

**Cross-Examination of Brandon Moyse, May 11, 2015  
Undertakings, Under Advisements and Refusals**

| No. | Pg. | Q.  | Undertaking / Under Advisement | Question   | Answer  |
|-----|-----|-----|--------------------------------|--|---|
| 1   | 35  | 173 | Undertaking                    | To advise whether Mr. Moyse's counsel refused to produce copies of the work Mr. Moyse had done at West Face.   | Mr. Moyse's counsel took this question under advisement on Mr. Moyse's July 31, 2014 cross-examination. Mr. Moyse's counsel did not subsequently answer this question; however, Catalyst's counsel did not follow up on this request. In any event, West Face offered to produce such documents through the Independent Supervising Solicitor in March, 2015, but Catalyst did not accept this offer. |
| 2   | 68  | 368 | Under Advisement               | To provide communications between Mr. Moyse and his counsel before the date that he brought his computer into his counsel's office for the purpose of forensic imaging, relevant to this question of the relief that was being sought on the motion. | Refused. These communications are privileged. Mr. Moyse has not put his state of mind during these privileged communications in issue.  |
| 3   | 75  | 410 | Under Advisement               | To advise why Mr. Moyse wouldn't have had an open discussion with his counsel and the forensic expert to alert them that he had altered his computer by taking materials that weren't relevant off of it.  | Refused. The scope of Mr. Moyse's discussions with his counsel are privileged.  |
| 4   | 96  | 535 | Under Advisement               | To advise when Mr. Moyse got his home phone.   | Mr. Moyse got his home phone line in November, 2013.  |

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| 5   | 100 | 561 | Under Advisement               | To provide detailed copies of Mr. Moyse's cell phone billings from the period of March 1, 2014 to present. | <p>Between March, 2014 and October, 2014, Mr. Moyse's cell phone billings only show the calls he placed and received when he was outside of the Rogers coverage area. None of the calls Mr. Moyse made during this period were made to West Face personnel.</p> <p>Mr. Moyse's detailed cell phone billings from November, 2014-present reflect two calls he made to West Face personnel:</p> <ol style="list-style-type: none"> <li>1) Feb 10, 2015, 14:41 to 416-479-7330 (business number for Supriya Kapoor, Chief Compliance Officer at West Face), length of call 2 mins:<br/>Mr. Moyse's call to Ms. Kapoor was in order to seek clearance on a trade he had placed.</li> <li>2) April 23, 2015, 17:57 to 416-303-8980, cell number for Peter Brimm (departed employee), length of call 7 mins:<br/>Mr. Moyse's call to Mr. Brimm on April 23, 2015, was for personal reasons following Mr. Brimm's departure from West Face.</li> </ol> <p>Redacted copies of the bills for February, 2015 and April, 2015 are attached at <b>Tab A</b>.</p> |
| 6   | 102 | 565 | Under Advisement               | To advise whether there is an agreement that exists between Mr.  | There is no agreement between Mr. Moyse and West Face in relation to Mr. Moyse's role  |

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|     |     |     |                                | Moyse and West Face right now in relation to Mr. Moyse's role at West Face.   | at West Face.   |
| 7   | 102 | 566 | Under Advisement               | To produce any agreement that exists between Mr. Moyse and West Face right now in relation to Mr. Moyse's role at West Face.                                      | There is no agreement between Mr. Moyse and West Face in relation to Mr. Moyse's role at West Face.                     |
| 8   | 103 | 569 | Under Advisement               | To advise whether there is an indemnity agreement that exists between West Face and Mr. Moyse with respect to his legal fees in this matter.                      | West Face has reimbursed Mr. Moyse for his legal fees to date in this matter. However, there is no indemnity agreement. |
| 9   | 103 | 570 | Under Advisement               | To produce any indemnity agreement that exists between West Face and Mr. Moyse with respect to his legal fees in this matter.                                     | There is no indemnity agreement between West Face and Mr. Moyse with respect to his legal fees in this matter.          |
| 10  | 114 | 643 | Under Advisement               | To advise whether Mr. Moyse still has a copy of the email from Mr. Moyse responding to Mr. Dea's request for the Cerberus entity that Callidus was modeled after. | Mr. Moyse has reviewed his records and does not have a copy of this email.  |