

Court File No.

COURT OF APPEAL FOR ONTARIO

B E T W E E N:

SA CAPITAL GROWTH CORP.

Applicant

and

**CHRISTINE BROOKS AS EXECUTOR OF THE ESTATE OF ROBERT
MANDER DECEASED and E.M.B. ASSET GROUP INC.**

Respondents

and

PETER SBARAGLIA

**Moving Party
(Appellant, Respondent in Cross-Appeal)**

and

RSM RICHTER INC. AND ONTARIO SECURITIES COMMISSION

**Responding Parties
(Respondent, Appellant in Cross-Appeal)**

CERTIFICATE RESPECTING EVIDENCE

THE CROSS-APPELLANT, Duff & Phelps Canada Restructuring Inc. (the "Receiver")
(formerly, RSM Richter Inc.), certifies that the following evidence is required for the
Cross-Appeal, in the Cross-Appellant's opinion:

- 1. Affidavit of Peter Sbaraglia, sworn April 23, 2012 and the exhibits annexed thereto;**
- 2. Thirteenth Report to the Court of Receiver dated April 30, 2012 and the appendices thereto; and**

3. Affidavit of Mehran Shahviri, sworn May 1, 2012 and the exhibits annexed thereto.

June 15, 2012

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SA CAPITAL GROWTH CORP.

-and-

CHRISTINE BROOKS AS EXECUTOR OF THE ESTATE OF
ROBERT MANDER DECEASED et al.
Respondents

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ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT
TORONTO

CERTIFICATE RESPECTING EVIDENCE

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