

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**BETWEEN:**

**KEVIN HEARN**

Plaintiff

and

**ESTATE OF JOSEPH PERTRAM MCLEOD, DECEASED AND  
MASLAK-MCLEOD GALLERY INC.**

Defendants

**AFFIDAVIT OF PIERRE ROY MORRISSEAU**

I, Pierre Roy Morrisseau, of Keewaywin First Nation, in the Province of Ontario, MAKE  
OATH AND SAY:

1. I am the son of Norval Morrisseau and one of eight (8) beneficiaries of the Estate of Norval Morrisseau, and, as such, have knowledge of the matters contained in this affidavit.
2. By order of Justice Sewell of the Supreme Court of British Columbia dated May 21<sup>st</sup>, 2013, I, along with my six (6) siblings: Michael Morrisseau, Christian Morrisseau, Eugene Morrisseau, Victoria Kakegamic, David Morrisseau, and Lisa N. Morrisseau (collectively hereinafter, the "Morrisseau Children") along with Gabor Vadas, were declared to be the beneficiaries of my father's estate. A true copy of the May 21<sup>st</sup>, 2013 court order is attached hereto and marked as **Exhibit "A."**
3. The court order granted the copyright and all such other rights and privileges therein associated with my father's artwork, including the right of reproduction of his artwork to the

beneficiaries of my father's Estate, with Mr. Vadas having a one-half share and the Morrisseau Children collectively having the other half-share.

4. The beneficiaries are therefore the sole owners of all of the intellectual property rights, including copyright and right of reproduction, in my father's artwork.

5. In or about 2015, my brother Eugene Morrisseau and I were appointed by our siblings to make decisions and speak on behalf of the Morrisseau Children. We have recently retained Courtis Desmoulin Law Office of Thunder Bay, Ontario as our lawyers to assist us with respect to the administration of the estate. None of Jim White, Jim White Distribution Limited, 2439381 Ontario Inc. or Nathaniel Big Canoe represent the Morrisseau Children.

**SWORN BEFORE ME** at the City of  
Thunder Bay, in the Province of Ontario on  
November 7, 2017

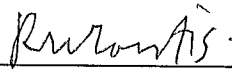


*Commissioner for Taking Affidavits*

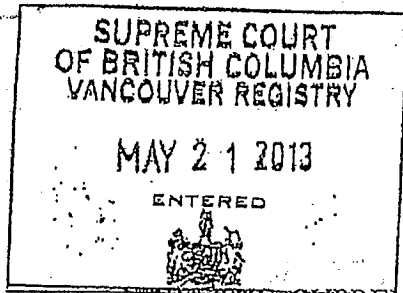


**PIERRE ROY MORRISSEAU**

This is **Exhibit "A"** to the Affidavit  
of **Pierre Roy Morriseau** sworn before me  
at the City of Thunder Bay  
in the Province of Ontario  
this 7<sup>th</sup> day of November, 2017.

A handwritten signature in cursive script, appearing to read "R. Morrisseau", is written above a horizontal line.

A Commissioner etc.



No. S104766  
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

MICHAEL MORRISSEAU, CHRISTIAN MORRISSEAU,  
EUGENE MORRISSEAU, VICTORIA KAKEKAGUMICK,  
DAVID MORRISSEAU, PIERRE ROY MORRISSEAU and  
LISA ANNE MORRISSEAU

PLAINTIFFS

AND:

GABOR MICHAEL VADAS, in his capacity as executor of the  
will and trustee of the estate of NORVAL HENRY  
MORRISSEAU, deceased and GABOR MICHAEL VADAS in  
his personal capacity

DEFENDANT

ORDER MADE AFTER APPLICATION

BEFORE ) MR JUSTICE SEWELL ) Tuesday, the 21<sup>st</sup> day of  
 ) May, 2013  
 )

ON THE APPLICATION of the plaintiffs, Michael Morrisseau, Christian Morrisseau, Eugene Morrisseau, Victoria Kakekagumick, David Morrisseau, Pierre Roy Morrisseau and Lisa Anne Morrisseau, dated April 23, 2013, coming on for hearing at Vancouver, British Columbia on May 21, 2013 and on hearing Amy Francis, counsel for the plaintiffs, Michael Morrisseau, Christian Morrisseau, Eugene Morrisseau, Victoria Kakekagumick, David Morrisseau, Pierre Roy Morrisseau and Lisa Anne Morrisseau and Manuel A. Azevedo, counsel for Gabor Michael Vadas, in his capacity as executor of the will and trustee of the estate of Norval Henry Morrisseau, deceased and in his personal capacity.

THIS COURT ORDERS that:

1. the last Will of Norval Morrisseau dated July 16, 1999 (the "Will") shall be submitted for probate by the executor, Gabor Michael Vadas forthwith.

THIS COURT DECLARES that:

2. the Will does not make adequate provision for the proper maintenance and support of the Plaintiffs.

THIS COURT ORDERS that:

3. the Will be varied as follows:

Paragraph 4 and 5 of the Will shall be deleted and replaced by the following:

4(a) I DIRECT that all of the items of religious significance that I own at the date of my death, including drums, rattles, stones, skins, skulls, headdresses, clothing, jewelry, carvings and talismans be donated to an appropriate public institution which will allow for display to the public; provided however that, during his lifetime, Gabor Michael Vadas ("Gabe") shall have access to those items for religious purposes.

4(b) I DIRECT that all of my artwork that I own at my date of death, including all paintings, drawings, sculptures and other original works of art created by me, and including any artwork created by me but in the possession and control of Gabe (my "Artwork"), shall be owned in two equal shares, one share owned by Gabe and one share divided into seven equal shares to be owned by my seven (7) children, Michael Morrisseau, Christian Morrisseau, Eugene Morrisseau, Victoria Kakekagumick, David Morrisseau, Pierre Roy Morrisseau, and Lisa N. Morrisseau (collectively "my Children"). As between Gabe and my Children and as amongst my Children, there shall be no right of survivorship in any individual's interest in my Artwork. In other words, if Gabe dies, Gabe's share in my Artwork shall pass to Gabe's estate. If one my Children dies, his or her share in my Artwork shall pass to his or her Estate.

4(c) I GIFT the right to market and dispose of all or any portion of my Artwork (my "Marketing Rights") to be held in two equal shares with one share to be owned by Gabe and one share divided into seven equal shares to be owned by my Children. As between Gabe and as amongst my Children, there shall be no right of survivorship in my Marketing Rights. In other words, if Gabe dies, his interest in my Marketing Rights shall pass to Gabe's estate. If one my Children dies, his or her interest in my Marketing Rights shall pass to his or her Estate.

4(d) I GIFT the copyright and all such other rights and privileges therein associated with

my Artwork, including the right of reproduction of my Artwork (my "Copyright"), to be held in two equal shares with one share to be held by Gabe and one share divided into seven equal shares to be held by my Children. As between Gabe and my Children, and as amongst my Children there shall be no right of survivorship in my Copyright. In other words, if Gabe dies, his interest in my Copyright shall pass to Gabe's estate. If one my Children dies, his or her interest in my Copyright shall pass to his or her Estate.

5. The entire rest and residue of my estate shall be divided into two equal shares, one share to Gabe and one share to my Children in seven equal shares.

THIS COURT DECLARES that:

4. the following paintings do not form a part of the estate of Norval Morrisseau:

	Title	Medium	Size
(a)	Fish	Acrylic on canvas	48 x 30
(b)	Mother & Child	Acrylic on canvas	48 x 36
(c)	Family	Acrylic on canvas	48 x 48
(d)	Ojibway and spirit self	Acrylic on canvas	36 x 48
(e)	The Great Mother of the Ojibway	Acrylic on canvas	36 x 48
(f)	Baby in the Garden	Acrylic on canvas	36 x 48
(g)	Boy in Stained Glass	Acrylic on canvas	36 x 48
(h)	Woman in Yellow	Acrylic on canvas	24 x 36
(i)	Beaver Storyteller	Acrylic on canvas	26 x 59
(j)	Bear with Cycle of Life	Acrylic on canvas	28 x 50
(k)	In Honor of Native Motherhood	Acrylic on canvas	36 x 60
(l)	Picking Cherries	Acrylic on canvas	60 x 80
(m)	The Shaman's Dream	Acrylic on canvas	96 x 96

THIS COURT ORDERS that:

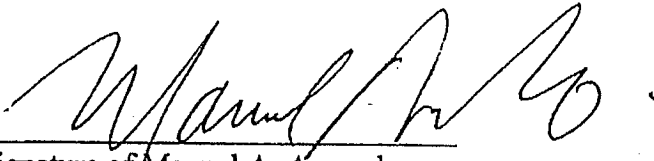
5. the within proceedings be dismissed subject to the Orders made above.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



Signature of Amy D. Francis

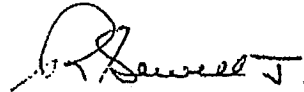
☒ lawyer for Michael Morrisseau, Christian Morrisseau, Eugene Morrisseau, Victoria Kakekagumick, David Morrisseau, Pierre Roy Morrisseau and Lisa Anne Morrisseau



Signature of Manuel A. Azevedo

☒ lawyer for Gabor Michael Vadas, in his capacity as executor of the will and trustee of the estate of Norval Henry Morrisseau, deceased and in his personal capacity

By the Court.



Registrar

*encl*

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No. S104766  
Vancouver Registry

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IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

MICHAEL MORRISSEAU, CHRISTIAN MORRISSEAU, EUGENE MORRISSEAU, VICTORIA  
KAKEKAGUMICK, DAVID MORRISSEAU, PIERRE ROY MORRISSEAU and LISA ANNE  
MORRISSEAU

PLAINTIFFS

AND:

GABOR MICHAEL VADAS, in his capacity as executor of the will and trustee of the estate of  
NORVAL HENRY MORRISSEAU, deceased and GABOR MICHAEL VADAS in his personal  
capacity

DEFENDANT

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ORDER MADE AFTER APPLICATION

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Legacy Tax + Trust Lawyers  
Barristers and Solicitors  
PO Box 10326  
510 - 609 Granville Street  
Vancouver, B.C., V7Y 1G5

Attention: AMY D. FRANCIS

ADF/cb

53705.101

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**KEVIN HEARN**

and

**ESTATE OF JOSEPH PERTRAM MCLEOD,  
DECEASED AND MASLAK-MCLEOD  
GALLERY INC**

Plaintiff

Defendants

Court File #: CV-12-455650

*Ontario*

**SUPERIOR COURT OF JUSTICE**

Proceeding Commenced at TORONTO

**AFFIDAVIT OF PIERRE ROY MORRISSEAU**