

EXHIBIT 5

OTO Analytics, LLC

Plaintiff

Civil Action No.: 3:23-cv-01034-ADC

vs.

Benworth Capital Partners PR LLC, et al.

Defendant(s)

AFFIDAVIT OF DUE DILIGENCE

I, John Brady, a Private Process Server, having been duly authorized to make service of the Notice of Issuance of Summons, Summons and Complaint in the above entitled case, hereby depose and say:

That I am over the age of eighteen years and not a party to or otherwise interested in this matter.

That after due search, careful inquiry and diligent attempt(s), I have been unable to serve Bernardo Navarro with the above named process.

That on 04/25/2023 at 1:10 PM, I attempted the serve Bernardo Navarro at [REDACTED]. On this occasion, I found that access to the residence is restricted by a large security gate. Accordingly, I attempted to page someone inside the residence for several minutes using the intercom call box located at the entrance to the gate, however, I received no response nor did I notice any movement from within the property. In addition, on this service attempt, I noted a Range Rover in the driveway bearing Florida license plate [REDACTED].

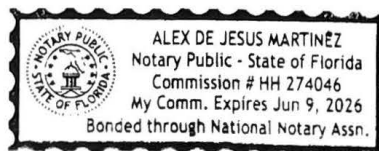
That on 04/26/2023 at 2:17 PM, I attempted to serve Bernardo Navarro at [REDACTED]. On this occasion, as before, my attempts to page someone inside the residence went unanswered, and I was unable to find anyone in or around the property. I noted that the same vehicle, a Range Rover bearing Florida license plate [REDACTED], was still parked in the same location in the driveway.

That on 04/26/2023 at 2:19 PM, at the direction of the client, I attempted to locate the current whereabouts of Bernardo Navarro by calling Benworth Capital, the business he is associated with, at phone number (305) 444-9730. Accordingly, I spoke with an employee over the phone who stated that Mr. Navarro does not work at that office location, but that his wife, Claudia Navarro, does. The employee stated that Claudia Navarro was not in the office on that day, nor were Bernardo Navarro and Claudia Navarro currently in the Miami, Florida area.

I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Sworn to before me on

Apr. 12, 2023



John Brady

Notary Public

My Commission Expires: Jun 9, 2026

Client Ref Number: 128303-00001

Job #: 1617532