

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

THE CATALYST CAPITAL GROUP INC.

Plaintiff

- and -

BRANDON MOYSE and WEST FACE CAPITAL INC.

Defendants

**SUPPLEMENTARY RESPONDING MOTION RECORD
OF THE DEFENDANT BRANDON MOYSE**

May 12, 2015

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TAB 1

ONTARIO
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BETWEEN:

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Plaintiff

- and -

BRANDON MOYSE and WEST FACE CAPITAL INC.

Defendants

AFFIDAVIT OF KEVIN LO
AFFIRMED MAY 12, 2015

I, Kevin Lo, of the City of Toronto, SOLEMNLY AFFIRM AS FOLLOWS:

1. I am a managing director with Froese Forensic Partners LLP ("FFP"). FFP was engaged by Paliare Roland Rosenberg Rothstein LLP ("**Counsel**"), on behalf of Mr. Brandon Moyse ("**Moyse**"), to provide our professional services in relation to this matter.
2. I have previously affirmed an affidavit in this matter, dated April 2, 2015. Defined terms used in this affidavit have the same meaning as in my April 2, 2015 affidavit.
3. Since affirming my affidavit on April 2, 2015, I have reviewed the reply affidavit of Martin Musters ("**Musters**") sworn April 30, 2015.
4. Musters states at paragraph 9 of his April 30 affidavit that Moyse "could very easily have deleted the Secure Delete Log after he deleted folders or files from his computer."

5. At paragraphs 6-19 of this affidavit, Musters describes a process whereby Moyse could have deleted a Secure Delete log by using the "Registry Editor" to select a Secure Delete folder and delete its contents.

6. Registry Editor is a built-in tool included on all Windows systems which allows users to view and change the settings in the system registry. Registry Editor is not related to "Systweak", the company which sells the "RegCleanPro" and "Advanced System Optimizer" programs which were found on Moyse's computer.

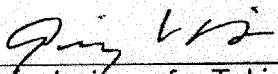
7. Based on our review of Moyse's computer, Moyse has never run Registry Editor on his computer. The metadata associated with the Registry Editor indicates a creation date and last accessed date of July 13, 2009. I attach a screenshot of the metadata associated with the Registry Editor on Moyse's computer as **Exhibit "A"**.

8. Our analysis showed that the Windows Operating System was installed on January 22, 2012. I attach a screenshot showing the Operating System installation date on Moyse's computer as **Exhibit "B"**.

9. These dates indicate the Registry Editor took on a "factory default" date (July 13, 2009) that preceded the installation date of the Operating System (January 22, 2012). Thus the Registry Editor was never used on Moyse's computer after the installation on January 22, 2012.

10. There is therefore no evidence that Moyse ever took any steps with respect to his computer's registry using the Registry Editor in the way Musters describes in his affidavit of April 30, 2015.

AFFIRMED BEFORE ME at the City of
Toronto, in the Province of Ontario on
May 12, 2015



Commissioner for Taking Affidavits
(or as may be)



Kevin Lo

Ainsley Claire Vaculik, a Commissioner, etc., Province of Ontario
for Froese Forensic Partners Ltd., limited to process ser-
and documents required pursuant to the Private Security
Investigative Services Act, 2003 only. Expires March 14, 2016.

THE CATALYST CAPITAL GROUP INC.
Plaintiff

-and- BRANDON MOYSE et al
Defendants

ONTARIO
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AFFIDAVIT OF KEVIN LO
AFFIRMED MAY 12, 2015

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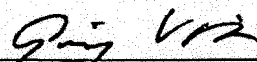
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Lawyers for the Defendant, Brandon Moyse


TAB 1-A

This is Exhibit "A" referred to in the Affidavit of Kevin Lo
affirmed May 12, 2015



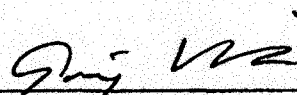
Commissioner for Taking Affidavits (or as may be)

Ainsley Claire Vaculik, a Commissioner, etc., Province of Ontario,
for Froese Forensic Partners Ltd., limited to process service
and documents required pursuant to the Private Security and
Investigative Services Act, 2005 only. Expires March 14, 2016.

	Name	Last Accessed	File Created	Last Written	Entry Modified	File Type
<input type="checkbox"/> 1	 regedit.exe	07/13/09 07:27:10PM	07/13/09 07:27:10PM	07/13/09 09:39:29PM	11/29/11 09:54:54AM	Windows Executable

TAB 1-B

This is Exhibit "B" referred to in the Affidavit of Kevin Lo
affirmed May 12, 2015



Commissioner for Taking Affidavits (or as may be)

Ainsley Claire Vaculik, a Commissioner, etc., Province of Ontario
for Froese Forensic Partners Ltd., limited to process see
and documents required pursuant to the Private Security
Investigative Services Act, 2003 only. Expires March 14, 2016.

[-] Key Properties

Last Written Time	7/17/2014 17:57:47 UTC
OS Install Date (UTC)	Sun Jan 22 21:53:02 2012
OS Install Date (Local)	Sun Jan 22 16:53:02 2012

THE CATALYST CAPITAL GROUP INC.
Plaintiff

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BRANDON MOYSE et al
Defendants

Court File No. CV-14-507120

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