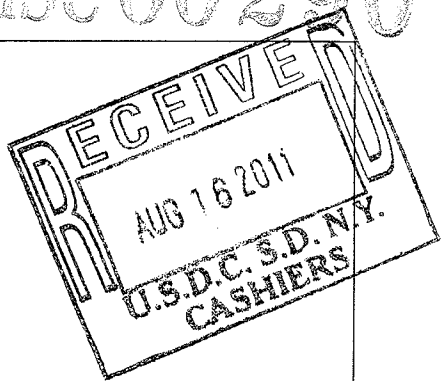


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
Miscellaneous Case No.

Florida Case No. 11-cv-61314 – ZLOCH/SELTZER

11 MISC 00290

<p>ELLEN AGUIAR,</p> <p>Plaintiff</p> <p>v.</p> <p>WILLIAM NATBONY, individually and as trustee of the THOMAS S. KAPLAN 2004 QUALIFIED TEN YEAR ANNUITY TRUST AGREEMENT and the DAFNA KAPLAN 2003 EIGHT YEAR ANNUITY TRUST AGREEMENT, THOMAS KAPLAN and DAFNA KAPLAN,</p> <p>Defendants.</p>	
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AFFIDAVIT OF SIGRID STONE McCAWLEY

I, Sigrid Stone McCawley, swear under penalty of perjury that the foregoing is true and correct as follows:

1. I am over the age of eighteen, and I have personal knowledge of the facts contained in this affidavit. I am a partner at the law firm of Boies, Schiller & Flexner LLP and am counsel for Plaintiff Ellen Aguiar.
2. I submit this affidavit in support of Plaintiff's Motion to Compel Third Party to Comply with Rule 45 Subpoena ("Plaintiff's Motion to Compel").
3. Attached as exhibit 1 to Plaintiff's Motion to Compel is a true and correct copy of the Rule 45 Subpoena issued to the Leiden Gallery.

4. Attached as exhibit 2 to Plaintiff's Motion to Compel is a true and correct copy of the Leiden Gallery's Response and Objections to Plaintiff's Subpoena to Produce Documents.

5. Attached as exhibit 3 to Plaintiff's Motion to Compel is a true and correct copy of the Complaint filed in the matter of *Ellen Aguiar v. William Natbony, et. al.*, Florida Case No. 11:-cv-61314-Zloch/Seltzer.

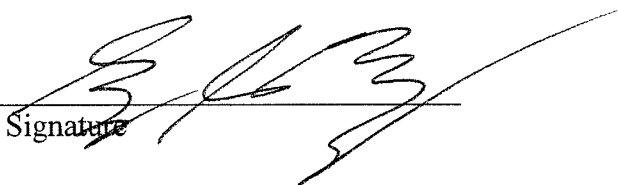
6. Attached as exhibit 4 to Plaintiff's Motion to Compel is a true and correct copy of the Plaintiff's Memorandum of Law in Opposition to Defendants' Motion to Dismiss.

7. Attached as exhibit 5 to Plaintiff's Motion to Compel is a true and correct copy of the Declaration of Ellen Aguiar.

8. Attached as exhibit 6 to Plaintiff's Motion to Compel is a true and correct copy of the Declaration of the undersigned, Sigrid McCawley.

9. Attached as exhibit 7 to Plaintiff's Motion to Compel is a true and correct copy of the Plaintiff's Motion and Incorporated Memorandum of Law to Confirm Waiver and Allow the Use of Documents Filed with the New York Court.

10. The undersigned conducted a "meet and confer" session with the Leiden Gallery's counsel regarding their blanket objection refusing to produce any documents in response to the Rule 45 subpoena. The Leiden Gallery would not agree to change their position on their refusal to produce.

By: 
Signature

STATE OF FLORIDA
 SS:
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, personally appeared Sigid McCawley
Personally known to me, who upon being first duly sworn, deposes and says that she has read the
foregoing and it is true and correct to the best of her knowledge.

SWORN TO and SUBSCRIBED BEFORE ME this 15th day of August, 2011.

Martha Robinson
Notary Public, State of

Print Name: Martha Robinson

Commission No.

My Commission Expires:

