
EXHIBIT “8”

**To the Receiver’s Seventh Report to Court
Dated January 14, 2019**

Lewis, David

From: Mike Terrigno <mike@terrigno.ca>
Sent: November 4, 2018 6:35 PM
To: Richard Billington; Fryzuk, Craig; Lewis, David
Subject: [EXT] RE: Easy Loan Corporation and Mike Terrigno v. Base Mortgage & Investments Ltd., et al. - Court File No. 1501-11817
Attachments: doc20181103131207.pdf; Application to Remove Richard Billington.pdf
Importance: High

Attached is a draft of my affidavit and application that has been circulated to my team for review and editions. I will be filing the material Tuesday at noon (I leave the country that afternoon) if we do not have a resolution by then.

I trust you know me well enough to take this very serious because this will be just the start of many steps that our team has planned. Not a threat - I am simply relaying the truth.

I am available for a conference call Tomorrow (Monday) from 10am to 2pm, 5pm to 7pm. Tuesday from 9:30am to 11am. We will need 45 minutes for the call.

Sincerely yours,

Mike Terrigno (MBA, LL.B/J.D., REM (Harvard), CICA (tax)

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COURT FILE NUMBER **1501-11817**

COURT **COURT OF QUEEN'S BENCH OF
ALBERTA**

JUDICIAL CENTRE **CALGARY**

PLAINTIFF(S) **EASY LOAN CORPORATION and MIKE
TERRIGNO**

DEFENDANT(S) **BASE MORTGAGE & INVESTMENTS
LTD., BASE FINANCE LTD. ARNOLD
BREITKREUTZ, SUSAN BREITKREUTZ,
SUSAN WAY, AND GP ENERGY INC.**

Clerk's Stamp

DOCUMENT **APPLICATION BY E MIKE TERRIGNO**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **Mike Terrigno
212-10a ST NW
Calgary Alberta T3B 0L9
mike@terrigno.ca**

NOTICE TO RESPONDENT(S): **Base Mortgage & Investments Ltd., Base Finance Ltd., BBDO
Canada, Richard Billington and Billington Barristers.**

This application is made against you. You are a respondent. You have the right to state your side of this matter before the master/judge.

To do so, you must be in Court when the application is heard as shown below:

Date: **November 13, 2018**

Time: **10am**

Where: **Calgary Court Centre**

Before Whom: **Justice in Chambers**

Go to the end of this document to see what else you can do and when you must do it.

Remedy claimed or sought:

1. An Order to remove Richard Billington and Billington Barristers from acting as the Receiver's lawyer in this action or related actions concerning the Base Finance Ponzi scheme.

2. Costs.
3. Such further and other relief as this Honorable Court deems fit to grant.

Grounds for making this application:

4. Richard Billington was the Applicant's lawyer regarding the subject matter of this action prior to becoming the receiver's lawyer.
5. In his role of the applicant's lawyer Richard Billington obtained confidential information pertaining specifically to the subject matter of this action.
6. The Applicant does not waive his solicitor client privilege.
7. Richard Billington or his law firm acting in this action will not satisfy the public requirement that not only should there not be an actual conflict but also there must not be an appearance of conflict as enunciated in *MacDonald Estate v. Martin*, [1990] 3 SCR 1235.
8. Such further and other grounds as the Applicant may advise and this Honorable Court deems fit to consider

Material or evidence to be relied on:

9. Court Filed material in this Action and specifically the affidavit of Mike Terrigno filed in November __, 2018.
10. Such further and other material as the Applicant may advise and that this Honorable Court deems fit to consider.

Applicable rules:

11. The inherent jurisdiction of the Court to control lawyers and their activities.
12. Such other Rules as the Applicant may advise and that this Honorable Court deems fit to consider.

Applicable Acts and regulations:

13. None.

Any irregularity complained of or objection relied on:

14. None.

How the application is proposed to be heard or considered:

15. Morning Chambers on the regular list before a Justice.

WARNING

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the applicant(s) a reasonable time before the application is to be heard or considered.

COURT FILE NUMBER 1501-11817
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF/APPLICANT EASY LOAN CORPORATION and MIKE TERRIGNO
DEFENDANTS/RESPONDENTS BASE MORTGAGE & INVESTMENTS LTD., BASE FINANCE LTD. ARNOLD BREITKREUTZ, SUSAN BREITKREUTZ, SUSAN WAY, AND GP ENERGY INC.

Clerk's Stamp

DOCUMENT AFFIDAVIT
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT Mike Terrigno
212-10a ST NW
Calgary Alberta T2N 1W6
mike@terrigno.ca

AFFIDAVIT OF MIKE TERRIGNO
Sworn on November __, 2018

I, Mike Terrigno, of Calgary, Alberta, SWEAR AND SAY THAT:

1. I am a Plaintiff herein. As such, I have personal knowledge of all matters hereinafter deposed except where stated to be based upon information or belief and where so stated I verily believe the same to be true.
2. Richard Billington was my lawyer regarding the subject matter of this action prior to his appointment as the receiver's lawyer. Attached to this my affidavit and marked as Exhibit "A" is a true copy of the legal invoice regarding his legal services to me.
3. Although assured by Richard Billington that he would not be conflicted in his dealings as both the Receiver's lawyer and my prior lawyer, I am now very concerned about his dual legal capacity given a recent initiative of the receiver seeking to unwind various bank accounts used in the operation of the Base Finance Ponzi scheme. I am concerned because I disclosed confidential information to Richard Billington in his role as my lawyer that directly concerns the aforesaid initiative.
4. At no time did I waive my solicitor-client privilege.

5. I swear this affidavit to provide evidence herein and for no improper purpose.

SWORN BEFORE ME at Calgary Alberta,)
this ____ day of November, 2018.)

(Commissioner for Oaths in and for the)
Province)
of Alberta)

(Signature)

BILLINGTON
BARRISTERS
Experienced Litigation Counsel

1910, 717 - 7th Avenue SW
Calgary, AB T2P 0Z3
(403) 930-4100
www.BillingtonBarristers.com

This is Exhibit " A " referred to
in the Affidavit of

Mike Terrigno

Sworn before me this _____

Day of Nov, A.D. 2015

A Notary Public - Commissioner for Oaths
in and for the Province of Alberta

Statement as of October 15, 2015
Statement No. 3673

Mike Terrigno
c/o Chris Souster
Riverside Law Office
4108 Montgomery View NW
Calgary, AB T3B 0L9

15047-001 RNB: Base Mortgage & Investments Ltd. and Base Finance Ltd.

Professional Fees		Hours	Amount
08/10/2015	RNB	Receipt of material from client and review of same.	0.80 520.00
08/10/2015	RNB	Telephone call to Client; telephone call to Chris Souster regarding result of mortgage disclosure.	1.30 845.00
09/10/2015	RNB	Meeting with Mike Terrigno and Christopher Souster; e-mails to same and review of file materials.	2.50 1,625.00
09/10/2015	AN	Review of Mike Terrigno file	2.00 300.00
10/10/2015	RNB	E-mail correspondence with Sarah Hawco re: conflict check.	0.40 260.00
12/10/2015	RNB	E-mail correspondence with Mike Terrigno and Chris Souster re: draft order and BDO.	2.80 1,820.00
12/10/2015	AN	Title search on each of the properties and client follow-up	2.00 300.00
13/10/2015	RNB	Drafting of receivership order; review of requested title searches; review of materials; review of correspondence from Phil Lalonde; reporting letter to Christopher Souster; conference call with Mike Terrigno and Christopher Souster; review of draft pleadings.	7.00 4,550.00
13/10/2015	AN	Comparing our Order drafted vs. the template Order for the Justice to see	2.00 300.00

		the differences via highlight.		
14/10/2015	RNB	Telephone conference with Mike Terrigno and Christopher Souster.	0.50	325.00
14/10/2015	AN	Attend at 2pm telephone meeting	1.00	150.00
15/10/2015	RNB	Preparation for Court; revision of Order; attendance at Court to obtain Ex Parte receivership order; meetings, filing and service of same.	5.60	3,640.00
15/10/2015	AN	Review of cases and draft of Order	4.50	675.00
			Sub-total Fees:	<u>15,310.00</u>
			GST on Fees:	765.50

		Rate Summary	
Richard N. Billington, Q.C.	20.90 hours		13,585.00
Alyx Nanji	11.50 hours		1,725.00
	Total hours:	<u>32.40</u>	

Disbursements		Amount
	Photocopies	6.50
13/10/2015	Searches	25.72
13/10/2015	Searches - Tax Exempt*	49.50
13/10/2015	Searches - Tax Exempt*	33.00
13/10/2015	Searches	12.86
13/10/2015	Searches - Tax Exempt*	16.50
13/10/2015	Searches	38.58
15/10/2015	Printing/Scanning Charges	160.80

Sub-total Disbursements:	<u>343.46</u>
GST on Disbursements:	12.22
Total Tax	777.72
Total Fees, Disbursements & GST	16,431.18
Previous Unpaid Balance	0.00
Total Payments:	5,000.00
Balance Due Now	<u>11,431.18</u>

Billington Barristers

*tax-exempt
GST No. 859843740RT0001
E.&O.E.

Per:


Richard N. Billington Q.C.

TO PAY BY VISA/MASTERCARD
PLEASE CONTACT MONIQUE EFONOFF
Mefonoff@BillingtonBarristers.com
403-330-4108

Payments
15/10/2015

Payment

Trust Application

5,000.00

Sub-total Payments: 5,000.00

Trust Account

		Beginning Balance:	0.00
13/10/2015	Rcvd Chq #1795 from Jaroc Holdings Ltd.		5,000.00
15/10/2015	Trust Application		-5,000.00
		Ending Balance:	<u>0.00</u>