

# EXHIBIT J

**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 ROBERT QUESADA</b>
	)	
Defendant.	)	
	)	
<b>STATE OF NEW YORK</b>	)	
	)	
<b>ss.: COUNTY OF NEW YORK</b>	)	

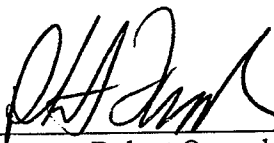
Robert Quesada, being duly sworn, deposes and says:

1. I am a resident of the State of New York and am competent to testify in a court of law. I am personally knowledgeable about 1912 Lease that is the subject of this action and management of the Lease while the subject property was owned by Halle Cleveland LLC.
2. The subject property was owned by Halle Cleveland LLC from November 17, 1997 until February 10, 2006, at which time it was sold to 216 Jamaica Avenue LLC for \$845,000.
3. Beginning on or about February 1999, I was the manager of the property.
4. At all times, rent payable under the 1912 Lease was payable and paid in United States currency in the annual amount of \$35,000. To the best of my knowledge, no tenant under the 1912 Lease, either S&R Playhouse Realty Co. or any other tenant, during the period of time that Halle Cleveland LLC owned the subject property, ever paid rent in an amount exceeding \$35,000 nor were any additional amounts ever requested or demanded.

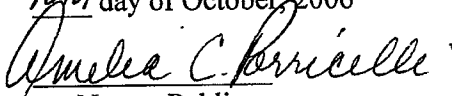
5. Furthermore, to the best of my knowledge, at no time did anyone at Halle Cleveland LLC, or anyone else, ever raise an issue or suggest in any way that the rent under the 1912 Lease was adjustable based upon the price of gold.

6. To the best of my knowledge, at no time while Halle Cleveland LLC was lessor under the 1912 Lease did any party raise an issue with the amount or method of paying rent in connection with the leasehold. The rent paid was at all times \$35,000 per year.

FURTHER AFFIANT SAYETH NAUGHT

  
\_\_\_\_\_  
Robert Quesada

Sworn to before me this  
19<sup>th</sup> day of October, 2006

  
Notary Public

AMELIA C. PORRICELLI  
Notary Public, State of New York  
No. 03-4677573 - Bronx County  
Term Expires ~~March 30, 2008~~ March 30, 2010