

NORTH CAROLINA

FILED

IN THE GENERAL COURT OF JUSTICE

2008 OCT -2 PM 4: 18

DISTRICT COURT DIVISION

WAKE COUNTY

08 CVD 12310

WAKE COUNTY, C.S.C.

GARRY D. RENTZ AND DONNA A.)

RENTZ AND KRISTA G. LISTER,)

Plaintiffs,)

v.)

BRADLEY COOPER,)

Defendant.)

**AFFIDAVIT OF
KRISTA LISTER**

Krista Lister, being duly sworn, deposes and says:

1. I am over eighteen years of age and competent to testify to the matters set forth in this Affidavit.

2. I am Nancy Cooper's identical twin sister. The following represents my account and personal experience of Nancy and Brad Cooper's relationship during my last visit to the Cooper home in March 2008.

3. I decided to head down to North Carolina to help Nancy paint her house to get it ready for sale. Brad decided that he wanted Nancy and the girls out of the house in six weeks (by the end of April). Nancy was supposed to travel up to Oakville, Ontario to see me and the community to check out schools and recreation for the girls. She was planning on relocating to be near us. Brad had decided to not pay for the trip and that he wanted Nancy out of the house. Since Brad is not known for helping much around the house and it needed repairs, cleaning, and packing to be ready for sale, I booked the trip to help paint and pack up the house.

4. I arrived in North Carolina on Friday, March 14, 2008 in the late afternoon. Nancy picked me up and we drove to the house. Nancy was extremely busy preparing the house for sale. She really wanted my help deciding on paint colors. Most items in the home had been boxed. (I have pictures from this visit of the boxes.)

5. Nancy called Brad and asked him to pick up tester paint from the paint store on his way home from work. She did not have enough money to buy it. He refused to pay for the test colors (only small batches) so they ended up in an argument. Brad said "I'm not going to waste my money buying colors just to try - I'll wait until you pick out your paint."

6. We played with the girls for a couple of hours and then fed them dinner. Brad arrived home from work around 7:30 p.m. (without the paint).

7. Nancy and the girls were already up when I woke at 8:00 a.m. the next morning. It was a very busy morning preparing for Bella's birthday party that was

planned for that day. We were organizing the party favor bags, cleaned the house and fed the children breakfast. Then it was off to buy all the food for the birthday party. Brad followed us in his own car to the gas station to put gas in Nancy's BMW X5. Nancy did not have enough money to put gas in her own car herself.

8. Brad then followed us to BJ's to purchase the food for the party. Brad and Nancy had an argument over which items to offer to the children attending. Brad did not want the children to have individual snack bags as he felt then the children would take them home with them and therefore it was a waste of his money. Nancy ended up winning the argument and Brad relented, buying the individual chip bags eventually.

9. Important to note ** there was absolutely no room in Brad's trunk for the hot dog buns, etc and so we (Brad, Nancy and myself) had to move some of the junk from the trunk to the backseat.

10. We went from there to pick up the cake, the entire time Brad followed us in his car. He paid for everything himself; not allowing Nancy to control the funds and provide receipts/change later. When we went to go pick up the cake, Nancy had wanted to get Bella a horse balloon to put on the mailbox for \$1.99 and Brad refused. I went to go in and buy the balloon myself finding the situation ridiculous and Nancy begged me not to, saying that "the repercussions for her would be worse" (Brad would be mad at her for telling me about it and may take further money away in the future etc.)

11. Then we drove to the horse farm and found that, unfortunately it was not as we understood it to be. Brad had picked the venue, having visited it with Bella and he told Nancy it would be a great place for the party. There were not sufficient bathrooms for the number of children, our group and several other parties, no tables available to set for the children and it was pouring rain and no shelter from it. All Bella wanted to do was watch movies in the warmth of the car with me. I sat in the car and watched Scooby Doo for almost two hours. Katie also joined us as she was too young to ride the horses and was freezing.

12. Brad was cooking food on the barbeque, visibly angry/unfriendly towards all the children and parents attending. He never went on the trail with the children, never played with any of them and kept to himself. Brad was upset at the final cost of the horse rides as he did not want to pay for all the kids to ride, just Bella.

13. When we went to Mike and Clea Morwick's for the barbeque on Saturday night, a major argument ensued between Nancy and Brad about him not helping to ready the house to sell. Brad stayed home by himself and was supposed to do some of the repair work that was needed. Nancy asked him to take the television off the wall and he refused. Nancy said, "Can't you do anything to get this house ready" and Brad said yes, he would do it. Nancy said "I've been asking you to take down the TV for two weeks, could you please do this one thing?" Then he said he would handle it and then we went to Mike and Clea Morwick's. Brad joined us later for dinner.

14. The next day we continued the paint project. Tom, the realtor, came over and indicated that he did not like the colors we had chosen from my paint decks and brought Nancy to a house he had listed to look at a different color. I watched the children while they were gone. When Nancy and Tom got back they had a full gallon of paint and we began to paint. We called Brad and asked him to pick up more paint at Restoration Hardware – said we would preorder it, and he said no. He claimed that Nancy would change her mind again and that he was not going to pay for it until she convinced him that was the final color.

15. I phoned Restoration Hardware and gave them my own Visa for the paint. I bought three gallons more. Nancy called and asked her friend and neighbor Diana Duncan if she would pick it up for us and she did. Nancy did not have enough gas in her car for us to drive to pick it up ourselves and was adamant that I should not put gas in her car. When Diana arrived with the paint we continued painting. I was scheduled to leave on Monday and we did not have enough time or paint to finish the downstairs of the house. We had only had enough to do the kitchen nook and the hallway.

16. On Sunday when we were driving over to Hannah's for a visit, as Hannah was on bed rest, I had yet to meet her; we had Bella with us and had left Katie with Brad. Nancy called Brad to confirm he was ok (off his computer and actually paying attention to Katie) and he did not answer either his cell or house phone. She was annoyed and worried he would forget to care for Katie and therefore we turned around and drove back to check on things. I stayed in the car with Bella and Nancy went in. Nancy communicated to me that she had told Brad that he needed to be more responsive and responsible with the children as they prepared to separate and was livid about his attitude and selfishness.

17. When we returned we found Brad had taken spackle and touched up all the areas we just spent hours painting. They did not need repair and Brad had told us which walls to paint. This left Nancy with a lot more work to do. It was clearly done to set Nancy back and prolong her stay in the house. She had to redo every wall she and I had painted.

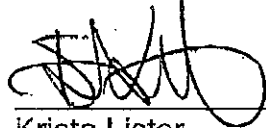
18. I left the next day feeling absolutely horrified with Nancy's situation. I felt very sorry for her and expressed to my husband Jim that we needed to get her out of North Carolina fast. Brad was trying to control everything Nancy did, following her to the gas station for gas, following us to the grocery store and telling her what she was allowed and not allowed to buy. I was also horrified with the obvious change in Nancy's personality. She appeared to be tired of all the fighting and the drama and was near the end of her rope so to speak. She seemed to be ready to give up. I believe this is what Brad wanted and was trying to do – wear her down and convince her to just walk away.

19. Brad was not helping with the house and was being very mean and making things harder for her so she could not get anything done. They were constantly fighting and Nancy was in tears every day about her situation, she felt trapped and felt

useless. I expressed to Nancy that I wanted to help and she told me, in tears, that if I did it would make her situation worse. I also told her that I wanted to talk with Brad about what he was doing and how much he was hurting Nancy but she begged me not to saying that it would only cause her more grief at home.

20. Further affiant saith not.

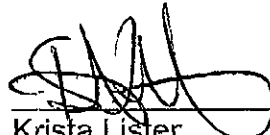
This the 15th day of ~~September~~ OCTOBER, 2008



Krista Lister (Seal)

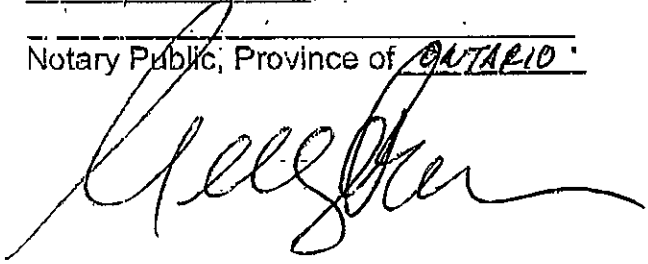
AND, I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

DECLARED before me at TOWN OF OAKVILLE in the Province of ONTARIO, this 15th DAY OF OCTOBER, 2008.



Krista Lister

Notary Public, Province of ONTARIO



GEORGE A. BENAK
BARRISTER & SOLICITOR
250 WYECROFT RD, UNIT 11
OAKVILLE, ON L6K 3T7

CERTIFICATE OF SERVICE

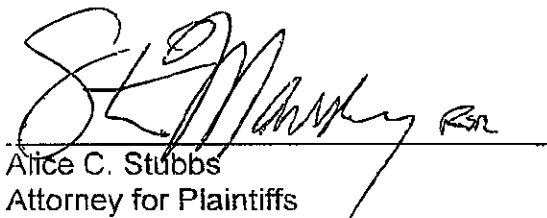
I hereby certify that the foregoing **Affidavit of Krista Lister** was this day served upon the following attorneys of record for Defendant by hand delivery:

Ms. Debbie Sandlin
Sandlin and Davidian, PA
5617 Departure Drive
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Ms. Lynn A. Prather
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This the 2nd day of October, 2008.

THARRINGTON SMITH, LLP



Alice C. Stubbs
Attorney for Plaintiffs

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