

Schedule "A"

Mr. Rogers in the amount of \$5,306.00. It appears that the discrepancy between these two figures results from a typographical error on Ms. Drummond's website.

6. Rogers Wireless expected that the acceptance of the payment of \$5,309.60 had settled the claim. However, since that time the plaintiff has added Edward S. Rogers as a co-defendant to the Action, and amended her claim to \$10,000.
7. Rogers Wireless wishes to conclude this matter on an amicable basis. A page on Ms. Drummond's website (www.rogersandme.ca) entitled 'Sounding in Law' indicates that her net proceeds from the Action would be donated to charity. Therefore, toward that end, Rogers Wireless wishes to pay the balance of her claim and conclude this litigation.
8. On October 4, 2006, Joseph C. D'Angelo of Lang Michener LLP, the solicitors for Rogers Wireless, sent a "with prejudice" offer to settle to Ms. Drummond indicating that Rogers Wireless was willing to pay an additional \$5,000 to Ms. Drummond in settlement of this matter. Attached hereto and marked as **Exhibit "B"** is a copy of said letter. In his letter, Mr. D'Angelo asked Ms. Drummond to advise by no later than October 12, 2006 whether she intended to accept the offer, failing which he was instructed to bring a motion for payment into court and a summary dismissal of the action.
9. I have been advised by Mr. D'Angelo of Lang Michener LLP and do verily believe that Ms. Drummond has not accepted the October 4, 2006 offer to settle.
10. This affidavit is sworn in support of a motion for an order dismissing the Action and for payment into Court of \$5,000 and for no other or improper purpose.

Sworn before me
at the City of Toronto,
on October 18, 2006



Commissioner for Taking Affidavits



Jan Innes