

**APPENDIX P**

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Court File No. CV-13-10280-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

BETWEEN:

**DBDC SPADINA LTD.  
and THOSE CORPORATIONS LISTED ON SCHEDULE A HERETO**

Applicants

and

**NORMA WALTON, RONAULD WALTON, THE ROSE & THISTLE  
GROUP LTD. and THOSE CORPORATIONS LISTED ON SCHEDULE B  
HERETO**

Respondents

and

**THOSE CORPORATIONS LISTED ON SCHEDULE C HERETO, TO BE BOUND BY  
RESULT**

**AFFIDAVIT OF MICHAEL CASS**

I, Michael Cass, of the City of Vaughan, in the Regional Municipality of York, MAKE OATH AND SAY:

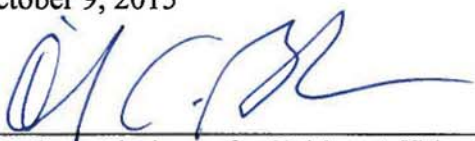
1. I am a Lawyer with the law firm of Steinberg Title Hope & Israel (“STHI”), the lawyers for the Respondents, and, as such, have knowledge of the matters contained in this affidavit.
2. Pursuant to the Order of the Honourable Mr. Justice Newbould dated February 3, 2015 (the “Appointment Order”), Collins Barrow Toronto Limited was appointed as Receiver of all the properties, undertakings and assets (the “Purchased Assets”) of West Mall Holdings Ltd. as more particularly described in the Appointment Order.

3. This affidavit is made in connection with the Receiver's motion for, *inter alia*, the approval of the fees and disbursements of STHI with respect to legal services rendered as independent counsel to the Receiver in connection with the receivership proceedings during the period from February 05, 2015 to September 30 2015 (the "Period"). Attached hereto as **Exhibit "A"** is a record of the legal services rendered by STHI to the Receiver together with the disbursements incurred in connection therewith for the Period. To the best of my knowledge, the Record attached as Exhibit "A" provides a fair and accurate description of the activities undertaken and the services rendered by STHI on behalf of the Receiver during the Period.

4. Attached hereto as **Exhibit "B"** is a summary of the names, years of call (where applicable), hourly rates and time expended by the lawyers and other professionals at STHI whose services are reflected in the time dockets in Exhibit "A".

5. To the best of my knowledge, the rates charged by STHI are comparable to the rates charged for the provision of services of a similar nature and complexity by other small to medium sized law firms in the Toronto market.

**SWORN BEFORE ME** at the City of  
Toronto, in the Province of Ontario on  
October 9, 2015



Commissioner for Taking Affidavits  
(or as may be)

**DAVID A. BROOKER**



**MICHAEL CASS**

This is Exhibit "A" referred to in the Affidavit of Michael Cass  
sworn October 9, 2015



*Commissioner for Taking Affidavits (or as may be)*

**DAVID A. BROOKER**

October 9, 2015

**RE: Receivership of West Mall Holdings Ltd.**

Feb 05/15	DB	Initial summary review of application material and organization of same; email to M. Cass; conference with M. Cass re file;	0.60	\$285.00
	MC	Discussion with D. Brooker re application material and status;	0.30	\$142.50
Feb 06/15	DB	Review of email from B. Wong re Briarlane; review of appointment order; review of text re issue of [REDACTED] [REDACTED] email to B. Wong; email to D. Michaud;	1.60	\$760.00
Feb 09/15	DB	Review of email from B. Wong;	0.10	\$47.50
	MC	Review of application material;	0.50	\$237.50
Feb 17/15	DB	Review of draft [REDACTED] and email to B. Wong re same;	0.40	\$190.00
Feb 20/15	DB	Review of email from B. Wong with [REDACTED] [REDACTED] from [REDACTED], email exchange with B. Wong re same;	0.30	\$142.50
Feb 26/15	DB	Review of email from B. Wong re [REDACTED] [REDACTED] telephone conversation with M. Nowak; email to B. Wong;	0.60	\$285.00
Feb 27/15	DB	Review of [REDACTED] from B. Wong; email to B. Wong;	0.20	\$95.00
Mar 04/15	DB	Review of email from D. Weisz re payments from property manager; telephone conversation with D. Weisz and B. Wong re same;	0.40	\$190.00
Mar 06/15	DB	Review of email received from B. Wong re records for Schonfeld; review of records filed re debt claimed; draft of letter to Schonfeld counsel;	1.70	\$807.50
Mar 09/15	DB	Review and revision of draft letter to Goodmans; email to D. Weisz and B. Wong with draft letter; conference with M. Cass re same;	0.70	\$332.50
	MC	Review of draft letter and revision; conference with D. Brooker;	0.40	\$190.00
Mar 10/15	DB	Review of revisions to letter to Goodmans from B. Wong; further revisions to letter; email to D. Weisz and B. Wong;	0.40	\$190.00
Mar 16/15	DB	Review of letter from M. Dunn with enclosures; review of file including application record; email to D. Weisz/B. Wong;	1.80	\$855.00
Mar 17/15	DB	Telephone conversation with D. Weisz; telephone conversation with D. Michaud;	0.50	\$237.50
Mar 18/15	DB	Review of email from B. Wong re contract; review of order and law re termination; email to B. Wong;	0.50	\$237.50
Mar 23/15	DB	Email exchange with B. Wong re [REDACTED] [REDACTED] conference with M. Cass re same;	0.20	\$95.00
	MC	Review of email from BW and conference with D. Brooker re issues;	0.20	\$95.00

Mar 24/15	DB	Review of emails from B. Wong and D. Weisz; telephone conversation with D. Weisz and B. Wong; teleconference with clients and Trez representatives; email to Schonfeld counsel; conference with M. Cass re same;	1.30	\$617.50
	MC	Review of emails; conference with D. Brooker re issues and status;	0.40	\$190.00
Mar 25/15	DB	Review of email from M. Dunn with appendix; email to D. Weisz and B. Wong;	0.10	\$47.50
Mar 27/15	DB	Review of email from B. Wong with tenant letter; conference with M. Cass re tenant letter;	0.30	\$142.50
	MC	Edge Holder Tenant Correspondence March 27, 2015 To receipt and review of email from BW and correspondence from tenant Edge builder; to telephone discussion with BW re tenant comments and status; to conference with D. Brooker re issues and status;  March 31, 2015 Follow up telephone discussions with BW; to review of material re real estate commission;  April 7, 2015 To drafting proposed response to Edge builder; to correspondence follow up re elevator status and other issues with BW; to email from BW re draft correspondence; to meeting with D. Brooker re reply and discussion of possible amendment; to review of D. Brooker amendments and discussion with D. Brooker;  April 8, 2015 To telephone discussion BW re correspondence and update;	3.90	\$1,852.50
Apr 06/15	DB	Telephone conversation with B. Wong and D. Weisz; review of emails from B. Wong re H & R and property condition report; review of several emails from D. Weisz and further conversation with D. Weisz; telephone call to D. Michaud; telephone conversation with I. Marks; conferences with M. Cass re same;	1.30	\$617.50
	MC	Review of emails BW and D. Weisz re [REDACTED] [REDACTED] conferences with D. Brooker;	0.80	\$380.00
Apr 07/15	DB	Several telephone conversations with D. Weisz and B. Wong re [REDACTED] telephone conversation with D. Michaud; review [REDACTED] [REDACTED] [REDACTED] conferences with M. Cass re same;	4.90	\$2,327.50
	MC	Telephone discussion with D. Weisz re [REDACTED] telephone discussion with BW [REDACTED] [REDACTED] conferences with D. Brooker re above;	1.90	\$902.50

	MC	<p>Keg Restaurant Amending Agreement April 7, 2015 To receipt and review of correspondence from BW and Amending Agreement; to telephone discussion with BW re background issues and Agreement;</p> <p>April 9, 2015 To providing opinion re execution of Amending Agreement and amendments;</p> <p>To telephone discussion with BW re issues and Trez consent and first mortgagee advice to increase rent and discussion re role of Receiver and involvement by mortgagees in management; to discussion with D. Brooker;</p>	1.70	\$807.50
Apr 08/15	DB	<p>Review of several emails from B. Wong [REDACTED] [REDACTED] email to B. Wong and D. Weisz; review and revisions of draft letter to tenants and conference with M. Cass;</p>	1.50	\$712.50
	MC	<p>Review of various emails from Receiver; conference with D. Brooker;</p>	0.60	\$285.00
Apr 09/15	DB	<p>Draft of letter to D. Michaud and forwarding of same to D. Weisz; telephone conversation with D. Michaud re [REDACTED] review of email from B. Wong; several telephone conversations with D. Weisz; review of several emails re H&amp;R payment; conferences with M. Cass re several issues including sale and mortgage;</p>	3.50	\$1,662.50
	MC	<p>Review of draft correspondence and emails from Receiver; telephone discussion with D. Weisz; analysis of [REDACTED] conferences with D. Brooker re possible sale and HR mortgage;</p>	1.60	\$760.00

	MC	Prospective Purchaser April 9, 2015 To receipt and review of email correspondence from Brenda Wong (BW); to voicemail message to BW re steps; to telephone discussion BW re survey and City information; to telephone discussion with D. Weisz re Receiver's role; to assist Purchaser's inquiries; to email response re this matter; to receipt of advice that Trez has no survey; to telephone discussion BW; to ordering search of title for West Mall property; to review of same; to further inquiry re reference plan; to ordering same and review; to forwarding material to BW re delivery to prospective Purchaser; to telephone discussion BW re status;	2.40	
		April 10, 2015 To discussions with BW re Receiver position and Trez position re reports and Vendor's obligations to Purchaser; to receipt and review of email advising that Receiver and deliver reports; to email message to BW to hold off delivery pending discussion; to voicemail message to M. Nisker;		
		April 13, 2015 To telephone discussion BW re reports and timing of delivery and inquiry re Trez position;		
Apr 10/15	DB	Several email exchanges with D. Weisz and B. Wong re [REDACTED] finalization of letter to D. Michaud; conference with M. Cass re ongoing issues;	0.50	\$237.50
	MC	Review of email re changes and draft letter; conference with D. Brooker;	0.30	\$142.50
Apr 13/15	DB	Review of letter from Edgebuilder; review of file; conference with M. Cass re response to letter and matters of [REDACTED] conference call with D. Weisz, B. Wong and M. Cass; review of email from D. Weisz re conference call; email to D. Weisz;	1.70	\$807.50
	MC	Review of letter from Edge builder; conferences with D. Brooker re letter and response; conference call D. Weisz, BW, and D. Brooker; review of email from D. Weisz re conference call;	1.10	\$522.50
Apr 15/15	DB	Review of several emails from B. Wong and D. Weisz; telephone conversation with B. Wong and D. Weisz with M. Cass re conference call; conference call with D. Weisz and B. Wong with Trez representatives; review of email from D. Weisz to Trez; conference with M. Cass;	1.70	\$807.50
	MC	Review of emails BW and D. Weisz; conference call BW and D. Weisz; conference with D. Brooker re status;	1.20	\$570.00
Apr 16/15	DB	Draft of letter to Edgebuilder including review of lease and file documentation; email exchanges with B. Wong and D. Weisz; review of insurance claim;	2.60	\$1,235.00
	MC	Review of Edgebuilder lease, correspondence and draft letter;	1.20	\$570.00
Apr 17/15	DB	Review of several emails re building; review and revision of draft correspondence to Edgebuilder; email exchanges with client;	1.20	\$570.00



267

	MC	Review of emails re building status, review and notes re revision of draft correspondence to Edgebuilder; receipt and review of email exchanges with client;	0.70	<del>\$332.50</del>
<b>Apr 20/15</b>	DB	Email exchanges with B. Wong re issues from tenants and elevators; conference with M. Cass;	0.30	\$142.50
	MC	Receipt and review of email from client re tenant issues and elevators; conference with DB;	0.30	\$142.50
<b>Apr 21/15</b>	DB	Email exchange with D. Weisz re elevators;	0.10	\$47.50
<b>Apr 22/15</b>	DB	Review of file; review of emails from client re elevators; email to M. Casey of Edgebuilder;	0.60	\$285.00
	MC	Review of emails from client re elevators; telephone discussions with B. Wong; review of email to Edgebuilder;	0.50	\$237.50
<b>Apr 23/15</b>	DB	Meeting with D. Weisz and M. Cass re ongoing issues;	1.00	\$475.00
	MC	Meeting with D. Weisz and D. Brooker re various issues of property and receivership;	1.00	\$475.00
<b>Apr 27/15</b>	DB	Review of several emails from B. Wong re thefts and response to same; review of draft email from D. Weisz re report to creditors and response to same; review of email re early termination of lease by Edgebuilder and emails to B. Wong re response;	0.70	\$332.50
	MC	To review various emails from B. Wong and response; review of email re early termination of lease by Edgebuilder and correspondence to client;	0.30	\$142.50
<b>Apr 28/15</b>	DB	Review of email from D. Weisz re report to insurance adjuster; email to D. Weisz; review of further email with TSSA report;	0.50	\$237.50
<b>Apr 29/15</b>	DB	Telephone conversation with D. Weisz; review of email from B. Wong with further insurance documents; review of Edgebuilder lease documents; draft of letter to Edgebuilder and forwarding of draft to client for review;	0.80	\$380.00
	MC	To report re title, conversation with D. Weisz; review of email from B. Wong re insurance; review of Edgebuilder lease material and draft of letter to tenant;	0.50	\$237.50
<b>Apr 30/15</b>	DB	Review of email from D. Weisz;	0.30	\$142.50
<b>May 01/15</b>	DB	Review of client email;	0.10	\$47.50
<b>May 04/15</b>	DB	Review of emails from D. Weisz; review of accounts and redaction; email to D. Weisz; email to M. Cass re accounts;	0.30	\$142.50
	MC	Review of emails from D. Weisz; review of accounts for redaction;	0.30	\$142.50
<b>May 05/15</b>	DB	Review of emails from D. Weisz re H&R; email to D. Weisz;	0.30	\$142.50
<b>May 06/15</b>	DB	Review of several emails from D. Weisz re H&R; several telephone conversations with D. Weisz; conference with M. Cass; review of file; review of H&R mortgage; email exchange with T. Dunn; teleconference with D. Weisz, B. Wong and H&R counsel and representatives;	2.20	\$1,045.00
	MC	Review of emails from D. Weisz re first mortgagee; conference with D. Brooker re first mortgage status; telephone discussion with D. Michaud re Trez plans; review of first mortgage terms; report to D. Brooker; receipt and review of correspondence and updating re status;	1.40	\$665.00

	MC	To all legal work necessary to provide opinion re validity of first mortgage security of 295 The West Mall Portfolio Inc. with respect to 291-295 The West Mall; including inter alia review of searches of title and PPSA searches; obtaining and reviewing solicitor's reporting letter and Writs of Execution against debtors;		<del>268</del> 2680.00
	MC	To all legal work necessary to provide opinion re validity of first mortgage security of Computershare Trust Company of Canada with respect to 291-295 The West Mall; including inter alia review of searches of title and PPSA searches; obtaining and reviewing solicitor's reporting letter and Writs of Execution against debtors;		\$1,600.00
May 07/15	DB	Review of emails from D. Weisz re repair and maintenance issues; email exchange with T. Dunn; emails to client re operations; telephone conversations with D. Weisz; conference with M. Cass;	1.20	\$570.00
	MC	Receipt and review of emails; conference with D. Brooker;	0.40	\$190.00
May 08/15	DB	Review of several emails from D. Weisz re elevator and maintenance issues; review of emails re Bell;	0.80	\$380.00
May 11/15	DB	Telephone conversation with T. Dunn; telephone conversation with D. Weisz; further call to D. Weisz; review of file; conference with M. Cass;	0.70	\$332.50
	MC	Review of emails from D. Weisz re maintenance issues; conference with D. Brooker;	0.40	\$190.00
May 12/15	DB	Review of several emails from D. Weisz re communications with first mortgagee on issues of building; telephone conversations with T. Dunn; telephone conversations with D. Weisz; email to T. Dunn; several emails to D. Weisz;	2.00	\$950.00
May 13/15	DB	Telephone conversations with T. Dunn; telephone conversations with D. Weisz; review of receivership order; review of several emails re maintenance and budget issues; conference with M. Cass;	0.70	\$332.50
	MC	Review of correspondence; update re status and issues with D. Brooker;	0.30	\$142.50
May 14/15	DB	Review of several emails; telephone conversation with D. Weisz;	0.40	\$190.00
May 15/15	DB	Review of several emails from D. Weisz; telephone call to T. Dunn;	0.30	\$142.50
May 19/15	DB	Review of several emails from D. Weisz; review of several H&R emails; several telephone conversations with D. Weisz; telephone call to R. Kestenberg; telephone conversation with T. Dunn; conference with M. Cass;	2.20	\$1,045.00
	MC	Review of numerous emails; conference with D. Brooker re maintenance issues;	0.60	\$285.00
May 20/15	DB	Review of several emails from D. Weisz; telephone conversation with T. Dunn and R. Kestenberg; telephone conversation with D. Weisz; summary review of Solucore contract;	1.10	\$522.50
May 21/15	DB	Email exchanges with D. Weisz and review of email from H&R staff re elevators;	0.30	\$142.50
May 22/15	DB	Review of Solucore contract; email to D. Weisz re Solucore contract; telephone conversation with D. Weisz' review of email from T. Dunn; email to T. Dunn;	1.30	\$617.50

269

May 25/15	DB	Telephone conversation with D. Weisz; conference with M. Cass;	0.50	\$237.50
	MC	Review of numerous emails; conference with D. Brooker re current status;	0.30	\$142.50
May 26/15	DB	Telephone conversation with D. Weisz;	0.20	\$95.00
May 27/15	DB	Telephone conversation with D. Weisz; review of several emails including from T. Dunn re secured party;	0.40	\$190.00
May 28/15	DB	Review of email from T. Dunn; several telephone conversation with D. Weisz re administration and related matters; draft of email to T. Dunn and review and revision of same with D. Weisz; email to B. Wong; conference with M. Cass;	2.40	\$1,140.00
	MC	Review of correspondence from D. Weisz, T. Dunn; conference with D. Brooker re mortgagee position;	0.60	\$285.00
May 29/15	DB	Review of APS; review of several emails from H&R; several telephone conversations with D. Weisz re contracts and administration; conference with M. Cass re APS and correspondence;	1.60	\$760.00
	MC	Review of correspondence and APS; conference with D. Brooker;	0.70	\$332.50
Jun 01/15	DB	Review of emails from ThyssenKrupp and Telus; several email exchanges with D. Weisz and B. Wong re issues re Telus and elevator; email exchanges with R. Kestenberg re lease;	1.00	\$475.00
Jun 02/15	DB	Review of file including order, agreements and offer; teleconference with D. Weisz and B. Wong;	1.40	\$665.00
Jun 03/15	DB	Review of file including recent emails, Telus lease and Thyssen emails; telephone conversation with R. Kestenberg; review of several emails from D. Weisz; telephone conversation with D. Weisz; review of emails re APS; review of [REDACTED];	1.90	\$902.50
Jun 04/15	DB	Review of email from R. Kestenberg re APS; several telephone conversations with D. Weisz re administration. Telus and ThyssenKrupp; review of several emails re various issues; draft of letters to Telus and to ThyssenKrupp; conference with M. Cass re maintenance issues;	3.20	\$1,520.00
	MC	Review of correspondence; draft correspondence; conference with D. Brooker;	0.60	\$285.00
Jun 08/15	DB	Review of several emails received; telephone conversation with D. Weisz; email to T. Dunn;	0.80	\$380.00
Jun 09/15	DB	Telephone conversation with R. Kestenberg; telephone conversation with D. Weisz and B. Wong; review of email from B. Wong re Investors Group and email to her; review of precedent APS and email of same to R. Kestenberg; review of further email from D. Weisz;	1.50	\$712.50
Jun 10/15	DB	Email to T. Dunn; telephone conversation with D. Weisz; email to R. Kestenberg re priority;	0.60	\$285.00
Jun 11/15	DB	Email exchange with T. Dunn; telephone conversation with D. Weisz; review of emails from [REDACTED];	1.10	\$522.50
	DB	Review of emails from D. Weisz; telephone conversation with T. Dunn; telephone conversation with D. Weisz; review of email from R. Kestenberg with APS; telephone conversation with R. Kestenberg; partial review of APS;	1.20	\$570.00
	MC	Review of emails re sale and APS;	0.40	\$190.00

<b>Jun 14/15</b>	DB	Review of APS received; email to D. Weisz re APS; review of email from D. Weisz; conference with M. Cass re status and issues;	1.90	<del>\$962.50</del> 270
	MC	Review of correspondence and APS; conference with D. Brooker re mortgagee position and APS;	0.80	\$380.00
<b>Jun 15/15</b>	DB	Telephone conversation with D. Weisz re APS; conference with M. Cass; telephone conversation with R. Kestenberg with M. Cass; review of several emails re APS: review of email from D. Weisz re comments on APS: review of email from B. Wong re HST;	1.60	\$760.00
	MC	Review of emails re APS, telephone discuss with D Weisz (DW), conference with David Brook (DB) re status; telephone conference DB and Robyn Kestenberg (RB) re APS; Review with DW re APS, amending APS per instructions, and telephone discussion with DW; Receipt and Review email from Brenda Wong (BW) re HST issue;	2.10	\$997.50
<b>Jun 16/15</b>	DB	Conference with M. Cass re APS; review of email from Telus; email to R. Kestenberg and D. Weisz re Telus; email exchange with T. Dunn and R. Kestenberg; review of draft APS;	0.90	\$427.50
	MC	conference with DB re amended APS; review of emails re TELUS; telephone discussion with RK; update to DW;	0.60	\$285.00
<b>Jun 17/15</b>	DB	Conference with M. Cass re APS;	0.30	\$142.50
	DB	Conference with M. Cass re APS; review of draft APS;	0.60	\$285.00
	MC	Meeting with DB re APS; telephone discussion with DW re APS and process; telephone discussion with RK re terms of APS and potential options; receipt and review of DW's comments, dictating amendments to APS; telephone discussion with DW re amendments; forward the amended documentation; review of email from solicitor for purchaser; voicemails to purchaser;	1.50	\$712.50
<b>Jun 18/15</b>	MC	Receipt and review of comments from DW; telephone discussion with DW; telephone discussion with RK; update to DB;	0.90	\$427.50
<b>Jun 19/15</b>	DB	Review of email from R. Kestenberg; conferences with M. Cass re APS;	0.90	\$427.50
	MC	Receipt and review of amendments from RK; telephone discussions with DW; meetings with DB re status and amendments; drafting amendments and forwarding the amended agreement; emails re schedules and rent rolls; Telephone discussions with DW re [REDACTED] [REDACTED] telephone discussions with RK re receiver position; legal researches re APS and disclosure; discussion with RK re legal position of Landor; Receipt and review emails from RK confirming disclosure;	2.30	\$1,092.50
<b>Jun 22/15</b>	MC	Emails from DW and RK re status; telephone discussions with RK and DW;	0.40	\$190.00
<b>Jun 23/15</b>	MC	Drafting for the amendment requested buyer; telephone discussion with DW; receipt and review of correspondence from RK; telephone discussion with RK re status and changes; voicemail to DW; discussion with DW re changes; review of notes from DW;	1.20	\$570.00

Date	Category	Description	Hours	Amount
Jun 24/15	MC	Discussion with DW re status and changes to agreement, amending the APS and review two telephone discussion with RK re status and email; to telephone discussion with DW re changes and status; two emails from RK re corrections to APS;	1.80	\$855.00
Jun 25/15	MC	Discussion with DW re status and timing; amended APS and review with DW; telephone discussion with DW re changes; forwarding amended APS and correspondence;	1.70	\$807.50
Jun 26/15	DB	Review of email from D. Weisz re APS; review of email from B. Wong re [REDACTED], conference with M. Cass re sale;	0.50	\$237.50
	MC	Review of several emails re process and closing; conference with DW re APS and timing; receipt and review of correspondence from DW re Investor Group;	0.80	\$380.00
Jun 30/15	DB	Conference with M. Cass APS, timing re approval; review of emails re APS from D. Weisz and H&R; telephone conversation with B. Wong re repair quotes, [REDACTED]	0.40	\$190.00
	MC	Emails from MD re missing information and access to dropbox; discussion with BW re missing information and status; Voicemail to Michael Baum re status; receipt and review and respond to various emails from RBC; meeting with DB re APS status and court approval;	0.80	\$380.00
Jul 02/15	DB	Conference with M. Cass re APS; review of several emails from M. Cass re conversations with M. Baum and update on negotiations; review of email from B. Wong re costs to repair; email to B. Wong;	0.50	\$237.50
	MC	Conference with DB re APS; review of emails re access to property manager; review of emails from RK and DW re extension of offer to sale; Telephone discussion with DW; telephone discussion with MB re status; memo to BW and RK; telephone discussion with MB; telephone discussion with BW; email re extension, telephone discussion with RK;	1.80	\$855.00
Jul 03/15	DB	Review of emails from B. Wong;	0.20	\$95.00
Jul 06/15	DB	Review of emails re Telus;	0.10	\$47.50
Jul 07/15	DB	Conferences with M. Cass re issues on APS, [REDACTED]	1.30	\$617.50
	MC	email exchange with B. Wong re [REDACTED] teleconference with D. Weisz, B. Wong and M. Cass re issues on APS, repairs and leases; conference with DB re issues of APS, Investor Group overpayments, telephone conference with DB and BW re APS outstanding matters, repairs, and leases;	0.90	\$427.50
Jul 08/15	DB	Conference with M. Cass re Investors Group; review of email from D. Weisz; review of email from B. Wong;	0.30	\$142.50
	MC	conference with DB re Investor Group; review emails from DW and BW re overpayments;	0.30	\$142.50
Jul 09/15	DB	Conference with M. Cass re [REDACTED] review of emails from D. Weisz re APS; research on issue of [REDACTED]	2.10	\$997.50
Jul 10/15	DB	Review of emails re issues of APS; conference with M. Cass;	0.30	\$142.50

271  
\$855.00

	MC	review of emails from BW, MB and J.Leyland re comments upon latest APS; telephone discussion with DW; ordering documents and searches required for additional research on overpayments; conference with DB re status and research;	0.80	<del>\$272.00</del> \$272.00
<b>Jul 13/15</b>	MC	Review of emails from DW and BW re survey, realty taxes and status; telephone discussion with DW re outstanding matters; VM to MB re outstanding issues; update to RK; Telephone discussions with RK re prospective offers; Telephone discussions with MB re outstanding issues and status; report to RK; update to DW;	1.70	\$807.50
<b>Jul 14/15</b>	MC	Telephone discussions with DW re status and hold back; review of changes re receiver warranty; receipt and review emails from RK; Telephone discussions with RK; Telephone call to MB; email to Robin re update; review of vacancy , credit, terms;	1.20	\$570.00
<b>Jul 15/15</b>	MC	Discussion with RK re confirmation of purchase price and instructions; review with DW re changes by purchaser; further review with MB re amendment; Telephone discussions with RK re Tim Dunn being retained to provide opinion re TMI issue; voicemail to Tim Dunn;	1.60	\$760.00
<b>Jul 16/15</b>	MC	further research re TMI issue involving lease terms, covenants; Telephone discussions with DW re update and overpayments; amending APS to reflect MB issues, amendments to tenancy, vacancy, rebate, and forwarding the same;	2.20	\$1,045.00
<b>Jul 17/15</b>	MC	Receive PT of advice from RK that further tenancy vacancy, rebate amendment, required and to followed; voicemail to MB advising change; review of proposed amendment; amending agreement to reflect the change; forward the same with correspondence; review of email form MB re price; correspondence from RK; report to DW;	1.40	\$665.00
<b>Jul 20/15</b>	DB	Review of several emails re APS;	0.20	\$95.00
	MC	call to MB re status and responses; email from RK re status; response and emails to RK re advising no response; update to DW;	0.50	\$237.50
<b>Jul 21/15</b>	DB	Conference with M. Cass; review of email re APS;	0.40	\$190.00
	MC	Telephone message from MB, shall not proceeding with sale transaction; review of correspondence confirming termination of sale process; report to DW; discussion with RK re position and sale process for prospective purchaser; Voicemail from T Dunn re TMI; review of email from RK re concerns about TMI, overpayment; voicemail to T Dunn;	0.90	\$427.50
<b>Jul 22/15</b>	DB	Conduct of research re refunds and lease issues; review of emails from B. Wong and D. Weisz;	2.90	\$1,377.50
	MC	discussion to RK about next prospective purchaser; telephone discussion with MB re position; telephone discussion with T Dunn re TMI issue and sale issues; report to DW;	1.30	\$617.50
<b>Jul 23/15</b>	DB	Review of email from D. Weisz; telephone conversation with D. Weisz; conference with M. Cass re LOI and TMI issues;	0.60	\$285.00

	MC	Review of Correspondence from Daniel Weisz (DW) and Robin Kestenberg (RK) re Letter of Intent; telephone discussion with DW; conference call with DW ,David Brooker re proposed sale and TMI; Review of LOI and comments; Further discussion DB and DW re sale process;	1.90	273 \$902.50
<b>Jul 24/15</b>	DB	Continuation of research on issues of overpayments and obligations; conference with M. Cass re overpayments, issues of TMI and APS; telephone conversation with B. Wong;	3.50	\$1,662.50
	MC	Discussion with DW re status and process; conference with DB; voicemail to David Kutner (DK), solicitor for mortgagee; telephone discussion from RK re process. Receipt and review of Co from DK; Report to DW; Review of draft APS, Receiver Form, comparison of APS and LOI terms; Review of APS with DW; Report to DB; extended telephone discussion with DW re terms and process; Review of commission arrangement with Receiver, clarification follow up to DW re status and APS;	3.80	\$1,805.00
<b>Jul 27/15</b>	DB	Continuation of research re TMI issues; conference with M. Cass re TMI issues; email to B. Wong;	4.00	\$1,900.00
	MC	Research re TMI issues, Commercial Tenancies Act, conference with DB re overpayment of TMI issues; review of further amendment of APS by DK; receipt and review of notes of APS; Telephone discussion with DK re terms; Review of emails to receiver; Telephone discussion with DW re amendments and status;	1.40	\$665.00
<b>Jul 28/15</b>	DB	Continuation of research re TMI issues; conferences with M. Cass re TMI issues and APS; telephone conversation with D. Weisz and M. Cass; telephone conversation with T. Dunn; review of leases; email exchange with B. Wong;	4.10	\$1,947.50
	MC	Conference with DN re TMI issues; telephone conference with DW and DB re outstanding APS issues and TMI; review of emails of changes re TMI; Review of emails exchanges with RK and DW Erick Feige (EF).	0.90	\$427.50
<b>Jul 29/15</b>	DB	Email exchange with B. Wong; review of Phase I report; conference with M. Cass;	0.70	\$332.50
	MC	Conference with DB re various issues re APS and closing;	0.40	\$190.00
<b>Jul 30/15</b>	DB	Conference with M. Cass re issues on APS;	0.40	\$190.00
	MC	Conference with DB re outstanding APS matters; voicemail to DK; update to DW; receipt and review of emails and correspondence from RK; Discussion with DW re terms.	0.90	\$427.50
<b>Jul 31/15</b>	DB	Telephone conversation with D. Weisz and M. Cass; conference with M. Cass re TMI and sale issues;	0.80	\$380.00
	MC	Telephone discussion with DW and DB re various outstanding matters; conference with DB re TMI issues and APS; Review of emails from RK and DW re outstanding issues; telephone discussion with DW re outstanding documents to be provided;	0.90	\$427.50
<b>Aug 03/15</b>	MC	Receipt and review of Commission Agreement; Discussion with DW; drafting amendment to Commission Agreement and forwarding same to DW; telephone discussion with DW re amendments;	0.90	\$427.50

Aug 04/15	DB	Review of several email exchanges re issues with Telus; email to client re Telus; conference with M. Cass re TMI and Telus; telephone conversation with D. Weisz re TMI and other issues; partial review of application record from DBDC;	1.30	274 \$617.50
	MC	Review of exchange of emails re Telus tenancy; conference with DB re overpayment of TMI and Telus position; telephone discussion with DW re TMI and Telus; receipt and review of Application record from DBDC re motion to appoint a manager and position re 295 West Mall; TC to solicitor for applicant; report to DW;	1.40	\$665.00
Aug 05/15	DB	Review of further emails re Telus;	0.10	\$47.50
Aug 07/15	DB	Review of email from M. Cass re application; email to M. Cass and D. Weisz;	0.20	\$95.00
	MC	Follow up telephone discussion with solicitor for DBDC and email to solicitor re 295 Westmall; telephone discussion with solicitor reporting to DW; review of email from DB re tenancy; telephone discussion with DW re Telus potential damages; telephone discussion with DK re TMI and receiver position; telephone discussion with DW re receiver position and amendments;	1.30	\$617.50
Aug 10/15	DB	Conferences with M. Cass re APS and outstanding Bernstein motion; review of Bernstein court materials; email to D. Weisz;	0.90	\$427.50
	MC	Receipt and review of further amended APS and providing comments, extended email and amended APS; telephone discussion with DW re amendments and disclosure; Telephone conference with RK, DW and DK re amendments and documents required (1.3 hours); further telephone discussion with DW re position; update to DB and discussion re timing; review of authorization to government and agency's research and advising re execution to redrafting of Receiver Estoppel Certificate Form;	4.80	\$2,280.00
Aug 11/15	MC	Drafting amendments re tenant Acknowledgment and Receiver Position; voicemail to DK; two telephone discussion with DW;	1.10	\$522.50
Aug 12/15	MC	Telephone discussion to DW re Tenant Acknowledgement and Receiver Certificate; Correspondences re purchaser tenancy requirements; voicemail to DK (voicemail full); voicemail to DK's assistant; Receipt of RK's Tenant Acknowledgement, comments and review; correspondences to DW; report to DW re status and concerns;	1.30	\$617.50
Aug 13/15	DB	Conference with M. Cass re ongoing negotiations for sale, [REDACTED] and TMI issues;	0.30	\$142.50
	MC	Conference with DB re [REDACTED]	0.40	\$190.00
Aug 14/15	DB	Conference with M. Cass re ongoing issues with APS; review of email from D. Weisz re mortgage statements from H&R;	0.30	\$142.50
	MC	Conference with DB re APS status and issues; telephone discussion with DW re obtaining mortgage commitment from H&R; review of email from DW re same; discussion with DB re draft memo re TMI;	0.80	\$380.00



<b>Aug 16/15</b>	DB	Partial draft of memo re TMI issues;		275
			1.60	\$760.00
<b>Aug 17/15</b>	DB	Continuation of drafting of memo re TMI including further research;	2.00	\$950.00
<b>Aug 19/15</b>	DB	Conference with M. Cass re ongoing negotiations; telephone conversation with D. Weisz;	0.70	\$332.50
	MC	Telephone discussion with DW re status and process; conference with DB re status and ongoing discussions; review of emails re purchaser issues; telephone discussion with DW re issues and APS; review of outstanding issues and providing notes; review of existing APS re possible revision; conference with DB re status, issues; conference call with DW, RK and DK re status and positions; finalizing draft Receiver Estoppel Certificate; forwarding the same ; voicemail to DW; telephone discussion with DW re tenancy and Estoppel certificate; review of emails from DK; review of DK changes; telephone discussion with DW; providing update to DB;	2.80	\$1,330.00
<b>Aug 20/15</b>	DB	Review and revision of draft memo; review of memo with M. Cass; conference with M. Cass re ongoing issues of APS including TMI and closing, tenants;	1.90	\$902.50
	MC	Review of further draft and correspondence re APS; voicemail to DK; telephone discussion with DW re status; conference with DB re status and issues of APS; review of draft memo re TMI; review of memo re TMI with DB;	2.30	\$1,092.50
<b>Aug 21/15</b>	DB	Conference with M. Cass re memo and amendments to same;	0.40	\$190.00
	MC	Review of amended memo and providing notes; discussion with DB and DW re sale property by H&R; voicemail to DK; voicemail to RK; conference with DB re memo and further amendment to sign;	0.90	\$427.50
<b>Aug 22/15</b>	DB	Revisions to memo re TMI; email of memo to clients and M. Cass; dictation of letter to H&R and counsel;	1.20	\$570.00
<b>Aug 24/15</b>	MC	Telephone discussion with DW re status and timing;	0.20	\$95.00
<b>Aug 27/15</b>	MC	Telephone discussion with EF re APS and outstanding concerns; telephone discussion with BW re TMI; review of proposed resolution; telephone discussion with DW re Vesting Order contents;	1.30	\$617.50
<b>Aug 28/15</b>	MC	Telephone discussion with DW re EF position and payment of TMI; review emails from BW to Briarlane and update; telephone discussion with EF re drafting amendment to APS; receipt and review of amendment; telephone discussion with DW re amendment; to provide update;	1.20	\$570.00
<b>Aug 31/15</b>	MC	Voicemail to DW; telephone discussion with DW re TMI and Briarlane role in overpayments; discussion with DW re timing of Briarlane providing information; re-drafting Section 2.3 of APS;	0.90	\$427.50

Sep 01/15	MC	Review of email enclosing revised APS as of August 28 and review thereof; review of correspondence of TMI Section 2; review TMI Section 2 Feige document compared with previous form and notes; telephone discussion with DW and correspondence; receipt and review of DW comments and discussion re changes; follow up conversation with DW re TMI clause 3.2; conference call with RK, DK, EF and DW; follow-up emails re positions; discussion re DW re Reimbursement Agreement, execution of agreement and outstanding matters;	5.20	<del>\$2,760.00</del>
Sep 02/15	DB	Several discussions with M. Cass re draft APS and Receiver's Certificate; several telephone conversations with D. Weisz (with M. Cass) re draft APS and certificate; review of draft APS; several teleconferences with R. Kestenberg, D. Kutner, T. Dunn, D. Weisz and M. Cass re certificate and APS; [REDACTED], telephone conversation with D. Weisz (with M. Cass) re TMI memo;	3.70	\$1,757.50
	MC	Receipt and review of further amended APS dated September 2nd, 2015; email from DW re outstanding issues upon Receiver Certificate and priority over first mortgage; Telephone discussion with DW re above concerns; discussion with DB re draft APS, receiver certificate form; telephone conference with DW and RB re draft APS and receiver certificate; telephone conference with RK, DK and Tim Dunn (TD) and DW, DB re certificate and APS, [REDACTED] conference with DB and DW re TMI memo and defect;	6.60	\$3,135.00
Sep 03/15	DB	Review of email from R. Kestenberg re certificate; several telephone conversation with D. Weisz re certificates and tenant estoppels; conference with M. Cass re APS and tenant estoppels; review of emails from D. Weisz; telephone call to T. Dunn; review of tenant estoppels;	1.30	\$617.50
	MC	Review of email re Receiver Certificate from RK; telephone discussion with DW re tenant estoppels and receiver certificates; conferences with DB re APS and tenant estoppels issue; review of further form of tenant estoppels;	1.40	\$665.00
Sep 04/15	DB	Review of several emails re APS and amendments thereto; telephone conversations with D. Weisz and M. Cass re revisions; email to R. Kestenberg and D. Kutner re amendments to APS;	0.90	\$427.50
	MC	Review of email re APS, proposed amendments; two telephone discussions with DW and DB re requisitions; review of correspondence to RK and DK re amendments to APS;	1.30	\$617.50
Sep 07/15	DB	Review of notes re teleconference; dictation of letter to T. Dunn re Receiver Memo and related matters; email to M. Cass re teleconference;	0.70	\$332.50

<b>Sep 08/15</b>	DB	Review and revision of draft letter to T. Dunn re memo and acknowledgment; email of drafts to D. Weisz and M. Cass; review of emails re finalization of APS and discussions with M. Cass re same; telephone conversation with D. Weisz re draft letter and finalization of APS;	1.20	<del>\$2707.00</del>
	DB	Several email exchanges with D. Weisz re finalization of APS, vesting order, and review of draft letter to T. Dunn; finalization of letter to T. Dunn; discussions with M. Cass re letter to T. Dunn and issues with APS; several email exchanges with D. Weisz re certificates; draft of approval and vesting order and email to D. Weisz with draft attached;	3.30	\$1,567.50
	MC	Review of draft letter to TD re Receiver memo, TMI and confidentiality and Use Agreement with notes; receipt and review of amended Agreement dated September 8, 2015; comments re amendment related to Tenant Estoppels Certificate and Position of Receiver; review of emails from DW; discussion with DB re amendments to APS, Vesting Order, and memo acknowledgment; telephone discussion with DYS and DW re status and execution of agreement;	1.80	\$855.00
<b>Sep 10/15</b>	DB	Several telephone conversations with D. Weisz (and M. Cass) re several issues including vesting order, APS, issues with TMI; telephone conversation with T. Dunn re letter; several conferences with M. Cass re outstanding issues for closing;	1.90	\$902.50
	MC	Telephone discussion with DW and DB re Vesting Order, TMI and APS; receipt and review of emails from DW re various outstanding matters; conference with DB re same to comments and telephone with DW; review and comments re Vesting Order;	2.60	\$1,235.00
<b>Sep 11/15</b>	DB	Several telephone conversations with D. Weisz re closing documents; teleconference with counsel re vesting order and APS production and timing; conference with M. Cass re closing issues;	1.90	\$902.50
	DB	Review and revision of draft Approval and Vesting Order; several telephone conversations and email exchange with D. Weisz re order; review of emails from H&R; email of draft Approval and Vesting Order to requisite parties for review;	2.60	\$1,235.00
	MC	Receipt and review of emails from BW re outstanding accounts and TMI; discussion with DB re status and documentation; discussion with DW re co-operation between STHI and H&R counsel;	1.60	\$760.00
<b>Sep 16/15</b>	DB	Review of email from T. Dunn re approval and vesting order and research; review of case law re issues of landlord liability; email to T. Dunn re same; further revisions of order and forwarding of same to D. Weisz for review; telephone conversation with D. Weisz re order and outstanding matters on purchase; review of email from purchaser's counsel re encumbrances; email to D. Kutner re encumbrances; telephone conversation with D. Kutner; email exchange with R. Kestenberg re phone conversation on closing;	2.10	\$997.50

	MC	Receipt and review of emails from solicitor for purchaser re deletion of registrations on title; review of documents to be dealt with; voicemail to J. Papes; telephone discussion with J. Papes re requisition; voicemail to DK; telephone discussion with DW re position of receiver; legal research re Land Titles requirements for deletion of leases and other instruments; search of parties name in 1958 Agreement of title; providing opinion that should be able to remove the items either Vesting Order or Land Titles applications;	2.30	278 \$1,092.50
Sep 17/15	DB	Telephone conversation with R. Kestenberg re closing issues; email to B. Wong re TMI reconciliations; conference with M. Cass re APS and issues arising therefrom;	0.90	\$427.50
	MC	Discussion with DB re obligation of receiver re TMI and indemnity from H&R; review of Case Law re Indemnity; review of correspondence from G Papes and requirements that transaction cannot proceed unless removed; further telephone discussion with G Papes; to review of APS and telephone discussion with DW;	2.80	\$1,330.00
Sep 18/15	DB	Several telephone conversations with T. Dunn, D. Kutner and R. Kestenberg re approval and vesting order and preparation of documents; telephone conversations with H&R counsel and J. Papes re title issues and waiver; conferences with M. Cass re title issues; review of letter from e. Feige re waiver of conditions; review of further emails from H&R counsel; review of emails form D. Weisz and telephone conversation with D. Weisz re position of creditor on title issues;	2.30	\$1,092.50
	MC	Review of emails re Vesting Order; discussion with DB re Vesting Oder; update discussion with G Papes re purchaser position; review of further Vesting Order re deadlines; update to DB and discussion re amendment to Vesting Order re previous tenants; voicemail to DK to discuss removal of incumbency and H&R position; to advice from purchaser requiring removal of title registration; further legal research re encumbrance removal from Title; update to DB; drafting undertaking re receiver efforts to remove title issue; telephone discussion with DW; discussion with DB re correspondence to DK; dictating correspondence to DK re discussion of possible solutions re title; receipt and review of letter from EF waiving conditions and discussion with DB re clarifications;	2.40	\$1,140.00
Sep 21/15	DB	Review of several emails re tenant estoppels; telephone conversations with D. Weisz re tenant estoppels and Investors Group claim; conference with M. Cass re estoppels; review of file re Edgebuilder claim; email to R. Kestenberg re estoppels; review of waiver; telephone conversation with D. Michaud re claim;	1.80	\$855.00

	MC	Forwarding correspondence to DK and voicemail re position that solicitor for H&R will take no steps to remove encumbrance, [REDACTED] [REDACTED] telephone discussion with DW re H&R position re closing; receipt and review of H&R mortgage statement; meeting with DB re statements and various matters; receipt and review email re Estoppel Certificate; review of amendments to Tenant Estoppel Certificate form and Investor Group Financial form and comments with respect to tenant rights and receiver liability; telephone discussion with DW re concerns;	1.90	<del>\$979.50</del> 279.50
Sep 22/15	DB	Partial review of draft report; review of emails from tenant estoppels;	0.90	\$427.50
	MC	Review of initial draft report and correspondence re Tenant Estoppel Certificate;	0.50	\$237.50
Sep 24/15	DB	Review of draft report and discussions with M. Cass re same; review of several emails from client re TMI issue; email to D. Weisz re draft report; review of email from J. Papes re vesting order; email to D. Kutner re vesting order and further exchange re call;	1.80	\$855.00
	MC	Further review of draft report; discussion with DB re terms; review of email from J. Papes re Vesting Order form; review emails from DW and BW re TMI overpayment; review of correspondence from EF re concerns in Investor Estoppel Certificate and real estate commission claim; review of email from RK re her call with purchaser; conference with DB re outstanding issues; receipt of emails from DW re Estoppel Certificate and Tenancy acknowledgement and undertaking status; receipt and review of correspondence from EF re status and vesting order; review of amended vesting order from DB; review of numerous emails re completion re due diligence and waiver; discussion with DB re waiver and other issues;	1.60	\$760.00
Sep 25/15	DB	Several emails with purchasers counsel re finalization of vesting order, terms of purchase and related matters; several emails with creditor counsel re terms of finalization of due diligence and conditions for waiver; redraft of vesting order and forwarding to purchaser's counsel; several telephone conversations with D. Weisz and B. Wong re finalization and report; conference s with M. Cass re waiver;	2.90	\$1,377.50
Sep 28/15	DB	Email exchange with D. Weisz re ongoing matters re APS and closing; telephone conversation with T. Dunn re finalization of matters; conference with D. Krysik re TMI overpayments and those made by Schonfeld; review of emails from B. Wong re	1.30	\$617.50
	DK	Email to Wong re statement of overpayments; review of responding emails	0.30	\$75.00
	DK	Review of court orders to determine under what authority payments made to Bernstein through numbered company; email to DAB re same	1.20	\$300.00

	MC	Review of further waiver clarification from purchaser; discussion with DB re terms and effect; conference with DB re Reimbursement Agreement for Receiver and Receiver concerns; telephone discussion with DB and DW re Reimbursement Agreement, issues of closing and my suggestions that claiming in Vesting Order of priority of Receiver, claims over H&R; discussion with DW and DB re Schonfeld payments to Bernstein; review of updated reports and comments; checking re receipt of second deposit; correspondence to all parties advising receipt of \$400,000.00;	2.10	<del>280</del> <sup>50</sup>
Sep 29/15	DB	Review and revision to draft First Report; review of email from B. Wong re payments to Bernstein; conference with D. Krysik and review of email re authority for payments to Bernstein; several telephone conversations with D. Weisz and B. Wong re outstanding issues on First Report, draft variance to receivership order, holdback amounts; conferences with M. Cass re outstanding issues on closing; email to E. Feige re schedule for motion; email to T. Dunn re variance to order;	4.10	\$1,947.50
	MC	Review of draft first report and revisions; review of correspondence of emails re ledger for Schonfeld payments; conferences with DB re Bernstein's issues re holdback amount, steps to be taken re Schonfeld; amendments to receivership order re priority and outstanding issues of first report; review of draft counsel letter re Bernstein payments.	1.40	\$665.00
Sep 30/15	DB	Review and revision of draft report and draft appendix; review of file re letters to encumbrance holders and email to M. Cass re same; draft of letter to counsel on Bernstein/Schonfeld re payments to Bernstein and forwarding of draft to clients for review; review of email from B. Wong re draft letter and enclosures to be sent; email to clients with revised draft report; conference with M. Cass re closing matters and Bernstein payments; review and revision of service list;	6.40	\$3,040.00
<b>Total fees</b>				\$133,535.00
<b>HST on fees</b>				\$17,359.55

**Taxable Disbursements**

Teraview Search	\$110.00
Oncorp Direct	\$22.00
Courier(s)	\$25.50
Photocopies	\$149.53
Application --register	\$10.00
research invoice dated April 1/15	\$6.78
research invoice dated May 1, 2015	\$38.47
research invoice dated August 1/15	\$111.11
<b><i>Total Taxable Disbursements</i></b>	<b>\$473.39</b>
<b><i>HST on disbursements</i></b>	<b>\$61.54</b>

**Non - Taxable Disbursements**

Teraview Search	\$77.00
Oncorp Direct	\$16.00
Application --register	\$60.00

***Total Non - Taxable Disbursements*** \$153.00  
***Total Disbursements plus HST*** **\$687.93**

This is Exhibit "B" referred to in the Affidavit of Michael Cass  
sworn October 9, 2015

A handwritten signature in blue ink, appearing to read "D.A. Brooker", is written over a horizontal line.

*Commissioner for Taking Affidavits (or as may be)*

**DAVID A. BROOKER**



**Fees and Disbursements Summary of Steinberg Title Hope & Israel LLP  
for the period from February 5, 2015 to September 30, 2015**

<b>Name of Professional</b>	<b>Initial</b>	<b>Year of Call</b>	<b>Hourly Rate</b>	<b>Total Hours Billed</b>	<b>Total Fees Billed</b>
David A. Brooker	DB	1994	\$475.00	149.00	\$70,775.00
Michael Cass	MC	1967	\$475.00	110.74	\$62,385.00
Daria Krysik	DK	2013	\$250.00	1.50	\$375.00
<b>Total Fees</b>					<b>\$133,535.00</b>
Total Disbursements					\$626.39
Total Fees and Disbursements excluding HST					\$134,161.39
HST					\$17,421.09
<b>Total Fees and Disbursements including HST</b>					<b>\$151,582.48</b>

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

PROCEEDING COMMENCED AT  
TORONTO

**AFFIDAVIT OF MICHAEL CASS**  
**SWORN SEPTEMBER 30, 2015**

**STEINBERG TITLE HOPE & ISRAEL LLP**  
Barristers & Solicitors  
5255 Yonge Street, Suite 1100  
Toronto, Ontario  
M2N 6P4

**David A. Brooker (35787W)**  
Tel: 416-225-2777  
Fax: 416-225-7112

Lawyers for Collins Barrow Toronto Limited,  
court appointed receiver for West Mall Holdings Ltd.

**DBDC SPADINA LTD. et al.**  
Applicants

-and-

**NORMA WALTON et al.**  
Respondents

Court File No. CV-13-10280-00CL

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

PROCEEDING COMMENCED AT  
TORONTO

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**MOTION RECORD OF COLLINS BARROW TORONTO  
LIMITED, COURT APPOINTED RECEIVER OF WEST  
MALL HOLDINGS LTD.**

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**STEINBERG TITLE HOPE & ISRAEL LLP**

Barristers & Solicitors  
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Toronto, Ontario  
M2N 6P4

**David A. Brooker (35787W)**

Tel: 416-225-2777

Fax: 416-225-7112

Lawyers for Collins Barrow Toronto Limited  
court appointed Receiver for West Mall Holdings Ltd.

RCP-E4C (July 1, 2007)