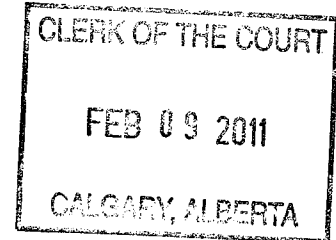


**Form 49**  
[Rule 13.20]

Clerk's stamp:



COURT FILE NUMBER: 1001-03215

COURT OF QUEEN'S BENCH OF  
ALBERTA

JUDICIAL CENTRE OF CALGARY

PLAINTIFF: FIRST CALGARY SAVINGS & CREDIT UNION  
LTD.

DEFENDANTS: PERERA SHAWNEE LTD., PERERA  
DEVELOPMENT CORPORATION, DON L.  
PERERA and SHIRANIE M. PERERA

PLAINTIFFS BY COUNTERCLAIM PERERA SHAWNEE LTD., DON L. PERERA and  
SHIRANIE M. PERERA

DEFENDANTS BY COUNTERCLAIM FIRST CALGARY SAVINGS & CREDIT UNION  
LTD. and DELOITTE & TOUCHE LLP

DOCUMENT: **AFFIDAVIT OF SERVICE**

**OSLER, HOSKIN & HARCOURT LLP**

Barristers & Solicitors  
Suite 2500, 450 – 1st Street SW  
Calgary, AB T2P 5H1  
Solicitor: Christa Nicholson  
Telephone: (403) 260-7025  
Facsimile: (403) 260-7024  
File Number: 1121689

**Affidavit of Kelly Des Rochers**

**Sworn on February 9, 2011**

I, Kelly Des Rochers, of Calgary, Alberta, Legal Assistant, MAKE OATH AND SAY THAT:

1. I am a legal assistant with the law firm of Osler, Hoskin & Harcourt LLP (“**Osler**”), and as such, I have personal knowledge of the matters hereinafter deposed to except where stated to be based on information and belief, in which case I believe such information to be true.

## **SERVICE – FEBRUARY 8, 2011**

### **EMAIL SERVICE**

2. Attached hereto and marked **Exhibit A** are copies of the following documents:
  - (a) Application filed February 8, 2011 (the “**February 8 Application**”); and
  - (b) Thirteenth Report of the Receiver filed February 8, 2011;(collectively, the “**First Service Documents**”).
3. On Tuesday, February 8, 2011 at 2:57 p.m. I sent an email, a copy of which is attached hereto and marked **Exhibit B**, to the addressees shown on the attached email, which attached PDF copies of the First Service Documents (the “**First Service Email**”).
4. I received “out of office” messages (collectively, the “**First Out of Office Messages**”) in response to the First Service Email from the following email addresses:
  - (a) cameron@cclawyers.com;
  - (b) rsmith@williamsengineering.com;
  - (c) SimardC@bennettjones.com; and
  - (d) AtorL@bennettjones.com.

Copies of the First Out of Office Messages are attached hereto and marked **Exhibit C**.

## **FAX SERVICE**

5. On Tuesday, February 8, 2011 at 4:07 p.m. I sent the First Service Documents to Precision Aluminum Manufacturing Ltd. by fax to the fax number shown on the fax confirmation sheet attached hereto and marked as **Exhibit D**.
6. On Tuesday, February 8, 2011 at 4:50 p.m. I sent the First Service Documents to Canadian Western Bank by fax to the fax number shown on the fax confirmation sheet attached hereto and marked as **Exhibit E**.
7. On Tuesday, February 8, 2011 at 5:01 p.m. I sent the First Service Documents to Servus Credit Union Ltd. by fax to the fax number shown on the fax confirmation sheet attached hereto and marked as **Exhibit F**.
8. On Tuesday, February 8, 2011 at 5:13 p.m. and on Wednesday, February 9, 2011 at 9:16 a.m. I attempted to send the First Service Documents to Workers' Compensation Board by fax to the fax number shown on the two failed fax confirmation sheets attached hereto and marked as **Exhibit G**.
9. On Tuesday, February 8, 2011, I sent the First Service Documents by mail to Workers' Compensation Board at the following address: 9925 – 107 Street, 8<sup>th</sup> Floor, Edmonton, Alberta T5J 2S5.

## **MAIL SERVICE**

10. On Tuesday, February 8, 2011, I mailed the First Service Documents to all persons listed in **Exhibit H** attached hereto, in accordance with the Order granted by the Honourable Madam Justice Kent on Friday, October 29, 2010 in this Action.

## **REGISTERED MAIL**

11. On Tuesday, February 8, 2011, I sent the First Service Documents by registered mail to Rose Robertson and Donald Robertson. A copy of the document showing that the package was sent is attached hereto and marked as **Exhibit I**.
12. On Tuesday, February 8, 2011, I sent the First Service Documents and the following documents, collectively referred to as the "**Additional Service Documents**": correspondence dated February 8, 2011, the Application (Re: Approval of CondoSource

Agreement and CBRE Agreement) filed January 19, 2011, Twelfth Report of the Receiver filed January 19, 2011, Order regarding Adjournments and Interim Relief granted January 24, 2011 and a letter to the Service List (without enclosures) dated January 31, 2011 by email (the "Second Service Email") and by courier (the "Courier Service Package") to Todd Gow at CondoSource Inc. Attached hereto and marked as **Exhibit J** is a copy of the Second Service Email and the Additional Service Documents. Attached hereto and marked as **Exhibit K** is a copy of the record showing the time of delivery of the Courier Service Package.

- 13. I am advised by Morgan Fowler, a lawyer at Osler, that on Tuesday, February 8, 2011 at 9:37 p.m. and 9:39 p.m. she sent the First Service Documents and the Additional Service Documents to Todd Gow at CondoSource Inc. in two separate emails (collectively, the "Third Service Email"). Attached hereto and marked as **Exhibit L** is a copy of the Third Service Email.
- 14. I am advised by Morgan Fowler and do verily believe that the First Service Documents have been sent to every person listed in Schedule "B" to the February 8 Application.
- 15. I make this affidavit in support of the February 8 Application filed by Deloitte & Touche Inc. in this Action returnable on February 9, 2011.

**SWORN BEFORE ME** at  
Calgary, Alberta,  
this 9<sup>th</sup> day of February 2011.

\_\_\_\_\_  
A Commissioner for Oaths in and for the  
Province of Alberta.

**JODIE RAI KOSMAN**  
My Commission Expires  
June 3, 2013

\_\_\_\_\_  
**Kelly Des Rochers**