

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY**

IN THE MATTER OF

**TITAN INVESTMENTS LIMITED PARTNERSHIP, and TITAN GENPAR INC.
and EVOLUTION CAPITAL MANAGEMENT LTD, and THE ESTATE OF
DAVID COMTE, DECEASED, and THE COMTE FAMILY TRUST and
PREDATOR HOLDINGS LTD.**

**IN THE MATTER OF THE *JUDICATURE ACT*, R.S.A. 2000, c. J-2
and RULES 467 and 468 OF THE ALBERTA RULES OF COURT**

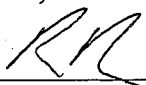
AFFIDAVIT OF SEAN MOHER

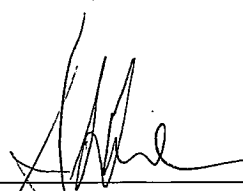
I, **SEAN MOHER**, of the City of Calgary, in the Province of Alberta, MAKE OATH AND SAY THAT:

1. I was a limited partner in Titan Investments Limited Partnership and I am a director of Moher Marketing & Sales Inc. which was also a limited partner in Titan Investments Limited Partnership (hereinafter referred to as "Titan"), and as such have a personal knowledge of the matters hereinafter deposed to except where stated to be based upon information and belief.
2. I met David Comte in or about 1996 at which time we were co-workers for approximately a 3 month period. In 1997 I subleased space from David Comte for approximately 6 months. It is through these contacts that I knew David Comte.
3. In or about August 2000 I was approached by David Comte to invest funds in a futures and commodities. In September, 2000, based on representations made by David Comte I made an initial investment of \$1,000.00 U.S. funds and became a limited partner in Titan.
4. Over the next several months I received reports from Titan indicating significant and positive growth in my investment. Because of the favourable rate of return I was receiving I invested a further \$19,000.00 in the spring of 2003 into the Titan partnership.
5. In 2003 I began to withdraw funds from my investment account with Titan. I withdrew approximately \$2,500.00 U.S. funds from my account each month until approximately, August 2004.

6. In August, 2003 my wife and I consolidated our investments and rolled them into Moher Marketing & Sales Inc., a company wholly owned by myself and my wife, Sheri Moher.
7. After August, 2003 Moher Marketing & Sales Inc. continued to draw \$2,500.00 U.S. funds, from Titan each month.
8. The first indication I received of any problems with Titan or any allegations of possible mismanagement or fraud was in December, 2004 when I received an email from what I assumed was another partner and knew only as Andrew from aaco@shaw.ca.
9. I had absolutely no knowledge of the day to day operations of Titan. The only information I had with respect to Titan and my investments with Titan were received from the monthly and quarterly statements I received from Titan and from the access to the Titan website.
10. I have no knowledge or information with respect to any wrongdoing by Titan, its partners or by David Comte other than from affidavits and documents received by Alger & Associates Inc. and by its lawyers. I have not knowingly participated in any fraudulent or dishonest distribution of Titan assets. Until receiving information from Alger & Associates Inc. and its lawyers I had no reason to suspect any payments to me or to Moher Marketing & Sales Inc. were anything but the legitimate return on investment.
11. I make this affidavit in relation to the Notice of Motion returnable March 30, 2005 and in opposition to a direction that I be required to repay funds pursuant to the Re-distribution Schedule contained in the affidavit of Michael Costello.

SWORN BEFORE ME at the)
 City of Calgary, in the Province)
 of Alberta, this 29 day of)
 March, 2005.)


 _____)
 A Commissioner for Oaths in and)
 Province of Alberta)
 RICHARD HORNE)
 BARRISTER & SOLICITOR)



SEAN MOHER

Action No. 0401-19905

2005

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AFFIDAVIT OF SEAN MOHER

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File No. 8482

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CLERK OF THE COURT

MAR 30 2005

CALGARY, ALBERTA