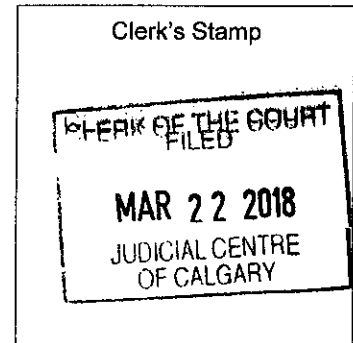


COURT FILE NUMBER 1501 – 00955  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
~~IN BANKRUPTCY AND INSOLVENCY~~  
JUDICIAL CENTER CALGARY



IN THE MATTER OF THE *COMPANIES'*  
*CREDITORS ARRANGEMENT ACT*,  
R.S.C. 1985, C. c-36, as amended

APPLICANTS LUTHERAN CHURCH – CANADA, THE ALBERTA-BRITISH COLUMBIA DISTRICT, ENCHARIS COMMUNITY HOUSING AND SERVICES, ENCHARIS MANAGEMENT AND SUPPORT SERVICES, AND LUTHERAN CHURCH-CANADA, THE ALBERTA-BRITISH COLUMBIA DISTRICT INVESTMENTS LTD.

DOCUMENT **AFFIDAVIT OF GEORG BEINERT**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT  
Georg Beinert  
Box 1614 Fairview, Alberta  
T0H 1L0

**AFFIDAVIT OF GEORG BEINERT**

Sworn on March 20, 2018

I, Georg Beinert, of Fairview, Alberta

SWEAR AND SAY THAT:

1. I am a District Creditor in the CCAA proceedings of the Lutheran Church Canada – Alberta British Columbia District, and thereby I have become a significant shareholder of Sage Properties Corp (Sage), and as such have personal knowledge of the matters and facts hereinafter deposed to, save and except where stated to be based upon information and belief, in which case I believe them to be true.
2. I have not ever committed the fraud of impersonation of character and I have not ever impersonated a Sage representative. I would never fraudulently impersonate anyone. I have no desire nor interest in impersonating anyone for any purpose.
3. The extremely serious accusation of committing the fraud of impersonation of character has been made against me by Sage and its lawyers. The accusation is based on false evidence fabricated by Sage and its lawyers.
4. On May 23, 2017, Mr. Ted Brown, also known as Mr. Edward B. Brown, from the law firm of Burnett, Duckworth & Palmer LLP, wrote "... Mr. Beinert has been contacting Shareholders of Sage and fraudulently impersonating Sage representatives."
5. On May 24, 2017, Messers Jeff Keeble and Joseph Sithole, from Deloitte Restructuring Inc. (the Monitor), together with Mr. Jeffrey Oliver, Counsel to the Monitor, generated the Monitor's 28<sup>th</sup> Report and stated in its paragraph 46.4 "Mr. Beinert has contacted Shareholders and fraudulently impersonated Sage representatives." The Monitor provided no evidence to support its statement. The Monitor's 28<sup>th</sup> Report is publicly posted for global access on the Monitor's website.
6. On May 25, 2017, with the assistance of Sage and the law firm of Burnett, Duckworth & Palmer LLP, Ms. Laura Hristow, an employee of Sage, swore an Affidavit in which she states in paragraph 6 of her Affidavit "Attached and marked as Exhibit C [to the Hristow Affidavit] is a record of phone conversation with Karen Bell, a shareholder of Sage, reporting that someone from Beinert's phone number called her claiming to be a representative of Sage ... The Sandra referred to in the exhibit is Jory."
7. The "record of phone conversation with Karen Bell" in the Affidavit of Laura Hristow only provides the words of Laura Hristow and is not supported by any information directly from Karen Bell.
8. The "record of phone conversation with Karen Bell", as it appears in the Affidavit of Laura Hristow, was generated as an email by Laura Hristow and was sent "as promised" directly to Paul Mereau who is a lawyer from the law firm of Burnett, Duckworth and Palmer LLP. This email was also copied to Ted Brown (Mr. Edward B. Brown) who is Sage's corporate lawyer from the law firm of Burnett, Duckworth and Palmer LLP. This email was also/further copied to Sandra Jory and Scott McCorquodale who are Directors of Sage Properties Corp.
9. The Directors of Sage Properties Corp. at the time of this "record of phone conversation with Karen Bell" email, in the Affidavit of Laura Hristow, were as follows: Scott

McCorquodale – Managing Director, Sandra Jory – Chairman of the Board, Steven Nielsen – Director, Myron Yurko – Director, Murray Warnke – Director.

10. According to the time-stamp information, the “record of phone conversation with Karen Bell” was generated and sent “as promised” to Paul Moreau four hours after Ms. Hristow states that she received that phone call.
11. The “record of phone conversation with Karen Bell” was generated on May 11, 2017, at 2:30 pm and preceded all public communications that I am aware of that Sage made pertaining to me.
12. The “record of phone conversation with Karen Bell” email from Laura Hristow was generated 12 days prior to Mr. Brown's May 23, 2017 fax to Mr. Garber where Mr. Brown made the accusation that I had impersonated Sage representatives.
13. At no time has Sage ever contacted me to determine the truth or falsity of the accusation made against me.
14. The Affidavit of Laura Hristow was sworn on May 25, 2017, filed on May 25, 2017, and used on May 25, 2017 to support the Monitor's application to the court on May 25, 2017 for a court order to be implemented on the next morning of May 26, 2017. The Monitor's application was used to garner a court order predominantly against me, among others. The Counsel for the Monitor was fully aware that I had no opportunity to be present or have representation at this hearing, and was therefore also aware that I had no opportunity to be made aware of material that was used against me, in particular, the Affidavit of Laura Hristow, which was sworn and filed, at most, only hours before the court hearing.
15. Sage, through Sandra Jory, was fully aware that I had prior commitments in Edmonton on May 25, 2017.
16. The Monitor obtained a court order and posted this court order to its website for public global access.
17. Sage has posted on its website the Monitor's communication, pertaining to the court order, for public global access.
18. The Monitor mailed its communication pertaining to the court order to all shareholders of Sage. There are approximately 1000 shareholders of Sage. Approximately 90 of those shareholders are Lutheran congregations.
19. The Monitor has also posted its communication to Sage shareholders on its website for shareholders and for public global access.

20. It was not until late in the day of May 25, 2017 that I glanced at a copy of the May 23, 2017 fax from Brown to Garber, and very late in the day of May 27, 2017 that I discovered the unsupported accusation that Mr. Ted Brown stated in his FAX to Garber.
21. I did not become aware of the content of the Monitor's 28<sup>th</sup> report until May 30, 2017.
22. It was not until June 2, 2017 that I discovered the Affidavit of Laura Hristow and its paragraph 6 which appeared to be the 'evidence' that Sage was providing to support their accusation of fraudulent impersonation.
23. I am not aware of any other 'evidence' provided by anyone that supports any allegation or accusation against me of fraudulent impersonation.
24. I am aware of one phone call, that I received on May 15, 2017 and that I had not initiated. To the best of my knowledge, I had not ever previously spoken to that caller before. The caller phoned me to ask questions to me as a shareholder. In mid-conversation this caller changed the topic of discussion and asked if I was a representative of Sage. I was surprised by the question and I clearly and immediately replied and stated that I was not a representative of Sage. The call, to the best of my knowledge, came from (403) 614-1351.
25. Upon discovering that Sage and its lawyers were using the purported "record of phone conversation with Karen Bell" to support its claim, and in an effort to bring forward the truth in this matter, I searched my phone records and contacted Karen Bell to confirm the facts and to determine further facts.
26. Karen Bell has confirmed, via email, and via Affidavit, that I did not impersonate a SAGE representative in my communication with her. I have never fraudulently impersonated anyone.
27. The allegation that I, Georg Beinert, fraudulently impersonated Sage representatives is entirely false.

## **MY COMMUNICATIONS WITH KAREN BELL**

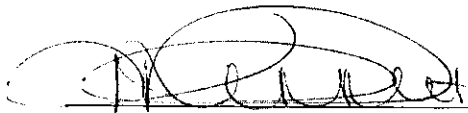
28. On May 10, 2017 at shortly before 10 p.m. Alberta time (9 p.m. BC time) I had contacted fellow shareholder Karen Bell as part of my dissident proxy solicitation efforts in relation to my shareholder interests in Sage Properties Corp. This phone call is clearly recorded on my detailed telephone billing report. As with all of my telephone conversations that I initiate, I introduced myself using my common name and surname (i.e. Georg Beinert). In all of my phone calls that I made as part of my dissident proxy solicitation efforts, I also immediately introduced myself as being a fellow shareholder in Sage properties. I made this extra introduction so that my hearers would know the capacity and interest within which I was calling.

29. At no time in my conversation with Karen Bell did I suggest, state or imply that I was a representative of Sage.
30. It was not until many days after the Sage shareholder meeting that I first discovered and read the Affidavit of Laura Hristow and was able to make the association of her Exhibit C with the false accusation that I was impersonating a Sage representative. Up to this point I had no understanding of the basis Sage was using to make this vile claim against me.
31. I keep written record of my telephone calls and was able to find Karen Bell's phone number on that record.
32. On June 14, 2017 at about 9 p.m. I phoned Karen Bell and introduced myself using my first and last name. Karen Bell immediately recognized my name and we had a friendly conversation.
33. In my conversation with Karen Bell I learned that she was completely unaware that Sage had used her telephone enquiry to Sage in an affidavit against me. She confirmed to me that I had not claimed to be a Sage representative.
34. Karen Bell told me that she was almost in tears and she told me that she was upset with Sage and wanted nothing to do with them. She told me that she wanted the communication from Sage to stop.
35. Karen Bell is an elderly lady. In our June 14, 2017 phone conversation, Karen described to me what her health challenges are.
36. Karen Bell told me that on the evening of May 10, 2017 when I had first phoned her and she knew and confirmed that I had phoned her at about 9 p.m. BC time. She told me that she followed up with a phone call to Sage the next morning and I understand that she did so only to seek clarification. Karen told me that she did not know from where she got the name 'Richard' which she mentioned in her phone call to Sage. She mentioned in a follow up phone call that she may have read the name 'Richard' on one of the documents that she had received from Deloitte.
37. I asked Karen Bell in our June 14, 2017 conversation if it was her understanding and/or intent to communicate to Sage that I was making myself out to be a Sage representative. Karen Bell told me: "No. It was nothing like that at all. Absolutely nothing like that."
38. Karen Bell confirmed that in our May 10, 2017 phone conversation I had introduced myself as a shareholder of Sage.
39. On June 16, 2017, in a follow-up conversation to this call, Karen Bell told me that she was going to talk to her lawyer in reference to Sage and that she did not want Sage mixing up her words. Karen Bell confirmed that I did not make any representation that I was a Sage representative.

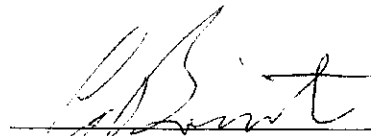
40. Attached as **Exhibit A** to this my Affidavit is an unfiled copy of the Affidavit sworn on July 31, 2017 of Karen Bell, in which she states clearly that I did not claim to be a Sage representative.
41. To the best of my knowledge, Sage and its lawyers did not seek any clarification from Karen Bell about her phone call to Sage and they did not have any permission to use this information in the Affidavit of Laura Hristow.
42. The accusation made by Sage and its lawyers that I impersonated a Sage representative is completely false and is entirely defamatory. This defamation of my character has caused me and my family great harm and it continues to cause harm and hardship.
43. My good standing in the Lutheran community is well-known. I am advised by Sandra Jory that the pastor of her congregation in Leduc told her that he had nothing but good things to say about me.

SWORN BEFORE ME at )

Edmonton, Alberta, this 20 day of )  
 March, 2018. )

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

**Kelsey Megan Bennett**  
 A Commissioner for Oaths in and  
 for the Province of Alberta  
 My Commission Expires October 21, 2020

  
 \_\_\_\_\_ )  
 Georg Beinert )

COURT FILE NUMBER 1501-00955  
 COURT COURT OF QUEEN'S BENCH OF ALBERTA  
 IN BANKRUPTCY AND INSOLVENCY  
 JUDICIAL CENTRE CALGARY  
 APPLICANT **LUTHERAN CHURCH – CANADA, THE ALBERTA-BRITISH COLUMBIA DISTRICT, ENCHARIS COMMUNITY HOUSING AND SERVICES, ENCHARIS MANAGEMENT AND SUPPORT SERVICES, AND LUTHERAN CHURCH – CANADA, THE ALBERTA-BRITISH COLUMBIA DISTRICT INVESTMENTS LTD.**

DOCUMENT AFFIDAVIT

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT

This is Exhibit "A" referred to in the Affidavit of Georg Beinert  
 Sworn before me this 21 day of March A.D., 2018  
 \_\_\_\_\_  
 A Notary Public, A Commissioner for Oaths in and for the Province of Alberta

AFFIDAVIT OF KAREN BELL  
 Sworn July 31, 2017

I, Karen Bell, of Qualicum Beach, British Columbia, MAKE OATH AND SAY THAT:

1. I am a shareholder of Sage Properties Corp. ("Sage") and as such have personal knowledge of the matters and facts hereinafter deposed to, save and except where stated to be based upon information and belief, in which case I verily believe them to be true.
2. I contacted Sage Properties Corp on May 11, 217 to comment on a call I received late in the evening on May 10, 2017, from Georg Beinert. I believed the call had come from someone at Sage. I was in error about where the call had come from.
3. Georg Beinert did not claim to be a Sage representative.

SWORN (OR AFFIRMED) BEFORE ME )  
 at Qualicum Beach, British Columbia, on )  
 July 31, 2017 )  
 \_\_\_\_\_ )  
 A commissioner for taking )  
 affidavits for British Columbia )  
 Jennifer G. Hubbard )

Karen Bell  
 \_\_\_\_\_  
 KAREN BELL

JENNIFER G. HUBBARD  
 Barrister & Solicitor  
 #2 - 707 PRIMROSE ST.  
 QUALICUM BEACH, B.C.  
 V9K 2K1 (250) 752-6951