## EXHBT " 11 "

## To the Receiver's Seventh Report to Court Dated J anuary 14, 2019

November 7, 2018

VIA EMAIL

Billington Barristers
1910 Elveden House
$717-7^{\text {th }}$ Avenue S.W.
Calgary, AB T2P 0Z3

## Attention: Richard N. Billington, Q.C.

Dear Sir:
RE: Easy Loan Corporation and Mike Terrigno V. Base Mortgage \& Investments Ltd., Base Finance Ltd., et al.
Court File Number 1501-11817
Rescheduling of Application to November 22, 2018
Further to the above noted matter and the application of the Plaintiffs against the respondent, Base Finance Ltd., filed on May 18, 2017 (attached), adjourned sine die. Please be advised that the Plaintiffs have scheduled the Application to be heard in Justice Chambers on November 22, 2018 in morning chambers.


Christopher M.A. Souster

CMAS/ja
Enclosure (1)

| COURT FILE NUMBER | 1501-11817 | Clerk's Stamp |
| :---: | :---: | :---: |
| COURT | COURT OF QUEEN'S BENCH OF ALBERTA | CLERK OF THE COURT |
| Judicial centre | CALGARY | MAY 182017 |
| PLAINTIFFS | EASY LOAN CORPORATION and MIKE TERRIGNO | UUDICIAL CENTRE OF CALGARY |
| DEFENDANT | BASE MORTGAGE \& INVESTMENTS LTD. BASE FINANCE LTD., ARNOLD BREITKRUETZ, SUSAN BREITKRUETZ, SUSAN WAY and GP ENERGY INC. |  |
| DOCUMENT | APPLICATION BY MIKE TERRIGNO and EASY LOAN CORPORATION |  |

## NOTICE TO RESPONDENT: Base Finance Ltd.

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

To do so, you must be in Court when the application is heard as shown below:
Date:
Friday, May 26, 2017
Time:
10:00 AM
Where:
Calgary Court Center 6015 St SW, Calgary, AB
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 recover legal fees associated with the subject matter of this Action.
2. Such further and other rellef as this Honorable Court deems fit to grant.

Grounds for making this application:
3. By order granted on October 15, 2015 by the Honorable Justice K.D. Yamauchi directed at paragraph 32 that:
"The Plaintiffs, Easy Loan Corporation and Mike Terrigno shall have their cost of this motion, up 10 and Including entry and service of this Order, on a substantial indemnity basis to be paid by the Receiver from the Debtor's estate in priority to all other claims against the Debtor's estate. The Plaintiff, Easy Loan Corporation and Mike Terrigno shall have leave to re-apply to the Court for additional costs (and indemnity from the Debtor's estate in respect of same) in the event that they determine that such circumstances warrant such an application."
4. As the Receiver had no funds to advance matters and as no other investor has taken any action to advance matters, and for the benefit of all investors and as the actions were necessary steps, the Applicants on thelr own accord, and through legal counsel, took steps and incurred expense in the interest of all investors.
5. The actions of the Applicants, through legal counsel, have been instrumentad in advancing these matters and have greatly assisted all investors in adding money to the debtors estate for all to benefit by identifying properties, by preserving assets, and by identifying the main players in the Ponzi Scheme and otherwise.
6. 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:

7. Court filed material in this action and the related QB actions.
8. Affidavit of Mike Terrigno sworn on May 11, 2017.
9. Such further and other material as the Applicant may advise and this Honorable Court deems fit to consider.

## Applicable rules:

10. Rule 1.2.
11. Such further and other Rules as the Applicant may advise and this Honorable Court deems fit to consider.

## Applicable Acts and regulations:

12. Such Acts and regulations as the Applicant may advise and this Honorable Court deems fit to consider.

Any Irregularlty complained of or objection relied on:
13. None.

How the application is proposed to be heard or considered:
14. Justice in Chambers.

## 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 ifing 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.

