

providing to the Corporation the proof of authority or evidence of his entitlement as prescribed by the Act.

10.4 Computation of Time - In computing the date when notice must be given under any provision requiring a specified number of days' notice of any meeting or other event, reference shall be made to the definition given to the word "day" in the Act.

10.5 Omissions and Errors - The accidental omission to give any notice to any shareholder, director, officer, member of a committee of the board or auditor, or the non-receipt of any notice by any such person or any error in any notice not affecting its substance shall not invalidate any action taken at any meeting to which the notice pertained or otherwise founded on such notice.

10.6 Waiver of Notice - Any shareholder, proxyholder, director, officer, member of a committee of the board or auditor may waive or abridge the time for any notice required to be given him, and such waiver or abridgement, whether given before or after the meeting or other event of which notice is required to be given shall cure any default in the giving or in the time of such notice, as the case may be. Any such waiver or abridgement shall be in writing except a waiver of notice of a meeting of shareholders or of the board or of a committee of the board, which may be given in any manner.

11. EFFECTIVE DATE

11.1 Effective Date - Subject to its being confirmed by the shareholders, this by-law shall come into force when enacted by the board, subject to the provisions of the Act.

ENACTED by the board this 20th day of April, 2010.

Ralph Aquino - President

John Aquino - Secretary

c/s

The foregoing by-law is hereby enacted by the directors of the Corporation as evidenced by the respective signatures hereto of all of the directors of the Corporation in accordance with the provisions of section 129(1) of the *Business Corporations Act* (Ontario).

DATED the 20th day of April, 2010.

RALPH AQUINO

JOHN AQUINO

In lieu of confirmation at a general meeting of the shareholders, the foregoing by-law is hereby confirmed by all of the shareholders of the Corporation entitled to vote at a meeting of shareholders in accordance with the provisions of section 104(1) of the *Business Corporations Act* (Ontario), this 20th day of April, 2010.

DATED the 20th day of April, 2010.

JOHN AQUINO

RALPH AQUINO

BY-LAW NO. 2

A by-law respecting the borrowing of money,
the issuing of securities and the securing of liabilities by

2241036 ONTARIO INC.
(herein called the "Corporation")

BE IT ENACTED as a by-law of the Corporation as follows:

1. **Borrowing Powers** - Without limiting the borrowing powers of the Corporation as set forth in the Act, the board may, subject to the articles and any unanimous shareholder agreement, from time to time, on behalf of the Corporation, without the authorization of the shareholders:
 - a) borrow money on the credit of the Corporation;
 - b) issue, re-issue, sell or pledge debt obligations of the Corporation, whether secured or unsecured;
 - c) subject to the Act, give a guarantee on behalf of the Corporation to secure performance of an obligation of any person; and
 - d) mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of the Corporation, owned or subsequently acquired, to secure any obligation of the Corporation.
2. **Delegation of Powers** - Subject to the Act, the articles, the by-laws and any unanimous shareholder agreement, the board may, from time to time, delegate any or all of the powers hereinbefore specified, to a director, a committee of directors or one or more officers of the Corporation.

ENACTED by the board this 20th day of April, 2010.

Ralph Aquino - President

John Aquino - Secretary

c/s

The foregoing by-law is hereby enacted by the directors of the Corporation as evidenced by the respective signatures hereto of all of the directors of the Corporation in accordance with the provisions of section 129(1) of the *Business Corporations Act* (Ontario).

DATED the 20th day of April, 2010.

RALPH AQUINO

JOHN AQUINO

In lieu of confirmation at a general meeting of the shareholders, the foregoing by-law is hereby confirmed by all of the shareholders of the Corporation entitled to vote at a meeting of shareholders in accordance with the provisions of section 104(1) of the *Business Corporations Act* (Ontario), this 20th day of April, 2010.

DATED the 20th day of April, 2010.

JOHN AQUINO

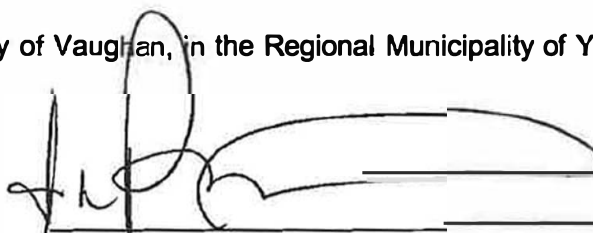
RALPH AQUINO

Notarial Certificate of True Copy – Short Form

CANADA	}	<i>To all whom these Presents</i>
	}	
<i>Province of Ontario</i>	}	<i>may come, be seen or known</i>
	}	
	}	
To Wit	}	

I, Agostino-Austin Persico, a Notary Public, in and for the Province of Ontario, by Royal Authority duly appointed, residing in the City of Vaughan, in said Province, **Do Certify and Attest** that the paper-writing annexed is a true copy of a document produced and shown to me and purporting to be the Certificate of Incorporation and Articles of Incorporation relating to **2241036 ONTARIO INC.** electronically filed with the Ministry of Consumer and Business Services on April 20, 2010, and registered as Ontario Corporation No. 002241036, the said copy having been compared by me with the information appearing on the electronic database of the Ministry of Consumer and Business Services, an act whereof being requested I have granted under my Notarial Form and Seal of Office to serve and avail as occasion shall or may require.

In Testimony Whereof, I have hereto subscribed my name and affixed my Notarial Seal of Office, at the City of Vaughan, in the Regional Municipality of York, this 20th day of April, 2010.


 AGOSTINO-AUSTIN PERSICO



A Notary Public in and for the Province of Ontario

ERNST & YOUNG INC., in its capacity as Court-Appointed Monitor of Bondfield Construction Company Limited -and- Court of Appeal File Nos. C69263, C69306, C69321
JOHN AQUINO et al. Respondents (Appellants on Appeal)

Applicant (Respondent on Appeal)

Court of Appeal File No. C69264, C69278, C69305, C69318

KSV KOFMAN INC., in its capacity as Trustee-in-Bankruptcy of 1033803 ONTARIO INC. and 1087507 ONTARIO LIMITED -and- JOHN AQUINO et al. Respondents (Appellants on Appeal)

Applicant (Respondent on Appeal)

COURT OF APPEAL FOR ONTARIO
 PROCEEDING COMMENCED AT TORONTO

REPLY AFFIDAVIT OF JOHN AQUINO
 (SWORN MAY 16TH, 2022)

LAW OFFICE OF TERRY CORSIANOS

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 2304288 Ontario Inc., Marco Caruso, Giuseppe Anastasio a.k.a. Joe Ana,
 and Lucia Coccia a.k.a. Lucia Canderle

ERNST & YOUNG INC., in its capacity as Court-Appointed Monitor of Bondfield Construction Company Limited -and- Court of Appeal File Nos. C69263, C69306, C69321
JOHN AQUINO et al. Respondents (Appellants on Appeal)

Applicant (Respondent on Appeal)

Court of Appeal File No. C69264, C69278, C69305, C69318

KSV KOFMAN INC., in its capacity as Trustee-in-Bankruptcy of 1033803 ONTARIO INC. and 1087507 ONTARIO LIMITED -and- JOHN AQUINO et al. Respondents (Appellants on Appeal)

Applicant (Respondent on Appeal)

COURT OF APPEAL FOR ONTARIO
 PROCEEDING COMMENCED AT TORONTO

REPLY MOTION RECORD OF THE RESPONDENTS (APPELLANTS)(MOVING PARTIES) JOHN AQUINO, 2304288 ONTARIO INC., MARCO CARUSO, GIUSEEPE ANASTASIO AND LUCIA COCCIA

LAW OFFICE OF TERRY CORSIANOS

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Lawyers for the Respondents, (Appellants)(Moving Parties, John Aquino, 2304288 Ontario Inc., Marco Caruso, Giuseppe Anastasio a.k.a. Joe Ana, and Lucia Coccia a.k.a. Lucia Canderle

ERNST & YOUNG INC., in its capacity as Court-Appointed Monitor
of Bondfield Construction Company Limited

Applicant (Respondent on Appeal)

KSV KOFMAN INC., in its capacity as Trustee-in-Bankruptcy of
1033803 ONTARIO INC. and 1087507 ONTARIO LIMITED

Applicant (Respondent on Appeal)

Court of Appeal File Nos. M53556 C69263, C69306, C69321
-and- JOHN AQUINO et al. Respondents (Appellants on Appeal)

Court of Appeal File No. C69264, C69278, C69305, C69318

-and- JOHN AQUINO et al. Respondents (Appellants on Appeal)

COURT OF APPEAL FOR ONTARIO
PROCEEDING COMMENCED AT TORONTO

**MOTION RECORD, OF THE RESPONDENTS (APPELLANTS)(MOVING
PARTIES) JOHN AQUINO, 2304288 ONTARIO INC., MARCO CARUSO,
GIUSEEPE ANASTASIO AND LUCIA COCCIA**

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and Lucia Coccia a.k.a. Lucia Canderle