

# **EXHIBIT A**

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>216 JAMAICA AVENUE, LLC,</b>	)	<b>CASE NO. 1:06CV1288</b>
	)	
Plaintiff,	)	<b>JUDGE CHRISTOPHER A. BOYKO</b>
	)	
v.	)	
	)	
<b>S &amp; R PLAYHOUSE REALTY CO.,</b>	)	<b>AFFIDAVIT OF THOMAS R. KETTELER</b>
	)	
Defendant.	)	
	)	
<b>STATE OF FLORIDA</b>	)	
	)	
	)	
<b>ss.: COUNTY OF LEE</b>	)	

Thomas R. Ketteler, being duly sworn, deposes and says:

1. I am a resident of Florida, County of Lee, and am competent to testify in a court of law. I am aware of many of the events and circumstances associated with the 1982 transfer of the leasehold, which was created by the 1912 Lease that is the subject of this action. I provide the below information based on my recollection.

2. At the relevant times, I was Chief Financial Officer at Schottenstein Stores Corporation ("SSC"). My offices were located in Columbus, Ohio, which is in Franklin County.

3. In connection with my position at SSC, I was aware of the 1982 transfer of the leasehold from Halle Brothers Company to S&R Playhouse Realty Co., a leasehold that was originally created by the 1912 Lease, which I am advised is attached to plaintiff's Complaint as Exhibit A. On behalf of Halle Brothers Company, I participated in the negotiations of the transfer of that leasehold.

4. The Halle Brothers Company held the leasehold to 1982 when Halle Brothers Company transferred it to S&R Playhouse.

5. I am advised that the rent on the face of the 1912 Lease is \$35,000 per year. I have no recollection about whether rent in excess of \$35,000 per year was ever paid.

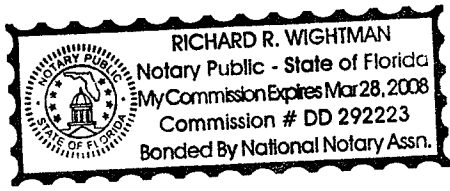
6. To my recollection, at no time did anyone at Halle Brothers Company, or anyone else, including during the negotiations of the transfer of the leasehold from Halle Brothers Company to S&R Playhouse, ever raise as an issue that the rent under the 1912 Lease was adjustable based upon the price of gold.

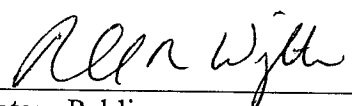
FURTHER AFFIANT SAYETH NAUGHT.

  
Thomas R. Ketteler

STATE OF FLORIDA            )  
  )ss.:  
COUNTY OF Lee            )

Sworn to before me and subscribed in my presence by Thomas R. Ketteler this 13 day of October, 2006.



  
Notary Public  
My Commission Expires: 3/28/08