

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

BETWEEN:

ROYAL BANK OF CANADA

Applicant

- and -

PEACE BRIDGE DUTY FREE INC.

Respondent

AFFIDAVIT OF AMANDA SINGH

I, Amanda Singh of the City of Toronto, in the Province of Ontario, MAKE OATH AND SAY:

1. I am a Legal Administrative Assistant with the law firm of Gowling WLG (Canada) LLP ("Gowling"), lawyers for Buffalo and Fort Erie Public Bridge Authority, and as such, have knowledge of the matters contained in this Affidavit.
2. Attached and marked as **Exhibit "A"** is email correspondence between Gowling and Blaney McMurtry LLP concerning the further examination of Jim Pearce.

SWORN BEFORE ME at the City of Toronto,
in the Province of Ontario, before me this 23rd
day of October, 2023

A Commissioner for Taking Affidavits, etc.

AMANDA SINGH

THIS IS **EXHIBIT "A"** TO THE
AFFIDAVIT OF AMANDA SINGH,
SWORN BEFORE ME ON
OCTOBER 23, 2023



E. Patrick Shea, KC (LSO# 39655K)

Commissioner for Taking Affidavits

Shea, Patrick

From: Shea, Patrick
Sent: October-16-23 1:57 PM
To: Brendan Jones
Cc: Stanek, Chris; David T. Ullmann; John C. Wolf; Gail Fairhart; Ariyana Botejue
Subject: Re: Service - RBC v PBDFI - CV-21-00673084-00CL

That fact that your response comes two weeks after our request and offers a date that is the business day before our Factum is due, assuming your Factum is delivered today is effectively refusing to produce Mr Pearce. We will allow Her Honour to decide how to address the matter.

Sent from my iPhone

On Oct 16, 2023, at 13:01, Brendan Jones <BJones@blaney.com> wrote:

This message originated from outside of Gowling WLG. | Ce message provient de l'extérieur de Gowling WLG.

Counsel,
Regarding the request to examine Mr. Pearce again, we have had difficulty coordinating a time that we are available and Mr. Pearce can come to Toronto to be examined in person as you requested. We can both be available on this Friday. While we understand the timing is not ideal, have offered to conduct the follow up examination in writing and we remain prepared to respond to questions in writing before that if that is of assistance.

Regards

Brendan Jones
Partner
bjones@blaney.com
<image001.png>
416-593-2997 |
<image002.png>
416-594-3593

From: Shea, Patrick <Patrick.Shea@gowlingwlg.com>
Sent: October 2, 2023 1:53 PM
To: Brendan Jones <BJones@blaney.com>
Cc: Stanek, Chris <Christopher.Stanek@gowlingwlg.com>; David T. Ullmann <DUllmann@blaney.com>; John C. Wolf <jwolf@blaney.com>; Gail Fairhart <gfairhart@blaney.com>; Ariyana Botejue <ABotejue@blaney.com>
Subject: Re: Service - RBC v PBDFI - CV-21-00673084-00CL

Thank you, but we would prefer to examine Mr Pearce in person. When are you available?

Sent from my iPhone

On Oct 2, 2023, at 12:38, Brendan Jones <BJones@blaney.com> wrote:

This message originated from outside of Gowling WLG. | Ce message provient de l'extérieur de Gowling WLG.

I am writing in response to your email below.

We are not available this week to attend examinations. To the extent there are questions for Mr. Pearce, we propose that they be done in writing.

Regards,

Brendan

Brendan Jones
Partner

bjones@blaney.com
<image001.png>
416-593-2997 |
<image002.png>
416-594-3593

From: Shea, Patrick <Patrick.Shea@gowlingwlg.com>

Sent: September 28, 2023 6:56 PM

To: Ariyana Botejue <ABotejue@blaney.com>

Cc: Stanek, Chris <Christopher.Stanek@gowlingwlg.com>; David T. Ullmann <DUllmann@blaney.com>; Brendan Jones <BJones@blaney.com>; John C. Wolf <jwolf@blaney.com>; Gail Fairhart <gfairhart@blaney.com>

Subject: Re: Service - RBC v PBDfI - CV-21-00673084-00CL

Thank you. Please advise as to when Mr Pearce is available next week to be re-examined. We may need to re-examine the experts based on the answers given by Mr Pearce.

Sent from my iPhone

On Sep 28, 2023, at 17:15, Ariyana Botejue <ABotejue@blaney.com> wrote:

This message originated from outside of Gowling WLG. | Ce message provient de l'extérieur de Gowling WLG.

Counsel,

Attached, please find our answers to Undertakings, Under Advisements and Refusals Chart from the cross-examination of Jim Pearce held on August 31, 2023, which is hereby served upon you pursuant to the *Rules of Civil Procedure*.

Thank you,

<image001.png>
Ariyana Botejue
Legal Assistant to Stephen Gaudreau & David Ullmann
abotejue@blaney.com

<image002.png>
416-593-1221 ext. 4777

<image003.png>
Blaney.com

<image004.png>

<image005.png>

<image006.png>

<image007.png>

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<2023-09-28 - Answers to Undertakings, Underadvisements & Refusals
Chart of Jim Pearce.pdf>

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References to 'Gowling WLG' mean one or more members of Gowling WLG International Limited and/or any of their affiliated businesses as the context requires. Gowling WLG (Canada) LLP has offices in Montréal, Ottawa, Toronto, Hamilton, Waterloo Region, Calgary and Vancouver.

Court File No. CV-21-00673084-00CL

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Applicant

-and-

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Respondent

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(COMMERCIAL LIST)**

PROCEEDING COMMENCED AT TORONTO

**AFFIDAVIT OF AMANDA SINGH
(OCTOBER 23, 2023)**

GOWLING WLG (CANADA) LLP

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Tel: 416-862-4369
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Tel: 416-369-7399
patrick.shea@gowlingwlg.com

Lawyers for Buffalo and Fort Erie
Public Bridge Authority