

**ANDREW WINTON**  
Direct: 416 644 5342  
awinton@counsel-toronto.com  
File No: 13094

**LAX O'SULLIVAN SCOTT LISUS LLP**  
Suite 2750, 145 King Street West  
Toronto ON M5H 1J8 Canada  
Tel: 416 598 1744 Fax: 416 598 3730



**Via Email**

May 21, 2015

Matthew Milne-Smith & Andrew Carlson  
Davies Ward Phillips and Vineberg LLP  
Suite 400, 155 Wellington Street West  
Toronto ON M5V 3J7

Robert A. Centa & Kris Borg-Olivier  
Paliare Roland Rosenberg Rothstein LLP  
155 Wellington St. West, 35th Floor  
Toronto, ON M5V 3H1

Dear Counsel:

**Re: The Catalyst Capital Group Inc. v. Brandon Moyse et al.**  
**Court File No. CV-14-507120**

One question (#161) was taken under advisement at Mr. Musters' cross-examination. In response to that question:

- Mr. Musters cannot recall or re-create the search terms used which led to the publicly available information referred to in paragraph 8 of his April 30, 2015 affidavit; and
- Enclosed please find the publicly available information to which Mr. Musters was referring.

In addition to these documents, Mr. Musters also notes that the publicly available information is available on YouTube at <https://www.youtube.com/watch?v=PyjjADzw6z0> and <https://www.youtube.com/watch?v=lpmdMdu4L7M>.

Mr. Musters wishes to correct an error in his testimony. At question 162, Mr. Musters stated that it was incorrect the information he was referring to provided advice as on the removal of the entire ASO program and not simply removal of the remnant files. Upon reviewing the publicly available information, Mr. Musters notes that the information includes advice on the removal of the entire ASO program and his answer to question 162 was incorrect.

Mr. Musters will not re-attend for further cross-examination. None of the other witnesses are re-attending following answers to undertakings or under advisements and we see no reason to proceed any differently with Mr. Musters.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Andrew Winton', with a long horizontal flourish extending to the right.

Andrew Winton

c. Rocco DiPucchio