

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

B E T W E N:

THE CATALYST CAPITAL GROUP INC. and CALLIDUS CAPITAL
CORPORATION

Plaintiffs

and

WEST FACE CAPITAL INC., GREGORY BOLAND, M5V ADVISORS INC.
C.O.B. ANSON GROUP CANADA, ADMIRALTY ADVISORS LLC,
FRIGATE VENTURES LP, ANSON INVESTMENTS LP, ANSON
CAPITAL LP, ANSON INVESTMENTS MASTER FUND LP, AIMF GP,
ANSON CATALYST MASTER FUND LP, ACF GP, MOEZ KASSAM,
ADAM SPEARS, SUNNY PURI, CLARITYSPRING INC., NATHAN
ANDERSON, BRUCE LANGSTAFF, ROB COPELAND, KEVIN
BAUMANN, JEFFREY MCFARLANE, DARRYL LEVITT, RICHARD
MOLYNEUX, and JOHN DOES #1-10

Defendants

and

CANACCORD GENUITY CORP.

Third Party

A N D B E T W E N:

WEST FACE CAPITAL INC. and GREGORY BOLAND

Plaintiffs by Counterclaim

and

THE CATALYST CAPITAL GROUP INC., CALLIDUS CAPITAL
CORPORATION, NEWTON GLASSMAN, GABRIEL DE ALBA, JAMES
RILEY, VIRGINIA JAMIESON, EMMANUEL ROSEN, B.C. STRATEGY
LTD. D/B/A BLACK CUBE, B.C. STRATEGY UK LTD. D/B/A BLACK
CUBE and INVOP LTD. D/B/A PSY GROUP

Defendants to the Counterclaim

DEMAND FOR PARTICULARS

The Defendants, ClaritySpring Inc. and Nathan Anderson (the “Anderson Defendants”) demand particulars of the following allegations in the Statement of Claim:

1. With respect to paragraph 37 of the Statement of Claim, particulars of the terms of the alleged agreement, the date or dates on which it was entered into by the Anderson Defendants, or any one of them, and full particulars of the conduct of the Anderson Defendants in relation to the alleged conspiracy.
2. With respect to paragraph 60 of the Statement of Claim, particulars regarding how and when the Anderson Defendants, or any one of them, participated in the “short attacks”.
3. With respect to paragraph 61 of the Statement of Claim, particulars of the conspiracy and the Anderson Defendants’, or any one of them, involvement in that conspiracy.
4. With respect to paragraphs 64, 65, 66, 75, 76, 77, 78, 79, 81, 82, 93, 94, 95, 96 and 114 of the Statement of Claim, particulars of which, if any, of the allegations in these paragraphs are allegations against the Anderson Defendants, or any one of them.

August 7, 2018

LERNERS LLP
130 Adelaide Street West, Suite 2400
Toronto, ON M5H 3P5

Brian N. Radnoff LS#: 43937G
bradnoff@lerners.ca
Tel: 416.601.2387
Fax: 416.867.2412

Lucas E. Lung LS#: 52595C
llung@lerners.ca
Tel: 416.601.2673
Fax: 416.601.1492

Lawyers for the Defendants, ClaritySpring Inc.
and Nathan Anderson

TO: **MOORE BARRISTERS**
Barristers and Solicitors
393 University Avenue, Suite 1600
Toronto, ON M5G 1E6

David C. Moore LS#: 16996U
david@moorebarristers.ca

Tel: 416.581.1818, Ext. 222
Fax: 416.581.1279

Kenneth G.G. Jones LS#: 29918I

kenjones@moorebarristers.ca
Tel: 416.581.1818, Ext. 224
Fax: 416.581.1279

Lawyers for the Plaintiffs/Defendants by Counterclaim,
The Catalyst Capital Group Inc. and Callidus Capital
Corporation

AND TO: **DAVIES WARD PHILLIPS & VINEBERG LLP**

155 Wellington Street West
40th Floor
Toronto, ON M5V 3J7

Kent Thomson LS#: 24264J

kthomson@dwpv.com
Tel: 416.863.5566

Matthew Milne-Smith LS#: 44266P

mmilne-smith@dwpv.com
Tel: 416.863.5595

Andrew Carlson LS#: 58850N

acarlson@dwpv.com
Tel: 416.367.7437

Tel: 416.863.0900
Fax: 416.863.0871

Lawyers for the Defendants, Plaintiffs by Counterclaim,
West Face Capital Inc. and Gregory Boland

AND TO: **TORYS LLP**
Barristers and Solicitors
79 Wellington Street West, Suite 3000
Box 270, TD South Tower
Toronto, ON M5K 1N2

Linda M. Plumpton LS#: 38400A
lplumpton@torys.com
Tel: 416.865.8193

Andrew Bernstein LS#: 42191F
abernstein@torys.com
Tel: 416.865.7678

Leora Jackson LS#: 68448L
ljackson@torys.com
Tel: 416.865.7547
Fax: 416.865.7380

Lawyers for the Defendants, M5V Advisors Inc. c.o.b.
Anson Group Canada, Admiralty Advisors LLC, Frigate
Ventures LP, Anson Investments LP, Anson Capital LP,
Anson Investments Master Fund LP, AIMF GP, Anson
Catalyst Master Fund LP, ACF GP, Moez Kassam,
Adam Spears and Sunny Puri

AND TO: **MILBURN & ASSOCIATES**
20 Toronto Street, Suite 860
Toronto, ON M5C 2B8

A. Jane Milburn LS#: 39199U
jmilburn@milburnlaw.ca
Tel: 647.728.8081
Fax: 647.689.2983

Devin M. Jarcaig LS#: 62223U
djarcaig@milburnlaw.ca
Tel: 647.728.8083
Fax: 647.689.2983

Lawyers for the Defendant, Bruce Langstaff

AND TO: **ST. LAWRENCE BARRISTERS LLP**
144 King Street East
Toronto, ON M5C 1G8

Phil Tunley LS#: 26402J
Phil.Tunley@stlbarristers.ca
Tel: 647.245.8282
Fax: 647.245.8285

Alexi N. Wood LS#: 54683F
Alexi.Wood@stlbarristers.ca
Tel: 647.245.8283
Fax: 647.245.8285

Jennifer P. Saville LS#: 68564F
Jennifer.Saville@stlbarristers.ca
Tel: 647.245.2222
Fax: 647.245.8285

Lawyers for the Defendant, Rob Copeland

AND TO: **HUNT PARTNERS LLP**
21 Balmuto Street, Suite 1404
Toronto, ON M4Y 1W4

Andrew D. Burns LS#: 345912W
aburns@huntlegal.com
Tel: 416.350.2934
Fax: 416.943.1484

SCOTT VENTURO RUDAKOFF LLP
222 3 Avenue SW
Calgary, AB T2P 0B4

Eugene J. Bodnar
g.bodnar@svrlawyers.com

Breanne Campbell
b.campbell@svrlawyers.com

Tel: 403.231.8209
Fax: 403.265.4632

Lawyers for the Defendant, Kevin Baumann

AND TO: **DANSON & ZUCKER**
Barristers and Solicitors
375 University Avenue, Suite 701
Toronto, ON M5G 2J5

Symon Zucker
sz@bondlaw.net
Tel: 416.863.9955
Fax: 855.696.5441

Lawyers for the Defendant, Darryl Levitt

AND TO: **SOLOMON ROTHBART GOODMAN LLP**
Barristers
375 University Avenue, Suite 701
Toronto, ON M5G 2J5

Melvyn L. Solomon LS#: 16156J
msolomon@srglegal.com
Tel: 416.947.1093, ext 333
Fax: 416.947.0079

Nancy Tourgis LS#: 37349I
ntourgis@srglegal.com
Tel: 416.947.1093, ext 342
Fax: 416.947.0079

Lawyers for the Defendant, Richard Molyneux

AND TO: **JEFFREY MCFARLAND**

Defendant

AND TO: **CRAWLEY MACKEWN BRUSH LLP**
Barristers and Solicitors
Suite 800, 179 John Street
Toronto, ON M5T 1X4

Robert Brush LS#: 40373N
rbrush@cmlaw.ca
Tel: 416.217.0822

Clarke Tedesco LS#: 55291C
ctedesco@cmlaw.ca
Tel: 416.217.0884

Dana Carson LS#: 65439D

dcarson@cmlaw.ca

Tel: 416.217.0110

Fax: 416.217.0220

Lawyers for the Third Party Defendant

THE CATALYST CAPITAL GROUP
INC., ET AL. and
Plaintiffs

WEST FACE CAPITAL INC., ET AL.
Defendants

Court File No.: CV-17-587463-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at TORONTO

DEMAND FOR PARTICULARS

LERNERS LLP

130 Adelaide Street West, Suite 2400
Toronto, ON M5H 3P5

Brian N. Radnoff LS#: 43937G

bradnoff@lernalers.ca

Tel: 416.601.2387

Fax: 416.867.2412

Lucas E. Lung LS#: 52595

llung@lernalers.ca

Tel: 416.601.2673

Fax: 416.601.4192

Lawyers for the Defendants, ClaritySpring
Inc. and Nathan Anderson