

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

BUSINESS DEVELOPMENT BANK OF CANADA

Applicant

-and-

ASTORIA ORGANIC MATTERS LTD. AND ASTORIA ORGANIC MATTERS CANADA LP

Respondents

SECOND SUPPLEMENTARY MOTION RECORD

February 15, 2018

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TAB 1

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

BUSINESS DEVELOPMENT BANK OF CANADA

Applicant

-and-

ASTORIA ORGANIC MATTERS LTD. AND ASTORIA ORGANIC MATTERS CANADA LP

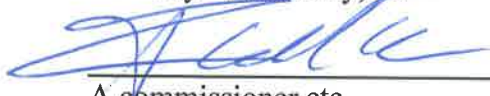
Respondents

**AFFIDAVIT OF SARAH QUILDON
(AFFIRMED ON FEBRUARY 15, 2018)**

I, Sarah Quildon, of the City of Toronto in the Province of Ontario, MAKE OATH AND SAY:

- 1. I am a Legal Assistant at Eric K. Gillespie Professional Corporation.
- 2. Attached to my affidavit as Exhibit "A" is a copy of the signed Acknowledgement of Expert's Duty of Nick Pora, which was inadvertently omitted when Nick Pora's Expert Report was served on the parties on January 26, 2018.
- 3. Attached to my affidavit as Exhibit "B" is a copy of the SusGlobal Belleville Windrow Production Report (the "Windrow Report"), which is Exhibit 15 to the Supplementary Affidavit of Gerald Hamaliuk affirmed December 17, 2017. The Windrow Report was to be provided after the December 17, 2017, weekend. This did not occur. As a result, a copy of the Windrow Report is attached as Exhibit "B" to my affidavit.

AFFIRMED BEFORE ME in)
the City of Toronto)
in the Province of Ontario, this)
15th day of February, 2018)



A commissioner etc.



SARAH QILDON

LSUC # 08035A

BUSINESS DEVELOPMENT
BANK OF CANADA

- and -

ASTORIA ORGANIC MATTERS
LTD. and ASTORIA ORGANIC
MATTERS CANADA LP

Court File No. CV-17-11760-00CL

Applicant

Respondents

ONTARIO

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

Proceeding Commenced at Toronto

**AFFIDAVIT OF SARAH QUILDON
(AFFIRMED ON FEBRUARY 15, 2018)**

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Lawyers for SusGlobal Energy Belleville Ltd.

TAB A

**This is Exhibit "A" referred to in the
Affidavit of SARAH QUILDON affirmed before
me on this 15th day of February, 2018.**

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

A Commissioner, etc.

CSUC# 68035A

Court File No.: CV-17-11760-00CL

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

BUSINESS DEVELOPMENT BANK OF CANADA

Applicant

-and-

**ASTORIA ORGANIC MATTERS LTD. AND ASTORIA ORGANIC MATTERS CANADA
LP**

Respondents

ACKNOWLEDGMENT OF EXPERT'S DUTY

1. My name is Nick Pora. I live in the village of Greely, in the City of Ottawa, in the Province of Ontario.
2. I have been engaged on behalf of SusGlobal Energy Belleville Ltd. to provide evidence in relation to the above-noted court proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
 - a. To provide opinion evidence that is fair, objective and non-partisan;
 - b. To provide opinion evidence that is related only to matters that are within my area of expertise; and
 - c. To provide such additional assistance as the court may reasonably require, to determine the matter in issue.

4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Feb 15 / 18

Date



Signature

NOTE: This form must be attached to any report signed by the expert and provided for the purposes of subrule 53.03(1) or (2) of the *Rules of Civil Procedure*.

TAB B

**This is Exhibit "B" referred to in the
Affidavit of SARAH QUILDON affirmed before
me on this 15th day of February, 2018.**



A Commissioner, etc.

CSue # 68035 A

Batch Details Report

Batch Id 44 Site GUID 613343
Phase
Started On 9/7/2017 10:33:02 AM
Last Turn
Finished On 10/30/2017 8:08:40 AM

Batch History

Heap Id	Phase	Active	Start Date	End Date
4	Phase 1	No	9/7/2017 10:33:02 AM	9/28/2017 4:32:03 PM
7	Phase 2	No	9/28/2017 4:32:03 PM	9/28/2017 4:32:18 PM
4	Phase 3	No	9/28/2017 4:32:18 PM	10/5/2017 8:07:02 AM
5	Phase 3	No	10/5/2017 8:07:02 AM	10/18/2017 8:05:19
8	Phase 3	No	10/18/2017 8:05:19	10/30/2017 8:08:40

Memos/Additional Information

9/7/2017 10:33:02 AM:

9/28/2017 4:32:03 PM:

9/28/2017 4:32:18 PM:

10/5/2017 8:07:01 AM:

10/18/2017 8:05:19 AM:

10/30/2017 8:08:40 AM:

Batch Details Report

10 1/1

Batch Id 45 Site GUID 613343
Phase

Started On 9/14/2017 4:40:35 PM
Last Turn
Finished On 10/16/2017 2:31:20 PM

Batch History

Heap Id	Phase	Active	Start Date	End Date
5	Phase 1	No	9/14/2017 4:40:35 PM	10/4/2017 3:29:33 PM
8	Phase 2	No	10/4/2017 3:29:33 PM	10/16/2017 2:31:20

Memos/Additional Information

9/14/2017 4:40:35 PM:

10/4/2017 3:29:33 PM:

10/16/2017 2:31:20 PM:

Batch Details Report

Batch Id 47 Site GUID 613343
Phase

Started On 9/26/2017 4:34:18 PM
Last Turn
Finished On 11/1/2017 8:08:16 AM

Batch History

Heap Id	Phase	Active	Start Date	End Date
1	Phase 1	No	9/26/2017 4:34:18 PM	10/19/2017 8:43:23
5	Phase 2	No	10/19/2017 8:43:23	10/30/2017 2:59:26
8	Phase 3	No	10/30/2017 2:59:26	11/1/2017 8:08:16 AM

Memos/Additional Information

9/26/2017 4:34:18 PM:

10/19/2017 8:43:23 AM:

10/30/2017 2:59:26 PM:

11/1/2017 8:08:16 AM:
finished saturday oct 28th

BUSINESS DEVELOPMENT
BANK OF CANADA

- and -

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Court File No. CV-17-11760-00CL

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<p>ONTARIO</p> <p>SUPERIOR COURT OF JUSTICE (COMMERCIAL LIST)</p> <p>Proceeding Commenced at Toronto</p>	
<p>SECOND SUPPLEMENTARY MOTION RECORD</p>	
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