

Superior Court of Justice, Family Court

(Name of Court)

at 50 Eagle Street West, Newmarket, Ontario, L3Y 6B1

(Court office address)

Form 14A: Affidavit (General)
dated November 25, 2021**Applicant(s)***Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).*Sheida Aletratikhosroshahi
178 Wildwood Avenue
Richmond Hill, Ontario
L4E 4N3*Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).*Giovanna Cacciola
Cacciola Family Law
10132 Yonge Street, Suite 201
Richmond Hill, Ontario L4C 1T6Tel: (365) 802-6055
Fax: (888) 485-9040
gcacciola@gcfamilylaw.ca**Respondent(s)***Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).*Mahyar Radmehr
174 Denise Circle
Newmarket, Ontario L3X 2J9
mahyarradmehr@hotmail.com*Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).***My name is**

(Full legal name)

Faezeh Kashaninejad

I live in

(municipality and province)

City of Richmond Hill, Province of Ontario

and I swear/affirm that the following is true:

Set out the statements of fact in consecutively numbered paragraphs. Where possible, each numbered paragraph should consist of one complete sentence and be limited to a particular statement of fact. If you learned a fact from someone else, you must give that person's name and state that you believe that fact to be true.

1. My name is Faezeh Kashaninejad and I am a licensed lawyer in Iran, with a practice in Toronto as an expert in relation to Iranian legal affairs. Marked and attached hereto as Exhibit "A", is a copy of my resume.
2. Mr. Mahyar Radmehr has retained me with respect to authenticating a document, which has been produced by the Applicant, Sheida Aletratikhosroshahi, as exhibit "C" of Applicant's affidavit dated July 30, 2018. Marked and attached hereto as Exhibit "B", is a copy of the document dated July 16, 2018, which was produced by the Applicant.
3. I communicated with the State Organization for Registration of Deeds and Properties at the City of Bandaranzali. I met with the head of the State Organization for Registration of Deeds and Properties at the City of Bandaranzali and provided him with a copy of the document produced by the Applicant Sheida Aletratikhosroshahi, as exhibit "C" of Applicant's affidavit dated July 30, 2018.

dated November 25, 2021

4. The head of the State Organization for Registration of Deeds and Properties at the City of Bandaranzali did an investigation regarding the said document and advised me that the document is forged.
5. Mr. Mahyar Radmehr's mother, Malahat Kheradyar, made a complaint against Sheida Aletratikhosroshahi, with respect to production of the said document, as it was forged and not authentic.
6. On November 14, 2019 the Criminal Court #2 of Bandaranzali County, Branch Number 101 finds that the letter number 135/97/5501 dated July 16, 2018 is forged. The Court states: "the Court finds letter No. 135/97/5501 dated July 16, 2018 attributed to the Deeds and the Properties Registration Office of Bandaranzali [County] to have been forged since the authenticity of the letter has not been verified and approved by the said office." Marked and attached hereto as Exhibit "C", is a copy of the decision of The Criminal Court #2 of Bandaranzali County, Branch Number 101 dated November 14, 2019.
7. In my opinion, in light of the decision of the Court and my communications with the State Organization for Registration of Deeds and Properties at the City of Bandaranzali, I confirm that a document, which has been produced by the Applicant, Sheida Aletratikhosroshahi, as exhibit "C" of Applicant's affidavit dated July 30, 2018, is forged.

Put a line through any blank space on this page.

Sworn/Affirmed before me at:

City of Vaughan


(municipality)

in Province of Ontario

(province, state or country)

on November 25, 2021

(date)


 Commissioner for taking affidavits
 Naser Abedi, Barrister and Solicitor
 LSO # 44954F



Signature
 Faezeh Kashaninejad

Dr. NASER ABEDI
 BARRISTER AND SOLICITOR
 7378 Yonge Street, Suite 9B
 Thornhill, Ontario, L4J 8J3, Canada
 Tel: (905) 709-4056

FAEZEH KASHANI NEJAD
Barrister and Solicitor (Iran)
225 Sheppard Avenue West, Toronto, ON, M2N 1N2
Office: (416) 725-3532
faezehkashaninejad@gmail.com

HIGHLIGHTS OF QUALIFICATIONS:

- Over 30 years experience assisting Iranian and other immigrant clients resolve legal disputes
- Over 6 years of experience as a Foreign Legal Consultant of Iranian Law in Ontario, from 2011-2017
- Specialized expertise in Iranian and foreign comparative law
- Outstanding conciliation and mediation skills gained through the Ministry of the Attorney General, Toronto
- Proven track record as a Foreign Legal Consultant, serving the Greater Toronto Area
- Excellent translation and interpretation skills in Farsi and Dari languages

EXPERIENCE AND ACCOMPLISHMENTS:

- Faezeh Kashani Nejad and Associates Legal Services Inc., Toronto, ON, this 25th day of November 2021**
- Founder and CEO
 - Foreign Legal Consultant with the Law Society of Upper Canada from 2011 until 2017
 - Successfully assisted Iranian and other immigrant clientele settle disputes at the Ontario Court of Justice and Superior Court of Justice as expert witness on Iranian laws
 - Effectively provided legal consultation services for matters concerning family and property laws, powers of attorneys, court orders and summons pertaining to laws in Iran
 - Regularly provided legal assistance for clients in the Iranian Judiciary System, including assistance on all procedural matters
 - Advised many clients on comparative law and Iranian laws in Canadian courts
 - Coordinated letters and official documents for clients in the Iranian court system
 - Successfully settled disputes through mediation
 - Advised many Iranian-Canadian clients on regulatory law administration in Iran and alternative dispute resolution in Canada

This is Exhibit *A* referred to in the affidavit of *Faezeh Kashaninejad* sworn before me, this *25* day of *November* *2021* at *Abroad* file *101*
A COMMISSIONER FOR TAKING AFFIDAVITS

Ontario Ministry of the Attorney General, Toronto, ON
Accredited Court Interpreter

2002- present

- Provided on-call interpretation services for clients in need of an interpreter
- Provided translation and interpretation services in Farsi/Persian and Dari languages at court
- Interpreted client concerns, questions and answers at court
- Liaised between court, criminal justice professionals, Canadian lawyers and clients
- Provided interpretation services for Victim Witness Assistance Program clients

Settlement Assistance and Family Support Services (SAFSS), Toronto, ON
Professional Services

2001 – Present

- Served as Vice Chair; ensured effective governance of the organization and chaired all meetings of the board of directors
- Reviewed the organization's programs, services and financial planning; oversaw the effective performance of the board of directors
- Served as spokesperson for the organization with the Executive Director
- Ensured formal evaluations of the Executive Director were conducted, and monitored the progress of the organization

EDUCATION

Post Graduate Diploma in Regulatory Law Administration

Seneca College, Toronto, ON

2000 - 2001

Alternative Dispute Resolution Diploma

Seneca College, Toronto, ON

2000 - 2001

Articling Internship

Iranian Central Bar Association, Tehran, Iran

1988 - 1991

Bachelor of Law (L.L.B.)

Shahid Beheshti University, Tehran, Iran

1975 - 1986

MEMBERSHIPS AND CERTIFICATIONS:

Foreign Legal Consultant License

The Law Society of Upper Canada, Toronto, ON

2011-present

<p>Iranian Canadian Legal Professionals (ICLP) Professional association for lawyers, Paralegals and Foreign Legal Consultants of Iranian decent in Canada.</p>	2012 - Present
<p>Lawyer, Member in Good Standing Iranian Bar Association, Iran</p>	1991 - Present
<p>Court Interpreters' Association of Ontario (CIAO) Ontario Ministry of the Attorney General, Toronto, ON</p>	2001-Present

This is Exhibit "B" referred to in the affidavit of Faezeh Kashaninejad sworn before me, this 29 day of November, 2021.
Abdol
A COMMISSIONER FOR TAKING AFFIDAVITS

This is Exhibit "C" referred to in the affidavit of Shahla Alavutthoskoshi sworn before me, this 30th day of July, 2018.

سید عزیز مقصومی
مترجم رسمی قوه قضائیه. شماره پروانه ۲۸۲ زبان انگلیسی تهران
آدرس: تهران، میدان انقلاب، ابتدای خیابان آزادی، کوچه شهید جنتی، پست فارسار، پلاک ۲، طبقه ۲، واحد ۷
تلفن: ۶۶۲۰۶۶۲۰ - ۶۶۰۶۶۰ - تلفن همراه: ۹۱۲ ۱۵۷ ۲۴ ۹۰

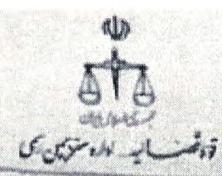
Seyed Aziz Masoumi
Certified English Translator to the Judiciary of I.R.I
Translation License No.: 484
Tehran, Enghelab Sq., Beginning of Azadi Ave., Jannati St., Farsar Dead Alley, No. 2, 3rd Floor, Flat 7
Tel: +98 (0) 21 66006630 - Mobile: +98 (0) 912 157 24 90 - www.masoumitrans.com

توجه
اینبار اسناد بامهر شده علاوه بر مهر است
• اعتبار کپی های بیوساز ترجمه یا مهر و امضای مترجم رسمی
• عدم جگ و اصلاح در ترجمه
• مخصوص بودن مهر

ATTENTION
Validity of the sealed documents shall be subject to
• Certification of attached copies by the seal and signature of translator.
• Non-alteration and or obliteration in the translated text.
• Intactness of the seal.

157302191

سوی ۵۸۹۲-۷
رہدہ نظر لیت



سازمان ثبت اسناد و املاک کشور
جمهوری اسلامی ایران
تهران، خیابان ولیعصر، پلاک ۱۱۱
تلفن: ۰۲۱-۸۸۸۸۸۸۸۸
وبسایت: www.sazman-e-astanad.com

(Official Translation from Original Persian)

State Emblem
The Islamic Republic of Iran Judiciary
State Organization for Registration of Deeds and Properties
Bandaranzahi Department for Registration of Deeds and Properties

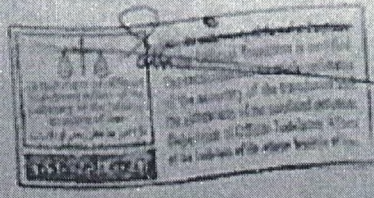
Entry: 125/97/5501
Date: 16/07/2018

As the letter No. 159 dated 25/06/2018 issued at the Notary Public No. 161 Bandaranzahi and considering the investigations done by the experts at this department, no records has been found for the mentioned property (the entire six parts out of six parts of a plot of land located at Zibakhor of Arteshshah Waqef) belonging to the deceased MOHAMMAD RACHMINE.

Signed and Sealed by:
• Bandaranzahi Department for Registration of Deeds and Properties

This translation certifies by Ministry of Justice in date of 1/28/2018. The authenticity of this translation can be confirmed by the Ministry of Justice.

سازمان ثبت اسناد و املاک کشور



۱۴۸/۹۷/۵۵۱
۹۷/۶/۵۵



صفت نامه شماره ۱۵۹۰ مورخ ۱۳۹۷/۰۳/۳۰ دفتر ختبه ۱۶۱ انزلی و
با توجه به بررسی کارشناسان این اداره هیچگونه سابقه ای از ملک
بشخصات منگور (ششادنگ یک قطعه زمین واقع در زیباکنار قریه
امیر بند) منگی مرحوم محمد زالمهر مشخص و یافت نشد.



رئیس اداره

۹۷/۶/۵۵



Certified True Copy



This is Exhibit... "C" ...referred to in the
 affidavit of Faezeh Rastanirejad
 sworn before me, this... 26 ...
 day of November... 2021...
Abbas J. A.
 A COMMISSIONER FOR TAKING AFFIDAVITS

مهديه متين

کارشناس رسمی زبان انگلیسی قوه قضاییه - شماره پروانه 6673

شماره دفتر کارشناسی 6850

آدرس : بندر انزلی - خیابان مطهری - کوچه پیشگاه بحری (ارژنگ) - ساختمان پرشان-

طبقه 4 - واحد 12

تلفن: 013-44541613

Mahdiyeh Matin

Certified Expert of English to the Judiciary

License No. 6673

Office No. : 6850

Address : Flat#12,4th Floor , Parshan Bld., Pishgahbahri Alley(Arjang) ,
 Motahari Ave. , Bandaranzali

Tel : 013-44541613

In God We Trust

Justice Administration of Gilan Province
Branch 101 of the Criminal Court #2 of Bandaranzali County (Former Penal Branch 101)

JUDGMENT

Judgment No.: 9809971814100849	Date of Issue: Nov. 14, 2019	Case No.: 9709981815200971	Branch File No.: 980534
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Hearing Authority	Case No.: 9709981815200971 Branch 101 of the Criminal Court #2 of Bandaranzali County Final Decision No.: 9809971814100849
Complainant	Ms. Malahat KHERADYAR , daughter of Ali, represented by Mr. Mohammad Hadi Sorkhinia, son of Mohammadreza, of #12, 4 th Floor, Sina Bldg., Takavaran St., Bandaranzali
Accused	Ms. Sheida AL ETRATI KHOSROSHAHI , daughter of Seyed Jalal, represented by Mr. Rahim Vaghari, son of Gholamali, of 2 nd Floor, Ghasr Bldg., Peyvand Dead-end, Namaz Blvd., Rasht City, Rasht County, Gilan Province
Accusations	1. Forgery 2. Use of Forged Papers

Court Judgment

Whereas Ms. Sheida Al Etrati Khosroshahi, daughter of Seyed Jalal, literate, with no further details included in the public prosecutor office's indictment due to being declared at large (but for the purpose of distinguishing her from other persons with a similar name, her personal details according to the contents on file include 'birth certificate No. 1988 issued in Tabriz, born in 1978/79, National ID No. 1376638381, residing in Washington, USA') has been accused of forging a government letter, bearing reference number 135/97/5501 and dated July 15, 2018, attributed to the Deeds and Properties Registration Office of Bandaranzali [County], it is to be noted that the complaint lodged by Mr. Mohammad Hadi Sorkhinia, representing the Complainant, Ms. Malahat Kheradyar, reads that the late Mohammad Radmehr owned a parcel of land, covering twenty (20) hectares, located at Ziba Kenar, Aminabad, which he had mentioned in his will of April 24, 1991. The land was sold at that time by Ms. Malahat Kheradyar as the executor and the proceeds were transferred to Canada. After a dispute arose between Mahyar Radmehr and the Defendant, who are husband and wife, the Defendant presented the translation of the allegedly forged letter to the Court, thereby claiming that the late Mohammad Radmehr had not owned any parcel of land to pass by inheritance. By presenting the translation of the allegedly forged letter in Canada, the entire bank accounts maintained by his client were blocked.

The Defendant's defense counsel, Mr. Rahim Vaghari, stated in his defense that the power of attorney presented by the Complainant's attorney had a formal irregularity because his client was declared to have been a resident of Ottawa, Canada, while an inquiry made from the Passport Office, confirmed that Ms. Malahat Kheradyar had left the country via Imam Khomeini Airport on Jan. 10, 2015 and

has not returned to Iran to date; therefore, given the power of attorney's issue date of Aug. 14, 2018 and the client's signature legalization, it has a legal irregularity (defect). Second, his client (the accused) has not been present in Iran since 2015/16 according to the reply made by the Passport Office to an inquiry made in this respect. As such, given the fact that the accused has not been physically present in Iran, she has not committed the offense of forgery and that the testimonies of the eyewitnesses brought by the Complainant had been induced. The Complainant's defense counsel stated that his client had scanned and forwarded the power of attorney to him, and that he had the signature legalized.

By examining the entire papers and contents on file, first, the Court overrules the formal irregularity attributed to the power of attorney in view of the modern means of transmission available and the forwarding of the scanned copy of the signed and sealed power of attorney. Second, according to the reply to the latest inquiry made from the Passport Office, the accused had left the country [Iran] to the destination of Turkey via Tabriz Airport on June 15, 2015 and has not returned to Iran to date; therefore, the actus reus of the committed offense cannot be attributed to the Defendant, Sheida Al Etrat Khosroshahi, given the fact that she had not been in Iran on the issuance date of the letter attributed to the Deeds and Properties Registration Office (i.e. July 16, 2018).

Thus, the Court finds Letter No. 135/97/5501 dated July 16, 2018 attributed to the Deeds and Properties Registration Office of Bandaranzali [County] to have been forged since the authenticity of the letter has not been verified and approved by the said office; however, there is no evidence showing that the offense of forgery had been perpetrated by the accused based on the foregoing argument, particularly her non-presence in Iran. Therefore, whereas the accusation is not attributed to the accused and given the principle of the presumption of innocence based on Article 37 of the Constitution of the Islamic Republic of Iran, the Court orders the acquittal of the accused from the accusation. The judgment can be appealed with the Appeals Courts of Gilan Province within twenty (20) days of its service.

The Honorable Mohsen Alipour
Judge of Branch 101 of the Criminal Court #2 of Bandaranzali County

This is a true photocopy of the original
Address: Bandaranzali County Justice Administration, Takavaran St., Bandaranzali, Gilan Province
Postal Code 4314699439 – Tel: +13 4451 2021 – Website: www.dadgil.ir

«فَلَا تَتَّبِعُوا الْهَوَىٰ أَنْ تَعْدِلُوا»

شماره دادنامه: ۹۸۰۹۹۷۱۸۱۴۱۰۰۸۴۹

تاریخ تنظیم: ۱۳۹۸/۰۸/۲۳

شماره پرونده: ۹۷۰۹۹۸۱۸۱۵۲۰۰۹۷۱

شماره بایگانی شعبه: ۹۸۰۵۳۴

شعبه ۱۰۱ دادگاه کیفری دو شهرستان بندر انزلی (۱۰۱ جزایی سابق)

دادنامه

دادگستری کل استان گیلان

پرونده کلاسه ۹۷۰۹۹۸۱۸۱۵۲۰۰۹۷۱ شعبه ۱۰۱ دادگاه کیفری دو شهرستان بندر انزلی (۱۰۱ جزایی سابق) تصمیم نهایی شماره ۹۸۰۹۹۷۱۸۱۴۱۰۰۸۴۹

شاکی:

خانم ملاح خردیار فرزند علی با وکالت آقای محمدهادی سرخی نیا فرزند محمدرضا به نشانی بندرانزلی - خیابان تکاوران - جنب ناسیونال - ساختمان سینا - طبقه ۴ - واحد ۱۲

متهم:

خانم شیدا آل عترتی خسروشاهی فرزند سیدجلال با وکالت آقای رحیم وقاری فرزند غلامعلی به نشانی استان گیلان - شهرستان رشت - شهر رشت - بلوار نمازین بست پیوند-ساختمان قصر-طبقه ۲-

اتهام ها:

۱. جعل

۲. استفاده از اوراق مجعول

رای دادگاه

درخصوص اتهام شیدا آل عترت خسروشاهی فرزند سیدجلال باسواد که به لحاظ متواری اعلام شدن مشخصات بیشتری از او در کیفرخواست دادسرا نیامده است لکن جهت تمایز وی بادیگران دارای تشابه اسمی مشخصات کاملتر وی حسب اوراق پرونده باشماره شناسنامه ۱۹۹۸ محل صدور شناسنامه تبریز متولد ۱۳۵۸ و شماره ملی ۱۳۷۶۶۳۸۳۸۱ و نامبرده در پرونده ساکن واشنگتن (آمریکا) اعلام شده است دایره جعل نامه دولتی به شماره ۱۳۵/۹۷/۵۵۰۱ مورخ ۹۷/۴/۲۵ منتسب به اداره ثبت و اسناد و املاک بندرانزلی باین توضیح که حسب اعلام وشکایت آقای محمدهادی سرخی نیا به وکالت از شاکیه خانم ملاح خردیار اعلام شکایت نموده که مرحوم محمدرادمهر قطعه زمینی به مساحت بیست هکتار واقع در ریزیا کنار امین آباد داشته که در سال ۱۳۷۰/۲/۴ در وصیت نامه اش به آن اشاره نموده است که در همان زمان فروخته شده و توسط ملاح خردیار به عنوان وصی و وجه آن به کشور کانادا منتقل گردیده است تا اینکه در پی وقوع اختلاف فی مابین مهیار رادمهر که بامشکی عنه زن وشوهر هستند در جریان دادگاه مشکی عنه بارائه ترجمه نامه مورد ادعای جعل مدعی گردیده که مرحوم محمد رادمهر زمینی نداشته تا به ارت بگذارند و بارائه ترجمه نامه مورد ادعای جعل به کانادا کلیه حسابهای بانکی موکله مسدود می گردد وکیل مدافع مشکی عنه پرونده آقای رحیم وقاری دفاعا" اعلام داشته ضمن ایراد شکلی به وکالتنامه ابزازی وکیل مدافع شاکیه به اینکه نامبرده ساکن اوتاواکانادا تعرفه گردیده و حال آنکه حسب استعلام از اداره گذرنامه خانم ملائت خردیار از تاریخ ۹۳/۱۰/۲۰ از طریق مرز هوایی فرودگاه امام از کشور خارج و تاکنون مراجعتی به ایران نداشته و بنابراین باتوجه به تاریخ تنظیم وکالتنامه به تاریخ ۹۷/۵/۲۳ و گواهی امضاء موکل دارای ایراد قانونی باشد و ثانیاً" آنکه موکله وی (متهم) برابر استعلام و پاسخ واصله از اداره گذرنامه از سال ۱۳۹۴ در ایران حضور نداشته و به کیفیت مذکور به لحاظ عدم حضور فیزیکی متهم در ایران بزه جعل از جانب وی واقع نشده است شهادت شهود مورد تعرفه شاکیه تلقینی بوده است وکیل مدافع شاکیه دفاعا" بیان داشته که موکل وی وکالتنامه را اسکن نموده و برای ایشان فرستاده و وی نیز آنرا گواهی امضاء نموده دادگاه با بررسی جامع اوراق ومحتویات پرونده اولاً" ایراد شکلی وارد و وکالتنامه باتوجه به شیوه های نوین در سال باتوجه به دفاخ بسمل آمده که به شکل مهر و امضاء شدن و بوجه شکل اسکن شده ارسال شده است وارد نمی باشد ثانیاً" باتوجه به اینکه حسب آخرین استعلام و پاسخ واصله از اداره گذرنامه باتوجه به اینکه اعلام شده است متهم از تاریخ خروج از کشور به تاریخ ۱۳۹۴/۳/۲۵ به مقصد کشور ترکیه از طریق مرز هوایی تبریز از کشور خارج و تاکنون مراجعتی به کشور ایران نداشته است و به کیفیت مذکور ملاحظه می گردد کن مادی بزه ارتکابی برفرض تحقق از جانب مشکی عنه شیدا آل عترت خسروشاهی به لحاظ عدم حضور وی در تاریخ تنظیم نامه منتسب به اداره ثبت و اسناد و املاک (۹۷/۴/۲۵) به لحاظ عدم حضور وی در ایران واقع نشده است لذا به کیفیت مذکور دادگاه با اعلام جعلی بودن نامه شماره ۱۳۵/۹۷/۵۵۰۱ مورخ ۹۷/۴/۲۵ منتسب به اداره ثبت و اسناد و املاک بندرانزلی به لحاظ اینکه اصالت نامه مذکور مورد تایید اداره مذکور قرار نگرفته است لکن دلیلی که حاکی از ارتکاب بزه جعل

«فَلَا تَتَّبِعُوا الْهَوَىٰ أَنْ تَعْدِلُوا»

شماره دادنامه : ۹۸۰۹۹۷۱۸۱۴۱۰۰۸۴۹

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(سابق)

دادنامه

دادگستری کل استان گیلان

از جانب متهم بالاستدلال پیش گفته خصوصا "عدم حضور وی در ایران مشاهده نمی گردد لذا دادگاه به لحاظ عدم توجه، اتهام به متهم مذکور و حاکمیت اصل کلی برائت مستندا" به اصل ۳۷ قانون اساسی جمهوری اسلامی ایران حکم برائت متهم از اتهام انتسابی را صادر و اعلام می نماید. رای صادره ظرف بیست روز پس از ابلاغ قابل تجدیدنظرخواهی در محاکم محترم تجدیدنظر استان گیلان خواهد بود. ح.

رئیس شعبه ۱۰۱ دادگاه کیفری ۲ بندرانزلی - محسن علی پور

اعضای صادر کننده

تصویر برابر با اصل است.

نشانی: استان گیلان - بندر انزلی - خیابان تکاوران - دادگستری شهرستان بندرانزلی - کدپستی ۴۳۱۴۶۹۹۴۳۹ - تلفن: ۳ - ۰۱۳۴۴۵۱۲۰۲۱ سایت www.dadgil.ir