

AFFIDAVIT

State of Minnesota
County of Hennepin

BEFORE ME, the undersigned Notary, *Kathleen M. Mattioglou* on this 9th day of June 2016, personally appeared Omarr Julius Baker known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

1. What is your full name? Omarr Julius Baker
2. What is your birth date? October 22, 1970
3. Where were you born? Golden Valley, Minnesota
4. Please provide a certified copy of your birth certificate. See attached document.
5. What are the full names of your biological parents? Mother: Mattie Dell Shaw and Father: Hayward Julius Baker
6. Were your biological parents married when you were born? (If yes, answer the subparts below.):
Yes
 - a. When were your parents married? I am still trying to obtain this information. I am pursuing a variety of strategies. I have asked my sister Tyka Evene Nelson. I have visited the Minnesota Courthouse, where the marriage certificate file. I have also looked on moms.com.
 - b. Where were your parents married? I am still trying to obtain this information. I am pursuing a variety of strategies. I have asked my sister Tyka Evene Nelson. I have visited the Minnesota Courthouse, where the marriage certificate was not on file. I have also looked on moms.com.
 - c. What was your biological mother's maiden name? Shaw
 - d. Please provide a certified copy of your parents' marriage certificate or other proof of marriage. I am still trying to obtain this information. I am pursuing a variety of strategies. I have asked my sister Tyka Evene Nelson. I have visited the Minnesota Courthouse, where the marriage certificate. I have also looked on moms.com.
 - e. Were your parents divorced? If so, please provide the date of the divorce and a certified copy of the divorce decree or other proof of divorce. No.
7. Were your biological parents married after you were born? (If yes, answer the subparts below.).
No
 - a. When were your parents married? N/A
 - b. Where were your parents married? N/A

- c. What was your biological mother's maiden name? N/A
 - d. Did the man who married your biological mother acknowledge his paternity of you in writing filed with a state registrar of vital records? N/A
 - e. Was the man who married your biological mother named as your father on your birth record with his consent? N/A
 - f. Was the man who married your biological mother obligated to support you under a written voluntary promise or by court order? N/A
 - g. Please provide a certified copy of your parents' marriage certificate or other proof of marriage. N/A
 - h. Were your parents divorced? If so, please provide the date of the divorce and a certified copy of the divorce decree or other proof of divorce. N/A
8. If your parents were not married when you were born, had they attempted to marry each other by a marriage solemnized in apparent compliance with law, although the attempted marriage is or could be declared void, voidable or otherwise invalid? (If yes, answer the subparts below.) N/A
- a. What was the date of the attempted marriage? N/A
 - b. Where did the attempted marriage take place? N/A
 - c. Please provide proof of the attempted marriage. N/A
 - d. If the invalid marriage was terminated by death, annulment, declaration of invalidity, dissolution or divorce, please provide the date of the termination and any proof of such termination. N/A
9. If your parents did not marry or attempt to marry, did any man receive you into his home and openly hold you out as his biological child? If yes, please name the man and provide details and other evidence (e.g. sworn statements, photographs, documents) to support your answer. N/A
10. If your parents did not marry or attempt to marry, did any man and your biological mother acknowledge the man's paternity of you in a writing signed by both of them under Minn. Stat. § 257.34 (copy attached) and filed with the state registrar of vital records? If yes, please provide a certified copy of such writing. N/A
11. If your parents did not marry or attempt to marry, did any man and your biological mother execute a recognition of parentage of you pursuant to Minn. Stat. § 257.75 (copy attached)? If yes, please provide a certified copy of such recognition of parentage. N/A
12. Is any other man presumed to be your father under any of the presumptions found in Minn. Stat. § 257.55 (copy attached)? No.
13. Was your biological mother married to any man other than your biological father when you were born or within 280 days before your birth? No.

- 14. Does a judgment or order exist determining a parent and child relationship between you and one or more parents? If so, please provide details and a certified copy of such judgment or order. No.
- 15. Detail the actions taken by you to confirm that the responses to the above requests are true and accurate. I have obtained a certified copy of my birth certificate, consulted with family members and taken steps to obtain my parents marriage license.



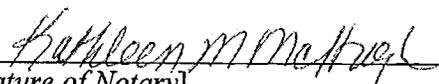
 [signature of affiant]

Omarr Julius Baker
 115 King Creek Road
 Golden Valley, MN 55416

Subscribed and sworn to before me, this 9 [day of month] day of
June [month], 2016.

NOTARY SEAL:





 [signature of Notary]

Kathleen m mcHugh

 [typed name of Notary]

NOTARY PUBLIC

My commission expires:

Jan 1, 2019.

STATE OF MINNESOTA
CERTIFICATION OF VITAL RECORD

CERTIFICATE OF BIRTH

STATE FILE NUMBER **1970-MN-064520**

FULL NAME **OMARR JULIUS BAKER**

DATE OF BIRTH **OCTOBER 22, 1970**

SEX **MALE**

PLACE OF BIRTH **GOLDEN VALLEY HENNEPIN MINNESOTA**

PARENT **MATTIE DELL**

NAME PRIOR TO FIRST MARRIAGE **SHAW**

PARENT **HAYWARD JULIUS BAKER**

ANY AMENDMENT MADE PRIOR TO 03/11/2001 FOR THIS RECORD IS NOT NOTED ON THIS CERTIFICATE.

THIS IS A TRUE AND CORRECT RECORD OF BIRTH REGISTERED IN THE MINNESOTA OFFICE OF VITAL RECORDS.

MR&C Certificate ID
10044245



27A-001226361

FILED: OCTOBER 27, 1970

Molly Mulcahy Crawford

Molly Mulcahy Crawford
STATE REGISTRAR

ISSUED: JUNE 07, 2016

HENNEPIN COUNTY SERVICE CENTER-GC

THIS CERTIFICATE IS VALID ONLY WHEN PRINTED ON OFFICIAL WATERMARKED SECURITY PAPER WITH A SECURITY THREAD AND STATE SEAL OF MINNESOTA.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE





June 15, 2016

Via Email

Mr. Omarr Julius Baker
115 King Creek Road
Golden Valley, MN 55416

Re: Heirship Claim

Dear Mr. Baker:

Thank you for submitting your Affidavit dated June 9, 2016.

With respect to the Protocol adopted by the Court, the Special Administrator's goal is to apply existing Minnesota law equally to all persons claiming to potentially be an heir of the Decedent. Such relevant law includes the Minnesota Probate Code (Minn. Stat. Ch. 524), the Minnesota Parentage Act (Minn. Stat. §§ 257.01 through 257.75) and Minnesota common law.

Under Minnesota law, if it is determined that Decedent is not the father of any living children (or their descendants), then Decedent's siblings and half-siblings (and descendants of any deceased siblings and half-siblings) may be determined to be heirs, in the event no Will is found. Minn. Stat. § 524.2-103(3). To be a sibling or half-sibling, a person must share at least one genetic parent with Decedent. *Id.* Because they were married when Decedent was born, Mattie Della (Shaw) ("Mattie") and John Lewis Nelson ("John") are presumed to be Decedent's genetic parents. Minn. Stat. § 257.55, subd. 1(a).¹² Only a very limited group of persons have standing to challenge that presumption, and, in any event, the time to make such a challenge passed long ago. Minn. Stat. § 257.57, subd. 1(b). As such, there is an irrebuttable presumption that John and Mattie are Decedent's genetic parents. *Id.*; Minn. Stat. § 524.1.201(22) and (23); *see also In re Estate of Jotham*, 722 N.W.2d 447, 455-56 (2006). Thus, to potentially qualify as an heir of Decedent as a sibling or half-sibling, the claimant must be a descendant of either Mattie or John (or both).

¹² Further, as part of Mattie and John's divorce, a Minnesota court adjudicated that they were Decedent's parents.

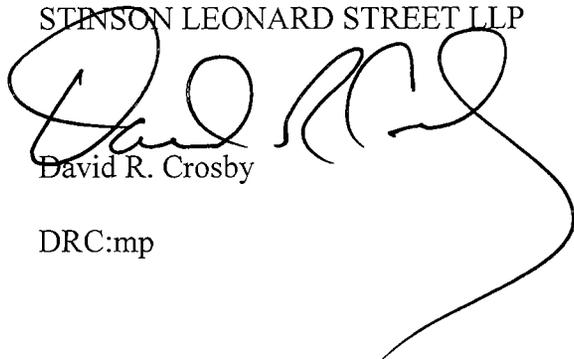
June 15, 2016

Page 2

The materials you provided under oath confirm that you are Mattie's son. As such, it is the Special Administrator's determination that you are Decedent's half-sibling as a matter of law, and that no genetic testing need take place to establish your relationship as Decedent's half-sibling

Very truly yours,

STINSON LEONARD STREET LLP

A handwritten signature in black ink, appearing to read "David R. Crosby", is written over the typed name. The signature is fluid and cursive, with a long, sweeping tail that extends downwards and to the right.

David R. Crosby

DRC:mp