Dominica, a Caribbean Island. Later I was engaged by a Canadian Philanthropist, Peter Allard, to carry out his wish to endow the nation of Barbados with a world class nature sanctuary that would preserve the existing flora and fauna **within** the last remaining mangrove swamp wetlands in Barbados, which is located in the Graeme Hall area of the South Coast. I was given the responsibility of designing not only the physical facilities for this nature sanctuary but also to create programs to preserve the existing species of wildlife, and implement ongoing environmental education programs. Mr. Allard had purchased the property at Graeme Hall sometime around 1993, and it encompasses approximately 35 acres. Upon completion of construction, the facility was named Graeme Hall Nature Sanctuary.

2. I worked in Barbados for approximately 2.5 years on this project. During that time I was also encouraged by Mr. Allard and did implement a captive-breeding program to breed species of birds from other locations in the Caribbean which were in danger of becoming extinct.

3. All of the work done was financed entirely by Mr. Allard and I believe he expended upwards of US\$10,000,000 to see the project through to completion. The Graeme Hall Nature Sanctuary was opened in April 2004, and the Barbados Minister of Energy and the Environment spoke at the opening ceremonies and lauded not only the contribution of Mr. Allard but those in Barbados that had supported the construction.

4. Since the opening of the Graeme Hall Nature Sanctuary I have continued to work with the director, Harry Roberts, to hire residents of Barbados and train them in the art and science of management of a nature sanctuary. We have implemented changes from time to time to improve the experience of those who visit including many school and church groups as well as tourists. Weddings and other public gatherings are regularly held at Graeme Hall Nature Sanctuary and we are happy to see the citizens of Barbados enjoy the peaceful park-like surroundings.

5. As a person concerned about preservation of the environment I was pleased to learn that a group of citizens had banded together in support of a project to combine the open lands surrounding the Graeme Hall Nature Sanctuary and create an approximately 240 acre National Park, inclusive of the Sanctuary, in Barbados. I was honoured to be asked to work on that project and I approached Mr. Allard who indicated that not only would he be prepared to provide financial support to assist the creation of a National Park but he would also be prepared to contribute some of the land which he owned.
6. I therefore became a participant in an ad hoc committee that eventually came to be known as Friends of Graeme Hall which has been abbreviated to the acronym, FOGH. I am not a member of FOGH, but I provided technical advisory services to them associated with park design, construction, management and related issues. All members of this citizens committee are residents of Barbados, and I understand that FOGH has since been incorporated as a registered non-profit organization in Barbados to advocate formation of a proposed Graeme Hall National Park, which would perhaps encompass the lands within the smaller Graeme Hall Nature Sanctuary..
7. The committee chose one of its members, Peter Simmons, as its spokesman. I believe that was an excellent choice. I have found Peter to be an intelligent and caring individual. He is well respected among his peers and residents of Barbados. His career as diplomat was exemplary while he was the High Commissioner for Barbados in London England. His connection to the existing government was solid, and with the fact that his brother David was formerly Attorney General of Barbados and a long serving elected official combined to make him a good spokesman for FOGH. Indeed he was the featured speaker when FOGH launched its National Park campaign at Graeme Hall Nature Sanctuary in 2006.
8. Peter Simmons and I have worked long and hard together in strategizing and dealing with the many details that are involved in the creation of a National Park. These details include the international implications since part of the chosen location for the National Park has been partially designated an international wetland pursuant to the Ramsar Convention, under the Convention on Wetlands international treaty. One of our challenges has been to encourage the Government of Barbados to assume a leadership role in the development and formation of the Graeme Hall National Park, which would preserve the last remaining and significant green space on the urban South Coast between Grantley Adams International Airport and the city of Bridgetown. Details of our discussions revolved around ways to obtain support and funds to create and maintain the new National Park from politicians, civil servants, non-profit charitable groups and other supporters.

9. Some of our efforts have been directed towards opposition to efforts of a private group that includes an American financier and some supporters in Barbados who are determined to build a Theme Water Park called Caribbean Splash in a location that could present an endangerment to the flora and fauna encompassed by the Graeme Hall Nature Sanctuary and the proposed National Park. While I I am not opposed to the business proposal to locate such a theme water park in Barbados, the proposal to locate this theme park is immediately contiguous and upstream from the Graeme Hall Nature Sanctuary. The Sanctuary is at the lowest point in the 1158-acre Graeme Hall Watershed. A spill of the toxic chlorine or other waste products from the theme water park would be fatal to the wildlife and vegetation below it. I believe there are numerous other locations in Barbados that would accommodate a water theme park which do not create this extent of danger.

10. My respect for Peter Simmons and many of the other people who support the National Park project has steadily increased over the years.

11. I first became aware of the fact that this lawsuit existed sometime in December, 2006. I was invited by Peter Simmons to his house on March 14, 2007 to meet his brother Sir David Simmons. He had with him a copy of a document which I understood to be a lawsuit which named him. Throughout the course of the discussion Sir David expressed his displeasure at being included in the lawsuit and that he wished to be removed from it. He also let me know that the existence of the lawsuit could compromise the efforts of FOGH to see the successful creation of a National Park. While I was sympathetic and concerned, I conveyed to him my position that I did not see any connection between the lawsuit and the proposed National Park. In fact I believed the National Park initiative would benefit thousands of people in Barbados who have absolutely no connection with the lawsuit, and that any rationalisation that made formation of the National Park contingent on the outcome of an unrelated lawsuit would, in my view, be short-sighted. I made it clear that in contrast to a lawsuit, the benefit of a National Park would affect many generations to come. I have never been, nor am I currently involved in any way with the lawsuit and certainly have no power to influence it or the people involved. .

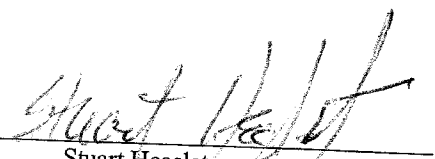
12. In the course of the next few months Peter Simmons and I communicated and met regularly regarding the many issues regarding the National Park and FOGH. I believe we made some progress in that regard. On occasion Peter Simmons would raise the subject of the lawsuit focusing mainly on two topics.

13. The first topic was that he wondered why he had not been included as a party. The second was that he was being pressured by the other participants in SBG -I am not sure exactly who they are- to

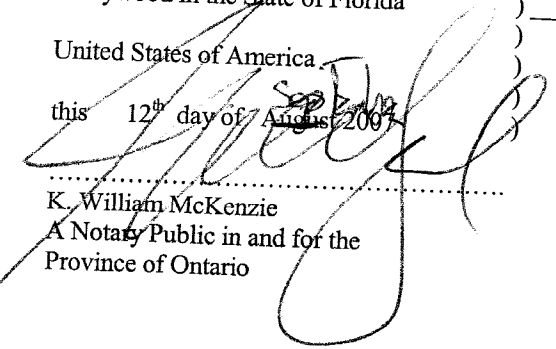
contribute money towards hiring a lawyer to defend the action. My responses were the same in that I indicated that I had no knowledge that could assist in answering these questions -indeed I have no knowledge of any aspect of this lawsuit other than it exists- but that it might be helpful for him to contact the lawyer involved. Mr. McKenzie. I did this because I have always been available to facilitate communications in any way possible with the hope that the National Park initiative could be saved. I also know that Mr. McKenzie and he and I happen to share common interest in environmental matters, and they have been also interested in another project in which I am presently engaged to create a television documentary highlighting the efforts of the people who are operating a social services aid charity for the poor in the Mathare Valley, Nairobi, Kenya.

- 14. In early August 2007 Peter Simmons contacted me by telephone. We discussed matters related to the National Park project and then he advised me that John Knox was at risk because of his apparent cooperation with the plaintiff in this action. He told me that some of the defendants in the lawsuit were going to see to it that their contact, the president of the University of West Indies where Mr Knox works, would terminate Mr. Knox's employment as a result of his cooperation. I relayed these comments to Mr. McKenzie.
- 15. On August 10, 2007 I spoke again with Peter Simmons by telephone. This time he repeated the comments about John Knox and also added that certain defendants wished to make it known that Mr. McKenzie was in danger and should "watch his back " because there were people in Barbados very angry with Mr. McKenzie. I asked him if it was his intention that these comments be conveyed to Mr. McKenzie and Mr. Allard and he said yes so I did so.
- 16. I became very concerned about my role in this matter i.e. being asked to convey these type of comments so I spoke with Peter Simmons again on August 13th and went over what he had said before and confirm that it was his intention that I relate those comments to Mr. McKenzie and Mr. Allard. He confirmed that was his intention and so I did pass along the comments.

SWORN BEFORE ME at the City of
Hollywood in the State of Florida
United States of America


Stuart Heaslet

this 12th day of August 2007


K. William McKenzie
A Notary Public in and for the
Province of Ontario