

This is Exhibit "15" referred to in  
the Affidavit of Thomas Dea  
sworn before me this 3<sup>rd</sup> day  
of June, 2016

A handwritten signature in black ink, consisting of stylized, overlapping loops and curves, positioned above a horizontal line.

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A Commissioner, etc.

The logo for Davies Ward Phillips & Vineberg LLP, featuring the word "DAVIES" in white capital letters on a black square background.

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January 8, 2016

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File No. 250486

**BY E-MAIL**

**WITH PREJUDICE**

Rocco DiPucchio / Andrew Winton  
Lax O'Sullivan Scott Lisus  
145 King St. West, Suite 2750  
Toronto, ON M5H 1J8

**RE: The Catalyst Capital Group Inc. v. Moyse et. al. (Court File No. CV-14-507120)  
In re. Proposed Arrangement of Mid-Bowline Group Corp. (Commercial List  
Court File No. CV15-11238-00CL)**

Dear Rocco and Andrew:

We will be delivering West Face's Affidavit of Documents in the above-noted action by cover of another letter shortly.

You may recall that on March 13, 2015, we offered to produce to the ISS the documents on West Face's servers that West Face had identified as having been created, modified, or accessed by Brandon Moyse (the "**Moyse-Accessed Documents**").<sup>1</sup> West Face offered to negotiate an ISS protocol whereby the ISS would review and produce to the other parties only those documents, if any, relating to WIND, the AWS-3 spectrum auction, or Callidus. As you know, Catalyst never accepted this offer.

We have further reviewed the Moyse-Accessed Documents and continue to be of the view that none of them are relevant to any matter at issue in the action, other than certain privileged documents concerning the defence of the Moyse litigation. For this reason, none of the Moyse-Accessed Documents are listed in Schedule A of West Face's Affidavit of Documents.

Nevertheless, in addition to producing the documents listed in Schedule A of its Affidavit of Documents, West Face is ready and willing to produce 252 of the 253 total non-privileged Moyse-Accessed Documents. West Face is willing to produce these 252 Moyse-Accessed

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<sup>1</sup> The manner in which these documents were collected is described in the Affidavit of Harold Burt-Gerrans sworn March 9, 2015.

Documents to you, out of an abundance of caution, on a strictly counsels' eyes only basis, so that you may satisfy yourselves that the documents are indeed not relevant to your client's claims. These documents are being provided on a counsels' eyes only basis for two reasons: (1) they are not relevant to Catalyst's claim and therefore West Face has no obligation to produce them; and (2) some of them contain confidential, commercially sensitive information, such that West Face's interests could be at risk in the event they were produced to Catalyst or ultimately filed in Court. In particular, many of these documents relate to evaluation work conducted by West Face in respect of current and prior actual or prospective investments. The identity of potential West Face investments may in certain circumstances be highly confidential and it is therefore important that they not be disclosed to Catalyst given Catalyst's assertion that it is a competitor of West Face.

If you disagree with our assessment of the relevance of any of the Moyse-Accessed Documents to Catalyst's claim, we are willing to discuss whether any of those particular documents should be added to Schedule A of West Face's Affidavit of Documents and produced, and if so, what confidentiality measures (if any) may be appropriate. If, following such discussion, there continued to be a dispute about the relevance of a particular Moyse-Accessed Document or Documents, the issue would be determined by the Court in the ordinary course.

The one Moyse-Accessed Documents that West Face is not willing to produce is an Excel file titled "West Face Yield Calculations.xls", which includes information about West Face's then-current investment positions at a point in time between May and June of 2009. This document is clearly irrelevant, but remains confidential because it discloses actual positions.

In addition, West Face has partially redacted an Excel file titled "4233427.xlsx", which includes information about the "deal pipeline" of West Face's Alternative Credit Funds, including West Face's positions in at least one active investment and in several investments that were previously and/or which continue to be under evaluation.

We trust that you can appreciate that these documents are highly confidential and extremely sensitive.

I look forward to receiving your response.

Yours very truly,



Andrew Carlson

AC/

cc Matthew Milne-Smith