

COURT OF APPEAL FOR ONTARIO

THE HONOURABLE JUSTICE <sup>ASSOCIATE CHIEF</sup> HOY )  
THE HONOURABLE JUSTICE MACFARLAND )  
THE HONOURABLE JUSTICE LAUWERS ) THURSDAY THE 5TH  
DAY OF NOVEMBER, 2015

BETWEEN:

THE CATALYST CAPITAL GROUP INC.

Plaintiff  
(Appellant/Responding Party)

- and -

BRANDON MOYSE and WEST FACE CAPITAL INC.

Defendants  
(Respondents/Moving Party)

ORDER

THIS MOTION by the Defendant (Respondent) West Face Capital Inc. ("West Face") for an Order quashing the Plaintiff's appeal from the Order of Justice Glustein dated July 7, 2015 dismissing the Plaintiff's motion heard July 2, 2015, was heard this day at Osgoode Hall, 130 Queen Street West, Toronto, Ontario.

ON READING the Motion Records, Facta, and Books of Authorities filed by the parties, and on the consent of the parties, and on hearing the submissions of counsel for the parties:

1. THIS COURT ORDERS that the appeal bearing Court of Appeal court file number C60799 is hereby dismissed as against West Face.

2. THIS COURT ORDERS that the dismissal of the appeal against West Face is without prejudice to any future motion by the Plaintiff to transfer an appeal from the Order of Justice Glustein dated July 7, 2015, that lies to the Divisional Court, to this Court.
3. THIS COURT ORDERS that the costs of this motion are fixed in the amount of \$2,500.00 (inclusive of disbursements and HST) and payable by the Plaintiff to West Face forthwith.

THIS ORDER BEARS INTEREST at the rate of 3% per cent per year commencing on December 4, 2015.



D. MURPHY  
REGISTRAR  
COURT OF APPEAL FOR ONTARIO

ENTERED AT / INSCRIPT À TORONTO  
ON / BOOK NO:  
LE / DANS LE REGISTRE NO.:

 NOV - 6 2015

PER / PAR:

THE CATALYST CAPITAL GROUP INC.  
Plaintiff and  
BRANDON MOYSE and WEST FACE  
CAPITAL INC.  
Defendants

Court of Appeal File No.: C60799/M45387

**COURT OF APPEAL FOR ONTARIO**

Proceeding commenced at Toronto

**ORDER**

DAVIES WARD PHILLIPS & VINEBERG LLP  
155 WELLINGTON STREET WEST  
TORONTO ON M5V 3J7

Andrew Carlson LSUC 58850N  
Email: acarlson@dwpv.com  
Tel: 416.367.7437  
Fax: 416.863.0871

Lawyers for the Defendant (Respondent)  
West Face Capital Inc.