

Court File No. CV-16-11272-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

B E T W E E N:

THE CATALYST CAPITAL GROUP INC.

Plaintiff

- and -

BRANDON MOYSE and WEST FACE CAPITAL INC.

Defendants

**AFFIDAVIT OF YUJIA ZHU  
(sworn June 3, 2016)**

I, YUJIA ZHU, of the City of Toronto, in the Province of Ontario, MAKE

OATH AND SAY:

1. I am a Vice President of the Defendant West Face Capital Inc. ("**West Face**"), a privately-held Toronto-based investment management firm. On the afternoon of Friday, June 3, 2016, I was informed by Philip Panet, general counsel to West Face, that Catalyst intends to rely on a note I took of my interview with Brandon Moyse on April 15, 2014, to suggest that Mr. Moyse and I discussed WIND Mobile Inc. ("**WIND**") during his interview. For the reasons set out below, I can state categorically that that suggestion is simply false.

2. I met with Mr. Moyse at the West Face offices on April 15, 2014 for approximately 15 to 20 minutes. No one else was present at our meeting, though I understood that Mr. Moyse also had interviews with West Face Partners Peter Fraser

and Tony Griffin that same day. My notes of my brief meeting with Mr. Moyses are attached as Exhibit "1"<sup>1</sup> to this Affidavit.

3. My notes of my interview of Mr. Moyses do not refer to WIND, and we had no discussion concerning WIND. As West Face was actively pursuing WIND at the time, I would never have referred to it myself, and I would remember if Mr. Moyses had done so. During the interview, I asked Mr. Moyses why he wanted to leave Catalyst after only two years, and my notes generally summarize his responses. Where my notes refer to "Live deals", I was simply recording that Mr. Moyses indicated during my interview that he was working on live deals at the time, in addition to existing Catalyst portfolio companies. Mr. Moyses did not specify what those live deals were, and I did not ask him to do so. Homburg and Advantage were the only two companies that Mr. Moyses had worked on at Catalyst that he referred to during our meeting. He did not disclose anything about those companies other than that he was involved in their acquisition and ongoing management.

4. The reference to "Tembec" in my notes is to a public company, Tembec Inc. I asked Mr. Moyses for his analysis of some public financial information about Tembec as a means to evaluate his analytical skills.

---

<sup>1</sup> WFC0109978. I have redacted that portion of my notes that concerns my confidential work for West Face at the time. I typically maintain one notebook that includes everything I am working on, and my notes on my interview with Mr. Moyses are on the same page as my notes about a potential West Face investment.

5. To repeat, the topic of WIND never came up during our brief interview. Nor did Mr. Moyse discuss with me any confidential information of Catalyst concerning any other matter.

SWORN before me at the City of )  
Toronto in the Province of Ontario )  
this 3<sup>rd</sup> day of June, 2016. )



\_\_\_\_\_  
Commissioner for Taking Affidavits, etc.



\_\_\_\_\_  
YUJIA ZHU

THE CATALYST CAPITAL GROUP INC.  
Plaintiff

BRANDON MOYSE et al.  
and  
Defendants

Court File No. CV-16-11272-00CL

ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)

Proceeding commenced at Toronto

AFFIDAVIT OF ANTHONY GRIFFIN  
(SWORN JUNE 3, 2016)

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

Kent E. Thomson LSUC #24642J  
Matthew Milne-Smith LSUC #44266P  
Andrew Carlson LSUC #58850N  
Christie Campbell LSUC #67696E

Tel: 416.863.0900  
Fax: 416.863.0871

Lawyers for the Defendant,  
West Face Capital Inc.