

RSM Richter

**Second Supplement to the Twelfth
Report to Court of RSM Richter Inc. as
Court-Appointed Receiver of the Estate
of Robert Mander, E.M.B. Asset Group
Inc. and the Related Entities**

- And -

**Third Report to Court of
RSM Richter Inc. as Court-Appointed
Receiver of Peter Sbaraglia, Mandy
Sbaraglia, C.O. Capital Growth Corp. and
91 Days Hygiene Services Inc.**

RSM Richter Inc.
Toronto, September 6, 2011

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Court File No.: 10-8619-00CL

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

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.**

Respondent

**IN THE MATTER OF RULE 14.05(3)(G) OF THE *RULES OF CIVIL PROCEDURE*
AND SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990, C. C.43**

**SECOND SUPPLEMENT TO THE TWELFTH REPORT
OF RSM RICHTER INC., AS RECEIVER**

September 6, 2011

- AND -

Court File No.: 10-8883-00CL

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

B E T W E E N:

ONTARIO SECURITIES COMMISSION

Applicant

- and -

**PETER SBARAGLIA, MANDY SBARAGLIA, C.O. CAPITAL GROWTH CORP.
AND 91 DAYS HYGIENE SERVICES INC.**

Respondents

**THIRD REPORT OF RSM RICHTER INC.,
AS RECEIVER**

September 6, 2011

1. INTRODUCTION

This report (“Second Supplemental Report”) supplements the Receiver's twelfth report to the Court dated August 17, 2011 (“Twelfth Mander Report”).

1.1 Defined Terms

Unless otherwise defined in this Second Supplemental Report, defined terms have the meaning provided to them in the Twelfth Mander Report.

1.2 Restrictions

This Second Supplemental Report is subject to the restrictions set out in Section 1.3 of the Twelfth Mander Report.

1.3 Response to Affidavit of Peter Sbaraglia sworn on September 2, 2011

On September 2, 2011, Peter Sbaraglia swore and filed an affidavit (“Affidavit”) concerning the relief sought by the Receiver on the return of this motion. The issues raised in the Affidavit have been addressed previously by the Receiver in its reports to Court, specifically in the Seventh Mander Report and the Ninth Mander Report. Given the information detailed in those reports and the Reasons for Judgement dated December 23, 2010 issued by the Honourable Justice Morawetz in these proceedings, the Receiver does not intend to respond to the issues set out in the Affidavit unless otherwise directed by the Court.

* * *

All of which is respectfully submitted,

A handwritten signature in cursive script, appearing to read "RSM Richter LLC", followed by a period.

**RSM RICHTER INC.
IN ITS CAPACITY AS COURT-APPOINTED
RECEIVER OF THE ESTATE OF ROBERT MANDER,
E.M.B. ASSET GROUP INC. AND THE RELATED ENTITIES,
AND PETER SBARAGLIA, MANDY SBARAGLIA, C.O. CAPITAL GROWTH CORP.
AND 91 DAYS HYGIENE SERVICES INC.
AND NOT IN ITS PERSONAL CAPACITY**