

DIVISIONAL COURT, SUPERIOR COURT OF JUSTICE

B E T W E E N:

**KSV KOFMAN INC., IN ITS CAPACITY AS RECEIVER AND
MANAGER OF CERTAIN PROPERTY OF SCOLLARD
DEVELOPMENT CORPORATION, MEMORY CARE
INVESTMENTS (KITCHENER) LTD., MEMORY CARE
INVESTMENTS (OAKVILLE) LTD., 1703858 ONTARIO INC.,
LEGACY LANE INVESTMENTS LTD., TEXTBOOK (525
PRINCESS STREET) INC. AND TEXTBOOK (555 PRINCESS
STREET) INC.**

Plaintiff
(Respondent)

- and -

**AEOLIAN INVESTMENTS LTD., JOHN DAVIES IN HIS
PERSONAL CAPACITY AND IN HIS CAPACITY AS TRUSTEE
OF BOTH THE DAVIES ARIZONA TRUST AND THE DAVIES
FAMILY TRUST, JUDITH DAVIES IN HER PERSONAL
CAPACITY AND IN HER CAPACITY AS TRUSTEE OF THE
DAVIES FAMILY TRUST, AND GREGORY HARRIS SOLELY IN
HIS CAPACITY AS TRUSTEE OF THE DAVIES FAMILY TRUST**

Defendants
(Appellants)

APPELLANTS' CERTIFICATE

The appellants certify that the following evidence is required for the appeal, in the appellants' opinion:

1. Order of Justice Myers dated August 30, 2017;
2. Endorsement of Justice Myers dated August 30, 2017;
3. Order of Justice Myers dated July 17, 2017;

4. Endorsement of Justice Myers dated July 17, 2017;
5. Order of Justice Myers dated June 16, 2017;
6. Endorsement of Justice Myers dated June 16, 2017;
7. Order of Justice Myers dated June 7, 2017;
8. Endorsement of Justice Myers dated June 7, 2017;
9. The affidavit of John Davies sworn June 14, 2017 and the exhibits thereto;
10. The affidavit of John Davies sworn July 14, 2017 and the exhibits thereto;
11. The affidavit of John Davies sworn July 24, 2017 and the exhibits thereto;
12. The affidavit of John Davies sworn July 27, 2017 and the exhibits thereto;
13. The Affidavit of Judith Davies sworn July 24, 2017 and the exhibits thereto;
14. The transcript of the cross-examination of John Davies conducted on June 16, 2017;
15. The transcript of the cross-examination of John Davies conducted on August 9, 2017;
16. The Fourth Report of the Receiver dated June 6, 2017;
17. The Sixth Report of the Receiver dated July 12, 2017; and
18. Supplement to the Sixth Report of the Receiver dated August 8, 2017.

January 29, 2018

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KSV KOFMAN INC.
Plaintiff (Respondent)

and

AEOLIAN INVESTMENTS LTD. et al.
Defendants (Appellants)

ONTARIO
DIVISIONAL COURT
SUPERIOR COURT OF JUSTICE

Proceeding commenced at TORONTO

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