Form 39.08

2019 Hfx No. 484742

IN THE SUPREME COURT OF NOVA SCOTIA

IN THE MATTER OF:	Application by Quadriga Fintech Solutions Corp., Whiteside Capital Corporation and 0984750 B.C. Ltd. dba Quadriga CX and Quadriga Coin Exchange (collectively referred to as the "**Companies**" and the "**Applicants**"), for relief under the *Companies' Creditors Arrangement Act*

AFFIDAVIT OF AMANDA MCLACHLAN

I, AMANDA MCLACHLAN, of the City of Toronto, in the Province of Ontario, MAKE OATH AND SAY:

1. I am a lawyer at the law firm of Bennett Jones LLP ("Bennett Jones"). I am an associate in the Fraud and Asset Recovery Group and was called to the Bar in 2010. Bennett Jones and local counsel, McInnes Cooper, are seeking an order appointing the firms as Representative Counsel to represent the interests of users of the platform operated by Quadriga Fintech Solutions Corp., Whiteside Capital Corporation, 0984750 B.C. Ltd dba Quadriga CX and Quadriga Coin Exchange (collectively, "Quadriga" or the "Applicants") to facilitate the purchase and sale of cryptocurrencies (the "Affected Users"). As such, I have knowledge of the matters contained in this affidavit. Where I do not have personal knowledge, I have identified the source of my information and believe it to be true.

2. Bennett Jones and McInnes Cooper filed material on February 4, 2019, including the affidavit of Xitong Zou, sworn February 4, 2019 (the "Zou Affidavit"), in support of an Order appointing the firms as Representative Counsel and attended, on an urgent basis, before the

Supreme Court of Nova Scotia in Halifax on February 5, 2019 (the "Initial Order Application") to ensure that the interests of the Affected Users were represented from the outset of these CCAA proceedings. At the conclusion of the Initial Order Application, the Court adjourned the motion to appoint Representative Counsel to February 14, 2019.

3. This affidavit is sworn in furtherance to the Zou Affidavit to provide an update to the Court with respect to matters relating to Bennett Jones' and McInnes Coopers' efforts on behalf of the Affected Users to date, confirmed support for the appointment of Bennett Jones and McInnes Cooper as Representative Counsel, the relevant experience of Bennett Jones and McInnes Cooper in the area of insolvency and asset tracing and to reply to certain matters set out in the responding motion records filed by Miller Thomson LLP and Osler, Hoskin & Harcourt LLP on February 8, 2019.

Bennett Jones' Early Involvement in the Quadriga CCAA Proceedings

4. As outlined in the Zou Affidavit, following the death of Gerald W. Cotten and the granting of the Initial Order, Bennett Jones was contacted by a number of Affected Users seeking assistance to recover on obligations owed to them by Quadriga. Bennett Jones and McInnes Cooper continue to be contacted by and to actively engage with Affected Users.

5. As outlined above, based on its initial discussions with a number of the Affected Users, Bennett Jones and McInnes Cooper filed material and attended at the Initial Order Application. Bennett Jones Partner Raj Sahni advises me that while some of the other counsel who are seeking representative counsel status were present in the gallery of the courtroom on February 5, 2019, Bennett Jones and McInnes Cooper were the only counsel who made submissions on behalf of

the Affected Users and who commented on the contents of the Initial CCAA order, with a view to protecting the interests of the Affected Users.

6. I am advised by Mr. Sahni that during the Initial Order Application, he made submissions to the Court on behalf of the Affected Users with the intent of ensuring the rights of the Affected Users were protected in the initial stages of the CCAA proceedings. Specifically, Mr. Sahni, in his submissions:

(a) submitted that electronic and other data, including the laptop, USB devices, bank drafts and other property of Quadriga must be placed in the immediate custody of the Monitor, in its capacity as an Officer of the Court, rather than remaining in the custody of Quadriga or its lawyers;

(b) submitted that any cryptocurrency recovered in the case be held in custody by the Monitor, not Quadriga or its counsel. By contrast, the form of Order proposed by Quadriga sought to allow the wallets to be maintained by Quadriga's counsel;

(c) adopted the position that an Order appointing Representative Counsel ought to be made as soon as possible, and should not be put over to the CCAA comeback date, which was scheduled to occur the following month;

(d) advised the Court that Bennett Jones was working with sophisticated local counsel, namely, McInnes Cooper, one of the largest firms in Nova Scotia with experience in complex CCAA matters; and

(e) followed up with the Monitor and its counsel following the Initial Order Application to ensure immediate steps were being taken to secure custody of

Quadriga's property and taking appropriate steps to minimize the risk of any leakage.

Support of Affected Users

7. As outlined in the Zou Affidavit, Mr. Patterson, Mr. Sahni and other lawyers at Bennett Jones and McInnes Cooper have been in regular contact with a number of Affected Users who have expressed support for the appointment of Bennett Jones and McInnes Cooper as Representative Counsel. These individuals include both large investors with claims of more than $100,000, as well as a number of smaller investors.

8. Bennett Jones and McInnes Cooper have developed a process to obtain confirmation from individuals that have contacted Bennett Jones and McInnes Cooper of their support for the appointment of Bennett Jones and McInnes Cooper as Representative Counsel and to ensure that the individuals properly qualify as Affected Users. Bennett Jones and McInnes Cooper have delivered the covering email and Attestation Form attached as Exhibit "A" to the individuals who have contacted Bennett Jones purporting to be an Affected User and seeking representation.

9. The Attestation Form enclosed at Exhibit "A" requests that each individual sign a witnessed declaration confirming that they are an Affected User, the approximate details of any potential claim against Quadriga, that they have reviewed the Zou Affidavit and that they support the exclusive appointment of Bennett Jones and McInnes Cooper as Representative Counsel.

10. The cover email accompanying the Attestation Form also requests that Affected Users compile and safeguard trading receipts, screenshots and other supporting documentation relating

to the claim against Quadriga and alerts the Affected Users to the need to preserve relevant evidence.

11. By requesting individuals to execute and return the Attestation Form, Bennett Jones and McInnes Cooper are able to responsibly track and confirm the support it has received and the validity of the claimants purporting to be Affected Users and to ensure that any evidence in the Affected Users' possession is preserved. Bennett Jones and McInnes Cooper believe this to be of particular importance given the uncertainty surrounding the financial and other affairs of Quadriga at this time. Further, receipt of the Attestation Forms has provided Bennett Jones and McInnes Cooper with contact information for the Affected Users who have sought information, permitting Bennett Jones and McInnes Cooper to communicate with these individuals directly through secure and confidential forums.

12. As outlined in the Zou Affidavit, prior to the Initial Order Application, a number of Affected Users were in contact with and had indicated support for an order appointing Bennett Jones and McInnes Cooper as Representative Counsel. We wish to update the Court that following the Initial Order Application, one of the Affected Users described in paragraph 16 of the Zou Affidavit has informed Bennett Jones that of the wish to no longer be part of the Bennett Jones Affected Users' group and accordingly, the numbers stated in paragraph 13 below have been adjusted accordingly.

13. The number of Affected Users expressing support for the appointment of Bennett Jones and McInnes Cooper as Representative Counsel has increased following the report provided in the Zou Affidavit and Bennett Jones' and McInnes Cooper's attendance at the Initial Order Application. As of the date of this Affidavit, Bennett Jones and McInnes Cooper have received

confirmations by email that a total of 141 Affected Users with cash claims totaling approximately $11,909,201.19 CAD and cryptocurrency claims of approximately $1,108,700.04 CAD for a total value of approximately $13,017,901.23 CAD, calculated as at February 5, 2019 based upon the closing values for cryptocurrency as shown by Bloomberg and CoinDesk (as applicable) and the currency exchange rate based on the Bank of Canada's closing exchange rate on February 5, 2019, support the appointment of Bennett Jones and McInnes Cooper as Representative Counsel. To further verify the identifies and claims of the Affected Users supporting the appointment of Bennett Jones and McInnes Cooper, each of those Affected Users has been sent an Attestation Form commencing as of February 7, 2019 and numerous Affected Users have returned their Attestation Forms and continue to do so daily.

Experience of Bennett Jones and McInnes Cooper

14. As outlined in the Zou Affidavit, Bennett Jones, the proposed lead counsel in this matter, is a national law firm with offices across Canada and in New York, Beijing and Doha, and has significant experience in bankruptcy and insolvency law, as well as in complex fraud, asset recovery and international asset tracing and cryptocurrency related matters. Further to the brief description in the Zou Affidavit, additional details with respect to Bennett Jones' representative mandates in the areas of restructuring and insolvency, asset tracing and cryptocurrency are outlined below.

15. Based on our firm's prior experience in dealing with complex inter-Provincial and international insolvency and asset tracing matters, I believe that the assistance of local counsel with directly relevant experience in these areas is a valuable tool. Bennett Jones has partnered with McInnes Cooper, a reputable firm that also has significant experience in complex CCAA

and asset recovery matters, on this mandate. Specifically, Bennett Jones has engaged Ben Durnford and John Stringer as local team leads.

16. In addition to assisting with the efficient administration of the CCAA proceedings, based on our involvement in the Quadriga CCAA proceeding to date, we anticipate that additional complexities will arise as a result of the lack of information currently available with respect to Quadriga's assets and liabilities and as work commences to trace Quadriga's assets. The appointment of Representative Counsel with experience in the area of investigations and asset tracing would not only assist the Monitor in the efficient administration of the CCAA process, but will ensure that appropriate recovery efforts will be performed to the benefit of the Affected Users.

17. McInnes Cooper is a fully bilingual firm with full Francophone capability and a number of its lawyers practice in both official languages. Bennett Jones also has several lawyers who are fully bilingual and able to practice in both official languages. Accordingly, if appointed as Representative Counsel, they would be able to communicate with Affected Users in both official languages if necessary to assist the Affected Users.

(a) Relevant Experience of Bennett Jones Team Leads

18. Raj Sahni is a partner in Bennett Jones' Bankruptcy and Restructuring Practice Group and has more than 18 years of experience in dealing with complex international and cross-border insolvencies, restructurings, bankruptcies and proposals. Mr. Sahni and his team have played a significant role in restructurings across Canada, and in cross-border and international matters, including restructurings across Hong Kong, the U.S., Europe and Central America, many of which have required the recovery of assets from foreign jurisdictions. In that capacity, Bennett

Jones' Bankruptcy and Restructuring Practice Group has extensive experience in acting for creditor committees, working cooperatively with court-appointed Monitors, and in some cases, acting as counsel to the court-appointed Monitor. A summary of Bennett Jones' Insolvency and Restructuring Group mandates are outlined at Exhibit "B".

19. In addition to the experience outlined above, I am aware that Bennett Jones' Insolvency and Restructuring Group has been recognized by Legal 500 Canada and is ranked by Chambers Canada in Band 2. The 2019 Chambers Ranking Guide cites Mr. Sahni as being described as an "expert in the field with a strong practical approach to addressing matters" and a "very clear thinker and explainer". Mr. Sahni's biography is attached as Exhibit "B" to the Zou Affidavit.

20. Jim Patterson is co-leader of Bennett Jones' Fraud and Asset Recovery Group and has over 30 years of experience in this specialized area. Mr. Patterson and his team have significant experience in the area of complex asset recovery, including international asset tracing, offshore banking, money laundering and tracing efforts conducted in the context of ponzi schemes. As outlined in Mr. Patterson's biography, attached as Exhibit "C" to the Zou Affidavit, Mr. Patterson specializes in the conduct of large-scale investigations with receivers, trustees in bankruptcy and special committees, in addition to corporate clients.

21. Chambers Canada ranks Bennett Jones as a Band 1 firm in the area of White Collar Crime & Government Investigations. Among other mandates, as outlined at Exhibit "C", Bennett Jones' Fraud and Asset Recovery Group has recently acted in a number of mandates requiring complex, international asset tracing.

22. In addition to bankruptcy, insolvency, investigation and asset tracing, Bennett Jones also has experience in advising cryptocurrency, blockchain and other financial technology start-ups,

system and software developers and suppliers and is ranked in Chambers Fintech 2019 Guide. A detailed summary of recent mandates of Bennett Jones' Cryptocurrency Group is attached as Exhibit "D".

(b) Relevant Experience of McInnes Cooper Team Leads

23. McInnes Cooper also has extensive Canadian and international experience in major insolvency and asset recovery matters and in matters involving cryptocurrency. A detailed list of relevant mandates is attached at Exhibit "E".

24. John Stringer is Counsel in McInnes Cooper's Asset Recovery and Insolvency Group and has more than 40 years of experience in dealing with complex corporate reorganizations and restructurings, including cross-border and international matters. As outlined in his biography, attached as Exhibit "F", Mr. Stringer's work in these areas has been recognized by the Canadian Legal Lexpert Director, Best Lawyers in Canada and Benchmark Canada.

25. Ben Durnford is a partner in McInnes Cooper's Asset Recovery and Insolvency Group with more than 17 years of experience in dealing with asset recovery, insolvency and restructuring. Mr. Durnford provides litigation support and advice to receivers, trustees, monitors, court-appointed liquidators and administrators in connection with insolvencies and regulatory appointments across Canada and the Eastern Caribbean region. Mr. Durnford also frequently represents secured and unsecured creditors in asset recovery matters, including international bankruptcy matters. A copy of Mr. Durnford's biography is attached as Exhibit "G".

26. In addition to bankruptcy and insolvency, McInnes Cooper also has experience in asset recovery, including a number of significant international asset recovery mandates. A detailed summary of McInnes Cooper's mandates in the area of International Asset Recovery is enclosed at Exhibit "E".

27. As outlined at Exhibit "E", McInnes Cooper has also acted in cryptocurrency matters, including a recent mandate for Instacoin, in a successful action before the Supreme Court of Prince Edward Island.

Role of Representative Counsel

(a) Provision of Assistance to the Monitor

28. Bennett Jones and McInnes Cooper propose that, if appointed, they would represent the Affected Users' interests while working collaboratively with the Monitor to assist in the tracing, identification and recovery of Quadriga's assets and to determine the extent of Quadriga's true liabilities, with a view not to duplicate or overlap with the Monitor's mandate. Given the circumstances in which the CCAA proceeding has arisen, I believe that the Monitor will require the assistance of experienced counsel with specialized knowledge in the areas outlined above, including international asset tracing and recovery. As outlined above, Bennett Jones' Restructuring and Insolvency Group and Mr. Sahni in particular, have significant experience working with court-appointed monitors.

(b) Communication Strategy

29. This case has received considerable attention on various internet chat forums prior to and following the Initial Order Application. A large number of individuals posting on these internet

forums purport to be Affected Users. Bennett Jones has been monitoring posts made in these internet forums, including Reddit and Telegram. My review of internet forums and chat messaging rooms such as Reddit and Telegram has identified numerous instances in which users, some of whom are anonymous or posting under pseudonyms, have posted information, including incorrect or misleading information regarding Quadriga and/or the status of the CCAA proceedings.

30. We note in paragraph 16 of the affidavit of Parham Pakjou filed on behalf of Miller Thomson that Mr. Pakjou refers to his participation in internet forums related to Quadriga in reference to his personal interactions and experiences dealing with lawyers at Miller Thompson. The affidavit of Giuseppe Burtini filed on behalf of Osler, Hoskin & Harcourt LLP similarly contemplates at paragraph 17 the use of Reddit, Telegram and Twitter as a method of communication with Affected Users. We disagree with the use of these internet forums for the purpose of communicating with Affected Users in this proceeding, given the inherent risk of hacking, misinformation and the potential for privileged communications to be widely disseminated.

31. In an effort to avoid the spread of further confusion or misinformation, Bennett Jones has determined that it would not be prudent for Representative Counsel to communicate with the Affected Users through such internet forums and chat messaging rooms. Users have the ability to remain anonymous while posting on such websites, and thus it would be difficult to moderate the content of any messages posted, and nearly impossible to ensure that all individuals accessing the forums are in fact Affected Users. At paragraph 13 of the Zou Affidavit, Mr. Zou refers to discussions with Affected Users in which the Affected Users have expressed a sense of confusion

and worry. The exchange of incorrect or inconsistent information by participants over multiple platforms, such as internet forums and chat messaging rooms, may contribute to this confusion regarding the status of the CCAA proceedings and in mistrust among the Affected Users with respect to the information being provided.

32. For those reasons, Bennett Jones and McInnes Cooper would seek to employ a communications strategy in cooperation with and reliance on the tools available to the Monitor that would involve:

(a) establishment of a separate secure website for Affected Users which would, in coordination with the Monitor's website, provide updates from Representative Counsel and relevant information and documentation to Affected Users;

(b) coordination with the Monitor's reports;

(c) direct mail and/or email communication, and as necessary, secure telephone conference calls; and

(d) posting of relevant documents (such as notices to Affected Users) on the Monitor's website.

33. In our experience, Monitors and Representative Counsel have employed the communication methods set out above effectively and efficiently to communicate with stakeholders and apprise them of the status of the CCAA proceedings, even where such stakeholders were dispersed globally.

(c) Affected Users' Committee

34. As outlined in the Zou Affidavit, the proposed form of Representation Order contemplates an official committee of up to five Affected Users. The Affected Users' Committee will consider matters affecting or relevant to the Affected Users, and will provide instructions to Representative Counsel.

35. If selected as Representative Counsel, Bennett Jones and McInnes Cooper will conduct a process to select an appropriate steering committee of Affected Users to consult with Representative Counsel and help advance the interests of all Affected Users. I am informed by Mr. Sahni, who has significant experience in acting as counsel for creditors' committees in CCAA proceedings, that such a process would be appropriate rather than purporting to pre-select who the committee member should be at this stage as the committee members should have the necessary skills and interest and be prepared to dedicate sufficient time to assist Representative Counsel and the Court in the case and must be prepared to represent the broad interests of all Affected Users and not just their own particular interests or claims.

SWORN BEFORE ME in the City of Toronto, Province of Ontario this 11th day of February, 2019.

A Notary Public

Amanda McLachlan

TAB A

This is Exhibit "A" referred to in the Affidavit of Amanda McLachlan sworn February 11, 2019

Commissioner for Taking Affidavits (or as may be)

From: Martine Vieira on behalf of Raj Sahni
Sent: 08 February 2019 4:55 PM
To:
Cc: Jim Patterson; Danish Afroz
Subject: Quadrigacx - Representative Counsel Appointment
Attachments: Attestation Form (Quadriga).pdf

Importance: High

Thank you for reaching out to us. As you know, Bennett Jones LLP and McInnes Cooper have brought a motion before the CCAA Court returnable February 14, 2019. If appointed, Bennett Jones LLP and McInnes Cooper will represent the interests of all Affected Users in the CCAA proceedings of Quadriga CX et al.

We request that you complete, as soon as possible, the attached Attestation Form confirming that you are an Affected User, and that you support the exclusive appointment of Bennett Jones LLP and McInnes Cooper to act as representative counsel to represent your interest and the interests of the Affected Users in the CCAA proceedings. We are not charging the individual Affected Users any legal fees or commissions on recoveries and will instead be paid through the CCAA estate if our appointment is confirmed by the Court.

Your name and personal information will not be publicly disclosed without your consent or unless ordered by the Court. However, we will advise the Court and in our Court-filings of the fact that we represent you (without giving your name) and the quantum of your claim within our group of represented creditors.

Please compile and safeguard all trading receipts, screenshots, and other supporting documentation relating to the approximate amount of your claim (cash and/or cryptocurrency) as against Quadriga, as such documentation may later be required to prove a claim (depending upon the process approved by the Monitor and/or the Court) in the CCAA proceedings. **Do not send such supporting documentation to us at this time**.

Thank you

Raj Sahni
Partner, **Bennett Jones LLP***
***Denotes Professional Corporation**

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2019 Hfx No. 484742

IN THE SUPREME COURT OF NOVA SCOTIA

IN THE MATTER OF:	*Companies' Creditors Arrangement Act,* R.S.C. 1985 c C-35, as amended (the "**CCAA**")
AND IN THE MATTER OF:	A Plan of Compromise or Arrangement of Quadriga Fintech Solutions Corp., Whiteside Capital Corporation and 0984750 B.C. Ltd. dba Quadriga CX and Quadriga Coin Exchange (collectively referred to as the "**Companies**" and the "**Applicants**")

ATTESTATION FORM

I, _____, of the City/Town of _____, in the Province/State of _____, in the Country of _____, hereby declare as follows:

1. I am an Affected User of Quadriga, as such terms are defined in the Affidavit of Xitong Zou sworn February 4, 2019 (the "**Zou Affidavit**") and the Pre-Filing Report of the Proposed Monitor dated January 31, 2019 (the "**Pre-Filing Report**"), available on the case website (the "**Case Website**") established by Ernst & Young Inc. (the "**Monitor**") at the following URL: www.ey.com/ca/quadriga

2. My approximate claim against Quadriga consists of the following:

[*In the table below, list the approximate total amount of cash and cryptocurrency that you claim as being owed to you by Quadriga and which can be proven by you.*]

TYPE	APPROXIMATE AMOUNT OWING

3. I have reviewed the Zou Affidavit, available on the Case Website, filed in support of the motion by the informal committee of Affected Users seeking an Order (the "**Representation Order**"), among other

things, appointing Bennett Jones LLP as lead counsel ("**Bennett Jones**") and McInnes Cooper as local counsel (collectively Bennett Jones and McInnes Cooper referred to herein as, the "**Representative Counsel**") to represent the interests of the Affected Users in the Companies' CCAA proceedings.

4. I support the relief sought by the informal committee of Affected Users, and in particular, the exclusive appointment of Bennett Jones LLP as lead counsel and McInnes Cooper as local counsel to act as Representative Counsel, and to represent me and the interests of the Affected Users in the Companies' CCAA proceedings.

I hereby acknowledge and agree that the above information may be used by Representative Counsel to advise the Court and in Court-filings of the fact that I am represented by Representative Counsel and of the quantum of my claim within the group of creditors represented by Representative Counsel, provided that my name or personal information will not be publicly disclosed without my consent or unless ordered by the Court.

I hereby declare and certify that the foregoing information is correct to the best of my knowledge and belief.

Name of Witness:	**Name of Affected User:**
Signature of Witness:	**Signature of Affected User:**
Date:	**Date:**

Please return this completed form by e-mail or facsimile, as soon as possible, to each of the following individuals named below:

TO: **BENNETT JONES LLP**
Attention: Raj Sahni
E-mail: SahniR@bennettjones.com
F: 416-863-1716

AND TO: **McINNES COOPER**
Attention: Ben Durnford
E-mail: ben.durnford@mcinnescooper.com
F: 902-425-6350

TAB B

This is Exhibit "B" referred to in the Affidavit of Amanda McLachlan sworn February 11, 2019

Commissioner for Taking Affidavits (or as may be)

Insolvency & Restructuring

"A very practical, business-minded approach."

- Client interview, Chambers Canada (Restructuring & Insolvency)

We have one of the largest, most experienced and most active Restructuring & Insolvency practices in Canada and are recognized (both nationally and internationally) as a pre-eminent Canadian law firm. Our lawyers have played significant roles in most major Canadian restructurings in every province and have developed a particular expertise in cross-border matters, including restructurings across Europe, Central America, Hong Kong, and, of course, the U.S. Our lawyers have also acted as Canadian counsel to creditors' committees (including bondholder committees) in many significant and high profile Canadian and cross-border restructurings. We understand, and know how to navigate within, the bankruptcy/insolvency environment on both sides of the Canada-U.S. border and internationally.

Our practice is a completely integrated one, incorporating all of the resources of the firm including litigation, corporate reorganizations, asset tracing and asset recovery, securities law, mergers and acquisitions, sales and divestitures, pensions and benefits, tax.

Our work has included acting for:

Bondholders and Creditors' Committees

- **Nortel Networks**, counsel to the bondholders committee, who were the largest creditors in the Canadian and U.S. estates, in *Companies' Creditor Arrangement Act* ("CCAA") and Chapter 11 of the *U.S. Bankruptcy Code* ("U.S. Chapter 11") proceedings related to the restructuring of Nortel, resulting in recovery of US$7.3 billion of assets.
- **NewPage Port Hawkesbury Corp.**, counsel to senior noteholder committee in CCAA proceedings before the Supreme Court of Nova Scotia.
- **CIBC Mellon Trust Company, Computershare Trust Company and BNY Trust Company** as counsel to the indenture trustees representing a broad group of holders of asset-backed commercial paper and affected creditors in the $35 billion restructuring of the third party ABCP.
- **AT&T Canada**, counsel to bondholders committee in the $5 billion restructuring.
- **Teleglobe Inc.**, counsel to senior bondholders committee in its $4 billion total debt cross border restructuring pursuant to the *Companies' Creditor Arrangement Act* and Chapter 11 of the *U.S. Bankruptcy Code.*

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- **Toys "R" Us**, Canadian counsel to the US official committee of unsecured creditors of Toys "R" Us Inc. in Toys "R" Us Canada acquisition by affiliate Fairfax Financial Holdings Ltd.
- **AbitibiBowater Inc.**, Canadian counsel to unsecured creditors committee in the CCAA and U.S. Chapter 11 proceedings.
- **Essar Steel Algoma Inc.**, counsel to the bondholders committee in its reorganization pursuant to the CCAA
- **Quebecor World Inc.**, Canadian counsel to unsecured creditors committee in the CCAA and U.S. Chapter 11 proceedings.
- **Smurfit-Stone Container**, Canadian counsel to unsecured creditors committee in the CCAA and U.S. Chapter 11 proceedings.
- **CHC Helicopter**, counsel to unsecured creditors committee in the $450 million restructuring.
- **Target Canada**, counsel to the largest landlord creditor group in the CCAA proceedings.
- **Tervita Corporation**, counsel to unsecured bondholders committee in the $3.6 billion recapitalization.
- **Cooper-Standard Automotive**, Canadian counsel to unsecured creditors committee in the CCAA and U.S. Chapter 11 proceedings.
- **Concordia International Corp**, Canadian counsel to Ad Hoc Committee of Unsecured Debtholders in the US $4 billion recapitalization.
- **Catalyst Paper**, counsel to bondholders committee in the CCAA proceeding.
- **Stelco Inc.**, counsel to bondholders committee in the CCAA proceeding restructuring and eventual sale to U.S. Steel.
- **Ivaco Inc.**, counsel to bondholders committee in the CCAA proceeding.
- **Lightstream Resources**, counsel to bondholders committee in the CCAA proceeding.
- **Twin Butte Energy**, counsel to bondholders committee in the CCAA proceeding.
- **Crystallex International**, counsel to bondholders committee in the CCAA proceeding.
- **Trident Exploration**, counsel to bondholders committee in the CCAA proceeding.
- **Masonite**, counsel to bondholders committee in the CCAA proceeding.
- **Tembec Inc.**, counsel to bondholders committee in the CCAA proceeding.
- **Parmalat Canada**, counsel to bondholders committee in the CCAA proceeding.
- **Dura Automotive**, Canadian counsel to unsecured creditors committee in the CCAA and U.S. Chapter 11 proceedings.
- **Vicwest Corporation**, counsel to bondholders committee in the CCAA proceeding.
- **Doman Industries**, counsel to bondholders committee in the CCAA proceeding.

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- **Yellow Media**, counsel to bondholders in the restructuring.
- **OPTI Canada**, counsel to bondholders in the restructuring.
- **Connacher Oil and Gas**, counsel to the first lien holders in the restructuring.
- **Nelson Education**, counsel to the first lien holders in the restructuring.
- **Gateway Casinos & Entertainment**, counsel to the first and second lien holders in the restructuring and in subsequent refinancing.
- **SR Telecom Inc.**, counsel to the secured lenders group in the restructuring.

Other significant insolvency and restructuring matters

- **Sino-Forest Corporation**, in its application under the CCAA wherein a plan of arrangement was approved and implemented within nine months after filing. The plan of arrangement was one of the most complex in Canadian history, and involved tracing assets of Sino-Forest Corporation located in Hong Kong and China. Through the efforts of Bennett Jones' insolvency and litigation teams, following the implementation of the CCAA plan of arrangement, a significant quantum of assets were frozen in Hong Kong pursuant to a world-wide Mareva injunction.
- **US Steel Canada**, counsel to Ernst & Young Inc., as the Court-appointed monitor in the $4 billion restructuring of US Steel Canada (now Stelco.
- **SunEdison Inc.**, Canadian counsel to SunEdison in its U.S. Chapter 11 and CCAA proceedings.
- **American Roads LLC** and its subsidiaries, as Canadian counsel in its restructuring proceedings and ultimate U.S. $220 million sale to DIF Infrastructure
- The **Walton Group of Companies** in its CCAA proceedings and $500-million restructuring of over 130 Walton entities, one of Canada's largest real estate restructurings.
- **NCSG Crane & Heavy Haul Services** in connection with the restructuring and recapitalization of US$305 million in second lien debt.
- **Performance Sports Group Ltd.**, counsel to the independent members of the Board of Directors, in its CCAA proceeding.
- **Sears Canada,** counsel to the independent members of the Board of Directors, in its CCAA proceeding.
- **Quicksilver Resources Canada Inc**. and its U.S. subsidiaries in its CCAA proceedings including all the corporate and mergers and acquisition work on its sale process and three large sale transactions by which it sold all of its business and assets.

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TAB C

This is Exhibit "C" referred to in the Affidavit of Amanda McLachlan sworn February 11, 2019

Commissioner for Taking Affidavits (or as may be)

Bennett Jones

Fraud & Asset Recovery

"None compare on fraud recoveries or strategic, business-focused outcomes."

– Client interview, Chambers Canada
(White Collar Crime & Government Investigations)

Chambers Canada

Band 1 – White Collar Crime & Government Investigations

Our firm was a pioneer in civil fraud law and is one of Canada's largest practice groups dedicated to fraud and asset recovery. From employee theft and securities fraud to Ponzi schemes and white collar crime, our team regularly assesses fraudulent activity and its business implications, and develops strategies for recovery.

We employ a multi-staged approach when investigating economic crimes, including plan formulation, investigations and asset tracing, freezing assets, and finally, pursuing the claim. Each stage is evaluated and modified as needed to suit a client's practical business objective. We have forged long-standing relationships with law enforcement, forensic consultants, private investigators, external auditors and international asset tracers who work on all aspects of fraud investigations and recovery processes. This enables us to stay a step ahead throughout a matter.

As the only Toronto member of the International Chamber of Commerce FraudNet, our team is well placed to obtain results anywhere in the world. FraudNet is an invite-only organization of 75 lawyers from 68 jurisdictions around the world that specialize in recovery in large, complex fraud cases.

Our work has included acting for:

- **Gilliand Estate,** counsel to the plaintiff receiver in a case involving conspiracy to commit securities fraud, mail fraud and wire fraud charges against a private citizen (*Gilliand Estate v. Canada (Attorney General),* B.C. Sup. Crt. [2007], B.C.J. No. 1507)
- The proposed **representative plaintiff and court appointed receiver** in a class action relating to an alleged Ponzi scheme in which Gary Sorenson and Milowe Brost are alleged to have received in excess of $100 million from Albertan and Canadian Investors. Receivership orders were obtained in respect of key companies, and, based on results of work done to trace the missing assets, attachment orders were obtained freezing the assets of the alleged key defendants.
- Counsel to a **court-appointed receiver and trustee** in bankruptcy in proceedings currently before the Ontario Superior Court of Justice. At the time of the receiver's initial appointment, the debtor corporations were insolvent and over $24 million of the creditors' funds had been sent offshore after the business had been converted to a ponzi-style scheme. Successful recovery efforts are currently ongoing.

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- Counsel to a **private educational institution** in a matter involving social engineering fraud perpetrated in April 2018 and subsequent asset tracing across the U.S. and Hong Kong. Assets were successfully traced to bank accounts at various financial institutions located in the U.S. and Hong Kong. The plaintiff was successful in securing assets in Ontario and Hong Kong and in recovering assets from Hong Kong within months of their disbursement.
- **CIBC Mellon Trust Company, Computershare Trust Company** and **BNY Trust Company** in the $35 billion restructuring of the third party ABCP.
- **Marcus Wide (Grant Thornton BVI) and Hugh Dickson (Grant Thornton Specialist Services (Cayman) Ltd.)** as the liquidators of Antiguan-based Stanford International Bank prosecuting the claim against TD Bank for negligence and knowing assistance in Allen Stanford's US$5.5-billion Ponzi scheme, the second largest ever to Madoff.
- A **major financial institution** in a fraud recovery lawsuit involving complex asset tracing to seek recovery of losses arising from a sophisticated cheque-kiting scheme involving the cycling of hundreds of millions of dollars in Canada and the United States.
- An **asset management company** in connection with an investigation by Canadian authorities into a transnational money laundering scheme involving illicit proceeds of a US$230 million tax refund fraud.
- **SFC Litigation Trust** in a successful 15-week trial against the former CEO of Sino-Forest Corporation, resulting in a judgment in fraud and breach of fiduciary duty of US$2.6 billion.
- The court-approved **Receiver** in connection with a ponzi scheme and approximately $50 million worth of creditor claims. In the course of the Receivership, we have recovered and are continuing to recover assets for the victims.
- A **financial institution**, which was the victim of an elaborate multi-million dollar fraud perpetrated by the property manager of various condominium corporations who obtained condo loans using forged documents. After recovery efforts against the fraudster were exhausted, we are now engaged in a claim against the insurer after it denied recovery.
- The **plaintiff**, in a case involving conspiracy to commit security fraud, mail fraud and wire fraud charges against a private citizen.
- **Macquarie Private Wealth** in an internal investigation involving investment advisors who were found to be artificially inflating clients' assets to secure loans in leverage investment strategies. Our firm was lead external counsel in conducting the investigation, assessing regulatory and litigation risk and in dealing with the regulator, Investment Industry Regulator of Canada (IIROC). The internal investigation is complete with our client self-reporting to the regulator, while litigation with a former employees is ongoing.
- A **global turbine overhaul and service company** in an action through the International Chambers court against the Government of Iraq and, specifically, the Ministry of Electricity

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in relation to breaches of contract and fraud claims arising out of the provision of power generation services.

- **EFG Bank, Switzerland**, in a claim advanced by SNC-Lavalin arising out of a fraud by two of SNC's highest ranking executives relating to bribes and a kick-back scheme involving many government contracts in Libya.
- **Goldenkey Oil Inc**. in litigation against its former President, CFO and Chief Operating Officer who are alleged to have misappropriated over $10 million from the company through a series of intermediary companies and inflated payments for corporate work.
- **Quadrexx Hedge Capital** and its principals in an alleged misrepresentation and oppression civil claim.
- A **life sciences company** in a dispute over a claim for $10 million under a fidelity bond, arising from a fraudulent scheme involving a dishonest employee. The fraud prompted foreign anti-corruption investigations by authorities in Canada and the U.S. which have been resolved, but the coverage dispute with the insurer continues.
- **Invis Inc.** and agents in successful summary dismissal of claims alleging misrepresentation, breach of contract, and fraud.
- **OmniArch Capital** in actions against a number of hedge funds and their managers alleging a wide spread US$60 million fraud, which over the course of time, systemically depleted the investment of our client.
- **Stans Energy**, before the Mareva set-aside, in the case of *Entes v. Kyrgyz Republic* and *Sistem v. Kyrgyz Republic*, where the Supreme Court of Canada brought an end to six years of litigation that saw four applicants fail in their efforts to seize US$165 million in Ontario-based assets from a company wholly owned by the Central Asian state of Kyrgyzstan.
- **Metalworks Canada Ltd**. in an action against its former Chief Financial Officer who was alleged to have misappropriated over $1.8 million from the company through having the company pay his personal expenses and by taking a corporate opportunity from the company.
- A **public company** in the investigation of possible tipping by an employee contrary to the *Securities Act* and responding to associated securities commission inquiries.

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TAB D

This is Exhibit "D" referred to in the Affidavit of Amanda McLachlan sworn February 11, 2019

Commissioner for Taking Affidavits (or as may be)

Cryptocurrency

"We use Bennett Jones if we are doing something innovative."

- Client interview, Chambers Fintech 2019 Guide

We have advised crytocurrency, blockchain and other financial technology start-ups, system and software developers and suppliers, both funded and established companies, investors, financial institutions, government agencies and ancillary service providers, giving us a 360-degree perspective on the commercial and technical realities, risks and opportunities in these sectors. We regularly provide advice on commercialization and compliance matters, and on the structure, negotiation and documentation of novel business models, strategies and transactions, particularly regarding intellectual property, information technology and cybersecurity.

Chambers Fintech 2019 Guide

Ranked firm

With the establishment of regulatory sandboxes and increasingly mature markets for cryptocurrency offerings in Canada, regulators are balancing the need of entrepreneurs to innovate and experiment with the principles of investor protection and market integrity. Our firm has been at the forefront of the complex securities and regulatory aspects of cryptocurrency and blockchain, as the application of the current legal regime to this market becomes clearer.

We enjoy strong relationships – and in some cases, advisory mandates – with the Office of the Superintendent of Financial Institutions (OSFI), the Ontario Securities Commission and other securities and financial institution regulatory authorities, broker/dealer authorities and policy influencers such as the Department of Finance, Bank of Canada and relevant industry groups. These relationships enable us to have a broad understanding of the changing regulatory landscape for cryptocurrency transactions and exchanges, on a provincial, federal and international level.

As part of our commitment to this sector, Bennett Jones is also the first Canadian law firm to join the legal working group of the Enterprise Ethereum Alliance, the world's largest open-source blockchain initiative, dedicated to evolving smart contract Blockchain technologies for enterprise application across industries. Bennett Jones is also part of a consortium of law firms working with GenesisB and OpenLaw to develop a sandbox exploring the benefits and constraints of using smart contract code as a compliment to legal contracts on the Blockchain – a first of its kind collaboration among law firms.

Work we can disclose in this space has included:

- **Canadian Blockchain Association** on securities law and public policy matters related to crytocurrency transactions and blockchain applications.

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- **ATCO** and **Canadian Utilities** in the development of an industrial scale crypto-mining facility on a behind-the-fence basis.
- **Rublix Development Inc.** in connection with a cryptocurrency issuance project. Rublix has developed a platform for peer review of cryptocurrencies along with a proprietary currency of its own.
- **TSX-listed mining company** regarding proposed cryptocurrency backed by gold reserves. This would be the first cryptocurrency launch in Canada by a reporting issuer.
- A **large financial institution** in addressing and arranging payment to a third party using the crypto currency Bitcoin. The work involved an assessment of the risks of the Bitcoin payment system, securing Bitcoin suppliers, facilitating and confirming the transaction.
- **Crypto Capital**, a financial institution enabling the deposit and withdrawal of fiat funds to crypto exchanges, in range of corporate, regulatory and tax matters in Canada.
- **Cryptocurrency Improvement Fund** as securities law counsel in its initial coin offering and second stage development.
- **Flow Inc.,** a fintech start-up, in a range of blockchain, cryptocurrency and securities law matters.
- A **management company** regarding three of its clients that are each proposing public offerings, qualified by way of prospectus, of novel cryptocurrencies in Canada and internationally. If these offerings move forward they will be the first of their kind in Canada and possibly the world.
- A **large natural resources producer** addressing the prospect of using the cryptocurrency Ethereum as a payment mechanism in this industry sector.
- **Skill Squirrel Coop.** as counsel in its initial coin offering in an innovative "gig economy" services and education platform.
- **Veerum** in the EPC logistics arrangements using private block chain systems and rounds of external financing.
- **Finastra** in the ongoing legal consultations and securities law advice in the context of blockchain, cryptocurrency and fintech matters.

We have published and presented extensively on the cryptocurrency market and the impact of blockchain technology, including:

- The Canada chapter in Global Legal Insights' *Blockchain and Cryptocurrency Legislation 2019*
- Shapeshifting Cryptoassets, June 2018
- The Power of Decentralization in Blockchain, April 2018
- Bartering with Bitcoin: Canadian Tax Implications of Using Cryptocurrency in Business Transactions, February 2018

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- Getting in on Bitcoin: Canadian Income Tax Implications of Cryptocurrencies, February 2018
- Cybersecurity Uncertainty for Cryptocurrencies, February 2018
- Blockchain, Cryptocurrencies and ICOs: No Signs of Investors "HODL"ing Their Litigation Claims, January 2018
- Australian Securities Exchange Selects Distributed Ledger Technology to Replace CHESS, December 2017
- Ontario Securities Commission Approves Initial Token Offering, October 2017
- Canadian Securities Administrators Issue Staff Notice on Cryptocurrency Offerings, August 2017
- SEC Warns Initial Coin Offerings and Token Sales May be Subject to U.S. Federal Securities Law, July 2017
- Client and Lawyer Seminar: Blockchain – Decrypting the New Economy, April 2018
- Blockchain, Cryptocurrency, and More: An Uneasy Fit with the Tax and Legislative Framework, Matthew Peters, Canadian Tax Foundation Conference

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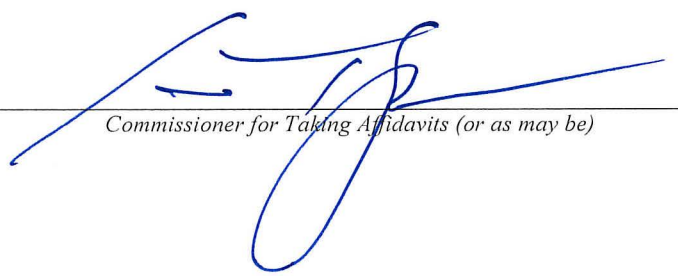
TAB E

This is Exhibit "E" referred to in the Affidavit of Amanda McLachlan sworn February 11, 2019



Commissioner for Taking Affidavits (or as may be)

Recent experience of McInnes Cooper in major insolvency and asset recovery matters:

Select CCAA and BIA Experience

NewPage Port Hawkesbury Corp., counsel to the debtor through its successful complex cross-border CCAA restructuring.

Victory Farms Inc. and Jonathan Mullen Mink Ranch Limited, counsel to Monitor in matter involving a CCAA stalking horse asset sale.

Hefler Forest Products Limited, counsel to purchaser of assets in completed CCAA proceedings.

ScoZinc Limited, counsel to the debtor through its successful CCAA restructuring.

Newfoundland and Labrador Refining Corp., counsel to Proposal Trustee through extended BIA Proposal. Asset recovery efforts extended to the United States, Italy and Japan.

The Gray Aqua Group of Companies, counsel to the Receiver and subsequently BIA Proposal Trustee in successful aquaculture asset sales in New Brunswick and Newfoundland and Labrador.

Roman Catholic Episcopal Corporation of Saint George's, counsel to Proposal Trustee in successful restructuring.

Seaforth Energy Inc., counsel to debtor in successful sale of renewable energy assets under BIA Proposal.

Enfield Hardware Limited and Scotian Homes, counsel to senior secured lender and Receiver.

Ressources Appalaches Inc. and Dufferin Resources Incorporated, counsel to Receiver in successful mining asset sale.

Represented German Bankruptcy Administrator in BIA Part XIII foreign recognition in Canada to domesticate mandate and facilitate ship arrest.

Select International Asset Recovery Experience

Some specific highlights of McInnes Cooper's role in international asset recoveries include the following:

General Counsel to the **Joint Liquidators of CL Financial Limited**, a large financial conglomerate based in Trinidad and Tobago. Our role includes management of ongoing litigation in the High Court of Trinidad and Tobago in which the Joint Liquidators are seeking to recover assets valued significantly in excess of $100 million (USD).

International counsel to the **Liquidator of Imperium Bank Limited,** and to the **Joint Liquidators of Commercial Lending Corporation Limited; Commercial and Asset Backed Placements Limited; IC Mutual Limited; Alpha Windward & Leeward Limited; ICS Placement Limited; and ICS Limited**, all Eastern Caribbean Regional components of the collapsed Imperial Group of Companies, a Ponzi scheme involving sixty related corporations and thousands of victims, losing investments totaling roughly US$400,000,000. McInnes Cooper assisted in the successful pursuit of recoveries on behalf of victimized estate creditors in a campaign that lasted for nearly thirteen years. The trail of assets led to the United Kingdom, Spain, Japan, Portugal, Canada, as well as throughout the Caribbean Region, and McInnes Cooper worked in concert with forensic accountants and legal counsel from Grenada, Canada and the United Kingdom in relation to this file.

Counsel to the **Joint Liquidator of Stanford International Bank** ("SIB") of Antigua. The SIB scheme was among the largest scale fraudulent operations ever uncovered. McInnes Cooper continues as one of a group of counsel to the Joint Liquidators.

Counsel to the Court-appointed Receiver of **Jabez Financial Services Inc.** ("JFSI"). JFSI was a Nova Scotia company used as a vehicle for operating an affinity-based Ponzi scheme. This assignment involved proceedings in two levels of courts in Curacao, and the tracing of funds in Europe, Hong Kong, and elsewhere.

Counsel to the **Liquidator of Horizon Bank International Limited**, a bank which was established in Saint Vincent and the Grenadines ("SVG") to function as the hub of an alleged multi-million dollar fraud stretching from SVG to Bermuda, Canada and the United States. This matter involved securing recognition of the Liquidator's powers in each of the Bahamas, Bermuda and Canada, as well as ancillary winding-up proceedings in Bermuda. McInnes Cooper worked closely with regulatory bodies, legal counsel and accounting professionals in each of SVG, Bermuda, Ontario, England and the Bahamas.

Counsel to the Liquidator of **Banc Caribe Limited** and **Caribbean Ventures International Limited**, two entities linked by similar officers allegedly involved in malfeasance. The international tracing of assets in these matters necessitated our collaboration with legal counsel in Dominica, St. Lucia and Europe.

Counsel to the **Liquidator of Mariner International Bank Limited**, a SVG-based bank that held a mortgage portfolio managed by companies and individuals in Florida and Nevada. Our role included securing recognition of the Liquidator's office in the United States by the U.S. Bankruptcy Court. McInnes Cooper worked in conjunction with legal counsel in SVG and Florida, as well as collection agents based in the United States and Canada.

Counsel to the **Controller of Bank Crozier Limited** in Grenada. This matter recently featured active litigation being concurrently argued before the Eastern Caribbean High Court of Justice and Court of Appeal. McInnes Cooper acted in conjunction with legal counsel and insolvency professionals based in Grenada and in Trinidad and Tobago.

Counsel to the **Liquidator of New Bank Limited** in SVG. This matter has involved various international litigation over the past ten years and remains active.

McInnes Cooper assisted UK and SVG counsel representing over one hundred creditors of **Harlequin Property (SVG) Limited** asserting multi-million dollar claims against a failed resort and residential real estate enterprise.

Select Class Proceedings Experience

Manuge v. Canada: Plaintiffs' counsel in disabled veterans' SISIP Long Term Disability Benefits class action case against the Government of Canada, which resulted in the largest class-action settlement in Canadian history ($887 million).

Plaintiffs' counsel in class action claim against Health Canada involving breach of privacy issues and medical marijuana.

Plaintiffs' counsel in class action claim against the RCMP involving Long Term Disability Benefits.

Cryptocurrency-Related Matters

McInnes Cooper successfully represented Instacoin in an action before the Supreme Court of Prince Edward Island.

CBC article about the case: (www.cbc.ca/news/canada/prince-edward-island/pei-bitcoin-scam-1.4860187)

Judge rules bitcoin company not responsible for woman's loss in scam

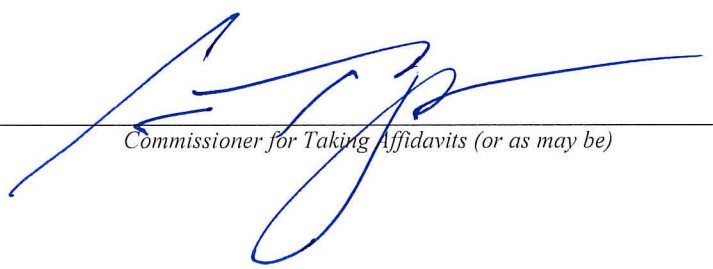
McInnes Cooper website publication: (www.mcinnescooper.com/publications):

Is cryptocurrency the right tool for your company to raise capital? 5 FAQs about Initial Coin Offerings (ICO):

James Mosher, McInnes Cooper Saint John, New Brunswick Office Lead Partner

TAB F

This is Exhibit "F" referred to in the Affidavit of Amanda McLachlan sworn February 11, 2019



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Office: Halifax

Language(s): English

About John

John is counsel in our Halifax office practicing in the area of insolvency and bankruptcy law and is a member of the firm's Asset Recovery and Insolvency Group. He has a comprehensive understanding of corporate reorganizations and restructurings, particularly in the resort and hotel industry, and frequently assists clients faced with Court imposed creditor protection orders. John's common sense approach, combined with his extensive experience, has proven to be invaluable when completing complex insolvency assignments.

John is listed in the *Canadian Legal Lexpert Directory* and has been recognized by *Best Lawyers in Canada* for his practice in Banking and Finance Law, Insolvency and Financial Restructuring, and Transportation Law. He has been listed as a Provincial Litigation Star under Insolvency Law in *Benchmark Canada and* has been featured in the *Lexpert Special Edition – Canada's Leading Litigation Lawyers.* John was also named *Best Lawyers'* 2014 Insolvency and Financial Restructuring Lawyer of the Year for Halifax.

John belongs to the Insolvency Institute of Canada, where he formerly sat on the Board of Directors. He is a member of the Canadian Bar Association (Bankruptcy Subsection), the Nova Scotia Barristers' Society and the Risk Management Association.

John was involved in the successful restructuring proposals of the Roman Catholic Episcopal Corporation of St. George's and NewPage Port Hawkesbury Corp., as well as many other large receiverships, bankruptcies and restructurings throughout Atlantic Canada. He has also lectured at Dalhousie Law School, the Canadian Bar Association, the Canadian Association of Insolvency and

Restructuring Professionals and various other professional conferences on insolvency and restructuring issues.

Services

- Administrative Law
- Banking and Financial Services
- Bankruptcy and Insolvency

Industries

- Financial Services

Education

- LL.M., University of London, University College (1977)
- LL.B., Dalhousie University (1976)
- B.A., Dalhousie University (1973)

Bar Admissions

- Nova Scotia (1978)

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TAB G

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Commissioner for Taking Affidavits (or as may be)

MCINNES COOPER

Benjamin Durnford

Partner

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Office: Halifax

Language(s): English

About Benjamin

Ben is a partner in our Halifax office whose practice focuses on asset recovery, insolvency and restructuring, corporate and commercial law. He is counsel to various major financial institutions and has appeared before all levels of Court in Nova Scotia and the Utility and Review Board, and has also appeared before the Federal Court of Canada, the New Brunswick Court of Queen's Bench and the Newfoundland and Labrador Supreme Court. Ben represents both secured and unsecured creditors in various asset recovery matters involving the *Personal Property Security Act, Bankruptcy and Insolvency Act, Companies' Creditors Arrangement Act* and other statutes related to creditors' rights. With a focus on domestic and international bankruptcy and commercial matters, Ben is part of a division within the firm's Asset Recovery and Insolvency Group which provides litigation support and general legal advice to receivers, trustees, monitors, court-appointed liquidators, administrators and other statutory office holders in connection with numerous insolvencies and regulatory appointments both in Canada and in the Eastern Caribbean region. Ben has assisted individual and institutional clients, debtor and creditor alike, in numerous domestic and international insolvency, litigation and commercial matters.

Ben has been included in *Best Lawyers in Canada* for his practice in Insolvency and Financial Restructuring Law since 2014. He was recognized as *Best Lawyers* Insolvency and Financial Restructuring Law "Lawyer of the Year" in Halifax. In 2010, he was named Volunteer Lawyer of the Decade by ReachAbility.

Ben is a member of the International Association of Restructuring, Insolvency & Bankruptcy Professionals (INSOL International). Ben is Chair of the Nova Scotia's chapter of the Canadian Bar Association Bankruptcy and Insolvency Section, and a member of the Canadian Bar Association

(Bankruptcy subsection), the Nova Scotia Barristers' Society and the Risk Management Association. He has guest lectured at Dalhousie Law School on the subject of advanced legal research and writing, and has delivered and contributed to numerous presentations on insolvency and restructuring topics hosted by organizations such as Insight, the Canadian Bar Association, the Canadian Association of Insolvency and Restructuring Professionals and other professional organizations. Ben has also recently been engaged by the *Office of the Superintendent of Bankruptcy Canada* to serve as oral board examiner of prospective Trustees in Bankruptcy and Administrators of *BIA* Proposals. Ben was co-author of "Back From the Brink: NewPage Port Hawkesbury Corporation", in J. Sarra and B. Romaine, eds., *Annual Review of Insolvency Law*, 2012 (Toronto: Carswell, 2013).

Services

- Banking and Financial Services
- Bankruptcy and Insolvency
- Corporate and Business
- Litigation

Industries

- Financial Services

Education

- LL.B., Dalhousie University (2000)
- B.A., Dalhousie University (1997)

Bar Admissions

- Nova Scotia (2001)

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IN THE MATTER OF: Application by Quadriga Fintech Solutions Corp., Whiteside Capital Corporation and 0984750 B.C. Ltd. dba Quadriga CX and Quadriga Coin Exchange for relief under the *Companies' Creditors Arrangement Act*

Hfx No. 484742

IN THE SUPREME COURT OF NOVA SCOTIA

AFFIDAVIT OF AMANDA MCLACHLAN
(Sworn February 11, 2019)

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