

EXHIBIT 4

OKLAHOMA STATE DISTRICT COURT
GARVIN COUNTY

CARRIE M. LEO,
PLAINTIFF.

-v-

JEFFREY L. LOWE and
LAUREN F. LOWE,
DEFENDANTS.

Case No. CJ 19-89

AFFIDAVIT

STATE OF OKLAHOMA
GARVIN COUNTY
FILED } SS.
APR 13 2020
AT 11:05 O'CLOCK M.
LAURA LEE, Court Clerk
BY [Signature] DEPUTY

The following is a sworn, verified statement from a witness validating the contract with Carrie Leo.

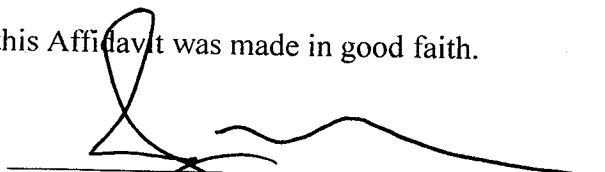
AFFIDAVIT

I, JOSEPH MALDONADO- PASSAGE have read and agree with the following facts:

1. This statement is regarding a contract I made with the Plaintiff, CARRIE M. LEO on February 9, 2017.
2. The contract was regarding the boarding of exotic animals belonging to her.
3. I was an agent for the GREATER WYNNEWOOD EXOTIC ANIMAL PARK ("Park") owned by the Defendant, JEFFREY L. LOWE, at the time the said contract was made.
4. I had standing authorization from the Defendant to engage in, make, and fulfill agreements and contracts on behalf of the Park, especially in terms of animals coming into the park for either temporary or permanent stay.
5. In the aforementioned case, Leo v Lowe, I had full authority to make the terms of and solidify a boarding contract in which the Plaintiff kept ownership of her animals and would board them at the Park until further notice from her.
6. I attest to authoring the messages under the profile entitled "Joseph A. Maldonado-Passage" using Facebook Messenger dated February 9, 2017 and are included in this affidavit as Exhibit A.
7. I attest to the fact that an agreement was made between the Plaintiff, Carrie M. Leo, and I that the Park would pay for the upkeep of the animals daily while exhibiting them to the public.
8. Ms. Leo planned on moving her residence and wildlife facility to the state of Oklahoma as soon as she could; hopefully in a year or so from the movement of her animals from her facility in New York to the Park in Oklahoma.
9. On behalf of the Park, I agreed that she could work as an employee of the Park after moving to Oklahoma from her home state of New York.

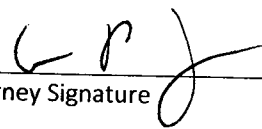
10. I submitted a request to Oklahoma State for the proper authorization and import permits for Ms. Leo's animals.
11. I received consent from the Defendant, Jeffrey A. Lowe, to bring the animals into the Park and exhibit them.
12. I raised funds for the transport of the Plaintiff's animals which was \$1600.00. Ms. Leo provided me with a promissory note (signed by her) of repayment of the amount needed to transport her animals as she was maintaining title over them.
13. On April 19, 2017, I contracted with M&J Exotic Transport from Memphis, TN to pick up the animals from Ms. Leo's facility in New York on Walworth Road, Walworth (township of Macedon 14502) and bring them to the Greater Wynnewood Exotic Animal Park.
14. I verified with Ms. Leo that the animals remained under her ownership in a facebook message dated April 19, 2017 – the day of the transfer of the animals.
15. The species of animals transported from Ms. Leo's Facility in Walworth, NY to the Park in Oklahoma were as follows: 1 female black-backed jackal, one pair of Virginia Opossum (1 male, 1 female), 1 male red fox, 1 female Arctic fox, 1 male African Crested Porcupine and 1 male fisher cat or "fisher".
16. The animals successfully arrived to the Park on April 20, 2017 and were housed inside the Park.
17. Ms. Leo consistently kept in touch with me for updates about the welfare of her animals and her plans on moving down to Oklahoma from New York State.
18. The agreement or contract to which I am attesting in this Affidavit was made in good faith.

DATE: 5-10, 2019



Joseph A. Maldonado-Passage

I am the attorney retained to represent Joseph A. Maldonado-Passage in a separate case unrelated to the one noted in the caption of this Affidavit. I attest to the authentication of my client's signature below.

Witnessed by: 
Attorney Signature

Dated: 5-10, 2019

William P. Early
Printed Name of Attorney Signing Above

RECEIVED
JUN 10 2019

02/09/2017 6:31PM

Carrie

Joe, do you have a way of taking my animals temporarily?

02/09/2017 7:42PM



what kind

Carrie

4 foxes, 1 jackal, 1 badger, 2 fishers, 2 African porcupines, opossums, woodchuck, and squirrels. The last few I can probably take with me wherever I am going. Unless I could work for u at your zoo if u have some place for me to stay.

Carrie

My parents are allowing the town to force me to keep all of my animals within a 400 sq ft My attorney betrayed me ... he keeps threatening my parents (he's their atty too) with huge fines even though our side has never been heard and the two charges they have aren't even true. They are allowing themselves to be pressured into signing the agreement that none of us can use any more than a 409 sq ft area. To me, that's so illegal and unethical

02/09/2017 11:32PM



Move here

Carrie

Yeah that's what I would end up doing but need way to provide for my animals and earn money

02/10/2017 10:15AM



I will pay you to work and the zoo will pay to care for the animals in order to put them on exhibit



Try to find a photo of you send one please

Carrie

a photo of what?



You so I know who im talking to
Your animals are awesome

Carrie

Thanks

RECEIVED

JUN 10 2019

I have read the text on this page and can authenticate it as Facebook messages I sent to Carrie Leo.

Joseph A. Maldonado-Passage



I would have to get inty permits for the native animals

Carrie

Ok ... I'd like to maintain ownership of them



You invited Joseph A Maldonado-Passage to Messenger.

Sending messages is fast and more fun on Messenger. Get a link sent to your phone to install the app.



You will i just put them on my permit

Carrie

Ok I would need a written agreement to reflect that

02/10/2017 11:46AM

Carrie

Here I am ...



Hate that picture of me ...

But at least you have one now 😊

WhAt would I be doing at your zoo?



we pretty much all do everything, animal care, diets, build, tours, etc

Carrie

Awesome it's exciting to think about working at a zoo

Would you like to have a resume or some background on me? I'm an open book at least to you and a few others

I don't trust too many people

RECEIVED

JUN 10 2019

I have read the text on this page and can authenticate it as Facebook messages I sent to Carrie Leo.

Joseph A. Maldonado-Passage



no thats ok, but when you make up your mind I will need at least a week or so to file for permits

Carrie

Why are you so trusting?



I built this place to give people a second chance in life, that is what my brother did for everyone before he got killed.

Carrie

Wow! You are too good to be true ... thank God you are

Would my animals be able to be housed close together so I can keep my "zoo" together?



we can do the best we can, but this place is huge and heated building animals are in other areas than others

Carrie

Ok which ones are those?

Carrie

I think I want to make this move Joe. I've been dreaming of getting out of the situation I've been in for years and I think I would be foolish not to leave when I have a job and place for my animals. Let's do it!

With you putting the animals on your license, does NY have to know anything about them? I'm afraid they are going to try and take the animals before I can leave the state



no just dissapear

I need a list so I know what I have to file for



just know I am 100% business, I run 110 mile an hour around here to keep this place a float

02/10/2017 2:23PM

Carrie

110 mile an hour?

02/10/2017 4:25PM



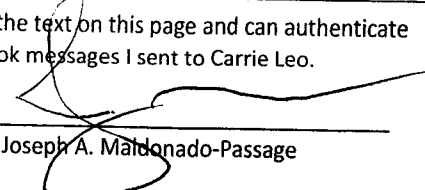
running a zoo this large, yes I run 110 miles an hour

02/10/2017 6:35PM

RECEIVED

JUN 10 2019

I have read the text on this page and can authenticate it as Facebook messages I sent to Carrie Leo.



Joseph A. Maldonado-Passage

Carrie
ok so it's fast paced I understand

March 8, 2019

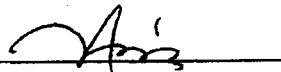
The above social media messages were retrieved from Face Book and were not redacted or altered in any way other than the removal of the blue background and changing the color of the text font from white to black. This alteration was done in order to provide better quality printing of the document in black and white and grayscale.



Carrie M. Leo, Plaintiff
Leo v Lowe

Sworn to me before

This 8th day of March 2019



Public Notary

AIMEE K PHILLIPS

Notary Public - State of New York
No. 01PH6233122

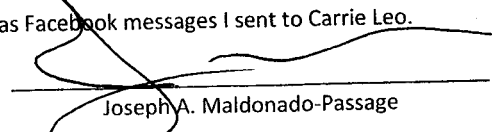
Qualified in Wayne County¹

My Commission Expires December 27, 2018

RECEIVED

JUN 10 2019

I have read the text on this page and can authenticate it as Facebook messages I sent to Carrie Leo.



Joseph A. Maldonado-Passage