

APPENDIX “J”

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

**IN THE MATTER OF THE *CONSTRUCTION LIEN ACT*,
R.S.O. 1990, c. C.30, AS AMENDED**

**AND IN THE MATTER OF AN APPLICATION MADE BY
JADE-KENNEDY DEVELOPMENT CORPORATION
FOR THE APPOINTMENT OF A TRUSTEE UNDER SECTION 68(1) OF THE
CONSTRUCTION LIEN ACT, R.S.O. 1990, c. C.30, AS AMENDED**

AFFIDAVIT OF HARVEY CHAITON
(sworn September 25, 2017)

**I, HARVEY CHAITON, of the City of Toronto, in the Province of Ontario MAKE
OATH AND SAY AS FOLLOWS:**

1. I am a partner with the law firm of Chaitons LLP (“**Chaitons**”), lawyers for Collins Barrow Toronto Limited (“**CBTL**”), in its capacity as Court-appointed *Construction Lien Act* (Ontario) trustee in this proceeding (the “**Trustee**”), and as such have knowledge of the matters to which I hereinafter depose.

2. Attached hereto as the following exhibits are copies of the following accounts issued by Chaitons to the Receiver totalling \$430,754.18 (comprised of fees of \$362,104.50, disbursements of \$20,127.29 and HST of \$48,522.39) with respect to this proceeding:

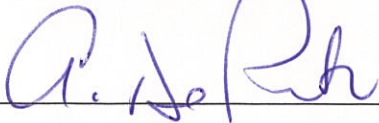
- (a) **Exhibit “A”** - Account for the period up to and including February 28, 2015;
- (b) **Exhibit “B”** - Account for the period up to and including March 31, 2015;

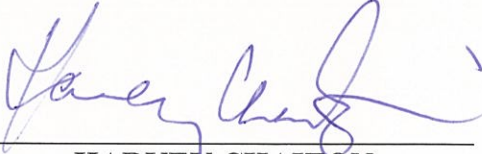
- (c) **Exhibit “C”** – Account for the period up to and including April 30, 2015;
- (d) **Exhibit “D”** – Account for the period up to and including May 31, 2015;
- (e) **Exhibit “E”** – Account for the period up to and including June 30, 2015;
- (f) **Exhibit “F”** – Account for the period up to and including August 31, 2015;
- (g) **Exhibit “G”** – Account for the period up to and including September 30, 2015;
- (h) **Exhibit “H”** – Account for the period up to and including November 30, 2015;
- (i) **Exhibit “I”** – Account for the period up to and including March 31, 2016;
- (j) **Exhibit “J”** – Account for the period up to and including July 31, 2016;
- (k) **Exhibit “K”** – Account for the period up to and including October 31, 2016;
- (l) **Exhibit “L”** – Account for the period up to and including January 31, 2017;
- (m) **Exhibit “M”** – Account for the period up to and including February 28, 2017;
- (n) **Exhibit “N”** – Account for the period up to and including August 31, 2017;

I confirm that the accounts described above accurately reflect the services provided by Chaitons in this matter and the fees and disbursements claimed by it from July 5, 2016 to August 23, 2017.

3. Attached hereto as **Exhibit “O”** is a summary of additional information with respect to Chaitons’ accounts, indicating all members of Chaitons who have worked on this matter, their year of call to the bar, total time charged and hourly rates, and I hereby confirm that this list represents an accurate account of such information.

SWORN before me at the City)
of Toronto, this 25th)
day of September, 2017)
)



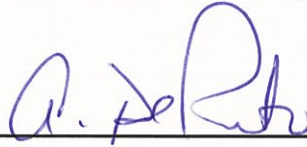


HARVEY CHAITON

A Commissioner For Taking Affidavits, etc.

Antoinette DePinto, a Commissioner, etc.,
Province of Ontario, for Chaitons LLP,
Barristers and Solicitors.
Expires September 10, 2020.

**THIS IS EXHIBIT "A" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to be "A. P. Roberts", is written over a horizontal line.

A Commissioner Etc.



INVOICE NUMBER: 253575

February 28, 2015

COLLINS BARROW TORONTO LIMITED
11 KING ST. WEST
SUITE 700, BOX 27
TORONTO, ONTARIO M5H 4C7

Re: **SOUTH UNION SQUARE (SUSQ)**
Our file: 006998-56866

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including February 28, 2015:

PROFESSIONAL FEES

SUBJECT TO HST	\$23,283.25	
SUB-TOTAL		\$23,283.25

DISBURSEMENTS

NON TAXABLE	\$2,584.91	
SUBJECT TO HST	\$3,062.67	
SUB-TOTAL		\$5,647.58
HST at 13.00%		\$3,424.97

GRAND TOTAL

\$32,355.80

Amount payable on the current invoice	\$32,355.80
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$32,355.80</u>
Trust Balance	



PROFESSIONAL FEES:

Jan 5, 15	HGC	Review summary of liens; telephone conference call with C. Mady, G. Puklicz, B. Tannenbaum and A. Dhanani re appointment of lien trustee to complete sale of condo units and raw land;
Jan 6, 15	HGC	Attend meeting at Marshall Zehr to discuss SUSQ projects;
Jan 9, 15	HGC	Conference with S. Rappos and S. Schwartz re preparation of lien trustee application;
Jan 13, 15	SPR	Reviewed search results; discussed matters with Hal Kersey of MADY; discussed matters with Collins Barrow; reviewed and drafted correspondence regarding project and application for appointment of trustee; drafted affidavit regarding same;
Jan 14, 15	SPR	Reviewed file documents and searches; discussed matters with Greg Puklicz and S. Schwartz; drafted affidavit in support of trustee application; reviewed and drafted correspondence regarding status of project;
Jan 26, 15	HGC	Review various emails;
Jan 26, 15	HGC	Review draft affidavit;
Jan 26, 15	SPR	Reviewed file documents and search results; reviewed and drafted correspondence regarding information required for affidavit; drafted affidavit in support of appointment of trustee;
Jan 27, 15	HGC	Conference with S. Rappos to discuss affidavit including telephone call with M. Karoly; emails with MarshallZehr to confirm MarshallZehr holds a mortgage on project; telephone call with G. Moffat to inquire whether LBC intends to discharge mortgages;
Jan 27, 15	SPR	Discussed draft affidavit with H. Chaiton; reviewed and revised draft affidavit; reviewed documents and property searches; discussed status of matters with H. Chaiton;
Jan 28, 15	HGC	Review of various emails re draft affidavit; conference with S. Rappos;
Jan 28, 15	SPR	Reviewed file documents and searches; reviewed and revised draft affidavit in support of trustee appointment; reviewed and drafted correspondence;
Jan 29, 15	SPR	Discussed draft affidavit and condominium information with clerk from Harris Sheaffer; discussed status of matters with Collins Barrow;



Jan 30, 15	HGC	Telephone conference call with B. Tannenbaum and A. Dhanani with respect to outstanding information to complete affidavit; email to Mady;
Jan 30, 15	SPR	Reviewed and drafted correspondence regarding status of matter;
Feb 2, 15	HGC	Emails and telephone conference call with B. Tannenbaum, A. Dhanani and C. Mady re SUSQ project;
Feb 3, 15	HGC	Meeting with B. Tannenbaum to review and discuss revised affidavit of C. Mady and also discussed letter sent by P. Meretsky to lien claimants;
Feb 5, 15	HGC	Review revenue analysis prepared by G. Puklicz;
Feb 5, 15	HGC	Review and comment on revised affidavit and draft notice of application and orders; conference with S. Rappos;
Feb 9, 15	HGC	Emails with C. Mady and G. Puklicz with respect to MarshallZehr deposit into SUSQ account of September/2014; prepare email to G. Moffat which was reviewed and approved;
Feb 10, 15	HGC	Review and comment on draft factum;
Feb 10, 15	HGC	Review draft order; conference with S. Rappos;
Feb 13, 15	SSS	Telephone call with and correspondence to John O'Sullivan concerning Trustee appointment order and appeal;
Feb 13, 15	MP	Attend before Justice Pattillo to amend vesting orders;
Feb 18, 15	HGC	Telephone conference call with A. Dhanani and C. Delaney re sale to Primont;
Feb 19, 15	SSS	Receipt and review email from John O' Sullivan concerning lifting stay to allow appeal to proceed. Review agreement. Telephone call with Mark Karoly concerning deposit funds. Email correspondence;
Feb 20, 15	HGC	Review various emails re sale of Phase 3 lands; conference with S. Rappos;
Feb 25, 15	SSS	Receipt and review motion record to have drawings submitted to court of appeal. Correspondence with John O'Sullivan. Prepare brief of authorities;
Feb 27, 15	HGC	To all matters of a general nature not more particularly referred to herein;

TOTAL PROFESSIONAL FEES

\$23,283.25

GST No R124110933

INVOICE NUMBER: 253575

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



HST at 13.00%

3,026.82

DISBURSEMENTS:

Subject to HST:

Litigation Transaction Levy	\$50.00	
Internet Search Fee Taxable	\$129.00	
Teraview Charges Taxable	\$2,704.00	
Courier and Taxi Charges	\$23.00	
Parking Charges	\$13.27	
Telecopier Charges	\$13.50	
Photocopying Charges	\$129.90	
		\$3,062.67

Non-Taxable:

Issue Notice(s) of Application	\$181.00	
Teraview Charges Non-Taxable	\$2,157.00	
Government Disbursement Internet Search Non-Tax	\$246.91	
		\$2,584.91

TOTAL DISBURSEMENTS

\$5,647.58

HST at 13.00%

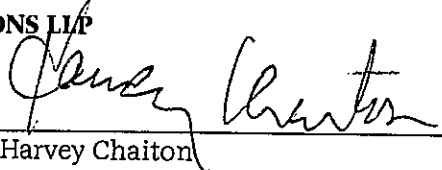
398.15

GRAND TOTAL

\$32,355.80

CHAITONS LLP

per:

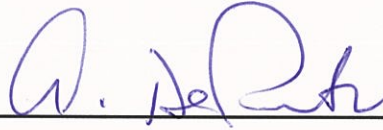

Harvey Chaiton



LAWYERS' SUMMARY:

Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	18.70	\$12,996.50
STEPHEN SCHWARTZ	\$595.00	1.40	\$833.00
MAYA POLIAK	\$415.00	2.50	\$1,037.50
SAM RAPPOS	\$425.00	19.80	\$8,416.25
Total:		42.40	\$23,283.25

**THIS IS EXHIBIT "B" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to read "A. DeRoth", is written over a solid black horizontal line.

A Commissioner Etc.



INVOICE NUMBER: 253914

March 31, 2015

COLLINS BARROW TORONTO LIMITED
11 KING ST. WEST, SUITE 700
TORONTO, ONTARIO M5H 4C7

Re: SOUTH UNION SQUARE (SUSQ)
Our file: 006998-56866

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including March 31, 2015:

PROFESSIONAL FEES

SUBJECT TO HST	\$22,719.50	
SUB-TOTAL		\$22,719.50

DISBURSEMENTS

NON TAXABLE	\$13.00	
SUBJECT TO HST	\$330.22	
SUB-TOTAL		\$343.22
HST at 13.00%		\$2,996.46

GRAND TOTAL		<u>\$26,059.18</u>
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Amount payable on the current invoice	\$26,059.18
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$26,059.18</u>
Trust Balance	



PROFESSIONAL FEES:

- Mar 2, 15 Reviewed and drafted correspondence regarding sales for commercial units; reviewed agreement of purchase and sale regarding Primont; drafted correspondence regarding status of residential units; drafted correspondence regarding next steps with respect to Primont and vacant lands;
- Mar 2, 15 To enter order at the Commercial List;
- Mar 3, 15 Reviewed and drafted correspondence to counsel to Tradeworld; responded to voicemail from counsel to Am-Stat; reviewed and drafted correspondence to counsel to Primont and to City of Markham;
- Mar 4, 15 Reviewed and drafted correspondence regarding response to Primont; finalized correspondence to counsel to Primont;
- Mar 5, 15 Reviewed and drafted correspondence regarding status of sales of commercial units; reviewed correspondence regarding sale of residential units; reviewed and drafted correspondence to claimants;
- Mar 6, 15 Telephone conference call with B. Tannenbaum, C. Delaney and S. Rappos re various issues including pre-lien trustee appointment sales at less than fair market value or for no cash consideration; Primont sale transaction; unpaid common area charges;
- Mar 6, 15 Attended conference call with trustee; reviewed and drafted correspondence regarding trustee certificates for sale of commercial units; reviewed and drafted correspondence regarding sale of residential units;
- Mar 8, 15 Preparation for appeal;
- Mar 9, 15 To meeting with S. Schwartz to discuss items which do not need to be included in the disclosure statement as per the Condominium Act;
- Mar 9, 15 Reviewed and drafted correspondence regarding status of Phase II commercial unit sales and sale of residential units; reviewed and drafted correspondence regarding relationship with Tradeworld;
- Mar 10, 15 Review various emails from C. Delaney;
- Mar 10, 15 Preparation for and attendance on appeal;

GST No R124110933

INVOICE NUMBER: 253914

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- Mar 10, 15 Reviewed and drafted correspondence regarding status of Phase II commercial unit sale transactions and sale of residential units; reviewed and drafted correspondence regarding status of L/Cs;
- Mar 11, 15 Conference with D. Loomis re preparation of agreement in respect of Tradeworld pre-appointment commissions;
- Mar 11, 15 Reviewed and drafted correspondence; updated service list; reviewed and drafted correspondence regarding status of two residential units sold prior to appointment of trustee; reviewed and commented on draft letter to purchasers; reviewed status memo; reviewed and drafted correspondence to claimants; reviewed revised trustee certificates;
- Mar 12, 15 Review update memo from C. Delaney; telephone conference call with B. Tannenbaum, C. Delaney and S. Rappos with respect to various matters set out in memo;
- Mar 12, 15 To discussion with H. Chaiton re agreement prohibiting setoff of pre and post filing claims of TradeWorld; to draft agreement re same;
- Mar 12, 15 Reviewed and drafted correspondence regarding various matters (i.e. letters to residential purchasers, status of claims Aviva may have against JKDC, etc.); attended conference call with trustee to discuss status of outstanding matters; discussed residential condo matters with Mark Karoly; arranged for filing of trustee certificates with Court;
- Mar 13, 15 To circulate draft agreement with TradeWorld Realty Inc. to Collins Barrow;
- Mar 13, 15 Reviewed correspondence regarding transitional tax issue; reviewed and drafted correspondence regarding claim by residential condo corp. for common expense arrears; drafted letter to counsel to commercial condo corp. regarding enforcement notices received; reviewed letter received from counsel to Primont;
- Mar 16, 15 Review agenda for conference call with lien trustee; telephone call with S. Rappos with respect to same;
- Mar 16, 15 Reviewed and drafted correspondence on various matters; drafted correspondence regarding matters to be dealt with at next court appearance; reviewed correspondence and drafted consent of trustee to lift stay regarding Paragon; reviewed documents regarding drawn LC; discussed various matters with H. Chaiton including transitional tax issue and position of Primont;

GST No R124110933

INVOICE NUMBER: 253914

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- Mar 17, 15 Attended conference call with trustee to discuss status of outstanding matters; reviewed and comments on draft letter to purchaser raising transitional tax issue; reviewed and drafted correspondence to counsel to Guest Tile and commercial condo corp. regarding status of liens; discussed same with counsel to condo corp.; reviewed and drafted correspondence regarding condo lien registered against unit to be sold; reviewed and drafted correspondence to counsel to unit purchasers where trustee will be taking steps to terminate agreements;
- Mar 18, 15 Reviewed and drafted correspondence and finalized draft consent to lift stay regarding Paragon;
- Mar 19, 15 Reviewed and drafted correspondence;
- Mar 20, 15 Reviewed and drafted correspondence regarding Tarion claims and claim of Tradeworld;
- Mar 23, 15 Receipt and review endorsement of Court of Appeal. Draft order;
- Mar 24, 15 Telephone conference call with B. Tannenbaum, C. Delaney and S. Rappos with respect to various issues;
- Mar 24, 15 Telephone conference call with lawyers for Tradeworld re lift stay motion;
- Mar 24, 15 Further telephone call with M. Magonet;
- Mar 24, 15 Revised trustee certificate; discussed matters with counsel to Aviva and drafted follow-up correspondence; attended conference call with Trustee to discuss outstanding matters; attended conference call with counsel to Tradeworld; reviewed and drafted correspondence to counsel to commercial condominium corp.;
- Mar 25, 15 Commented on draft letter; reviewed and drafted correspondence regarding JKRDC;
- Mar 26, 15 Drafted letters to various small claims court plaintiffs regarding stay of proceedings; reviewed and drafted correspondence regarding various matters;
- Mar 27, 15 Receipt and review correspondence from John O'Sullivan advising that he is seeking an order to seek the Court of Appeal reconsideration of the Appeal on the basis that the second ground of appeal was not considered;
- Mar 27, 15 Meeting with S. Rappos for briefing and to discuss legal research;

GST No R124110933

INVOICE NUMBER: 253914

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



Mar 27, 15	Discussed research issue regarding specific performance with M. Kril-Mascarin; reviewed and drafted correspondence regarding various matters;
Mar 30, 15	Reviewed and drafted correspondence regarding agreement with Primont; reviewed and drafted correspondence regarding various matters;
Mar 31, 15	Receipt and review Appellant's motion material to have panel reconsider matter;
Mar 31, 15	Drafted correspondence to counsel regarding upcoming motions and motion dates; reviewed correspondence;
Mar 31, 15	To all matters of a general nature not more particularly referred to herein.

TOTAL PROFESSIONAL FEES
HST at 13.00%

\$22,719.50
2,953.54

DISBURSEMENTS:

Subject to HST:

Kap Litigation Service	\$267.50	
Teraview Charges Taxable	\$15.00	
Courier and Taxi Charges	\$11.63	
Postage Charges	\$2.31	
Telecopier Charges	\$1.34	
Photocopying Charges	\$12.90	
Registered Mail	\$19.54	
		\$330.22

Non-Taxable:

Teraview Charges Non-Taxable	\$13.00	
		\$13.00

TOTAL DISBURSEMENTS
HST at 13.00%

\$343.22
42.93

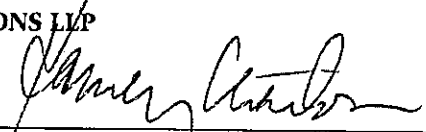


GRAND TOTAL

\$26,059.18

CHAITONS LLP

per:



Harvey Chaiton

**LAWYERS' SUMMARY:**

Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	7.30	\$5,073.50
ROBERT MILLER	\$600.00	0.40	\$240.00
STEPHEN SCHWARTZ	\$595.00	12.10	\$7,199.50
DEBRA LOOMIS	\$415.00	1.00	\$415.00
MICHAEL KRIL-MASCARIN	\$250.00	0.20	\$50.00
SAM RAPPOS	\$425.00	22.60	\$9,605.00
RYAN STANDIL	\$195.00	0.70	\$136.50
Total:		44.30	\$22,719.50

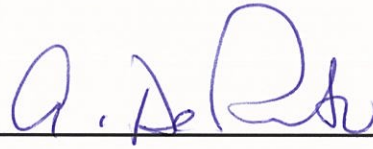
GST No R124110933

INVOICE NUMBER: 253914

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

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**THIS IS EXHIBIT "C" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to read "A. D. R.", is written above a solid horizontal line.

A Commissioner Etc.



INVOICE NUMBER: 254225

April 30, 2015

BRYAN TANNENBAUM
COLLINS BARROW PLACE
11 KING STREET WEST, SUITE 700
TORONTO, ON M5H 4C7

Re: **SOUTH UNION SQUARE (SUSQ)**
Our file: **006998-56866**

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including April 30, 2015:

PROFESSIONAL FEES

SUBJECT TO HST	\$38,938.50	
SUB-TOTAL		\$38,938.50

DISBURSEMENTS

NON TAXABLE	\$1,135.00	
SUBJECT TO HST	\$1,252.34	
SUB-TOTAL		\$2,387.34
HST at 13.00%		\$5,224.81

GRAND TOTAL

\$46,550.65

Amount payable on the current invoice	\$46,550.65
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$46,550.65</u>
Trust Balance	



PROFESSIONAL FEES:

- Feb 2, 15 Reviewed correspondence; drafted request form for Court time;
- Feb 3, 15 Revised draft affidavit in support of trustee application; reviewed file documents and claims;
- Feb 4, 15 Reviewed and revised draft affidavit in support of application; discussed matters with H. Chaiton;
- Feb 5, 15 Revised draft affidavit; drafted notice of application; discussed drafts with H. Chaiton; drafted trustee consent; drafted appointment order; drafted vesting order; met with Charles Mady to have affidavit sworn; finalized application record and attended to service of same;
- Feb 6, 15 Reviewed and drafted correspondence;
- Feb 9, 15 Drafted factum; reviewed and drafted correspondence regarding various issues; circulated draft orders;
- Feb 10, 15 Reviewed and drafted correspondence; revised draft appointment order and vesting orders; finalized factum and book of authorities and attended to service of same; reviewed agreements of purchase and sale regarding vesting orders and sale transactions;
- Feb 11, 15 Discussed matters with Harris Sheaffer; attended at Commercial List for hearing; attended to issuance of appointment order and vesting orders; reviewed and drafted correspondence regarding status of matters;
- Feb 12, 15 Reviewed and drafted correspondence; drafted scheduling form for hearing to amend certain vesting orders; discussed matters with counsel to Tradeworld;
- Feb 13, 15 Revised service list; drafted amending order for certain vesting orders and submitted them for issuance; reviewed and drafted correspondence;
- Feb 17, 15 Reviewed vesting orders; drafted trustee certificates for vesting orders; reviewed and drafted correspondence;
- Feb 18, 15 Reviewed materials regarding appeal; reviewed and drafted correspondence regarding same; updated service list; drafted letter to Court regarding additional amendments to vesting orders needed; reviewed documents and drafted correspondence regarding matters relating to Primont;

GST No R124110933

INVOICE NUMBER: 254225

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- Feb 20, 15 Reviewed and drafted correspondence regarding various matters; drafted consent to lifting of the stay; reviewed title parcels and drafted correspondence regarding mortgages on title; reviewed amended vesting orders;
- Feb 23, 15 Drafted Trustee certificates; reviewed residential unit agreements and drafted correspondence regarding same;
- Feb 24, 15 Reviewed and drafted correspondence to various lien claimants regarding status of proceedings; reviewed and drafted correspondence regarding sale of two residential units;
- Feb 25, 15 Discussed Primont matter with former counsel to JKDC; drafted correspondence regarding Primont matter; reviewed and drafted correspondence regarding Trustee certificates; attended conference call with Trustee;
- Feb 26, 15 Revised an amendment to vesting order; reviewed and drafted correspondence regarding various matters; reviewed correspondence from counsel to residential condo corp. regarding outstanding issues; reviewed and drafted correspondence regarding same;
- Feb 27, 15 Reviewed draft status memo; reviewed and drafted correspondence regarding various matters;
- Mar 30, 15 Review APS, amendments and correspondence; conduct legal research on re: specific performance;
- Mar 31, 15 Review case law dealing with specific performance and conditional contracts for sale of land; draft e-mail memo to S. Rappos with research findings;
- Apr 1, 15 Review summary of liens; meeting with C. Mady, B. Tannenbaum, C. Delaney and A. Dhanani to review lien claims and discuss claims process;
- Apr 1, 15 Preparation of factum on motion to have Panel reconsider its decision;
- Apr 1, 15 Reviewed searches of title of properties and prepared listing of registered liens; discussed status memo and outstanding matters with Colleen Delaney;
- Apr 2, 15 Final revisions to factum on motion to have Court of Appeal reconsider appeal;
- Apr 2, 15 Reviewed and drafted correspondence regarding court time; drafted correspondence to counsel to residential condominium corp. regarding outstanding arrears; reviewed correspondence;



- Apr 8, 15 Reviewed and drafted correspondence regarding various matters;
- Apr 10, 15 Reviewed and drafted correspondence regarding various matters;
- Apr 16, 15 Reviewed file documents and drafted correspondence to claimants that registered instruments against units that have been sold by the trustee; reviewed and drafted correspondence;
- Apr 20, 15 Reviewed and revised draft first report of the Trustee; reviewed and drafted correspondence;
- Apr 21, 15 Reviewed and drafted correspondence regarding various matters;
- Apr 22, 15 Review draft court report; conference with S. Rappos to discuss amendments including telephone call with A. Katz;
- Apr 22, 15 Discussed draft first report with H. Chaiton; reviewed and revised draft report; reviewed and drafted correspondence to various parties;
- Apr 23, 15 Reviewed and drafted correspondence; revised draft first report;
- Apr 24, 15 Drafted notice of motion; reviewed and revised first report; discussed matters with H. Chaiton; finalized motion materials for service;
- Apr 27, 15 Emails with S. Rappos with respect to request of claimant for consent to commence breach of trust claims against directors and officers;
- Apr 27, 15 Telephone call with D. Loomis re agreement with Tradeworld;
- Apr 27, 15 Reviewed and drafted correspondence regarding arrears in occupancy fees to residential condo corp.; discussed matters with counsel to Primont; discussed matters with various parties; drafted correspondence in response to inquiries received from various parties; reviewed Aviva file documents and prepared response to question asked by counsel to Aviva regarding payment from escrow funds of Tarion claims;
- Apr 28, 15 Drafted correspondence to counsel to Aviva regarding Tarion claims; reviewed and drafted correspondence regarding sale to Primont; reviewed and drafted correspondence regarding Tarion claims; drafted orders for May 1 hearing;
- Apr 29, 15 Conference with D. Loomis to review draft listing agreement with Tradeworld and revised no set-off agreement;
- Apr 29, 15 Review draft order and conference with S. Rappos;
- Apr 29, 15 Review email of J. Sacks for K. Sherkin and respond thereto;
- Apr 29, 15 To discussion with H. Chaiton re comments on new listing agreement and agreement re setoff; to revise and circulate same;



- Apr 29, 15 Reviewed and drafted correspondence regarding various matters, including opposition to draft orders being sought by trustee; discussed matters with H. Chaiton; reviewed and drafted correspondence to the service list regarding upcoming motion; revised draft orders;
- Apr 30, 15. Review various emails from lawyers concerning our continued representation of trustee; conference with G. Benchetrit and S. Rappos; telephone call with B. Tannenbaum; response to lien claimant lawyers concerning form of claims process;
- Apr 30, 15 Reviewed and drafted correspondence regarding various issues, including matters to be dealt with at May 1 hearing; reviewed and revised draft orders; discussed matters with H. Chaiton; reviewed and drafted correspondence regarding information request from lawyer to two purchasers;
- Apr 30, 15 To all matters of a general nature not more particularly referred to herein.

TOTAL PROFESSIONAL FEES	\$38,938.50
HST at 13.00%	5,062.01

DISBURSEMENTS:

Subject to HST:

Kap Litigation Service	\$60.00	
Teraview Charges Taxable	\$1,170.00	
Postage Charges	\$0.77	
Parking Charges	\$19.47	
Photocopying Charges	\$2.10	
		\$1,252.34

Non-Taxable:

File Motion Record(s)	\$127.00	
Teraview Charges Non-Taxable	\$1,008.00	
		\$1,135.00

TOTAL DISBURSEMENTS	\$2,387.34
HST at 13.00%	162.80

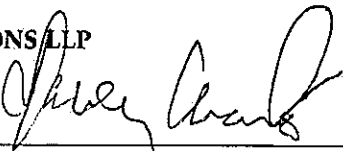


GRAND TOTAL

\$46,550.65

CHAITONS LLP

per:



Harvey Chaiton



LAWYERS' SUMMARY:

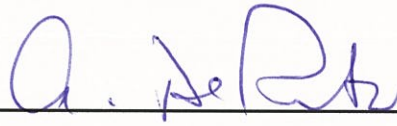
Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	11.70	\$8,131.50
STEPHEN SCHWARTZ	\$595.00	1.50	\$892.50
DEBRA LOOMIS	\$415.00	0.80	\$332.00
MICHAEL KRIL-MASCARIN	\$250.00	4.60	\$1,150.00
SAM RAPPOS	\$425.00	66.90	\$28,432.50
Total:		85.50	\$38,938.50

GST No R124110933

INVOICE NUMBER: 254225

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

**THIS IS EXHIBIT "D" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to read "A. DeRita", is written above a solid horizontal line.

A Commissioner Etc.



INVOICE NUMBER: 254713

May 31, 2015

COLLINS BARROW TORONTO LIMITED
11 KING STREET WEST, SUITE 700
TORONTO, ON M5H 4C7

Re: SOUTH UNION SQUARE (SUSQ)
Our file: 006998-56866

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including May 31, 2015:

PROFESSIONAL FEES

SUBJECT TO HST	\$33,400.00	
SUB-TOTAL		\$33,400.00

DISBURSEMENTS

NON TAXABLE	\$259.00	
SUBJECT TO HST	\$406.63	
SUB-TOTAL		\$665.63
HST at 13.00%		\$4,394.86

GRAND TOTAL \$38,460.49

Amount payable on the current invoice	\$38,460.49
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$38,460.49</u>



PROFESSIONAL FEES:

- Feb 19, 15 Attend meeting at Collins Barrow with c. Mady and B. Tannenbaum to discuss position of Primont in respect of Phase 3 lands;
- May 1, 15 Prepare for and attend on motion before Pattillo J. to approve a claims process and other relief;
- May 1, 15 To email correspondence with C. Delaney re comments on listing agreement;
- May 1, 15 Draft letter to small claims plaintiff advising of stay; inter office meeting with G. Benchetrit and S. Rappos to discuss scope of stay and position;
- May 1, 15 Prepared for and attended hearing at Commercial List; attended to issuance and service of Court orders; reviewed and drafted correspondence regarding numerous matters;
- May 4, 15 Drafted correspondence regarding termination of sale agreements with lien claimants; reviewed and drafted correspondence regarding Skyway; reviewed and responded to correspondence from counsel to Guest Tile; drafted correspondence to counsel to purchasers under agreements the trustee wishes to terminate; reviewed information provided by trustee regarding sales of residential units; drafted correspondence to counsel to Laurentian Bank;
- May 5, 15 To provide comments on MLS commercial and residential listing agreements;
- May 5, 15 Drafted report regarding Primont matter; reviewed and drafted correspondence regarding same;
- May 6, 15 Discussed matters with counsel to Primont; drafted demand letter regarding promissory note from purchaser; discussed Primont matters with Trustee;
- May 7, 15 Review various emails; telephone calls and emails with each of S. Rappos and B. Tannenbaum re settlement of Primont motion;
- May 7, 15 Reviewed and drafted correspondence regarding negotiations with Primont for sale of vacant land; discussed matters with H. Chaiton;
- May 8, 15 To draft and revise agreement of purchase and sale re vacant lands;

GST No R124110933

INVOICE NUMBER: 254713

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- May 8, 15 Discussed sale transaction with Primont with D. Loomis; drafted letter to unsecured creditor; drafted correspondence regarding scheduling of motions; reviewed and drafted correspondence regarding sale of two residential units to mortgagees;
- May 12, 15 Review draft agreement of purchase and sale for vacant lands;
- May 12, 15 Reviewed and drafted correspondence;
- May 13, 15 Conference with D. Loomis to discuss amendments to draft agreement of purchase and sale with Primont;
- May 13, 15 Reviewed and drafted correspondence regarding Primont sale transaction; reviewed and drafted correspondence regarding various matters;
- May 14, 15 Review draft trustee report in support of motion for court approval of Primont sale transaction; conference with S. Rappos with respect to same;
- May 14, 15 Reviewed and drafted correspondence regarding motion to terminate sale agreements; drafted second report of the trustee regarding sale transaction with Primont;
- May 15, 15 Discussed matters with Karen McNeil from HS; reviewed and drafted correspondence; reviewed and revised draft second report; drafted notice of motion returnable May 22, 2015; finalized second report and motion materials for service;
- May 19, 15 To review of comments on agreement of purchase and sale;
- May 19, 15 Discussed matters with Phil Meretsky; discussed matters with counsel to condo corps.; drafted approval and vesting order for Primont sale and reviewed parcel registers; drafted correspondence to the service list; reviewed affidavit filed by purchaser of residential unit and reviewed and drafted correspondence regarding same;
- May 20, 15 To meeting with D. Loomis re future obligations under block agreement and to review various e-mails in connection therewith; to meeting with E. Froggett to review terms of block agreement to determine potential for outstanding financial obligations;
- May 20, 15 To discussions with E. Froggett re request for certificate from land owners trustee; to discuss same with R. Gray and C. Delaney;



- May 20, 15 To receipt and review of related e-mail correspondence and Landowners Agreement in respect of the property and to meeting with R. Miller in respect of certain provisions thereof; to e-mail correspondence and meetings with D. Loomis in respect of same;
- May 20, 15 Reviewed materials filed by condo corp. and Guest Tile; drafted correspondence to arrange for court time; drafted response to Garnishment Notice; discussed matters regarding sale to Primont and block cost sharing agreement;
- May 21, 15 To email correspondence re letter from landowners trustee;
- May 21, 15 Reviewed and drafted correspondence regarding various matters;
- May 22, 15 Receipt and review endorsement of court of appeal on Jiang appeal. Correspondence to clients;
- May 22, 15 To email correspondence re letter from landowners trustee;
- May 22, 15 Reviewed and drafted correspondence regarding matters related to Skyway; reviewed correspondence regarding status of sale to Primont; revised draft approval and vesting order; reviewed and drafted correspondence regarding various other matters;
- May 25, 15 To various discussions and email correspondence landowners agreement;
- May 25, 15 To telephone call with D. Loomis with respect to a release under the Landowners Agreement and a discharge thereof;
- May 25, 15 Drafted demand letter regarding promissory note; drafted third report regarding request to terminate residential sale agreements; reviewed case law;
- May 26, 15 Review and comment on supplement to second report; conference with D. Loomis including telephone calls with C. Delaney and purchaser's lawyer with respect to entitlements and obligations of Jade-Kennedy under Landowner's Agreement;
- May 26, 15 To revise purchase agreement and to circulate same; to email correspondence and discussions re landowners agreement; to discussions with H. Chaiton re foregoing; to circulate executed purchase agreement;
- May 26, 15 To review of certain provisions of the landowners agreement and to meetings with D. Loomis and R. Miller in respect of same;

 GST No R124110933

INVOICE NUMBER: 254713

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- May 26, 15 Reviewed and drafted correspondence regarding finalization of sale agreement with Primont; drafted supplement to second report; finalized and served supplement to second report; finalized draft orders for Primont sale; continued to draft third report;
- May 27, 15 Finalized draft third report and review of case law regarding receiver terminating contracts; drafted correspondence to Harvey regarding same; drafted correspondence to purchasers' counsel;
- May 28, 15 Reviewed claims that have been filed under claims process and drafted correspondence regarding same; drafted factum for motion to terminate sale agreements;
- May 29, 15 Review draft Third Report of Trustee; conference with S. Rappos with respect to same;
- May 29, 15 Attended at hearing of motion to approve sale to Primont and took steps to have orders issued and entered; discussed draft third report with H. Chaiton and revised same; revised draft factum for motion to terminate sale agreements;
- To all matters of a general nature not more particularly referred to herein.

TOTAL PROFESSIONAL FEES
HST at 13.00%

\$33,400.00
4,342.00

DISBURSEMENTS:

Subject to HST:

Kap Litigation Service	\$140.00
Internet Search Fee Taxable	\$12.00
Teraview Charges Taxable	\$168.00
Courier and Taxi Charges	\$30.60
Postage Charges	\$4.99
Photocopying Charges	\$31.50
Registered Mail	\$19.54

\$406.63

Non-Taxable:

GST No R124110933

INVOICE NUMBER: 254713

E. & D.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, Interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



File Motion Record(s)	\$127.00	
Teraview Charges Non-Taxable	\$124.00	
Government Disbursement Internet Search Non-Tax	\$8.00	
		\$259.00

TOTAL DISBURSEMENTS	\$665.63
HST at 13.00%	52.86

GRAND TOTAL	\$38,460.49
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CHAITONS LLP

per:



 Harvey Chaiton

**LAWYERS' SUMMARY:**

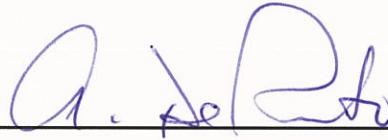
Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	15.10	\$10,494.50
ROBERT MILLER	\$600.00	0.60	\$360.00
STEPHEN SCHWARTZ	\$595.00	0.20	\$119.00
DEBRA LOOMIS	\$415.00	7.10	\$2,946.50
MICHAEL KRIL-MASCARIN	\$250.00	0.50	\$125.00
ESME FROGGETT	\$285.00	2.00	\$570.00
SAM RAPPOS	\$425.00	44.20	\$18,785.00
Total:		69.70	\$33,400.00

GST No R124110933

INVOICE NUMBER: 254713

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

**THIS IS EXHIBIT "E" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to be 'A. DeRito', written over a solid black horizontal line.

A Commissioner Etc.



INVOICE NUMBER: 255029

June 30, 2015

COLLINS BARROW TORONTO LIMITED
11 KING STREET WEST, SUITE 700
TORONTO, ON M5H 4C7

Re: SOUTH UNION SQUARE (SUSQ)
Our file: 006998-56866

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including June 30, 2015:

PROFESSIONAL FEES

SUBJECT TO HST	\$28,462.50	
SUB-TOTAL		\$28,462.50

DISBURSEMENTS

NON TAXABLE	\$452.00	
SUBJECT TO HST	\$609.23	
SUB-TOTAL		\$1,061.23
HST at 13.00%		\$3,779.32

GRAND TOTAL

\$33,303.05

Amount payable on the current invoice	\$33,303.05
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$33,303.05</u>
Trust Balance	



PROFESSIONAL FEES:

- Jun 1, 15 Finalize draft third report; drafted notice of return of motion; attended to service of motion record regarding termination of sale agreements; continued to draft fact regarding motion; reviewed and drafted correspondence;
- Jun 2, 15 Discussed draft factum with H. Chaiton; reviewed and finalized factum and attended to service of same; prepared book of authorities;
- Jun 3, 15 Commence preparation for motion to terminate 2 agreements of purchase and sale;
- Jun 3, 15 Discussed upcoming motion with counsel to purchasers and with H. Chaiton; discussed case law with H. Chaiton; drafted confidential supplement to third report and correspondence regarding same;
- Jun 4, 15 Complete preparation and attend on motion before Justice Pattillo;
- Jun 4, 15 Discussed motion with H. Chaiton; finalized draft orders; attended motion re termination of purchase of two residential units; discussed matters with Danny Weisz;
- Jun 5, 15 Reviewed endorsement of Justice Pattillo regarding residential units motion and drafted correspondence regarding same; discussed Primont sale transaction with D. Loomis; reviewed and drafted correspondence regarding various matters;
- Jun 8, 15 To review of draft closing documents;
- Jun 8, 15 Reviewed and drafted correspondence; finalized draft order;
- Jun 9, 15 To circulate draft closing document and to email correspondence re same;
- Jun 9, 15 Reviewed and drafted correspondence regarding sale transaction with Primont; reviewed claims of certain claimants and drafted correspondence to counsel;
- Jun 10, 15 To email correspondence re outstanding closing matters;
- Jun 10, 15 Reviewed and drafted correspondence;
- Jun 11, 15 To meet with D. Weisz re execution of closing documents; to email correspondence re outstanding closing matters;

GST No R124110933

INVOICE NUMBER: 255029

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- Jun 11, 15 Reviewed and drafted correspondence regarding Primont sale matters; discussed matters with D. Loomis; drafted correspondence to certain lien claimants regarding liens on Vacant Land;
- Jun 12, 15 To attend to outstanding matters for the sale of the vacant lands;
- Jun 12, 15 Reviewed and drafted correspondence regarding matters related to Vacant Land; reviewed lien claims and drafted correspondence to lien claimants regarding specific matters on claims; discussed Primont closing matters with D. Loomis;
- Jun 15, 15 To email correspondence re return of overpayment of purchase price;
- Jun 15, 15 Reviewed and drafted correspondence; reviewed documents received from condo corps. regarding liens; reviewed certain lien claims, discussed same with H. Chaiton, and drafted correspondence to lien claimants; reviewed parcel registers and matters relating to liens registered against Vacant Land; reviewed and drafted correspondence to client regarding issues to be discussed with respect to their lien claims;
- Jun 16, 15 Reviewed and updated service; reviewed and drafted correspondence; reviewed claim documents and registrations re Vacant Lands and drafted correspondence regarding same; drafted correspondence to service list regarding Justice Pattillo order;
- Jun 17, 15 Reviewed and drafted correspondence regarding various matters; discussed land holdings with Mark Karoly;
- Jun 19, 15 To circulate original closing documents;
- Jun 23, 15 Reviewed and drafted correspondence; discussed matters with counsel to condominium corporations;
- Jun 25, 15 To review of mortgage and search results; to draft security opinion;
- Jun 25, 15 Reviewed and drafted correspondence regarding commission claimed commenced against JKRC;
- Jun 26, 15 To review of mortgage;
- Jun 29, 15 To review and revise security opinion;
- To all matters of a general nature not more particularly referred to herein.
-



TOTAL PROFESSIONAL FEES
HST at 13.00%

\$28,462.50
3,700.13

DISBURSEMENTS:

Subject to HST:

Kap Litigation Service	\$250.00	
Internet Search Fee Taxable	\$12.00	
Teraview Charges Taxable	\$281.00	
Courier and Taxi Charges	\$31.05	
Telecopier Charges	\$11.18	
Photocopying Charges	\$24.00	
		\$609.23

Non-Taxable:

File Motion Record(s)	\$127.00	
Teraview Charges Non-Taxable	\$217.00	
Government Disbursement Internet Search Non-Tax	\$8.00	
Bank Service Charges	\$100.00	
		\$452.00

TOTAL DISBURSEMENTS
HST at 13.00%

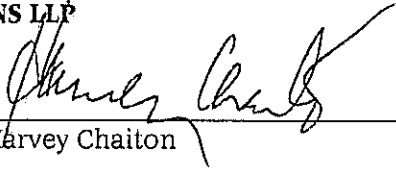
\$1,061.23
79.20

GRAND TOTAL

\$33,303.05

CHAITONS LLP

per:


Harvey Chaiton

**LAWYERS' SUMMARY:**

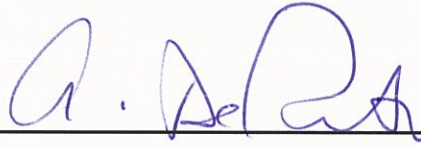
Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	14.60	\$10,147.00
DEBRA LOOMIS	\$415.00	8.70	\$3,610.50
SAM RAPPOS	\$425.00	34.60	\$14,705.00
Total:		57.90	\$28,462.50

GST No R124110933

INVOICE NUMBER: 255029

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, Interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

**THIS IS EXHIBIT "F" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to be 'A. De Ra', written over a horizontal line.

A Commissioner Etc.



INVOICE NUMBER: 255591

August 31, 2015

COLLINS BARROW TORONTO LIMITED
11 KING STREET WEST, SUITE 700
TORONTO, ON M5H 4C7

Re: **SOUTH UNION SQUARE (SUSQ)**
Our file: **006998-56866**

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including August 31, 2015:

PROFESSIONAL FEES

SUBJECT TO HST	\$14,466.50	
SUB-TOTAL		\$14,466.50

DISBURSEMENTS

NON TAXABLE	\$368.00	
SUBJECT TO HST	\$244.24	
SUB-TOTAL		\$612.24
HST at 13.00%		\$1,912.40

GRAND TOTAL		\$16,991.14
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Amount payable on the current invoice	\$16,991.14
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$16,991.14</u>
Trust Balance	



PROFESSIONAL FEES:

Jun 4, 15 Emails re setting closing dates;

Jun 12, 15 Various emails and telephone calls re parking;

Jun 15, 15 Review email re claim of Gaweda;

Jun 26, 15 Reviewed matters regarding Am-Stat security and opinion; reviewed and drafted correspondence;

Jun 29, 15 Reviewed and drafted correspondence to counsel to Am-Stat regarding vacant lands; discussed vacant lands with clerk; drafted correspondence to Mary-Ann Kiefner regarding vacant lands;

Jul 2, 15 Reviewed and drafted correspondence; drafted letter to David Shiller re return of deposits; discussed matters with law clerk re vacant land and liens;

Jul 9, 15 Meeting with C. Mady and B. Tannenbaum re interim distribution of sale proceeds;

Jul 9, 15 Discussed matters with law clerk regarding history of vacant lands; reviewed and drafted correspondence;

Jul 10, 15 Reviewed and drafted correspondence to counsel to Aviva and Laurentian regarding potential distribution to Am-Stat; discussed matter with counsel to Laurentian; reviewed file documents; discussed vacant land matter with C. Wilson; discussed matters with H. Chaiton; drafted e-mail to lien claimants regarding vacant land;

Jul 13, 15 Reviewed correspondence; discussed vacant lands with C. Wilson and drafted correspondence to lien claimant regarding same;

Jul 14, 15 Continued to review land maps re vacant lands and drafted response to lien claimant; reviewed Laurentian and Aviva documents and drafted correspondence to Trustee;

Jul 15, 15 Telephone conference call with B. Tannenbaum, C. Delaney and S. Rappos re proposed interim distribution of funds;

Jul 15, 15 Reviewed and drafted correspondence; attended conference call with Trustee to discuss potential interim distribution of net sale proceeds;

Jul 16, 15 Reviewed correspondence; reviewed property that is subject to Laurentian charge;

GST No R124110933

INVOICE NUMBER: 255591

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

Doc#3437689v1



- Jul 17, 15 Telephone call with G. Moffat re cash collateral held by LBC to secure letters of credit and lien trustee's desire to make interim distribution;
- Jul 17, 15 Discussed Tarion matters with Adam Slavens and H. Chaiton and drafted correspondence regarding same; drafted correspondence to Trustee re Laurentian;
- Jul 20, 15 Meeting with creditors re interim distribution;
- Jul 20, 15 Reviewed and drafted correspondence, including with respect to outstanding matters to be considered;
- Jul 21, 15 Reviewed and drafted correspondence regarding individual claiming commission;
- Jul 22, 15 Reviewed and drafted correspondence regarding outstanding questions for lien claimants; discussed outstanding matters with Colleen Delaney;
- Jul 23, 15 Telephone call with G. Moffat re interim distribution;
- Jul 23, 15 Reviewed and drafted correspondence;
- Jul 27, 15 Reviewed and drafted correspondence to counsel to Am-Stat;
- Jul 28, 15 To preparation of record book re sale of vacant lands;
- Jul 28, 15 Reviewed and drafted correspondence;
- Jul 29, 15 Reviewed and responded to letter from Thomas Kerr; reviewed and drafted correspondence;
- Aug 10, 15 Reviewed and drafted correspondence re lien claims; reviewed parcel registers re liens; drafted chart setting out liens and parcels registered against;
- Aug 11, 15 Telephone conference call with trustee representatives concerning various matters followed by telephone call with B. Tannenbaum;
- Aug 11, 15 Attended conference call with client to discuss outstanding matters;
- Aug 12, 15 Discussed L/C matters with Asim Iqbal; reviewed and drafted correspondence regarding same;
- Aug 13, 15 Reviewed and drafted correspondence re L/C matters;
- Aug 14, 15 Reviewed and drafted correspondence re L/C matters; attended call with Asim Iqbal to discuss same;
- Aug 17, 15 Reviewed and drafted correspondence regarding L/C issues; discussed same with H. Chaiton; discussed matters with Asim Iqbal;

 GST No R124110933

INVOICE NUMBER: 255591

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



Aug 25, 15 Reviewed and drafted correspondence re set off and L/C issues;

Aug 26, 15 Telephone conference call with B. Tannenbaum, C. Delaney and S. Rappos with respect to terms of extension of letter of credit issued by LBC; telephone call with G. Moffat with respect to LBC terms and trustees desire to make interim distribution to Am-Stat; telephone call with B. Tannenbaum re email needed to be sent to G. Moffat re priority payables;

Aug 26, 15 Attended conference call with client re L/C matters;

Aug 28, 15 Reviewed and drafted correspondence regarding various matters;
To all matters of a general nature not more particularly referred to herein.

TOTAL PROFESSIONAL FEES	\$14,466.50
HST at 13.00%	1,880.65

DISBURSEMENTS:

Subject to HST:

Teraview Charges Taxable	\$197.00	
Courier and Taxi Charges	\$23.35	
Parking Charges	\$23.89	
		\$244.24

Non-Taxable:

Tax Certificate(s)	\$228.00	
Teraview Charges Non-Taxable	\$140.00	
		\$368.00

TOTAL DISBURSEMENTS	\$612.24
HST at 13.00%	31.75

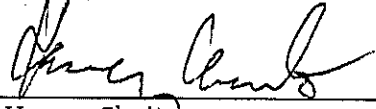


GRAND TOTAL

\$16,991.14

CHAITONS LLP

per:



Harvey Chaiton

**LAWYERS' SUMMARY:**

Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	8.10	\$5,629.50
DEBRA LOOMIS	\$415.00	0.30	\$124.50
SAM RAPPOS	\$425.00	20.50	\$8,712.50
Total:		28.90	\$14,466.50

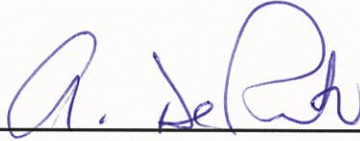
GST No R124110933

INVOICE NUMBER: 255591

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

Doc#3437689v1

**THIS IS EXHIBIT "G" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to be "A. DeR...", is written above a solid black horizontal line.

A Commissioner Etc.



INVOICE NUMBER: 256080

September 30, 2015

COLLINS BARROW TORONTO LIMITED
11 KING STREET WEST, SUITE 700
TORONTO, ON M5H 4C7

Re: SOUTH UNION SQUARE (SUSQ)
Our file: 006998-56866

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including September 30, 2015:

PROFESSIONAL FEES

SUBJECT TO HST	\$6,015.00	
SUB-TOTAL		\$6,015.00

DISBURSEMENTS

NON TAXABLE	\$626.00	
SUBJECT TO HST	\$751.05	
SUB-TOTAL		\$1,377.05
HST at 13.00%		\$879.59

GRAND TOTAL

\$8,271.64

Amount payable on the current invoice	\$8,271.64
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$8,271.64</u>
Trust Balance	



PROFESSIONAL FEES:

- Sep 2, 15 Reviewed and responded to correspondence on various matters;
- Sep 4, 15 To meeting with S. Lavine to review provisions in purchase agreement re cash-in-lieu
- Sep 4, 15 To review of agreement of purchase and sale and various correspondence with the City of Markham re existing letter of credit; to meeting with R. Miller in respect of same; to e-mail correspondence to D. Loomis in connection therewith;
- Sep 8, 15 Conference with D. Loomis re letter of credit drawn by City of Markham in respect of lands purchased by Primont; telephone conference call with C. Delaney; review draft letter to Primont's lawyer;
- Sep 8, 15 To review of email correspondence from S. Levine re letter of credit and terms of purchase agreement; to discuss same with H. Chaiton and C. Delaney; to discussion with purchaser's counsel and to draft letter to purchaser's counsel re same;
- Sep 8, 15 Discussed letter of credit and sale to Primont issue with D. Loomis;
- Sep 9, 15 To revise and circulate letter to purchaser's counsel;
- Sep 15, 15 Reviewed and drafted correspondence regarding outstanding APS;
- Sep 16, 15 Reviewed APS for unit 60; reviewed documents and drafted correspondence to Colleen Delaney regarding sale proceeds for this unit and entitlement to same; reviewed condo declaration and drafted correspondence regarding unsold units; drafted correspondence to counsel to commercial condo corp.;
- Sep 17, 15 Reviewed and drafted correspondence regarding outstanding matters;
- Sep 18, 15 To follow up correspondence with R. Gray re letter of credit;
- Sep 21, 15 Drafted agenda for call with Collins Barrow; reviewed documents related to claim by YRSCC 1228 and mortgage against management office; discussed same with H. Chaiton; reviewed documents related to claim by LBC for payment of legal fees from funds held in connection with letters of credit and discussed same with H. Chaiton; reviewed parcel registers for the unsold units; discussed unsold units with Mark Karoly; drafted correspondence to counsel to Aviva regarding sale of unit 60 and sale proceeds; researched matters related to set off claims;

GST No R124110933

INVOICE NUMBER: 256080

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



Sep 22, 15 Conference with S. Rappos followed by telephone conference with B. Tannenbaum and C. Delaney with respect to various matters including LBC collateral mortgage; Primont to replace cash collateral; mortgage on management unit and condo corporation's clause for set-off;

Sep 22, 15 To discussion with R. Gray re letter of credit;

Sep 22, 15 Drafted correspondence to Collins Barrow regarding conference call; attended conference call with Collins Barrow and H. Chaiton; drafted correspondence to counsel to YRSCC 1228;

Sep 25, 15 Reviewed and drafted correspondence regarding various matters;

Sep 29, 15 Conference with D. Loomis re Primont;

To all matters of a general nature not more particularly referred to herein.

TOTAL PROFESSIONAL FEES	\$6,015.00
HST at 13.00%	781.95

DISBURSEMENTS:

Subject to HST:

Teraview Charges Taxable	\$743.00	
Courier and Taxi Charges	\$8.05	
		\$751.05

Non-Taxable:

Teraview Charges Non-Taxable	\$626.00	
		\$626.00


TOTAL DISBURSEMENTS	\$1,377.05
HST at 13.00%	97.64

GRAND TOTAL	\$8,271.64
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CHAITONS LLP

per:



Harvey Chaiton

GST No R124110933

INVOICE NUMBER: 256080

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, Interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

Doc#3463805v2

**LAWYERS' SUMMARY:**

Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	2.20	\$1,529.00
ROBERT MILLER	\$600.00	0.20	\$120.00
DEBRA LOOMIS	\$415.00	1.90	\$788.50
SHERRI LAVINE	\$375.00	0.70	\$262.50
SAM RAPPOS	\$425.00	7.80	\$3,315.00
Total:		12.80	\$6,015.00

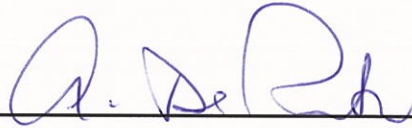
GST No R124110933

INVOICE NUMBER: 256080

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

Doc#3463805v2

**THIS IS EXHIBIT "H" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to be "A. DeR...", is written above a solid black horizontal line.

A Commissioner Etc.



INVOICE NUMBER: 256669

November 30, 2015

COLLINS BARROW TORONTO LIMITED
11 KING STREET WEST, SUITE 700
TORONTO, ON M5H 4C7

Re: **SOUTH UNION SQUARE (SUSQ)**
Our file: **006998-56866**

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including November 30, 2015:

PROFESSIONAL FEES

SUBJECT TO HST	\$11,060.50	
SUB-TOTAL		\$11,060.50

DISBURSEMENTS

NON TAXABLE	\$270.00	
SUBJECT TO HST	\$233.12	
SUB-TOTAL		\$503.12
HST at 13.00%		\$1,468.17

GRAND TOTAL

\$13,031.79

Amount payable on the current invoice	\$13,031.79
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$13,031.79</u>
Trust Balance	



PROFESSIONAL FEES:

- Oct 1, 15 Reviewed and drafted correspondence regarding claim against Tran;
- Oct 5, 15 Reviewed pleadings and documents regarding Jiang claim re unit 60; drafted correspondence to Jiang's lawyer regarding proposed sale of unit 60; reviewed and revised draft fourth report prepared by CB;
- Oct 6, 15 Reviewed and drafted various correspondence related to sale of kiosk units and dispute with condo corp.; finalized re-scheduling of hearing for approval and vesting orders;
- Oct 8, 15 Reviewed and drafted correspondence;
- Oct 9, 15 Drafted notice of motion for October 16 motion; finalized motion materials for service; reviewed and drafted correspondence;
- Oct 14, 15 Reviewed and drafted correspondence;
- Oct 15, 15 Drafted approval and vesting orders for sale of kiosk units and unit 60; reviewed and drafted correspondence;
- Oct 16, 15 Attended at Commercial List hearing to obtain approval and vesting orders for sale of unit 60 and kiosk units; attended to having orders entered and drafting correspondence regarding orders; discussed matters with Bryan Tannenbaum;
- Oct 19, 15 Drafted second demand letter to Tran; discussed proposed set off matters with counsel to condominium corporation and drafted correspondence regarding same; reviewed correspondence regarding proposed sale of unit 60;
- Oct 20, 15 Reviewed and drafted various correspondence regarding kiosks sale transactions and potential issues; drafted correspondence to counsel to condominium corporation regarding necessary amendment to kiosk vesting order and other matters related to sale transaction; drafted amendment to vesting order for kiosk units;
- Oct 21, 15 Telephone call with G. Moffat; email to and telephone conference with B. Tannenbaum re proposed distribution to Am-Stat;
- Oct 21, 15 Attended at Commercial List Court to obtain order to amend approval and vesting order re kiosk units; discussed matters with client; reviewed and drafted correspondence regarding various property matters and closing sale of kiosk units;

GST No R124110933

INVOICE NUMBER: 256669

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

Doc#3511497v2



- Oct 22, 15 Telephone conference call with B. Tannenbaum and C. Delaney re proposed interim distribution to Am-Stat;
 - Oct 22, 15 Reviewed and drafted correspondence regarding various matters; reviewed sold and unsold property chart received from Colleen Delaney; reviewed real property search results and drafted distribution chart for all properties;
 - Oct 23, 15 Discussed draft lien distribution schedule with client;
 - Oct 29, 15 Reviewed documents received from condominium corporation regarding unit 60 and drafted response;
 - Oct 30, 15 Reviewed and drafted correspondence regarding sale of unit 60 and condominium corporation claim with respect to sale proceeds;
 - Nov 2, 15 Reviewed and drafted correspondence regarding matters related to sale of unit 60;
 - Nov 6, 15 Reviewed and drafted correspondence;
 - Nov 9, 15 Reviewed and drafted correspondence regarding various matters;
 - Nov 18, 15 Reviewed and drafted correspondence regarding various issues;
 - Nov 19, 15 Reviewed and drafted correspondence regarding certificates of action that are still registered on title to sold property;
 - Nov 20, 15 Reviewed and drafted correspondence regarding various outstanding matters;
 - Nov 23, 15 Reviewed correspondence;
 - Nov 24, 15 Telephone conference call with B. Tannenbaum, C. Delaney and S. Rappos re reduction of outstanding letters of credit and Tarion bond in order to be able to make distributions to mortgagees;
 - Nov 24, 15 Attended conference call with client to discuss various outstanding issues; discussed matters with counsel to Laurentian Bank; reviewed and drafted correspondence regarding various matters;
 - Nov 25, 15 Reviewed and drafted correspondence regarding upcoming meeting with condominium corporation;
 - Nov 26, 15 Reviewed and drafted correspondence;
 - Nov 30, 15 Reviewed and drafted correspondence regarding various matters;
- To all matters of a general nature not more particularly referred to herein.

GST No R124110933

INVOICE NUMBER: 256669

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

**TOTAL PROFESSIONAL FEES**

HST at 13.00%

\$11,060.50

1,437.87

DISBURSEMENTS:**Subject to HST:**

Kap Litigation Service	\$55.00	
Teraview Charges Taxable	\$85.00	
Courier and Taxi Charges	\$15.30	
Postage Charges	\$0.77	
Parking Charges	\$3.98	
Photocopying Charges	\$63.30	
Registered Mail	\$9.77	
		\$233.12

Non-Taxable:

General Non-taxable	\$76.00	
File Motion Record(s)	\$127.00	
Teraview Charges Non-Taxable	\$67.00	
		\$270.00

TOTAL DISBURSEMENTS

HST at 13.00%

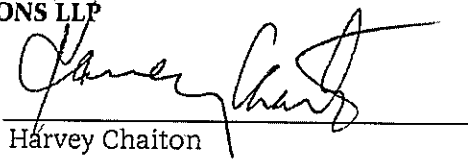
\$503.12

30.31

GRAND TOTAL**\$13,031.79**

CHAITONS LLP

per:


 A handwritten signature in black ink, appearing to read "Harvey Chaiton", is written over a horizontal line. Below the line, the name "Harvey Chaiton" is printed in a standard font.

Harvey Chaiton

GST No R124110933

INVOICE NUMBER: 256669

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, Interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

**LAWYERS' SUMMARY:**

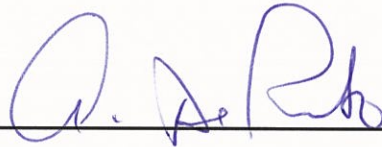
Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	2.40	\$1,668.00
SAM RAPPOS	\$425.00	22.10	\$9,392.50
Total:		24.50	\$11,060.50

GST No R124110933

INVOICE NUMBER: 256669

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

**THIS IS EXHIBIT "I" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to read "A. A. Roberts", is written over a solid black horizontal line.

A Commissioner Etc.



INVOICE NUMBER: 258320

March 31, 2016

COLLINS BARROW TORONTO LIMITED
11 KING STREET WEST, SUITE 700
TORONTO, ON M5H 4C7

Re: **SOUTH UNION SQUARE (SUSQ)**
Our file: **006998-56866**

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including March 31, 2016:

PROFESSIONAL FEES

SUBJECT TO HST	\$55,561.00	
SUB-TOTAL		\$55,561.00

DISBURSEMENTS

NON TAXABLE	\$551.85	
SUBJECT TO HST	\$1,185.26	
SUB-TOTAL		\$1,737.11
HST at 13.00%		\$7,377.01

GRAND TOTAL		\$64,675.12
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Amount payable on the current invoice	\$64,675.12
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$64,675.12</u>
Trust Balance	



PROFESSIONAL FEES:

- Dec 2, 15 Attended meeting with YRSCC 1228 and client via conference call; discussed same with client;
- Dec 3, 15 To review various e-mails re outstanding Tarion and L/C issues and telephone conversation with H. Chaiton in connection therewith;
- Dec 3, 15 Attended conference call with B. Tannenbaum and representatives of MarshallZehr; reviewed documentation received from C. Delaney regarding letters of credit issues;
- Dec 4, 15 Conference with R. Miller; telephone call with B. Tannenbaum and C. Delaney re position of Tarion;
- Dec 4, 15 To review site plan agreement re L/C issue and meeting with H. Chaiton re Tarion and L/C issues; to conference call with B. Tannenbaum, C. Delaney, H. Chaiton and S. Rappos re outstanding Tarion and L/C issues;
- Dec 4, 15 Discussed Tarion and YRSCC 1228 matter, along with letters of credit matters, with B. Tannenbaum, C. Delaney, H. Chaiton and R. Miller; reviewed file documents and drafted correspondence summarizing outstanding issues for these matters;
- Dec 7, 15 To various e-mails from and to M. Karoly re structure of condominium; to review declaration, description, bulletin 49 and relevant sections of ONHWPA and the regulations and preparation of opinion regarding obligation to rectify all common element deficiencies; to e-mails from and to B. Tannenbaum in connection therewith;
- Dec 7, 15 Reviewed and drafted correspondence regarding Tarion and YRSCC 1228 matters;
- Dec 8, 15 To e-mails from and to M. Karoly and B. Tannenbaum re common element deficiencies;
- Dec 8, 15 Reviewed and drafted correspondence regarding Tarion matters; drafted request form regarding court time;
- Dec 9, 15 Reviewed and drafted correspondence;
- Dec 10, 15 To various e-mails from and to C. Delaney re replacement of letters of credit by Laurentian;
- Dec 11, 15 To discussion and email correspondence with R. Gray re boulevard work;



- Dec 11, 15 Reviewed side agreement received from Laurentian and discussed same with B. Tannenbaum;
- Dec 14, 15 To meeting with various parties at Tarion to discuss status of the common element deficiencies;
- Dec 14, 15 Reviewed claim matters in connection with reporting requirements with Laurentian; reviewed correspondence;
- Dec 15, 15 To review e-mail from lawyer for condominium corporation re updated deficiency list and e-mail to B. Tannenbaum accordingly; to review e-mail from C. Delaney re 12/14/15 meeting at Tarion;
- Dec 15, 15 Reviewed and drafted correspondence regarding various matters; drafted fifth report;
- Dec 16, 15 To follow up correspondence with R. Gray re boulevard works;
- Dec 16, 15 Drafted fifth report; reviewed claims against properties for reporting to Laurentian; revised report based on comments received from C. Delaney; reviewed and drafted correspondence regarding various matters including sale transactions for residential units;
- Dec 17, 15 Review draft report; conference with S. Rappos;
- Dec 17, 15 Reviewed and drafted various correspondence; drafted correspondence to counsel to condominium corporation regarding outstanding amounts; discussed draft fifth report with H. Chaiton and made revisions to same;
- Dec 18, 15 Reviewed and revised draft fifth report; drafted notice of motion; attended to service of motion record; reviewed and drafted various correspondence;
- Dec 22, 15 Review draft Claims Process Order; conference with S. Rappos;
- Dec 22, 15 To email correspondence with R. Gray re boulevard work and issuance of new letter of credit;
- Dec 22, 15 Drafted order and property claims process order; discussed same with H. Chaiton; discussed matters with Adam Slavens; reviewed and drafted correspondence regarding various matters;
- Dec 23, 15 Telephone call with B. Tannenbaum and emails with R. Gray;
- Dec 23, 15 Attended at motion before Commercial List; discussed matters with counsel to YRSCC 1265 and reviewed and drafted correspondence regarding same;
- Dec 24, 15 Reviewed and drafted correspondence regarding various matters;

GST No R124110933

INVOICE NUMBER: 258320

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- Jan 5, 16 Reviewed file documents and drafted statement of claim regarding Tran and Vinum wine bar; reviewed and drafted correspondence;
- Jan 7, 16 Reviewed and drafted correspondence;
- Jan 11, 16 Discussed outstanding matters with C. Delaney; drafted correspondence to Tran's counsel; drafted letter to Robert Gray and circulated to client; finalized letter to Robert Gray regarding Primont and outstanding matters; drafted correspondence to CRA and DOJ regarding claims process;
- Jan 12, 16 Reviewed comments and finalized correspondence to CRA and DOJ regarding claims process;
- Jan 15, 16 To telephone conversation with C. Delaney re outstanding common element deficiencies and review documentation relating thereto; to review/revise statutory declaration re Construction Lien Act;
- Jan 15, 16 Reviewed condo corp. motion materials and drafted correspondence to C. Delaney regarding same;
- Jan 18, 16 Discussed outstanding matters with Colleen Delaney; revised distribution chart;
- Jan 19, 16 Reviewed Laurentian and Aviva security documents and drafted correspondence to Laurentian's counsel and Aviva's counsel regarding claims; reviewed and drafted correspondence regarding various matters;
- Jan 20, 16 Reviewed and drafted correspondence to counsel to Delta Elevator; reviewed and drafted correspondence regarding City of Markham calling on letter of credit posted as cash in lieu of parkland and discussed same with S. Lavine;
- Jan 21, 16 Conference with S. Rappos and S. Lavine re "cash in lieu";
- Jan 21, 16 To discussion with H. Chaiton, S. Rappos and S. Lavine re letter of credit;
- Jan 21, 16 Reviewed documents regarding Primont and letter of credit called upon by City of Markham for cash-in-lieu of parkland; attended internal meeting regarding same; attended at SUSQ premises for a tour;
- Jan 25, 16 Reviewed brochures and site plans for the property; drafted master list regarding units and phases; reviewed condominium declaration for Phase I; reviewed claim received from Laurentian;
- Jan 26, 16 Reviewed and drafted correspondence regarding various matters;
- Jan 28, 16 Reviewed and drafted correspondence regarding claim matters;

GST No R124110933

INVOICE NUMBER: 258320

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- Jan 29, 16 Reviewed and drafted correspondence;
- Feb 1, 16 Reviewed and drafted correspondence regarding property claims; updated service list;
- Feb 2, 16 To review of PIN and construction liens and various e-mails from and to C. Delaney re revisions to statutory declaration;
- Feb 2, 16 Reviewed and drafted correspondence regarding distribution to mortgagees and other matters;
- Feb 3, 16 Reviewed and drafted correspondence regarding scheduling of March 22 hearing; revised and circulated service list; reviewed and drafted correspondence regarding various matters;
- Feb 4, 16 To correspondence from and to C. Delaney re release of Town letter of credit;
- Feb 12, 16 Reviewed correspondence; discussed letters of credit matters with in-house counsel to TD Bank;
- Feb 16, 16 Reviewed and drafted correspondence;
- Feb 18, 16 Reviewed and drafted correspondence regarding various matters;
- Feb 19, 16 To e-mails from and to C. Delaney re response to Tarion re status request;
- Feb 19, 16 Reviewed and drafted correspondence;
- Feb 22, 16 Reviewed and drafted correspondence regarding various matters;
- Feb 23, 16 Reviewed and drafted correspondence regarding replacement letters of credit;
- Feb 24, 16 To review proxy form and e-mails from and to S. Rappos in connection therewith; to review e-mail from C. Delaney re status of reduction of L/Cs;
- Feb 24, 16 Reviewed and drafted correspondence regarding proxy at AGM; reviewed and drafted correspondence regarding claim against Tran;
- Feb 26, 16 Reviewed and drafted correspondence regarding inquiry from Am-Stat;
- Mar 1, 16 Reviewed TD Bank letters of credit documentation and drafted correspondence regarding same;



- Mar 3, 16 Attended conference call to discuss TD letters of credit; reviewed and drafted correspondence regarding same; reviewed documentation regarding claim against YRSCC 1228 and drafted memorandum to file regarding issues;
- Mar 4, 16 To review of email correspondence re community lands language addition to the purchase agreement;
- Mar 7, 16 Drafted order regarding replacement letters of credit; reviewed TD Bank draft letters of credit documents; reviewed and drafted correspondence;
- Mar 8, 16 Discussed TD bank documents with H. Chaiton; reviewed and drafted correspondence regarding same and draft order;
- Mar 9, 16 Reviewed and drafted correspondence regarding letters of credit matters; revised draft Sixth Report;
- Mar 10, 16 Reviewed and revised draft Sixth Report; reviewed and drafted correspondence; discussed comments on draft report with client;
- Mar 11, 16 Review draft Sixth Report; telephone conference call with B. Tannenbaum, C. Delaney and S. Rappos to review and discuss report;
- Mar 11, 16 To e-mails from and to C. Delaney re meeting with Tarion and condo corporation.
- Mar 11, 16 Reviewed and revised draft Sixth Report; discussed same with client; reviewed and drafted correspondence;
- Mar 12, 16 Continued to review and revise draft Sixth Report;
- Mar 13, 16 Review and mark-up revised Sixth Report and draft order;
- Mar 14, 16 Conference with D. Loomis to review opinion on Am-Stat security;
- Mar 14, 16 Conference with S. Rappos to discuss Sixth Report and draft order;
- Mar 14, 16 To discussion with H. Chaiton re comments on security opinion; to revise and finalize same;
- Mar 14, 16 Reviewed correspondence regarding draft sixth report and construction lien claims; reviewed matters related to condominium liens of YRSCC 1228 and drafted correspondence regarding same; reviewed and revised draft sixth report;



- Mar 15, 16 Reviewed correspondence and documentation regarding construction liens; discussed construction lien matters with client; reviewed and revised draft sixth report and comments received from client; drafted letter to lien claimants; reviewed and revised draft order regarding replacement letters of credit; discussed matters with counsel to TD; drafted notice of motion; reviewed and revised order; reviewed motion record prior to service;
- Mar 16, 16 Reviewed and drafted correspondence; discussed matters with counsel to YRSCC 1228;
- Mar 17, 16 Reviewed and drafted correspondence regarding letters of credit matters; reviewed and drafted correspondence regarding vacant lands and construction lien claims;
- Mar 18, 16 Reviewed and drafted correspondence regarding Vacant Lands and SUSQ project; reviewed correspondence from counsel to lien claimant;
- Mar 21, 16 Drafted correspondence to respond to letter from Thomas Kerr; revised draft orders for motion; discussed matters with counsel to the City; reviewed and drafted correspondence regarding Vacant Lands and construction liens; reviewed and drafted correspondence regarding various matters at issue in motion; reviewed and drafted correspondence in response to correspondence received from Kevin Sherkin;
- Mar 22, 16 To e-mails from and to C. Delaney re pending site meeting with condo corp;
- Mar 22, 16 Prepared for and attended motion before the Commercial List; finalized draft orders; reviewed and drafted correspondence regarding sale of suite 827; reviewed and drafted correspondence regarding proposed escrow agreement;
- Mar 23, 16 Drafted escrow agreement regarding letters of credit; discussed matters with counsel to purchaser of suite 827; reviewed and drafted correspondence;
- Mar 24, 16 Reviewed and drafted correspondence regarding vacant lands and additional information required; reviewed and drafted correspondence regarding sale of suite 827;
- Mar 28, 16 Reviewed and drafted correspondence regarding various matters; revised draft supplementary report;
- Mar 29, 16 Reviewed and drafted correspondence;



Mar 30, 16 Discussed real property searches and investigations with C. Wilson;
reviewed and drafted correspondence; revised supplementary report;
reviewed and drafted correspondence regarding sale of suite 1521;

Mar 31, 16 Continued to review and revise draft supplementary report; reviewed
comments provided by client; finalized report for execution; prepared
motion record for service;

To all other matters of a general nature not more particularly referred to
herein

TOTAL PROFESSIONAL FEES	\$55,561.00
HST at 13.00%	7,222.93

DISBURSEMENTS:

Subject to HST:

Kap Litigation Service Taxable	\$110.00	
Internet Search Fee Taxable	\$12.00	
Teraview Charges Taxable	\$724.35	
Courier and Taxi Charges Taxable	\$34.96	
Parking Charges Taxable	\$13.27	
Long Distance Telephone Taxable	\$123.48	
Telecopier Charges Taxable	\$2.50	
Photocopying Charges Taxable	\$14.70	
File Admin. Fee Taxable	\$150.00	
		\$1,185.26

Non-Taxable:

File Motion Record(s)	\$254.00	
Teraview Charges Non-taxable	\$289.85	
Government Disbursement Internet Search Non-tax.	\$8.00	
		\$551.85

TOTAL DISBURSEMENTS	\$1,737.11
HST at 13.00%	154.08

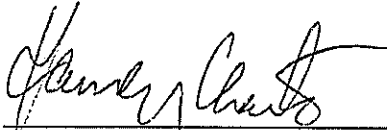


GRAND TOTAL

\$64,675.12

CHAITONS LLP

per:



Harvey Chaiton



LAWYERS' SUMMARY:

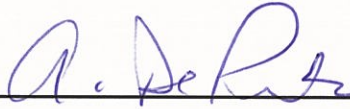
Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	10.50	\$7,297.50
ROBERT MILLER	\$625.00	3.10	\$1,937.50
ROBERT MILLER	\$600.00	7.60	\$4,560.00
DEBRA LOOMIS	\$450.00	0.80	\$360.00
DEBRA LOOMIS	\$415.00	0.90	\$373.50
SAM RAPPOS	\$460.00	71.00	\$32,660.00
SAM RAPPOS	\$425.00	19.70	\$8,372.50
Total:		113.60	\$55,561.00

GST No R124110933

INVOICE NUMBER: 258320

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

**THIS IS EXHIBIT "J" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**



A Commissioner Etc.



INVOICE NUMBER: 259729

July 31, 2016

COLLINS BARROW TORONTO LIMITED
11 KING ST. WEST
SUITE 700
TORONTO, ON M5H 4C7

Re: **SOUTH UNION SQUARE (SUSQ)**
Our file: 006998-56866

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including July 31, 2016:

PROFESSIONAL FEES

SUBJECT TO HST	\$31,948.00	
SUB-TOTAL		\$31,948.00

DISBURSEMENTS

NON TAXABLE	\$393.65	
SUBJECT TO HST	\$747.59	
SUB-TOTAL		\$1,141.24
HST at 13.00%		\$4,250.43

GRAND TOTAL		<u>\$37,339.67</u>
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Amount payable on the current invoice	\$37,339.67
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$37,339.67</u>
Trust Balance	



PROFESSIONAL FEES:

- Jan 20, 16 To receipt and review of e-mail from C. Delaney re outstanding warranty work;
- Jan 21, 16 To receipt and review of e-mail from C. Delaney re meeting with A. Casalnuovo;
- Apr 1, 16 Reviewed construction lien claims and drafted correspondence to claimants regarding holdback amounts; reviewed and revised construction lien chart;
- Apr 4, 16 Reviewed and revised draft escrow agreement; reviewed and drafted correspondence regarding Global Mechanical responding motion record and issues related to distribution of proceeds of sale of Vacant Lands to mortgagee;
- Apr 5, 16 Review various emails; emails with S. Rappos re priority of lien claims over Am-Stat;
- Apr 5, 16 Discussed matters with counsel to LBC; reviewed real property parcels and considered histories of lands owned by JKDC; drafted correspondence to Harris Sheaffer regarding same; reviewed and drafted correspondence regarding revisions to draft escrow agreement; reviewed and drafted correspondence regarding issues related to Vacant Lands proceeds and distributions; revised draft escrow agreement and circulated same; drafted correspondence to lien claimants regarding holdbacks; drafted correspondence to letters of credit beneficiaries; revised service list; discussed matter with counsel to City of Markham; discussed JKDC properties with C. Wilson;
- Apr 6, 16 Review various emails; telephone conference call with B. Tannenbaum and C. Delaney re position of certain lien claims with respect to validity of liens against vacant lands and proposed distribution to Am-Stat;
- Apr 6, 16 Attended call with client to discuss outstanding matters; reviewed and drafted correspondence regarding issues related to Vacant Lands proceeds and construction liens; discussed matters with counsel to Frendel; continued to reviewed real property documents regarding JKDC lands; reviewed and revised distribution chart; reviewed construction lien documents and revised construction lien charts;
- Apr 7, 16 To telephone conversation with C. Delaney re documentation for May site meeting;

GST No R124110933

INVOICE NUMBER: 259729

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- Apr 7, 16 Reviewed and drafted correspondence regarding replacement of LBC letters of credit; reviewed and revised draft escrow agreement; reviewed correspondence received from counsel to Guest Tile; reviewed Guest Tile's responding motion record; reviewed and drafted correspondence regarding distributions;
- Apr 8, 16 Reviewed and drafted various correspondence;
- Apr 11, 16 Reviewed and drafted correspondence regarding escrow agreement and other matters;
- Apr 12, 16 Reviewed and drafted correspondence; attended call with client;
- Apr 14, 16 Reviewed and drafted correspondence regarding escrow agreement; reviewed and drafted correspondence regarding adjournment of hearing; discussed matters with counsel to LBC; reviewed and drafted correspondence regarding Global construction liens;
- Apr 15, 16 Reviewed and drafted correspondence regarding LC replacement; reviewed lien claims and drafted holdbacks chart; reviewed and drafted correspondence regarding holdbacks to lien claimants;
- Apr 18, 16 Reviewed and drafted correspondence in connection with escrow agreement and reviewed LC cancellation documents; discussed matters with counsel to LBC and Guest Tile;
- Apr 19, 16 Reviewed and drafted various correspondence and reviewed documents with respect to escrow agreement and replacement letters of credit;
- Apr 20, 16 Reviewed and drafted numerous correspondence regarding escrow agreement and letters of credit; reviewed and drafted correspondence regarding sale of suite 1521 and condominium lien; drafted correspondence to counsel to certain construction lien claimants;
- Apr 21, 16 Reviewed and drafted correspondence regarding letters of credit matter and construction lien holdback matters; drafted letters to beneficiaries regarding delivery of TD Bank letters of credit; drafted correspondence to counsel to LBC regarding return of documents; reviewed and drafted correspondence regarding sale of suite 1521 and quantum of condo lien;
- Apr 22, 16 Reviewed and drafted correspondence regarding letters of credit matter, along with construction lien matter;
- Apr 25, 16 Reviewed and drafted correspondence regarding various matters;
- Apr 26, 16 Attended chambers appointment regarding amendment to approval and vesting order re suite 1521; drafted trustee certificate regarding same; reviewed and drafted correspondence;

GST No R124110933

INVOICE NUMBER: 259729

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- Apr 27, 16 Reviewed and drafted various correspondence regarding quantum of condo lien with respect to suite 1521; reviewed file documents regarding same; reviewed and drafted correspondence to counsel to purchaser of suite 1521;
- Apr 28, 16 Reviewed and drafted various correspondence regarding closing of suite 1521 and payment of amounts to condominium corporation;
- May 2, 16 Reviewed and drafted correspondence; updated holdback amount chart;
- May 3, 16 Reviewed and discussed matters with client; reviewed and drafted correspondence;
- May 4, 16 Reviewed and drafted correspondence to counsel to certain lien claimants regarding holdbacks; revised draft trustee report;
- May 5, 16 Revised draft Trustee report and sent to client for comments; reviewed comments and further revised draft; reviewed and drafted various correspondence regarding construction lien claims;
- May 6, 16 Reviewed and revised draft Trustee report; reviewed file documents and drafted correspondence to counsel to CRS regarding reconciliation; reviewed and drafted correspondence regarding certificates of substantial performance published by MCDL;
- May 9, 16 Reviewed and drafted correspondence; revised second supplement to sixth report and circulated it for comments; discussed draft with client; reviewed documents received from Jeff Bolton; drafted letter to counsel to Sreen regarding lien claim; reviewed and drafted correspondence to counsel to lien claimants regarding outstanding information; reviewed certificate of substantial performance and drafted correspondence regarding same;
- May 10, 16 Reviewed file documents and drafted correspondence regarding upcoming hearing and adjournment to deal with holdback amounts; reviewed and updated holdback chart;
- May 11, 16 Reviewed and drafted correspondence;
- May 12, 16 Reviewed documents regarding MJC claim and discussed same with Colleen Delaney; reviewed correspondence from counsel to Guest Tile; updated holdback chart;
- May 16, 16 Reviewed PPSA search results and drafted correspondence regarding same and recovered cash collateral;
- May 18, 16 Reviewed and drafted correspondence regarding upcoming hearing and additional information required from construction lien claimants;

GST No R124110933

INVOICE NUMBER: 259729

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



May 20, 16 Reviewed and drafted various correspondence regarding outstanding issues with construction lien claimants;
 May 23, 16 Reviewed and drafted correspondence regarding Am-Stat loan;
 May 24, 16 Reviewed and drafted correspondence regarding outstanding issues;
 May 25, 16 Attended call with client to discuss outstanding issues; reviewed correspondence regarding Am-Stat;
 May 26, 16 Drafted correspondence to service list regarding outstanding matters and adjournment; reviewed and drafted correspondence;
 May 27, 16 Reviewed and drafted correspondence;
 May 30, 16 Reviewed and drafted correspondence;
 Jun 3, 16 Reviewed correspondence; drafted seventh report regarding sale of residential units;
 Jun 6, 16 Reviewed revised draft tenth report; drafted notice of motion; reviewed and drafted correspondence;
 Jun 7, 16 Reviewed and drafted correspondence regarding condo arrears matters; reviewed and drafted correspondence regarding upcoming motion; drafted orders;
 Jun 8, 16 Reviewed and revised draft orders; prepared for and attended at Commercial List for motion for approval of sale transactions; drafted correspondence to service list regarding same; reviewed and drafted correspondence regarding condo corp matters;
 Jun 9, 16 Reviewed and drafted correspondence regarding sale transactions; reviewed and drafted correspondence regarding payment of amounts to condo corp. on closing of sale transactions; reviewed documents regarding same; reviewed and drafted correspondence with counsel to LBC;
 Jun 17, 16 Discussed matter with Bryan Tannenbaum; reviewed and drafted correspondence to service list regarding outstanding matters;
 Jun 20, 16 Reviewed and drafted correspondence; revised draft report; updated service list;
 Jun 21, 16 Reviewed and drafted correspondence regarding upcoming hearing;
 Jun 22, 16 Reviewed and drafted correspondence;
 Jun 27, 16 Reviewed and drafted correspondence; reviewed file documents; drafted second supplement to the sixth report;

GST No R124110933

INVOICE NUMBER: 259729

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



Jun 28, 16 Reviewed and revised draft second supplement to the sixth report;
prepared report for service;

Jun 29, 16 Attended conference call with client to go over outstanding matters;
drafted amended notice of motion; prepared and served supplementary
motion record; drafted two court orders and circulated to service list;
reviewed and drafted correspondence regarding claim of Guest Tile;

Jun 30, 16 Attended at hearing of motion before the Commercial List Court;
discussed matters with Bryan Tannenbaum and counsel to LBC;

To all other matters of a general nature not more particularly referred to
herein

TOTAL PROFESSIONAL FEES	\$31,948.00
HST at 13.00%	4,153.24

DISBURSEMENTS:

Subject to HST:

Kap Litigation Service Taxable	\$265.00	
Internet Search Fee Taxable	\$12.00	
Teraview Charges Taxable	\$298.55	
Courier and Taxi Charges Taxable	\$160.45	
Parking Charges Taxable	\$6.19	
Photocopying Charges Taxable	\$5.40	
		\$747.59

Non-Taxable:

File Motion Record(s)	\$254.00	
Teraview Charges Non-taxable	\$123.65	
Government Disbursement Internet Search Non-tax.	\$16.00	
		\$393.65

TOTAL DISBURSEMENTS	\$1,141.24
HST at 13.00%	97.19

GST No R124110933

INVOICE NUMBER: 259729

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

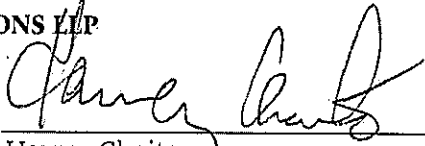


GRAND TOTAL

\$37,339.67

CHAITONS LLP

per:



Harvey Chaiton

**LAWYERS' SUMMARY:**

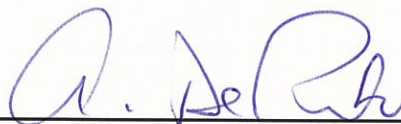
Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	2.00	\$1,390.00
ROBERT MILLER	\$625.00	1.20	\$750.00
SAM RAPPOS	\$460.00	64.80	\$29,808.00
Total:		68.00	\$31,948.00

GST No R124110933

INVOICE NUMBER: 259729

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

**THIS IS EXHIBIT "K" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to read "A. DeRube", is written over a solid black horizontal line.

A Commissioner Etc.



INVOICE NUMBER: 260718

October 31, 2016

COLLINS BARROW TORONTO LIMITED
11 KING ST. WEST
SUITE 700
TORONTO, ON M5H 4C7

Re: SOUTH UNIONVILLE SQUARE (SUSQ)
Our file: 006998-56866

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including October 31, 2016:

PROFESSIONAL FEES

SUBJECT TO HST	\$27,513.00	
SUB-TOTAL		\$27,513.00

DISBURSEMENTS

NON TAXABLE	\$339.05	
SUBJECT TO HST	\$430.32	
SUB-TOTAL		\$769.37
HST at 13.00%		\$3,632.63

GRAND TOTAL

\$31,915.00

Amount payable on the current invoice	\$31,915.00
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$31,915.00</u>
Trust Balance	



PROFESSIONAL FEES:

- Jul 7, 16 Reviewed and drafted correspondence regarding distributions to construction lien claimants and other matters;
- Jul 8, 16 Reviewed and drafted correspondence;
- Jul 11, 16 Reviewed and drafted correspondence regarding distributions and other matters;
- Jul 18, 16 Reviewed and drafted correspondence on various matters;
- Jul 19, 16 Reviewed and drafted correspondence regarding Imperial holdback claim and reviewed file documents; reviewed and drafted correspondence regarding Skyway holdback claim; reviewed and drafted correspondence regarding holdback claims of Sreen and CRS;
- Jul 20, 16 Reviewed and drafted correspondence;
- Jul 21, 16 Drafted Eighth Report; reviewed comments on draft; reviewed and drafted correspondence;
- Jul 22, 16 Reviewing and revising draft Eighth Report; drafted correspondence to counsel to Sreen; drafted notice of motion; prepared motion record for service; reviewed and drafted correspondence;
- Jul 26, 16 Reviewed and drafted correspondence regarding various matters including claims process;
- Jul 27, 16 Reviewed and drafted correspondence regarding residential sale transactions; condo lien distributions, and priority dispute matters;
- Jul 28, 16 Reviewed payout statement regarding liens for condo. corporation; drafted correspondence to client regarding same;
- Aug 1, 16 Reviewed correspondence; drafted Trustee Certificate;
- Aug 2, 16 Reviewed and drafted correspondence regarding residential condo; reviewed and revised draft orders; attended at motion before the Commercial List; reviewed and drafted correspondence regarding priority claims process;
- Aug 3, 16 Reviewed and drafted correspondence regarding disputed holdback claims and priority claims process;

GST No R124110933

INVOICE NUMBER: 260718

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, Interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- Aug 4, 16 Reviewed and drafted correspondence regarding priority claims process and ability of claimants that didn't serve materials to benefit from any priority decision; reviewed and drafted correspondence regarding disputed holdback claims of Dircam and Skyway; reviewed Dircam and Skyway claim documents and Mady records; drafted correspondence regarding Screen holdback claim;
- Aug 5, 16 Reviewed and drafted correspondence;
- Aug 8, 16 Reviewed and drafted correspondence regarding dispute related to priority claims process;
- Aug 9, 16 Reviewed and drafted correspondence regarding distribution matters and priority claims resolution matters;
- Aug 10, 16 Reviewed and drafted correspondence regarding priority claims process and scheduling of chambers appointment to discuss outstanding matters; attended to scheduling of appointment;
- Aug 11, 16 Reviewed and drafted correspondence;
- Aug 12, 16 Reviewed and drafted correspondence regarding inquiries made of counsel to MarshallZehr;
- Aug 15, 16 Attended conference call with client and representatives of MarshallZehr and LBC; attended call with client;
- Aug 16, 16 Reviewed and drafted correspondence regarding chambers appointment and scheduling motion to deal with priority claims process issues;
- Aug 17, 16 Attended chambers appointment regarding priority claims process; discussed matters with Bryan Tannenbaum; reviewed and drafted correspondence regarding priority claims process and other matters;
- Aug 25, 16 Telephone conference call with B. Tannenbaum and C. Delaney re outstanding matters;
- Aug 25, 16 Reviewed and drafted correspondence; attended conference call with client to discuss outstanding matters;
- Aug 30, 16 Discussed matters with counsel to MarshallZehr;
- Aug 31, 16 Reviewed and drafted correspondence regarding various matters;
- Sep 1, 16 Discussed matters with counsel to LBC;
- Sep 6, 16 Reviewed and drafted correspondence;
- Sep 7, 16 Reviewed correspondence;

GST No R124110933

INVOICE NUMBER: 260718

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- Sep 8, 16 Conference with S. Rappos re various outstanding issues;
- Sep 8, 16 Reviewed file documents and drafted correspondence regarding claim on promissory note; discussed same with H. Chaiton; reviewed matters regarding drawn down LC and Primont and discussed same with H. Chaiton;
- Sep 9, 16 Continued to draft report with respect to motion returnable October 7, 2016 regarding priority dispute;
- Sep 12, 16 Reviewed and drafted various correspondence;
- Sep 14, 16 Reviewed draft letter to Meretsky; discussed same with client; revised draft letter;
- Sep 15, 16 Reviewed letter from CRA auditor and drafted correspondence regarding same;
- Sep 20, 16 Reviewed and drafted correspondence; continued to draft Trustee's report;
- Sep 21, 16 Reviewed matters regarding set-off claim with condo corp and discussed same with H. Chaiton; reviewed and drafted correspondence;
- Sep 27, 16 Reviewed file documents and drafted letter constituting notice of disallowance with respect to the claim of Sreen; drafted chart regarding construction lien claims; drafted follow-up correspondence to various parties;
- Sep 29, 16 Reviewed and revised ninth report; reviewed and drafted correspondence regarding upcoming priority motion;
- Sep 30, 16 Discussed draft ninth report with client; finalized ninth report with client; reviewed and drafted correspondence regarding priority motion matters
- Oct 2, 16 Drafted notice of motion for advice and direction; prepared motion record for service;
- Oct 6, 16 Reviewed and drafted correspondence regarding priority resolution motion; reviewed materials for motion;
- Oct 7, 16 Prepared for and attended before Commercial List with respect to priority resolution motion; discussed matters with counsel and client;
- Oct 10, 16 Reviewed and drafted correspondence regarding vacant lands motion; reviewed and revised draft Trustee report;

GST No R124110953

INVOICE NUMBER: 260718

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, Interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- Oct 11, 16 Attended before Commercial List Court regarding Vacant Lands issue; discussed matters with other counsel and with client; reviewed and drafted correspondence;
- Oct 12, 16 Drafted notice of motion and prepared motion record for upcoming sale approval motion;
- Oct 14, 16 Drafted approval and vesting order for suite 1527; reviewed file documents and arranged for motion materials and facts to be saved on USB key for Wilton-Siegel; drafted correspondence regarding same;
- Oct 17, 16 Prepared for and attended motion before Commercial List for approval of sale transaction; reviewed parcel registers and prepared chart listing property, mortgages and constructions liens further to request of Justice Wilton-Siegel; reviewed and drafted correspondence regarding same;
- Oct 18, 16 Revised property chart to include PIN listings; reviewed parcel registers; reviewed and drafted correspondence regarding chart and additional properties;
- Oct 19, 16 Reviewed and drafted correspondence regarding APS for suite 117 from Hal Kersey; reviewed and revised property chart and reviewed and drafted correspondence regarding same;
- Oct 20, 16 Discussed property chart with counsel to LBC and counsel to MJC; reviewed file documents and drafted correspondence to client regarding outstanding holdback matters; attended call with Colleen Delaney to discuss same; reviewed and drafted correspondence to counsel to Sreen and Downsview Group; revised property chart;
- Oct 24, 16 Reviewed and drafted correspondence to counsel to Dircam and Skyway regarding holdback claims; reviewed documents with respect thereto; drafted letter to counsel to CRS; drafted scheduling request form; finalized property chart and circulated to the service list;
- Oct 25, 16 Reviewed and drafted correspondence regarding holdback claims; discussed matters with Colleen Delaney;
- Oct 26, 16 Reviewed and revised draft Eleventh Report based on comments received from client; reviewed and drafted correspondence with respect to same;
- Oct 31, 16 Reviewed letter from counsel to Sreen regarding lien and vacant lands and drafted response thereto;
- To all other matters of a general nature not more particularly referred to herein

 GST No R124110933

INVOICE NUMBER: 260718

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



TOTAL PROFESSIONAL FEES
HST at 13.00%

\$27,513.00
3,576.69

DISBURSEMENTS:

Subject to HST:

Kap Litigation Services Taxable	\$165.00
Teraview Charges Taxable	\$172.90
Courier and Taxi Charges Taxable	\$43.01
Postage Charges Taxable	\$0.80
Parking Charges Taxable	\$13.27
Telecopier Charges Taxable	\$2.34
Photocopying Charges Taxable	\$33.00

\$430.32

Non-Taxable:

File Motion Record(s)	\$254.00
Teraview Charges Non-taxable	\$85.05

\$339.05

TOTAL DISBURSEMENTS
HST at 13.00%


\$769.37
55.94

GRAND TOTAL

\$31,915.00

CHAITONS LLP

per:


Harvey Chaiton

**LAWYERS' SUMMARY:**

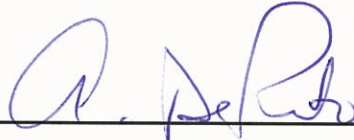
Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	1.00	\$695.00
SAM RAPPOS	\$460.00	58.30	\$26,818.00
Total:		59.30	\$27,513.00

GST No R124110933

INVOICE NUMBER: 260718

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

**THIS IS EXHIBIT "L" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to be "A. DeRo", written over a solid black horizontal line.

A Commissioner Etc.



INVOICE NUMBER: 261507

January 31, 2017

COLLINS BARROW TORONTO LIMITED
11 KING ST. WEST
SUITE 700
TORONTO, ON M5H 4C7

Re: **SOUTH UNIONVILLE SQUARE (SUSQ)**
Our file: 006998-56866

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including January 31, 2017:

PROFESSIONAL FEES

SUBJECT TO HST	\$22,330.00	
SUB-TOTAL		\$22,330.00

DISBURSEMENTS

NON TAXABLE	\$551.90	
SUBJECT TO HST	\$628.43	
SUB-TOTAL		\$1,180.33
HST at 13.00%		\$2,984.60

GRAND TOTAL		\$26,494.93
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Amount payable on the current invoice	\$26,494.93
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$26,494.93</u>
Trust Balance	



PROFESSIONAL FEES:

- Nov 2, 16 Finalized motion record for service; reviewed and drafted correspondence to lawyers for lien claimants;
- Nov 8, 16 Drafted supplementary report regarding Dircam claim; reviewed and drafted correspondence regarding CRS claim;
- Nov 9, 16 Drafted settlement offer to counsel to CRS; drafted supplementary report regarding CRS; reviewed and drafted correspondence; attended to service of supplementary motion record;
- Nov 10, 16 Reviewed and drafted correspondence regarding condo liens;
- Nov 11, 16 Drafted court orders regarding upcoming motion;
- Nov 14, 16 Prepared for and attended motion before Commercial List; attended to having orders issued and entered; drafted correspondence regarding same;
- Nov 15, 16 Reviewed and drafted correspondence;
- Nov 18, 16 Responded to correspondence from assistant to Justice Wilton-Siegel regarding priority matters motion;
- Dec 2, 16 Reviewed and drafted correspondence regarding Downsview claim; reviewed documents regarding condo corp. set off claim and mortgage against management unit; discussed same with D. Bourassa; drafted correspondence to client regarding these matters;
- Dec 5, 16 Reviewed and drafted correspondence regarding Jiang matter and proposed sale of units 92 and 93;
- Dec 6, 16 Reviewed and drafted correspondence regarding sale transaction, claim of Sereen Painting, and claim of Downsview; reviewed decision of Wilton-Siegel and drafted correspondence to client regarding same; discussed matters with Colleen Delaney;
- Dec 7, 16 Reviewed and drafted correspondence regarding sale transaction for units 92 and 93, and with respect to Wilton-Siegel's decision;
- Dec 9, 16 Reviewed and drafted correspondence;
- Dec 12, 16 To e-mails from and to S. Rappos re declarant obligation to return unused occupancy fees;

GST No R124110933

INVOICE NUMBER: 261507

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- Dec 12, 16 Drafted Commercial List request form; reviewed file documentation and drafted correspondence to counsel to Sreen; reviewed and drafted correspondence regarding potential set off claim by condo. corp. and discussed same with Mark Karoly and drafted correspondence to him regarding the issues; reviewed and drafted correspondence regarding sale transaction for units 92 and 93; reviewed documentation regarding Tran matter and discussed same with D. Bourassa and drafted correspondence to client regarding same; reviewed and drafted correspondence to client regarding LC matters; reviewed and drafted correspondence regarding Landowners Agreement;
- Dec 13, 16 Reviewed and drafted correspondence; attended conference call with clients to discuss outstanding matters;
- Dec 15, 16 Reviewed and revised Twelfth Report; reviewed file documents and drafted Tran statement of claim; reviewed and drafted correspondence regarding arrears of common expenses and condo. corp. liens;
- Dec 16, 16 Drafted notice of motion; finalized motion materials and attended to service thereof; reviewed and drafted correspondence;
- Dec 19, 16 Drafted approval and vesting order for units 92 and 93; reviewed and drafted correspondence regarding same; prepared for motion;
- Dec 20, 16 Attended at Commercial List for hearing of motion; reviewed and drafted correspondence regarding same; discussed costs matters with counsel to Laurentian;
- Dec 21, 16 Reviewed and drafted correspondence regarding landowners group; reviewed and drafted correspondence regarding letters of credit; reviewed and responded to correspondence from counsel to Skyway;
- Dec 22, 16 Reviewed and drafted correspondence;
- Dec 23, 16 Reviewed and drafted correspondence;
- Dec 29, 16 Reviewed and drafted correspondence regarding sale transaction for phase II commercial units;
- Jan 4, 17 Reviewed and drafted correspondence;
- Jan 5, 17 Reviewed and drafted correspondence regarding lien claimants' appeal and other matters;
- Jan 6, 17 Reviewed and drafted correspondence regarding lien claimants' appeal and other matters;

GST No R124110933

INVOICE NUMBER: 261507

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



- Jan 9, 17 Reviewed and drafted correspondence regarding dispute between Am-Stat and lien claimants and other matters;
- Jan 10, 17 Reviewed and drafted correspondence;
- Jan 11, 17 Telephone conference call with trustee to discuss outstanding issues;
- Jan 11, 17 Discussed matters with H. Chaiton; attended conference call with client; drafted correspondence to Aviva's counsel regarding original purchaser of unit 60; drafted e-mail with respect to matters related to Primont; drafted correspondence to counsel to original purchase of unit 60 regarding potential settlement; reviewed and drafted correspondence;
- Jan 12, 17 Reviewed and drafted correspondence;
- Jan 13, 17 Discussed settlement matters with counsel to Tran and draft correspondence to client regarding same; reviewed and drafted correspondence regarding sale of Phase II commercial unit;
- Jan 16, 17 Reviewed and drafted correspondence regarding various outstanding matters;
- Jan 17, 17 Reviewed and drafted correspondence regarding various matters; discussed research issues under the Construction Lien Act with articling student;
- Jan 18, 17 Reviewed lien claimants appeal materials and drafted correspondence regarding same; discussed matters with counsel to Aviva and drafted correspondence to client regarding same; reviewed and updated distribution chart; reviewed and drafted correspondence regarding various matters;
- Jan 20, 17 Reviewed and drafted correspondence regarding potential settlement with original unit 60 purchaser; drafted minutes of settlement regarding Tran claim and reviewed and drafted correspondence regarding same;
- Jan 23, 17 Reviewed and revised draft Tran settlement agreement and drafted schedules to the agreement; reviewed and responded to correspondence from counsel to Guest Tile;
- Jan 24, 17 Reviewed and drafted correspondence in response to issues raised by counsel to Guest Tile; drafted correspondence regarding Tran settlement;
- Jan 25, 17 Reviewed and drafted correspondence regarding various matters;

GST No R124110933

INVOICE NUMBER: 261507

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



Jan 26, 17 Reviewed and drafted correspondence regarding Jiang settlement and settlement with Tran; reviewed file documents and drafted memorandum regarding set off and mortgage matter;

Jan 26, 17 Research case law re subsection 7(1) of the Construction Lien Act (Ontario) regarding letters of credit;

Jan 27, 17 Reviewed and drafted correspondence regarding various matters; reviewed case law regarding set off claims against mortgages; reviewed appeal factum and reviewed and drafted correspondence with respect thereto;

Jan 27, 17 Research case law re subsection 7(1) of the Construction Lien Act (Ontario) regarding letters of credit;

Jan 30, 17 Reviewed and drafted correspondence regarding registered plan for Phase I units; reviewed correspondence regarding lien claimants motion for extension of time to appeal;

To all other matters of a general nature not more particularly referred to herein

TOTAL PROFESSIONAL FEES**\$22,330.00**

HST at 13.00%

2,902.90

DISBURSEMENTS:**Subject to HST:**

Service of Documents Taxable	\$169.00	
Kap Litigation Services Taxable	\$195.00	
Internet Search Fee Taxable	\$12.00	
Teraview Charges Taxable	\$74.85	
Courier and Taxi Charges Taxable	\$48.38	
Parking Charges Taxable	\$26.54	
Long Distance Telephone Taxable	\$11.76	
Photocopying Charges Taxable	\$90.90	
		\$628.43

Non-Taxable:

Issue Statement(s) of Claim	\$220.00
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GST No R124110933

INVOICE NUMBER: 261507

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



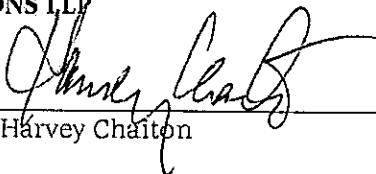
File Motion Record(s)	\$287.00	
Teraview Charges Non-taxable	\$36.90	
Government Disbursement Internet Search Non-tax.	\$8.00	
		\$551.90

TOTAL DISBURSEMENTS		\$1,180.33
HST at 13.00%		81.70

GRAND TOTAL		\$26,494.93
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CHAITONS LLP

per:



 Harvey Chaiton

GST No R124110933

INVOICE NUMBER: 261507

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

**LAWYERS' SUMMARY:**

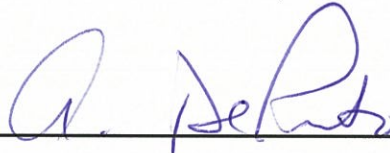
Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	2.00	\$1,390.00
ROBERT MILLER	\$625.00	0.20	\$125.00
SAM RAPPOS	\$485.00	18.60	\$9,021.00
SAM RAPPOS	\$460.00	24.90	\$11,454.00
ALEXANDRA KRANCEVIC	\$200.00	1.70	\$340.00
Total:		47.40	\$22,330.00

GST No R124110933

INVOICE NUMBER: 261507

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, Interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

**THIS IS EXHIBIT "M" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to read "A. DeRube", is written over a solid black horizontal line.

A Commissioner Etc.



INVOICE NUMBER: 261875

February 28, 2017

COLLINS BARROW TORONTO LIMITED
11 KING ST. WEST
SUITE 700
TORONTO, ON M5H 4C7

Re: SOUTH UNIONVILLE SQUARE (SUSQ)
Our file: 006998-56866

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including February 28, 2017:

PROFESSIONAL FEES

SUBJECT TO HST	\$9,115.00	
SUB-TOTAL		\$9,115.00

DISBURSEMENTS

NON TAXABLE	\$160.00	
SUBJECT TO HST	\$222.00	
SUB-TOTAL		\$382.00
HST at 13.00%		\$1,213.81

GRAND TOTAL

\$10,710.81

Amount payable on the current invoice	\$10,710.81
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$10,710.81</u>
Trust Balance	



PROFESSIONAL FEES:

- Feb 1, 17 Reviewed and drafted correspondence regarding condo arrears for units just sold by Trustee;
- Feb 2, 17 Reviewed and revised draft order regarding priority motion; reviewed and drafted correspondence regarding same; discussed matters with client;
- Feb 3, 17 Reviewed and drafted correspondence;
- Feb 6, 17 Reviewed and drafted correspondence;
- Feb 8, 17 Reviewed and responded to correspondence regarding remaining properties to be sold and potential entitlements to sale proceeds; drafted correspondence to service list regarding draft order and next steps; reviewed and responded to comments received from counsel;
- Feb 9, 17 Reviewed and drafted correspondence;
- Feb 10, 17 Reviewed case law regarding entitlement of lien claimants to letters of credit proceeds;
- Feb 13, 17 Drafted letter to Justice Wilton-Siegel and draft order; reviewed and drafted correspondence regarding same;
- Feb 15, 17 Reviewed and revised draft settlement documents regarding Jiang; reviewed and drafted correspondence regarding same;
- Feb 16, 17 Finalized settlement documents regarding Jiang and reviewed and drafted correspondence regarding same;
- Feb 21, 17 Reviewed and commented on outstanding items list;
- Feb 23, 17 Reviewed and drafted correspondence regarding monies collected by the Trustee; considered issues with respect to Am-Stat's claim to the monies and discussed same with articling student;
- Feb 24, 17 Drafted order regarding construction liens and reviewed and drafted correspondence regarding same;
- Feb 26, 17 Research priority issues with respect to subsection 30(6) of the Personal Property Security Act (Ontario) in the context of subsection 40(2.1);

GST No R124110933

INVOICE NUMBER: 261875

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



Feb 27, 17 Drafted notice of motion regarding lien claims; prepared orders in connection with upcoming chambers appointment; reviewed and drafted correspondence regarding outstanding matters to be discussed with the Court; discussed matters with client;

Feb 28, 17 Prepared for and attended chambers appointment at Commercial List; attended to having order issued and entered and circulated to service list; reviewed and drafted correspondence regarding outstanding matters;

Feb 28, 17 Continue researching priority issues with respect to subsection 30(6) of the Personal Property Security Act (Ontario) in the context of subsection 40(2.1); draft e-mail regarding same;

To all other matters of a general nature not more particularly referred to herein;

TOTAL PROFESSIONAL FEES	\$9,115.00
HST at 13.00%	1,184.95

DISBURSEMENTS:**Subject to HST:**

Legal Research Taxable	\$198.00	
Courier and Taxi Charges Taxable	\$24.00	
		\$222.00

Non-Taxable:

File Motion Record(s)	\$160.00	
		\$160.00


TOTAL DISBURSEMENTS	\$382.00
HST at 13.00%	28.86

GRAND TOTAL	\$10,710.81
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CHAITONS LLP

per:



Harvey Chaiton

GST No R124110933

INVOICE NUMBER: 261875

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**LAWYERS' SUMMARY:**

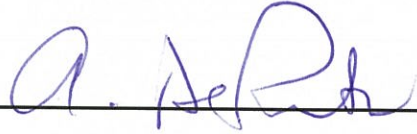
Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	0.70	\$486.50
SAM RAPPOS	\$485.00	16.10	\$7,808.50
ALEXANDRA KRANCEVIC	\$200.00	4.10	\$820.00
Total:		20.90	\$9,115.00

GST No R124110933

INVOICE NUMBER: 261875

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

**THIS IS EXHIBIT "N" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to read 'A. DeRoh', is written over a solid black horizontal line.

A Commissioner Etc.



INVOICE NUMBER: 264112

September 25, 2017

COLLINS BARROW TORONTO LIMITED
11 KING ST. WEST
SUITE 700
TORONTO, ON M5H 4C7

Re: SOUTH UNIONVILLE SQUARE (SUSQ)
Our file: 006998-56866

FOR PROFESSIONAL SERVICES RENDERED on this matter up to and including September 25, 2017:

PROFESSIONAL FEES

SUBJECT TO HST	\$37,293.00	
SUB-TOTAL		\$37,293.00

DISBURSEMENTS

NON TAXABLE	\$1,279.50	
SUBJECT TO HST	\$1,040.33	
SUB-TOTAL		\$2,319.83
HST at 13.00%		\$4,983.33

GRAND TOTAL		\$44,596.16
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Amount payable on the current invoice	\$44,596.16
Plus outstanding invoices on this matter	\$0.00
Amount Due	<u>\$44,596.16</u>
Trust Balance	



PROFESSIONAL FEES:

- Mar 1, 17 Drafted order and reviewed and drafted correspondence with respect thereto;
- Mar 2, 17 Drafted notice of motion; drafted correspondence regarding preparation of motion record and service;
- Mar 3, 17 Attended before Commercial List for motion; obtained order and attended to having it issued and entered; reviewed and drafted correspondence regarding same; reviewed and drafted correspondence regarding scheduled pre-trials in construction lien actions; reviewed and drafted correspondence regarding scheduling of motion;
- Mar 5, 17 Reviewed and revised draft Thirteenth Report;
- Mar 6, 17 Draft and review e-mail to S. Rappos regarding legal research;
- Mar 8, 17 Reviewed and drafted correspondence;
- Mar 9, 17 Reviewed and drafted correspondence;
- Mar 12, 17 Reviewed and drafted correspondence;
- Mar 13, 17 Reviewed and revised draft Thirteenth Report; reviewed and revised Jiang settlement documents; drafted notice of motion; finalized motion record for service; reviewed and drafted correspondence to counsel to purchaser;
- Mar 14, 17 Discussed matters with client; drafted correspondence regarding MarshallZehr collateral charge over Phase I commercial units and related issues;
- Mar 15, 17 Reviewed correspondence from client on certain issues regarding priorities and distributions and discussed same with client;
- Mar 16, 17 Drafted correspondence to client regarding MZ security, Guest Tile liens and matters related to distribution; reviewed and drafted correspondence regarding Divisional Court hearing and Am-Stat security;
- Mar 20, 17 Reviewed and drafted correspondence regarding sale transaction and condo liens;



- Mar 22, 17 Reviewed parcel registers and drafted approval and vesting orders; prepared for motion; reviewed and drafted correspondence regarding various matters;
- Mar 23, 17 Attend at the motion to approve the sale of two units;
- Mar 23, 17 Reviewed and drafted correspondence regarding sale transactions and other matters;
- Mar 23, 17 Deliver motion record to Commercial List;
- Mar 24, 17 Reviewed and drafted correspondence;
- Mar 29, 17 Reviewed and drafted correspondence regarding amendment to approval and vesting order;
- Mar 30, 17 Drafted amending order; reviewed and revised draft Fourteenth Report; reviewed and drafted correspondence;
- Mar 31, 17 Prepared for and attended at Commercial List for motion to amend vesting order; attended to having order issued and entered; drafted correspondence regarding same;
- Apr 3, 17 Discussed MZ issues with Arif Dhanani and drafted correspondence regarding same; reviewed and drafted correspondence regarding scheduling of motion; reviewed and drafted correspondence regarding sale transactions;
- Apr 4, 17 Reviewed and drafted correspondence regarding Jiang matter; reviewed and drafted correspondence regarding sale transactions;
- Apr 5, 17 Reviewed and drafted correspondence regarding Jiang matter and sale transactions;
- Apr 6, 17 Reviewed and drafted correspondence regarding Jiang matter;
- Apr 7, 17 Reviewed and updated Jiang settlement documents; drafted correspondence to counsel to Jiang and counsel to Aviva regarding next steps;
- Apr 10, 17 Reviewed all Downsview claim documents and drafted correspondence to client regarding claim and next steps;
- Apr 11, 17 Reviewed documents regarding sale transaction and status of purchaser; reviewed and drafted correspondence regarding same;
- Apr 13, 17 Reviewed and drafted correspondence;



- Apr 17, 17 Reviewed and revised draft Seventeenth Report; reviewed documents and drafted correspondence regarding sale transactions; reviewed documents regarding condo liens;
- Apr 18, 17 Drafted notice of motion; prepared motion record for service; reviewed and drafted correspondence;
- Apr 20, 17 Reviewed and drafted correspondence;
- Apr 24, 17 Reviewed condominium lien documents and spreadsheets; drafted analysis for client; drafted vesting orders for sale transactions; drafted correspondence to condo. corp. property manager; reviewed and drafted correspondence;
- Apr 25, 17 Prepared for and attended at court for hearing of motion; attended to having orders issued and entered; drafted correspondence regarding orders; reviewed and drafted correspondence regarding amendment to vesting order and scheduling new hearing; drafted amending orders; drafted correspondence regarding next steps with Aviva;
- Apr 26, 17 Reviewed and drafted correspondence;
- Apr 27, 17 Attended in chambers to obtain amending orders; attended to having orders issued and entered; drafted correspondence regarding orders;
- May 9, 17 Reviewed and drafted correspondence;
- May 12, 17 Reviewed and drafted correspondence regarding Jiang matter and release of funds;
- May 15, 17 Reviewed and responded to emails;
- May 16, 17 Reviewed and drafted correspondence regarding Jiang matter; reviewed and drafted correspondence regarding other outstanding matters;
- May 18, 17 Reviewed and drafted correspondence regarding Downsview claim and other matters;
- May 19, 17 Reviewed and drafted correspondence regarding Downsview claim;
- May 23, 17 Reviewed and drafted correspondence regarding outstanding matters;
- May 24, 17 Review memo by S. Rappos re Primont; conference with S. Rappos; telephone conference call with B. Tannenbaum and C. Delaney re outstanding issues;



- May 24, 17 Reviewed file matters and prepared for meeting with H. Chaiton to discuss outstanding matters and advice to be provided to client with respect thereto; attended conference call with client to review all outstanding matters; reviewed and drafted correspondence;
- May 25, 17 Reviewed and drafted correspondence regarding management unit and power of sale, and other outstanding matters;
- May 26, 17 Reviewed and revised draft notice of sale for management unit; drafted correspondence to client regarding same;
- May 29, 17 Reviewed and drafted correspondence and discussed matters with Bryan Tannenbaum;
- May 30, 17 Reviewed and responded to correspondence from lawyer for purchaser of commercial unit; discussed construction lien matters with S. Schwartz and reported to client regarding same; drafted demand letter to condo corp regarding management unit;
- Jun 2, 17 Reviewed and drafted correspondence; reviewed Divisional Court decision;
- Jun 5, 17 Reviewed and drafted correspondence; drafted letter to counsel to Downsview;
- Jun 6, 17 Reviewed comments from client and revised draft letter to counsel to Downsview; reviewed and drafted correspondence;
- Jun 7, 17 Reviewed and drafted correspondence;
- Jun 8, 17 Discussed claim matters with counsel to Downsview; reviewed and responded to emails regarding same;
- Jun 9, 17 Reviewed and responded to emails;
- Jun 12, 17 Reviewed and responded to emails;
- Jun 13, 17 Reviewed emails;
- Jun 14, 17 Reviewed and responded to emails regarding various outstanding matters;
- Jun 15, 17 Reviewed and responded to emails;
- Jun 22, 17 Reviewed and responded to emails regarding various matters;
- Jun 23, 17 Reviewed net proceeds chart; reviewed and responded to emails;



- Jun 27, 17 Reviewed and revised draft court report; reviewed and responded to emails; discussed matters with Colleen Delaney; continued to revise draft report;
- Jun 28, 17 Attended to matters regarding service of motion record; reviewed and responded to emails;
- Jun 29, 17 Reviewed and responded to emails;
- Jun 30, 17 Drafted order and approval and vesting order; reviewed and responded to emails;
- Jul 4, 17 Prepared and attended before Commercial List Court for motion; attended to having orders issued and entered; reviewed and drafted e-mails regarding various matters;
- Jul 6, 17 Reviewed and drafted correspondence; commented on draft list of outstanding matters;
- Jul 7, 17 Reviewed and drafted correspondence;
- Jul 14, 17 Reviewed and responded to correspondence;
- Jul 17, 17 Attended conference call with client to discuss outstanding matters; reviewed and drafted correspondence;
- Jul 19, 17 Reviewed matters and documents related to Sreen Painting and drafted correspondence to parties; reviewed matters related to Laurentian and TGF and drafted correspondence to client regarding same; discussed matters with client; drafted correspondence to TGF regarding payment of invoices; reviewed file documents;
- Jul 20, 17 Reviewed and drafted correspondence regarding completion of Tran settlement; reviewed and drafted correspondence regarding various matters;
- Jul 21, 17 Reviewed and drafted correspondence;
- Jul 24, 17 Reviewed and drafted correspondence;
- Jul 28, 17 Reviewed and responded to correspondence;
- Jul 31, 17 Reviewed and drafted correspondence regarding scheduling of hearing and other matters;
- Aug 2, 17 Reviewed and drafted correspondence regarding Tran dismissal order; commented on draft Trustee report; discussed matters with Asim Iqbal; reviewed and drafted correspondence;



Aug 3, 17 Drafted notice of motion and prepared motion material for service; reviewed and drafted correspondence;

Aug 9, 17 Drafted approval and vesting orders and additional order and reviewed and drafted correspondence regarding same;

Aug 10, 17 Revised draft approval and vesting orders; reviewed and responded to correspondence;

Aug 16, 17 Prepared for and argued motion before Commercial List; attended to having orders issued and entered; reviewed and drafted correspondence;

Aug 21, 17 Reviewed and responded to correspondence;

Aug 23, 17 Reviewed and drafted correspondence regarding claim of Sereen Painting; reviewed costs submissions of Guest Time and drafted correspondence with respect thereto;

Aug 28, 17 Reviewed and drafted correspondence;

Aug 29, 17 Reviewed costs submissions from Imperial and reviewed and drafted correspondence with respect thereto;

Aug 31, 17 Reviewed and drafted correspondence;

To all matters of a general nature not more particularly referred to herein;

TOTAL PROFESSIONAL FEES

HST at 13.00%

\$37,293.00

4,848.09

DISBURSEMENTS:

Subject to HST:

Legal Research Taxable	\$19.50
Kap Litigation Services Taxable	\$190.00
T.T.C. Charges Taxable	\$2.65
Internet Search Fee Taxable	\$34.00
Teraview Charges Taxable	\$530.85
Courier and Taxi Charges Taxable	\$110.40
Parking Charges Taxable	\$11.06
Long Distance Telephone Taxable	\$29.19

GST No R124110933

INVOICE NUMBER: 264112

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.



Photocopying Charges Taxable	\$80.40	
Registered Mail Taxable	\$32.28	
		\$1,040.33

Non-Taxable:

File Motion Record(s) Non-taxable	\$960.00	
Teraview Charges Non-taxable	\$287.50	
Government Disbursement Internet Search Non-tax.	\$32.00	
		\$1,279.50

TOTAL DISBURSEMENTS**\$2,319.83**

HST at 13.00%

135.24

GRAND TOTAL**\$44,596.16****CHAITONS LLP**

A handwritten signature in cursive script, appearing to read "Harvey Chaiton".

per:

 Harvey Chaiton

**LAWYERS' SUMMARY:**

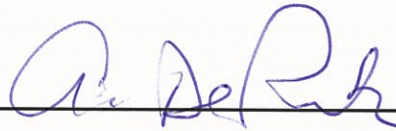
Lawyers and legal assistants involved	Hourly Rate	Hours Billed	Total Billed
HARVEY G. CHAITON	\$695.00	2.90	\$2,015.50
MAYA POLIAK	\$475.00	1.70	\$807.50
SAM RAPPOS	\$485.00	70.00	\$33,950.00
ALEXANDRA KRANCEVIC	\$200.00	2.60	\$520.00
Total:		77.20	\$37,293.00

GST No R124110933

INVOICE NUMBER: 264112

E. & O.E. Payment due on receipt of the account. In Accordance with the Solicitor's Act, interest will be charged on any unpaid balance at the rate of 0.5% per annum commencing one month after delivery of this account.

**THIS IS EXHIBIT "O" TO
THE AFFIDAVIT OF HARVEY CHAITON
SWORN BEFORE ME THIS 25TH
DAY OF SEPTEMBER, 2017**

A handwritten signature in blue ink, appearing to read "A. DeRoh", is written over a solid black horizontal line.

A Commissioner Etc.

SUMMARY

Lawyer	Year of Call	Hours Billed	Hourly Rate	Amount Billed
Harvey Chaiton	1982	99.20	\$695	\$68,944.00
Robert Miller	1984	8.80	\$600	\$5,280.00
Robert Miller	1984	4.50	\$625	\$2,812.50
Stephen Schwartz	1986	15.20	\$595	\$9,044.00
Sam Rappos	2005	258.20	\$425	\$109,735
Sam Rappos	2005	219	\$460	\$100,740.00
Sam Rappos	2005	104.70	\$485	\$50,779.50
Debra Loomis	2006	20.70	\$415	\$8,590.50
Debra Loomis	2006	0.80	\$450	\$360.00
Maya Poliak	2007	2.50	\$415	\$1,037.50
Maya Poliak	2007	1.70	\$475	\$807.50
Sherri Lavine	2008	0.70	\$375	\$262.50
Esme Froggett	2013	2.0	\$285	\$570.00
Michael Kril-Mascaran	2014	5.30	\$285.00	\$1,325.00
Alexandra Krancevic	Articling Student	8.40	\$200	\$1,680.00
Ryan Standil	Articling Student	0.70	\$195	\$136.50
Total Hours and Amounts Billed		752.40		\$362,104.50
Average Hourly Rate			\$481.27	

Total Costs				\$20,127.29
Total Taxes (HST)				\$48,522.39
TOTAL				\$430,754.18

**IN THE MATTER OF THE CONSTRUCTION LIEN ACT, R.S.O. 1990, c. C.30, AS AMENDED
AND IN THE MATTER OF AN APPLICATION MADE BY JADE-KENNEDY DEVELOPMENT CORPORATION
FOR THE APPOINTMENT OF A TRUSTEE UNDER SECTION 68(1) OF THE
CONSTRUCTION LIEN ACT, R.S.O. 1990, c. C.30, AS AMENDED**

Court File No. CV15-10882-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

Proceedings commenced at Toronto

**AFFIDAVIT OF HARVEY
CHAITON**

CHAITONS LLP
5000 Yonge Street, 10th Floor
Toronto, ON M2N 7E9

Harvey Chaiton (LSUC #21592F)
Tel: (416) 218-1129
Fax: (416) 218-1849
E-mail: harvey@chaitons.com

Sam Rappos (LSUC #51399S)
Tel: (416) 218-1137
Fax: (416) 218-1837
E-mail: samr@chaitons.com

Lawyers for the Trustee

**IN THE MATTER OF THE CONSTRUCTION LIEN ACT, R.S.O. 1990, c. C.30, AS AMENDED
AND IN THE MATTER OF AN APPLICATION MADE BY JADE-KENNEDY DEVELOPMENT CORPORATION
FOR THE APPOINTMENT OF A TRUSTEE UNDER SECTION 68(1) OF THE
CONSTRUCTION LIEN ACT, R.S.O. 1990, c. C.30, AS AMENDED**

Court File No. CV15-10882-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

Proceedings commenced at Toronto

MOTION RECORD OF THE TRUSTEE
(motion returnable September 29, 2017)

CHAITONS LLP
5000 Yonge Street, 10th Floor
Toronto, ON M2N 7E9

Sam Rappos (LSUC #51399S)
Tel: (416) 218-1137
Fax: (416) 218-1837
E-mail: samr@chaitons.com

**Lawyers for Collins Barrow Toronto
Limited, Court-appointed Trustee**