

COURT FILE NUMBER **BK 25-095090**
COURT COURT OF QUEEN'S BENCH OF ALBERTA
IN BANKRUPTCY AND INSOLVENCY
JUDICIAL CENTRE CALGARY
IN THE MATTER OF THE *BANKRUPTCY
AND INSOLVENCY ACT*, R.S.C. 1985, c. B-3,
AS AMENDED
AND IN THE MATTER OF THE
BANKRUPTCY OF GENCO (WALDEN) LTD.
APPLICANT MAYNBRIDGE CAPITAL INC.
RESPONDENT GENCO (WALDEN) LTD.
DOCUMENT

Clerk's Stamp



ADDRESS FOR SERVICE AND CONTACT
INFORMATION OF PARTY FILING THIS DOCUMENT
Matti Lemmens
Borden Ladner Gervais LLP
1900, 520 3rd Ave. S.W.
Calgary, AB T2P 0R3
Telephone: (403) 232-9511
Facsimile: (403) 266-1395
Email: MLEmmens@blg.com
File No. 562354.000006

**SUPPLEMENTAL AFFIDAVIT OF VERIFICATION OF
STEPHEN DAVIES**

Sworn on June 29, 2020

I, **STEPHEN DAVIES** of the City of Ottawa, in the Province of Ontario, SWEAR AND SAY THAT:

1. I am the Senior Vice President and Chief Risk Officer of the Applicant, Maynbridge Capital Inc. ("**Maynbridge**"), a creditor of the Defendants in the within Action. As such, I have personal knowledge of the matters and facts hereinafter sworn to, except where stated to be based on information and belief, and where so stated, I verily believe the same to be true.
2. I am authorized by Maynbridge to swear this Affidavit.
3. I make this Supplemental Affidavit of Verification to supplement my Affidavit of Verification sworn on January 29, 2020 and to provide the Honourable Court with updates thereto.

4. Unless otherwise stated, the capitalized terms herein have the meanings ascribed thereto in my Affidavit of Verification sworn on January 29, 2020.
5. On or about June 23, 2020, Maynbridge, as Purchaser, and EY, in its capacity as the Receiver of Holdings, entered into a Purchase and Sale Agreement (the "**Purchase Agreement**") in respect of the certain real properties owned by Holdings and referred to by the parties as the "608 Lands".
6. I am advised by counsel to Maynbridge, Matti Lemmens of Borden Ladner Gervais LLP ("**BLG**"), and do verily believe that the Receiver's counsel has scheduled a hearing for an application by the Receiver for Court approval of the Purchase Agreement for June 30, 2020 at 10:00 a.m., which immediately precedes the hearing of the within bankruptcy application.
7. If the Purchase Agreement is approved by the Court, Maynbridge will have an unsecured claim of \$79,927.11 against Holdings and Walden, jointly and severally.
8. I swear this Supplemental Affidavit in support of a bankruptcy order against Walden, including the appointment of EY as trustee in bankruptcy over Walden's bankrupt estate, and for no other purpose.

Commissioning of Affidavit Using Video Technology

9. I swear this Affidavit before Tiffany Bennett of BLG (the "**Commissioner**") utilizing video technology. At the time of swearing this Affidavit, I am not physically present before the Commissioner.
10. I swear this Affidavit after taking the following steps:
 - (a) I showed the Commissioner the front and back of my current driver's license;
 - (b) I have obtained a paper copy of this Supplemental Affidavit;
 - (c) I reviewed each page of this Supplemental Affidavit, with the Commissioner, and I am satisfied that the paper copy of the Supplemental Affidavit before me is identical to the paper copy of the Supplemental Affidavit before the Commissioner; and,
 - (d) I have initialed each page of this Supplemental Affidavit.

11. I am advised by the Commissioner, and do verily believe, that:

- (a) the Commissioner has taken a screenshot of the front and back of my driver's license; and,
- (b) the Commissioner has reviewed each page of a paper copy of this Supplemental Affidavit, and she is satisfied that the paper copy of the Supplemental Affidavit before her is identical to the paper copy of the Supplemental Affidavit before me.

12. I am further advised by the Commissioner, and do verily believe, that the steps taken by the Commissioner and me in the commissioning of this Supplemental Affidavit, as described at paragraphs 10 and 11 hereto, follows the process for remote commissioning of affidavits as set out in the Notice to the Profession & Public – Remote Commissioning, issued by the Court of Queen's Bench of Alberta on March 25, 2020.

SWORN BEFORE ME by video conference)
 from the City of Ottawa, in the Province of)
 Ontario (location of deponent) to the City of)
 Calgary, in the Province of Alberta (location of)
 commissioner), this 29th day of June, 2020)

 A Commissioner for Oaths in and for Alberta)



STEPHEN DAVIES

CERTIFICATE OF COMMISSIONER

I, Tiffany Bennett, Lawyer, of the City Calgary, in the Province of Alberta, do hereby certify that:

1. On June 29, 2020, I was present by video technology and did see the affiant, Stephen Davies (the “Affiant”), swear and sign the Affidavit annexed hereto;
2. The Affiant showed me the front and back of his current government-issued photo identification, being his driver’s license, and I have taken a screenshot of same;
3. I have compared the video image of the Affiant and information on the said photo identification, and believe it to be the same person and that the photo identification is valid and current;
4. Both the Affiant and I had a paper copy of the Affidavit, including all exhibits, before us while connected via video technology. The Affiant and I reviewed each page of our respective copy of the Affidavit, including the exhibits, together and verified that they are identical. Both the Affiant and I initialed each page of our respective copy of the Affidavit in the lower right corner;
5. The Affidavit was sworn and signed by the Affiant at the City of Calgary, in the Province of Alberta, and I am the Commissioner thereof; and
6. The steps taken by myself as Commissioner follows the process for remote commissioning of affidavits as set out in the Notice to the Profession & Public – Remote Commissioning, issued by the Court of Queen’s Bench of Alberta on March 25, 2020. This process was necessary as it is unsafe, for medical reasons, for the Affiant and I to be physically present together.

DATED on the 29th day of June, 2020 in the City of Calgary, in the Province of Alberta



TIFFANY BENNETT

TIFFANY BENNETT
A Commissioner for Oaths
in and for Alberta
Lawyer, Notary Public

Clerk's Stamp

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 A Commissioner for Oaths in and for Alberta)

 STEPHEN DAVIES

TIFFANY BENNETT
 A Commissioner for Oaths
 in and for Alberta
 Lawyer, Notary Public

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