

COUNSEL SLIP

COURT FILE

NO.: CV-21-00662471-00CL

DATE: 03-MAY-2022

NO. ON LIST _____

TITLE OF
PROCEEDING

MATTA et al v. ALTMORE MORTGAGE INVESTMENT
CORPORATION

COUNSEL FOR: Michael Carlson – Counsel for M. Matta and M. Amello – michael@carlsonkociper.com

- PLAINTIFF(S)
 APPLICANT(S)
 PETITIONER(S)

COUNSEL FOR:

- DEFENDANT(S) Gregory Azeff and Monica Faheim – Counsel for the Receiver, BDO Canada
 RESPONDENT(S) gazeff@millerthomson.com and mfaheim@millerthomson.com

Also in attendance – Peter Crawley of BDO (Trustee) Clark Lonergan of BDO (Receiver), Mark Amello and Ian McSevney

JUDICIAL NOTES:

A hearing was scheduled for today for sentencing of Mr. McSevney following my decision on April 11, 2022 finding him in contempt of Court. Mr. McSevney did not appear at the hearing that day.

Mr. McSevney attended the hearing today which was conducted by Zoom.

Mr. McSevney stated that he understood that the liability phase of the contempt hearing that was held on April 11, 2022 was cancelled because he received an email stating this to be so.

I understand that the original Zoom link was sent by Mr. Azeff's office (counsel for the Receiver) and that it was replaced by another Zoom link sent to the parties by the Court Office. Mr. McSevney states that when he tried to join the hearing using a second Zoom link, he was directed to another page showing a different hearing date. Mr. McSevney explained that, for this reason, he did not attend the contempt hearing that day.

Mr. McSevney advises that he has had difficulty retaining legal counsel. He advises that he wishes to comply with the Receivership Order dated November 8, 2021.

I explained to Mr. McSevney the urgency of complying with the Receivership Order and the serious consequences that may follow from my finding that he is in contempt of Court for failing to comply with the Receivership Order.

Under the circumstances, I adjourn this sentencing hearing to June 7, 2022 at 11:00 a.m. for one hour. Mr. McSevney confirmed that he is available on this date and that he will attend at the hearing to be conducted by Zoom on that day and at that time.

I expect Mr. McSevney to fully comply with the Receivership Order. He should urgently take steps to do so.