

## AFFIDAVIT OF KARL H. SOMMER

STATE OF NEW MEXICO

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COUNTY OF SANTA FE

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BEFORE ME, the undersigned authority, personally appeared Karl H. Sommer, who, upon being sworn according to law, did depose and state as follows:

1. My name is Karl H. Sommer. I am over (18) years of age, have never been convicted of a felony, and am not otherwise disqualified from making this Affidavit. I have personal knowledge of the facts stated in this Affidavit, and all the facts stated in it are true and based on my personal knowledge. I am authorized to make this Affidavit.

2. I am an attorney licensed to practice law in the State of New Mexico since October 1986.

3. I represented Forrest Burke Fenn ("Forrest") beginning in January 2019, until Forrest passed on September 7, 2020, and I have represented the Estate of Forrest Burke Fenn since Forrest's passing through the present.

4. My representation has been exclusively related to the matters arising out of and related to the lawsuits and associated matters connected with the treasure chest hidden by Forrest and described in Forrest's memoir entitled *The Thrill of the Chase*.

5. On or about June 11, 2020, I was present when Forrest first met Jack Stuef in Santa Fe, New Mexico.

6. Jack Stuef brought the Treasure Chest to Forrest at that meeting. Mr. Stuef presented and returned the Treasure Chest to Forrest at that meeting.

7. In that meeting, Forrest reviewed all of the contents of the Treasure Chest, confirmed it was the same chest and contents he hid in 2010, and accepted the Treasure Chest from Jack Stuef.

8. In my presence and in Jack Stuef's presence at the meeting, Forrest also confirmed and acknowledged that Jack Stuef found the Treasure Chest in the location that Forrest had hidden it in 2010.

9. At that meeting, Forrest gifted the Treasure Chest and its contents to Jack Stuef, and he delivered possession of the Treasure Chest to Jack Stuef.

10. From the time Forrest gifted and delivered the Treasure Chest at the meeting on June 11, 2020, Forrest did not have either possession or control over the Treasure Chest.

FURTHER AFFIANT SAYETH NOT.

  
Karl H. Sommer

 SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, on this  
\_\_\_\_ day of November, 2022.

  
Notary Public in and for the State of New Mexico

My Commission Expires: *NA*

