

FEDERAL COURT

BETWEEN:

HIS HIGHNESS PRINCE KARIM AGA KHAN

Plaintiff

and

NAGIB TAJDIN, ALNAZ JIWA, JOHN DOE and DOE CO. and all other persons or entities unknown to the plaintiff who are reproducing, publishing, promoting and/or authorizing the reproduction and promotion of the Infringing Materials

Defendants

REPLY TO PLAINTIFF'S STATEMENT OF ISSUES
(of the defendant Alnaz Jiwa)

In response to the Plaintiff's Statement of Issues dated March 29, 2011, the Defendant, Alnaz Jiwa, states as following:

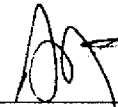
1. This defendant has not been involved in the collection, recording, transcribing, or publishing the Golden Edition.
2. This defendant states that he bought 96 Golden Edition books at \$50.00 each and the ones sold by him were sold at \$50.00.
3. This defendant states that he shipped only one book to a lady in Chicago who paid the sum of \$50.00 plus actual shipping charges. The rest of the books were distributed to his family and friends: some of which were given as gifts; some were purchased for the sum of \$50.00 each for

the books; and others have not paid for the books and may not pay for the books. This defendant has not sought to collect from those who have not paid for the books.

4. This defendant's activities were of a voluntary nature and undertaken in a spirit of encouraging the followers of the Aga Khan to become serious about their faith and to obey the guidance given by their spiritual leader and as such often the books were just given away and left to the recipients to pay or not to pay.
5. This defendant has undertaken the distribution of these books as a community service and not to make any profits or even to sell the books.
6. This defendant picked up and delivered all of the books personally except for one book which was sent by courier to an individual in Chicago. Those who paid for the books usually paid by cash and some (about three or four) paid by cheque which was cashed by this defendant.
7. This defendant did not issue any receipts or receive any receipts for the collection or payment of the books.

8. This defendant states that even if he had sold all books with all purchasers paying him the asking price, the resulting sales would not have resulted in even one dollar of profits. This defendant has not charged anyone one dollar more than what he paid for the books.
9. This defendant has never dealt with the printer, or the publisher, nor is aware as to how many total books were published or at what cost.
10. This defendant states that Justice Harrington refused to order the return of the books already sold or distributed and that the identities of the individuals who received the books is thus unnecessary to be revealed as the only issue for the reference is the accounting for profits.
11. This defendant has not made or expects to make even one dollar of profits.

July 18, 2011



Altaf Jiwa
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email: jiwalaw@yahoo.ca

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(of the defendant Alnaz Jiwa)

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Defendant