

AFFIDAVIT OF DAVID SIMETIC

**Ontario Superior Court of Justice · Toronto Registry
Court File No. [to be assigned]
Filing #05C · Principal Claimant #3, Windsor Justice
Trifecta**

I, David Simetic, of the City of Windsor (or such other address as appears on the style of cause), in the Province of Ontario, **MAKE OATH AND SAY** as follows:

1 · IDENTITY AND CAPACITY

1. I am one of the three Principal Plaintiffs in this action, known as the Windsor Justice Trifecta, together with Francesco Giovanni Longo (Principal Claimant #1) and the Estate of Raffi Ceylan (Principal Claimant #2), and accordingly I have personal knowledge of the matters hereinafter deposed to except where stated to be on information and belief, in which case I believe the same to be true.
2. I swear this affidavit in support of the Statement of Claim filed in this action, the Pass 5 and Pass 6 Addendums thereto, and in support of the Notice of Motion for Interim Relief at Filing #23 including the Mareva Injunction and Norwich Pharmacal Orders.

2 · THE ESTATE OF IVAN VALENTICH · CORE MATTER

1. I am the authorized investigator in the matter of the Estate of Ivan Valentich. Approximately CAD \$400,000 was misappropriated from that estate through forged bank statements and related instruments. I have compiled a 328-page investigation binder documenting the transactions, the chain of signatures, and the parties benefitting.

2. I am in possession of an audio recording in which the Defendant Jerry L. Goldberg admits, in his own voice, to forging bank statements in connection with the Estate of Ivan Valentich. That recording, its chain of custody, and its transcript are part of the 328-page binder and will be produced under Rule 30.02 of the Rules of Civil Procedure and tendered as a trial exhibit.
3. I have filed more than ten complaints with the Law Society of Ontario over a period of more than ten years concerning the Defendant Jerry L. Goldberg's conduct. Each complaint was dismissed as "frivolous" within two to four weeks. In no instance did the Law Society listen to the audio recording, examine the forged documents, or interview any witnesses. The dismissal pattern is the foundational fact of the Track B Judicial Review component of my Three-Track Litigation Plan dated 20 January 2026.
4. The Defendant Warren Fullerton is jointly and severally liable with the Defendant Jerry L. Goldberg on the misappropriated estate proceeds as particularized in the Three-Track Litigation Plan, which is produced as an exhibit to this affidavit.

3 • THE GROOT FAMILY BRIDGE

1. The Defendant Norman Groot is the same Norman Groot who, while serving as an officer of the Peel Regional Police, was convicted in 1999 of obstruction of justice and fabrication of evidence, as recorded in R. v. Groot (1999) on the CanLII database. This conviction is the precedent conduct establishing the Groot-family pattern of obstruction pleaded in this action.
2. On information and belief based on the materials in my possession including the 328-page binder, the Defendant Norman Groot is familiarly connected to the Defendant Dr. Emily Groot, Ontario's Chief Coroner during the 2016 Raffi Ceylan death investigation. The familial relationship, when coupled with the documented institutional conduct of each Defendant respectively, establishes the joint-enterprise criminal organization element of s. 467.1 of the Criminal Code, R.S.C. 1985, c. C-46, as pleaded

jointly by all three Principal Claimants of the Windsor Justice Trifecta.

4 · QUANTUM AND THE MAREVA CAP AS A FLOOR

1. The quantum of my chapter of this unified claim was previously set at CAD \$60,000,000 in my Three-Track Litigation Plan dated 20 January 2026. I now confirm, on my own information and belief, that **CAD \$60,000,000 represents a recommended minimum floor, not a cap.** The actual amount recoverable at final judgment will depend upon (a) the production of the FOI returns deadline 14 February 2026, (b) the forensic tracing of the misappropriated estate proceeds with accretion, (c) the quantification of punitive and aggravated damages, and (d) the extent of joint and several liability across the Defendants.
2. I adopt and affirm the Pass 6 Mareva Floor Clarification (Filing #01C) insofar as it applies to my chapter of the unified claim, which makes the same clarification across the Trifecta.

5 · UNITY WITH THE OTHER PRINCIPAL CLAIMANTS

1. I join this action as a co-Plaintiff with Francesco Giovanni Longo and the Estate of Raffi Ceylan and I adopt and affirm the Pleadings, Exhibits 14 through 22, the Mareva Injunction Application at Filing #03, the Norwich Pharmacal Application at Filing #04, the Notice of Motion for Interim Relief at Filing #23, and all supporting affidavits (Filings #05A, #06, #07, #08), to the extent those materials describe conduct by Defendants common to the Simetic chapter of the unified claim, including but not limited to the Defendants Dr. Emily Groot, Norman Groot, Jerry L. Goldberg, Warren Fullerton, and Shibley Righton LLP.
2. I make this Affidavit in support of the Plaintiffs' Notice of Motion dated herewith and for no improper purpose.

SWORN BEFORE ME at the City of _____, in the Province of Ontario, this ____ day of _____, 2026.

A Commissioner for Taking Affidavits **DAVID SIMETIC**

(Name, address, and capacity of Commissioner)

Filing #05C · David Simetic Affidavit · Signing-Ready · Produced 27 April 2026 ·
Voice-authorized by Francesco Giovanni Longo as lead Principal Claimant of the
Windsor Justice Trifecta · Simetic chapter pleaded under the unified Statement of
Claim with Pass 6 Addendum.