

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

KEVIN D'AMORE

Applicant

- and -

**BANWELL DEVELOPMENT CORPORATION, 928579 ONTARIO LIMITED,
SCOTT D'AMORE and ROYAL TIMBERS INC.**

Respondents

APPLICATION UNDER SECTION 207 OF THE *BUSINESS CORPORATIONS
ACT*, R.S.O. 1990, C. B. 16, AS AMENDED

**MOTION RECORD
(RETURNABLE ON A DATE TO BE DETERMINED
BY REGIONAL SENIOR JUSTICE THOMAS)**

(VOLUME 3 OF 4)

February 26, 2021

MILLER THOMSON LLP

One London Place
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Lawyers for BDO Canada Limited, Court-
Appointed Receiver of Banwell Development
Corporation and Royal Timbers Inc.



Invoice # 10282019
 Banwell Developments Corp
 HST Reg # 101518124RT0001

Ontario Superior Court of Justice
 245 Windsor Ave
 Windsor, ON N9A 1J2

October 29, 2019

Re: Banwell Development Corporation and Royal Timbers Inc.

For professional services rendered for the period July 22, 2019 through October 28, 2019 as per the attached detail:

Our Fee	\$33,000.00
Disbursements	<u>0.00</u>
Sub Total	33,000.00
HST	4,290.00
Total	<u>\$37,290.00</u>

REMITTANCE ADVICE

Cheque Payments to:
 100-633 Colborne Street
 London, ON N6B 2V3

Invoice #	10282019
Amount	\$37,290.00

Banwell Development Corporation and Royal Timbers Inc.

October 29, 2019

For professional services rendered

Staff	Date	Time	Narrative
Flett, D	2019-07-22	0.2	Review emails from M. Stamp, A. Roth re consent certificates issued by City; reply to email Miller Thomson re payment of July property tax installment for Banwell Gardens parcels.
Flett, D	2019-07-23	0.5	Review A. Roth emails re consent certificates from City; email with Miller Thomson re Banwell Gardens closing documents; review by-law notices from City re Banwell commercial land and review landscaper status; review enquiry from W. Sasso with SC.
Cherniak, S	2019-07-23	0.1	Update on City of Windsor violations.
Flett, D	2019-07-24	2.5	Review liability insurance renewal and email with St Clair; email from M. Stamp re City of Windsor consent certificates; email to Miller Thomson re update on part 24 status, revised mutual services agreement with 838605 Ontario counsel; further email with Miller Thomson re part 24, Alexander Daycare including P. Layfield comments on MSA; review Banwell Gardens sale documents including escrow agreement; review invoice and email from Landscape Creations re commercial land and approve; voice mail for City Windsor by-law officer; update receiver intercompany balances re landscaping.
Cherniak, S	2019-07-24	0.5	Update from M. Stamp on meeting with City of Windsor. Call with G. Barlow. Review of emails to/from Miller Thomson re update on MSA status.
Finnegan, M	2019-07-24	0.5	File administration
Hooper, L	2019-07-25	0.1	Banking
Cherniak, S	2019-07-25	0.5	Emails re Banwell Gardens closing.
Flett, D	2019-07-25	2.2	Review Banwell Gardens sale document status and pending revisions; review commercial weed cutting status, photos; lengthy call with City Windsor by-law re commercial lands, receiver history, 2019 maintenance to date and new 'repeat offender' fees levied; review final tax bill for Banwell Gardens lands and emails with Miller Thomson and City Windsor re adjustment of small arrears balance prior to closing; email with Miller Thomson re Banwell Gardens closing documents.
Finnegan, M	2019-07-25	0.5	Emails/questions re City of Windsor and grass cutting issues. Pay bill.
Flett, D	2019-07-26	2.1	Review revised Banwell Gardens closing documents; emails with Miller Thomson re documents, property tax arrears balance; review Part 24, Alexander Daycare party to mutual services agreement status with SC and email Miller Thomson re execution of MSA by 838605 Ontario and Dr. Masse; email with S. Martinson of SCI re liability insurance renewal; email to B. Ropat re Robinet; call with City of Windsor by-law manager re orders and fees on Banwell Road commercial land; review commercial land weed monitoring and cutting arrangements.
Cherniak, S	2019-07-26	0.3	Execute Banwell Garden sale docs. Review of emails re same.
Finnegan, M	2019-07-26	0.5	Fiscal year R&D's for accountant

Banwell Development Corporation and Royal Timbers Inc.

Staff	Date	Time	Narrative
Flett, D	2019-07-29	2.7	Email with City Windsor, Miller Thomson re small tax arrears on Banwell Gardens parcels; revisions to May 31, 2019 R&D's and notes for statement year end and compile bank statement, reconciliations and other schedules for year end; email to Grant Thornton with attachments and comments for May 31, 2019 year end.
Finnegan, M	2019-07-29	0.1	Banking - LOC fees
Flett, D	2019-07-31	2.3	Review property taxes under former reference plan for lands sold to Banwell Gardens; review of revised holdback agreement, mutual services agreement and other documents for Banwell Gardens closing; various emails with Miller Thomson re City of Windsor consents, queries on revised agreements, documents and signing instructions; Execute A&D re transfer of easement.
Flett, D	2019-08-01	1.3	Sign Banwell Gardens sale documents; review of revised Banwell Gardens documents and various emails with Miller Thomson re land registry, mutual services agreement, closing date and other issues.
Flett, D	2019-08-02	1.2	Several emails with Miller Thomson and G Barlow re Banwell Gardens closing, mortgagee requirements and extension of closing date; voice mail for and subsequent phone call with B. Ropat re Banwell gardens, commercial servicing, and storm water pond report.
Cherniak, S	2019-08-06	1.5	Numerous emails while on vacation re problems with closing Banwell Gardens deal. Update on MSA. Review of emails Miller Thomson M. Stamp.
Flett, D	2019-08-06	0.2	Review Banwell Gardens closing issues, extension, servicing considerations with SC.
Hooper, L	2019-08-06	0.1	Banking
Finnegan, M	2019-08-07	0.5	Bill payments
Flett, D	2019-08-07	0.1	Email with Miller Thomson re Banwell gardens sale status.
Cherniak, S	2019-08-07	0.2	Update on closing from Miller Thomson
Cherniak, S	2019-08-08	0.2	Discuss outstanding items with Miller Thomson.
Finnegan, M	2019-08-08	0.5	File HST returns
Cherniak, S	2019-08-09	0.2	Update on City of Windsor bylaw enforcement issue.
Flett, D	2019-08-09	0.4	Review Banwell Road commercial land weed cutting by-law issues with SC; call with B. Ropat re phase 4 Robinet, storm water pond report; voice mail for City Windsor by-law re storm water pond work order.
Flett, D	2019-08-12	0.5	Review email from Miller Thomson, review Banwell Gardens closing statements; email to Miller Thomson re revisions to statement of adjustment, calculation of vendor has paid portion of property taxes
Cherniak, S	2019-08-12	0.1	Update on Banwell Gardens closing.
Flett, D	2019-08-13	3.5	Email with Miller Thomson and review revised Banwell Gardens statement of adjustments re taxes; review Schedule A to undertaking and holdback, April 18 amendment and email with Miller Thomson re documents, mutual services agreement status; email to Miller Thomson re statement of trust net proceeds to Receiver and review revised statement; update detailed intercompany schedules for year end; email reply, with various requested attachments, to detailed queries for year end from Grant Thornton.

Banwell Development Corporation and Royal Timbers Inc.

Staff	Date	Time	Narrative
Cherniak, S	2019-08-13	0.8	Review of email re F/S update. Call from G. Barlow. Discuss status of MSA. Review SOA. Review of emails to/from Miller Thomson re status of deal and documents.
Flett, D	2019-08-14	2.4	Review SC emails with S. D' Amore re status, future payouts; emails with Miller Thomson re corporate search and review files, prior year financial statements re 1433311 Ontario mortgage receivable on Banwell books; update Simba mortgage summary schedule for interest to Aug 19, 2019 and prepare draft letter to service list for payout of 3 Simba mortgages; email with Miller Thomson re mutual services agreement, Banwell Gardens closing; review mutual services executed by all parties and forward to G. Barlow.
Cherniak, S	2019-08-14	0.2	Review and respond to email from S. D' Amore.
Flett, D	2019-08-15	2.2	Review 1433311 Ontario mortgage receivable on trial balance with SC and email to Grant Thornton re adjustment; review revised commercial land and Banwell Gardens documents from Miller Thomson resulting from creation of new PIN; revisions to updated Simba mortgage balances and draft letter to service list re pending mortgage payout; emails with Miller Thomson re Banwell Gardens closing.
Cherniak, S	2019-08-15	0.4	Update on deal from Miller Thomson. Review of emails to/from G. Barlow. Update on closing.
Flett, D	2019-08-16	0.7	Revise and finalize schedules, package for service list re payout of 3 Simba mortgages; email with Miller Thomson re Banwell Gardens reporting package and download.
Cherniak, S	2019-08-16	0.1	Email from Stamp re subsequent offer terms for timing.
Finnegan, M	2019-08-19	0.5	Deposit sale funds.
Finnegan, M	2019-08-20	0.3	Prepare email to service list re Simba payout.
Cherniak, S	2019-08-20	0.9	Call with G. Barlow re new offers and how to structure commission in multiple offer scenario. Review of schedule from G. Barlow. Review of email to Spencer re servicing. Review and execute payout letter re Simba.
Cherniak, S	2019-08-21	0.1	Email to G. Barlow re schedule.
Cherniak, S	2019-08-22	0.3	Review and edit email from G. Barlow.
Hooper, L	2019-08-22	0.1	Banking
Flett, D	2019-08-25	0.9	Emails with Miller Thomson re Banwell Gardens servicing holdback trust funds; email with RC Spencer, B. Ropat re proceed with commercial land servicing specifications and tender; update Simba mortgage schedules and letter to service list, review G. Barlow emails, draft letter to commercial land interested parties and SC comments.
Finnegan, M	2019-08-26	0.3	Bill payment
Flett, D	2019-08-26	2.2	Review Simba payout status with SC; reply to Grant Thornton re queries on AGM balance outstanding, funds in court and Dunn Paving; reply to Grant Thornton re queries on builder deposits, driveway deposit and Banwell land status; review documents and schedules for G. Barlow email to Banwell commercial land interested parties; email to G. Barlow re final version of 12R deposited with land registry.
Cherniak, S	2019-08-26	0.3	Review of email to G. Barlow. Review of email to city from RC Spencer.

Banwell Development Corporation and Royal Timbers Inc.

Staff	Date	Time	Narrative
Flett, D	2019-08-27	0.4	Review RC Spencer letter re Dillon Consulting report on pond and outflow rate calculations and forward to Miller Thomson; review letter from St. Clair re change to insurance endorsement.
Finnegan, M	2019-08-30	0.2	Bill payment
Cherniak, S	2019-08-30	0.3	Update on property taxes and lawn cutting re sale to Banwell Gardens. Review of email to G. Barlow and response.
Flett, D	2019-08-30	0.6	Review commercial land weed maintenance, Banwell Gardens land property taxes; email with G. Barlow re Lot 1-4 property taxes; revise property tax payment schedule for sale of lots 1-4; memo to MF re ongoing weed maintenance.
Flett, D	2019-09-04	0.6	Pull commission invoice and review HST on Banwell Gardens sale with MF; review Simba payout timing, cheque issuance with MF; update Simba mortgage payout schedules to Sept. 6/19 and prepare letter to WFCU; email to SC re Simba payout.
Finnegan, M	2019-09-05	0.4	File Royal Timbers HST return.
Cherniak, S	2019-09-05	0.4	Review of letter to S. D'Amore. Email to S. D'Amore. Respond. Sign letter and send cheque.
Flett, D	2019-09-05	0.5	Review Simba payouts with SC; update Simba mortgage schedules and summary; preliminary review of email from Grant Thornton.
Flett, D	2019-09-06	3.2	Update inter-company accounting re taxes, professional fees, other adjustments; prepare estimated realization at Sept 6/19 post sale of lots 1-4, Simba payouts; review part 24 status with SC and email to Miller Thomson re new closing date; review draft 2019 financial statements, adjusting entries and email to Grant Thornton with query.
Cherniak, S	2019-09-06	0.3	Review of email re Masse property. Review of updated schedule.
Cherniak, S	2019-09-09	0.5	Emails from RC Spencer. Respond. Call from G. Barlow re offers.
Flett, D	2019-09-10	1.2	Email from RC Spencer re servicing costs; review commercial offers received, future committee of adjustment requirements with SC; review VEL offer received directly and forward copy to G. Barlow; email with Miller Thomson re part 24 closing; brief review of 2186234 Ontario offer for commercial land.
Cherniak, S	2019-09-10	0.4	Update on part 24. Brief review of offer and call with G. Barlow.
Flett, D	2019-09-11	1.7	Review 2186234 Ontario offer and review buyer conditions and terms with SC; update commercial land offer summary for 218634 and Wincon offers; call with G. Barlow regarding 2186234 Ontario offer; revisions to Schedule A to offer and forward to G. Barlow with comments; further email with G. Barlow and review revised documents.
Cherniak, S	2019-09-11	1.6	Review of offer in detail. Review of offer on single parcel. Update D. Flett on discussion with G. Barlow. Call with G. Barlow. Review and edit changes to counter. Execute counter. Call with Sasso re update.
Cherniak, S	2019-09-12	0.1	Review email from G. Barlow.
Flett, D	2019-09-12	0.5	Update commercial land offer summary re VEL; emails with Miller Thomson re Part 24 closing; review 5th property tax installment;
Flett, D	2019-09-13	0.1	Email from G. Barlow re commercial lot 5-10 deposit.
Cherniak, S	2019-09-13	0.3	Call with J. Lev. Call with G. Barlow re same. Review of cheque from Barlow. Review of schedule of offers on Banwell.
Flett, D	2019-09-16	0.4	Email with Grant Thornton re Royal Timbers 2019 financials; review BMO emails re L/C's, review L/C and advise SC of current status.
Finnegan, M	2019-09-16	0.5	Bill payments.

Banwell Development Corporation and Royal Timbers Inc.

Staff	Date	Time	Narrative
Cherniak, S	2019-09-16	0.2	Email from BMO re L/C. Respond.
Finnegan, M	2019-09-17	0.5	HST refund cheques, review and deposit.
Flett, D	2019-09-18	0.8	Review emails from Miller Thomson, City of Windsor and parcel registers re City of Windsor request for discharge of BMO registration from reserve block transfer in 2006; review May 29 2017 orders re reserve blocks; emails with Miller Thomson re approach to satisfy City of Windsor request.
Cherniak, S	2019-09-18	0.3	Review of emails re release of interest in blocks.
Cherniak, S	2019-09-20	0.2	Review and execute notice of fulfillment
Flett, D	2019-09-23	0.1	Email from G. Barlow re commercial lot 5-10 buyer fulfillment of conditions.
Cherniak, S	2019-09-23	0.1	Email from G. Barlow.
Finnegan, M	2019-09-26	0.3	Pay bill
Flett, D	2019-09-27	0.4	Review Banwell road weed cutting status. Email from contractor and future bill payments with MF; email to St. Clair Insurance advising of sale of 3.8 acres and servicing of commercial land.
Cherniak, S	2019-09-27	0.1	Update on landscaping.
Hooper, L	2019-09-27	0.1	Banking
Cherniak, S	2019-09-30	0.2	Call and email from G. Barlow re severances.
Cherniak, S	2019-10-01	0.1	Review of email from M. Stamp.
Flett, D	2019-10-01	0.3	Emails with Miller Thomson re part 24 closing, property tax adjustment and post closing taxes; email from M. Stamp.
Hooper, L	2019-10-02	0.1	Banking
Finnegan, M	2019-10-02	0.2	Bill payment
Flett, D	2019-10-02	0.3	Review draft closing documents for part 24; email with Miller Thomson re closing matters, revision to statement of trust.
Cherniak, S	2019-10-02	0.2	Review and execute Masse sale documents.
Flett, D	2019-10-03	0.5	Email from St Clair Insurance re update on commercial land and policy revisions; review email from Miller Thomson re part 24 closing and closing documents; email from Miller Thomson re reserve blocks not previously transferred to City Windsor.
Cherniak, S	2019-10-03	0.4	Review of email from Miller Thomson re problems with PINS. Respond. Review of email from Miller Thomson re dealing with reserve blocks.
Flett, D	2019-10-04	0.3	Review M. Stamp emails re Committee of Adjustment applications and fees; review emails from Miller Thomson re part 24 closing.
Finnegan, M	2019-10-04	0.3	Pay bill.
Cherniak, S	2019-10-04	0.6	Review of emails from M. Stamp on consents. Emails from Miller Thomson re extending closing on Masse sale. Emails re bill.
Flett, D	2019-10-07	1.1	Review correspondence from City Windsor and Dillon re stormwater pond, review with SC and forward to RC Spencer Associates with comments and query re estimated cost; prepare authorization letter for Committee of Adjustment application for Banwell commercial land and forward to M. Stamp; review M. Stamp and RC Spencer emails re commercial land water servicing, Schedule F to sale agreement.
Cherniak, S	2019-10-07	0.8	Emails from M. Stamp re letter to City of Windsor. Review and execute letter. Review letter from City of Windsor and review Dillon report. Email to Miller Thomson.

Banwell Development Corporation and Royal Timbers Inc.

Staff	Date	Time	Narrative
Flett, D	2019-10-08	1.6	Email with M. Stamp re committee of adjustment applications for Lots 5-10; review lot 5-10 agreement; review deposit arrangements, servicing and court approval timing with SC; emails with RC Spencer, B. Ropat re commercial land servicing and timing re agreement of purchase and sale; review detailed memo from Miller Thomson re land registry issues with old/new reference plans, easements and regulatory services branch intervention and review with SC; call with RC Spencer re commercial land sewer servicing, road construction, water connection and notes to file.
Cherniak, S	2019-10-08	0.6	Email re options on problems with part 24. Respond. Call with G. Barlow re same. Email from M. Stamp re Committee of Adjustments.
Flett, D	2019-10-09	0.9	Review call with RC Spencer, planning mechanism for commercial land servicing, water connection arrangements and timing with SC; review emails from M. Stamp, A. Roth re land registry issues regarding commercial land easements, new reference plan; email to M. Stamp re RC Spencer to contact regarding servicing planning; email from R. Simone re release of original easement by all parties; further emails from R. Simone, M. Stamp and A. Roth.
Cherniak, S	2019-10-09	0.7	Emails re problems with LRO. Call with M. Stamp re same. Discussion with D. Flett.
Flett, D	2019-10-10	0.3	Email from Miller Thomson re land registry issues; email with Miller Thomson re part 24 closing; review storm water pond status and next steps re assumption by City of Windsor.
Finnegan, M	2019-10-10	0.3	File HST return
Cherniak, S	2019-10-10	0.4	Emails to/from Miller Thomson re closing and dealing with LRO. Discussion with Miller Thomson re pond issue and how to approach.
Flett, D	2019-10-11	0.3	Review emails from RC Spencer and preliminary view of letter regarding storm water pond improvement costs; review M. Stamp, RC Spencer emails re commercial land servicing, Windsor utilities commission.
Flett, D	2019-10-15	1.8	Review May 29, 2017 reserve block order and reply to email from Miller Thomson re Phase 4 Robinet reserve blocks; review City of Windsor tax bills for Banwell commercial lands and additional charges; email with Grant Thornton, review draft financial statements and trial balances and reply re M. Troup request for information and proposed statement adjustments; email to Miller Thomson re RC Spencer estimate of storm water pond costs; emails with RC Spencer re commercial land servicing, road construction timing, deferral of water servicing.
Cherniak, S	2019-10-15	1.1	Review of emails from RC Spencer. Review of cost estimate re pond remediation. Discussion and review of BDO reply. Review of emails from Grant Thornton re Troup request. Email from Miller Thomson on other reserve blocks.
Finnegan, M	2019-10-16	0.5	Receipt of HST refunds for Banwell and Royal Timbers, review and deposit.
Cherniak, S	2019-10-16	0.1	Review of email from Grant Thornton re Troup requests.
Flett, D	2019-10-17	1.3	Review email from Grant Thornton re M. Troup queries and proposed adjustments; prepare email to Grant Thornton replying to Troup queries and review with SC; email to St Clair Insurance to provide additional information and clarification re commercial land servicing; brief review of RC Spencer prepare site servicing plan.

Banwell Development Corporation and Royal Timbers Inc.

Staff	Date	Time	Narrative
Cherniak, S	2019-10-17	0.5	Review of email re insurance change. Review email to Grant Thornton. Review of email from RC Spencer.
Cherniak, S	2019-10-18	0.2	Update from Miller Thomson on comments from LRO.
Finnegan, M	2019-10-21	0.3	Pay bill
Cherniak, S	2019-10-21	0.1	Email from Simone.
Flett, D	2019-10-22	1.1	Review of emails from Miller Thomson, M. Stamp, R. Simone re land registry issues, easement release, options to resolve; review email from RC Spencer re commercial land servicing; email from S. Martinson and review Aviva update; review land registry issues, servicing with SC; email with M. Stamp; brief review of Committee of Adjustment hearing documents.
Cherniak, S	2019-10-22	0.6	Email from R. Simone re response from LRO. Emails to/from Miller Thomson re next steps. Email from M. Stamp re servicing. Set up call.
Flett, D	2019-10-23	1.8	Call with M. Stamp re commercial land servicing and site plan control requirement, land registration issues background and implications of full release of easement; review APS for commercial lots 5-10 re servicing; emails with RC Spencer, M. Stamp re; existing water servicing to Lots 8,9 and 10; update commercial land offer/sale summary and forward to SC with comments; review of emails from M. Stamp, A. Roth, J. Cook re land registry issues, easement release, utilities, Dr. Masse and Alexander Daycare parcels.
Cherniak, S	2019-10-23	1.4	Emails to/from stamp Miller Thomson re easements. Call with M. Stamp to discuss being point person on servicing. Discussion re how to deal with water servicing and offer. Emails to/from RC Spencer re servicing off Troup not Banwell. Review of M. Stamp comments on same.
Flett, D	2019-10-24	0.8	Review 3155 Banwell Road sale documents and email to Miller Thomson regarding 3155 Banwell ownership and easements; review email from Miller Thomson regarding original easement to be released in full and considerations; review RC Spencer emails and drawing re commercial servicing.
Cherniak, S	2019-10-24	0.3	Review of emails re easements.
Flett, D	2019-10-28	1.2	Download and review final 2019 financial statements, management letter, T183 from Grant Thornton; revisions to Grant Thornton prepared management NTR letters and F2020 engagement letters; review prior emails re phase 4 Robinet cost sharing and voice mail for B. Ropat.
Cherniak, S	2019-10-28	0.2	Update on financial statements.
		79.9	Total Time

Staff	Position	Location	Hourly Rate	Time
Cherniak, S	Sr. Vice President	London	\$525	20
Finnegan, M	Administrative	London	\$175	7.2
Flett, D	Vice President	London	\$400	52.2
Hooper, L	Administrative	London	\$175	0.5
				79.9



Invoice # 08052020
 Banwell Developments Corp
 HST Reg # 101518124RT0001

Ontario Superior Court of Justice
 245 Windsor Ave
 Windsor, ON N9A 1J2

August 5, 2020

Re: Banwell Development Corporation and Royal Timbers Inc.

For professional services rendered for the October 29, 2019 through July 31, 2020 as per the attached detail:

Our Fee	\$53,500.00
Disbursements	<u>0.00</u>
Sub Total	53,500.00
HST	6,955.00
Total	<u>\$60,455.00</u>

REMITTANCE ADVICE

Cheque Payments to:
 100-633 Colborne Street
 London, ON N6B 2V3

Invoice #	08052020
Amount	\$60,455.00

Banwell Development Corporation and Royal Timbers Inc.

August 5, 2020

For professional services rendered

Staff	Date	Time	Narrative
Hooper, L	10/29/2019	0.1	Banking
Finnegan, M	10/30/2019	0.5	File administration.
Flett, D	10/30/2019	0.5	Review Phase 4 Robinet cost sharing status and RC Spencer review with S. Cherniak; review May 2017 order re phase 4 reserve block conveyance; email with A. Olsen of City Windsor re agreement with City cost sharing and process to fund, convey reserve blocks; email from RC Spencer re Dillon report on storm water pond.
Cherniak, S	10/30/2019	0.2	Review of Dillon letter from RC Spencer.
Cherniak, S	10/31/2019	0.3	Review of email from M. Stamp. Respond. Further review of pond letter from RC Spencer.
Flett, D	10/31/2019	0.1	Email from M. Stamp re committee of adjustment, easements for services.
Flett, D	11/01/2019	1.2	Review M. Stamp, RC Spencer emails re servicing, easements; M. Stamp email re committee of adjustment outcome; email with S. Martinson re insurance policy amendment; review extract of Dillon Renaud report and memo from RC Spencer; review 2004 HGS storm water report and email to RC Spencer to clarify.
Cherniak, S	11/01/2019	0.4	Review of emails RC Spencer/M. Stamp re easements. Update on insurance.
Finnegan, M	11/04/2019	0.3	Bill payment.
Flett, D	11/04/2019	0.2	City of Windsor by-law notice re pond; review RC Spencer comments on Dillon report with S. Cherniak.
Cherniak, S	11/04/2019	0.2	Review of BDO response to Spencer email. Discuss with D. Flett.
Flett, D	11/05/2019	0.2	Email with A. Olsen of City Windsor re Robinet cost sharing arrangements and reserve transfer for Phase 4.
Cherniak, S	11/05/2019	0.1	Review of response from City of Windsor on sale of blocks.
Flett, D	11/07/2019	0.9	Call with RC Spencer re Dillon report, 2004 rainfall assumption models, RC Spencer complaint to City; review RC Spencer letter to City; review next steps for City to assume Phase 2,4 and storm water pond with S. Cherniak; email with summary re storm water pond to T. Van Klink.
Cherniak, S	11/07/2019	0.5	Review of RC Spencer letter to City of Windsor and update on D. Flett call with RC Spencer. Review of email to Miller Thomson re same.
Flett, D	11/08/2019	0.3	Review RC Spencer invoices; review emails from M. Stamp, J. Cook re easements, commercial servicing.
Cherniak, S	11/08/2019	0.5	Review of email from M. Stamp to spencer. Email to M. Stamp re update on easements. Review of emails to/from Miller Thomson re same.
Finnegan, M	11/12/2019	0.4	Property tax installment payment.
Flett, D	11/12/2019	0.2	Review November property tax payment; email from RC Spencer re Enwin.
Cherniak, S	11/12/2019	0.2	Email from RC Spencer re utility easement.

Banwell Development Corporation and Royal Timbers Inc.

Staff	Date	Time	Narrative
Hooper, L	11/12/2019	0.1	Banking
Cherniak, S	11/14/2019	0.2	Review of email M. Stamp to RC Spencer.
Flett, D	11/18/2019	1.3	Review M. Stamp, Landscape Creations invoices and update interco accounting schedules; call with B. Ropat re commercial land underground servicing, sewer connection locations and review with S. Cherniak; review RC Spencer prepared servicing diagram and emails with B. Ropat, G. Barlow re servicing locations, sale of lot 5-10; review schedule A to Lot 5-10 APS re servicing; emails from M. Stamp and Miller Thomson re easements.
Finnegan, M	11/18/2019	0.5	Deal with o/s invoice. File HST return. Pay bill.
Cherniak, S	11/18/2019	1.1	Review of M. Stamp invoice. Email to M. Stamp re update. Review of email from Miller Thomson re easements. Discuss servicing. Review of email to B. Ropat re servicing. Review of emails to G. Barlow re placing of service connections. Review of service map. Review response from G. Barlow.
Cherniak, S	11/19/2019	0.3	Review of email from M. Stamp re servicing. Respond. Review of email from M. Stamp to Miller Thomson. Review of D. Flett emails to B. Ropat re placement of services.
Flett, D	11/19/2019	0.8	Review M. Stamp, J. Cook, RC Spencer emails and reference plan re easements, easement for services; call with G. Barlow re lot 5 storm sewer connection; emails to B. Ropat, RC Spencer re copy of schedule A to Lot 5-10 APS, comments re lot 5 connection location; review Grant Thornton statement and email to S. Brisebois of Grant Thornton re 2019 invoices; email with M. Stamp re servicing tender.
Cherniak, S	11/20/2019	0.2	Review of RC Spencer email to Enwin.
Finnegan, M	11/21/2019	0.5	Bill payments.
Flett, D	11/21/2019	0.9	Review Grant Thornton invoices for 2019 statements / T2's and email with S. Brisebois; update interco receiver accounting; lengthy call with B. Ropat re storm water pond chronology and remediation to date, issues with City Windsor, commercial land servicing tender specifications and timing; review pond, Banwell road servicing with S. Cherniak.
Cherniak, S	11/21/2019	0.3	Emails from M. Stamp/Miller Thomson. Update on call with Ropat.
Cherniak, S	11/22/2019	0.2	Review of RC Spencer email to Enwin. Review response.
Flett, D	11/25/2019	0.3	Provide Simba mortgage summary at May 31, 2019 and comments to E. Bezaire of Doher; emails from Enwin, RC Spencer re easements.
Cherniak, S	11/25/2019	0.3	Review of email from Enwin and RC Spencer response. Review of email from Simba accountant.
Finnegan, M	11/26/2019	0.5	Bill payments.
Cherniak, S	11/26/2019	0.2	Review of emails to/from Enwin re easements.
Cherniak, S	11/27/2019	0.2	Review of stamp response to Enwin.
Flett, D	11/28/2019	0.5	Call with B. Ropat re meeting with City Windsor on storm water pond and update S. Cherniak; email with T. Van Klink re storm water pond.
Cherniak, S	11/28/2019	0.3	Update on pond issue. Review of email to T. Van Klink re same.
Flett, D	12/02/2019	0.2	Email with S Martinson of St. Clair Brokers and review endorsement for policy revision.

Banwell Development Corporation and Royal Timbers Inc.

Staff	Date	Time	Narrative
Cherniak, S	12/03/2019	0.1	Review of email from M. Stamp re Enwin easement. Emails with G. Barlow re purchaser wanting to market parcels.
Cherniak, S	12/04/2019	0.1	Review of email from Enwin re easements.
Flett, D	12/09/2019	0.3	Review City Windsor revised schedule for Phase 4 Robinet cost sharing; review J. Cook email and schedule re easements to be prepared and additional information required.
Cherniak, S	12/09/2019	0.1	Review of email from Miller Thomson re easements.
Flett, D	12/10/2019	0.4	Review RC Spencer invoices; email with J. Cook re easements, part 24 status; Enwin, M. Stamp emails re easements.
Cherniak, S	12/10/2019	0.5	Emails re easements. Review of chart prepared by Miller Thomson.
Flett, D	12/11/2019	0.9	Review emails from M. Stamp re hydro easements, reciprocal access issues; review mutual services agreement and cost sharing calculation; call with G. Barlow, S. Cherniak re daycare and dental office access, Banwell Gardens access and review geo warehouse photo; email to G. Stamp, A Roth re easements for reciprocal access, Banwell Gardens easement for parts 37, 38, authorization to engage new survey.
Cherniak, S	12/11/2019	1.4	Various emails from M. Stamp re easements and access. Email from Miller Thomson re same. Call with G. Barlow re same. Discuss response to latest M. Stamp email with D. Flett. Call with K. D'Amore.
Cherniak, S	12/12/2019	0.2	Review stamp response to BDO email re easements per G. Barlow photo.
Flett, D	12/12/2019	0.2	Review detailed email from M. Stamp re easements and reciprocal access and reply.
Flett, D	12/13/2019	0.1	Email from RC Spencer re Enwin water services; brief call with B. Ropat.
Cherniak, S	12/13/2019	0.2	Review of emails from M. Stamp and RC Spencer.
Flett, D	12/16/2019	1.3	Review M. Stamp, RC Spencer emails re easements, Enwin, PUC proposed water connections; review Banwell, Real Ranch bank balances and account consolidation; call with B. Ropat re underground servicing tender and considerations re water connections, existing services to 8, 9, 10, sewers to south boundary of Part 4 and review issues and next step with S. Cherniak; review updated services diagrams from B. Ropat for lots 5-7 and 8 - 10; review APS with 2186234 Ontario and Oct 15-19 RC Spencer memo; email to M. Stamp re servicing, tender and call with B. Ropat.
Cherniak, S	12/16/2019	0.6	Review of emails M. Stamp/RC Spencer re servicing and easements. Discuss with D. Flett re go forward plan re servicing.
Hooper, L	12/17/2019	0.1	Banking
Finnegan, M	12/17/2019	0.5	Bill payments.
Cherniak, S	12/17/2019	0.5	Emails from E. Orbach at BMO re update. Email and call from G. Barlow re extension of condition.
Flett, D	12/18/2019	0.4	Email with M. Stamp, B Ropat re call to discuss servicing tender; review M. Stamp email re Banwell Gardens servicing and reply to all with updated servicing diagram; G Barlow email re extension of seller condition for Lots 5-10 and review amendment.

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Staff	Date	Time	Narrative
Finnegan, M	12/18/2019	0.6	File HST returns for Royal Timbers and Banwell.
Cherniak, S	12/18/2019	0.3	Review of emails re services.
Cherniak, S	12/19/2019	0.4	Update on servicing call. Review and discuss email from M. Troup's accountant re Real Ranch.
Flett, D	12/19/2019	1.8	Review servicing diagrams for Parts 5-7 and 8-10; Subsequent lengthy call with M. Stamp, B. Ropat, RC Spencer to review underground servicing plan, including water and hydro, connection points and tender particulars; review phone call outcome and plan with S. Cherniak; email to M. Stamp, B. Ropat with schedules B&C to Banwell Gardens sale agreement; email to M. Stamp re Enwin easement.
Flett, D	12/20/2019	1.9	Email with M. Stamp re Enwin easement; email to M. Stamp, RC Spencer re schedule to Lots 5-10 agreement of purchase and sale; review receiver reports, Real Ranchs file, lot sale summary schedule re Troup/Parette Russo enquiry; review receiver motion records on web site; email memo to G. Wigfield of Parette Russo re Real Ranchs background and direction to specific motion records for Real Ranchs information.
Cherniak, S	12/20/2019	0.4	Review of emails from M. Stamp re services, easements. Review of emails to M. Troup's accountant re Real Ranch.
Flett, D	12/23/2019	0.6	Review email from G Barlow re servicing to Banwell Gardens lands and Parts 5 - 10; email to S. Brisebois re Banwell year financial copies; email with A. Olsen of City Windsor email and letters to phase 4 Robinet homeowners; review commercial servicing and hydro costs with S. Cherniak.
Cherniak, S	12/23/2019	0.1	Discussion re G. Barlow email.
Flett, D	01/03/2020	0.2	Receive Grant Thornton prepared Banwell statements and review distribution to shareholders.
Finnegan, M	01/03/2020	0.3	Mail out financial statements for Banwell and RT.
Flett, D	01/06/2020	0.2	M. Stamp email re committee of adjustment orders; review M. Stamp email to B. Ropat re commercial land servicing, tender and easements.
Cherniak, S	01/06/2020	0.2	Review email from M. Stamp.
Flett, D	01/07/2020	0.3	Emails from M. Stamp, RC Spencer and G. Barlow re commercial land servicing and tender; review servicing commitments north of palmetto and potential issues with S. Cherniak.
Cherniak, S	01/07/2020	0.3	Review of emails from M. Stamp re Banwell Gardens servicing. Discuss with D. Flett.
Flett, D	01/08/2020	0.4	Call with M. Stamp re commercial land servicing status and issues, Enwin lots 1-5, inclusion of Banwell Gardens hydro, water in project.
Cherniak, S	01/08/2020	0.2	Update on call with M. Stamp.
Cherniak, S	01/09/2020	0.3	Email from S. D'Amore re update. Respond.
Flett, D	01/09/2020	0.1	Review S. D'Amore, S. Cherniak emails re asset status, Simba payouts.
Cherniak, S	01/10/2020	0.2	Review of legal bill.
Cherniak, S	01/13/2020	0.2	Review of emails from M. Stamp.
Flett, D	01/13/2020	0.2	Review M. Stamp emails to JP Aleo, Banwell Gardens, review site servicing diagram and review with S. Cherniak.

Banwell Development Corporation and Royal Timbers Inc.

Staff	Date	Time	Narrative
Cherniak, S	01/14/2020	0.1	Review of email from Enwin.
Finnegan, M	01/15/2020	0.2	File HST return.
Flett, D	01/15/2020	0.3	Review M. Stamp, Miller Thomson emails and summary schedules re required easements, status and Enwin; notice from Banwell Gardens; review RC Spencer invoice.
Cherniak, S	01/15/2020	0.2	Review of emails from Miller Thomson and RC Spencer.
Flett, D	01/17/2020	0.3	Review M. Stamp emails with Enwin, RC Spencer, Miller Thomson re committee of adjustments; email to S. Brisbois of Grant Thornton re M. Troup copy of financial statements.
Cherniak, S	01/17/2020	0.2	Emails from M. Stamp re additional consents required.
Finnegan, M	01/21/2020	0.4	Bill payments
Cherniak, S	01/21/2020	0.3	Review of Miller Thomson and stamp emails.
Flett, D	01/21/2020	0.2	Review M. Stamp Miller Thomson emails re easement revisions, committee of adjustments.
Flett, D	01/22/2020	0.5	Review M. Stamp email re summary of easements and required revisions; G. Barlow email re 838605 Ontario contacts; email with M. Stamp re 838605 easements; draft letter to J. Watson, secretary of Committee of Adjustment.
Cherniak, S	01/22/2020	0.6	Review of emails from M. Stamp re easements re daycare. Respond. Review of draft letter to City of Windsor.
Hooper, L	01/22/2020	0.1	Banking
Flett, D	01/23/2020	0.3	Forward BDO authorization letter to M. Stamp; review M. Stamp emails re daycare, medical center properties; email from Miller Thomson re easements.
Cherniak, S	01/23/2020	0.4	Review of response to M. Stamp from Miller Thomson. Execute letter to City of Windsor. Review of further email from M. Stamp.
Flett, D	01/24/2020	0.6	Review M. Stamp email with comments re easements, Banwell gardens access, Parts 25, 25 and review with S. Cherniak; further M. Stamp emails re 63605 Ontario, Dr. Masse; review emails from Miller Thomson; review Committee of Adjustment cheque with M. Finnegan.
Finnegan, M	01/24/2020	0.4	Prepare payment re City of Windsor and send.
Cherniak, S	01/24/2020	0.6	Various emails to M. Stamp/Miller Thomson re easements and Banwell Gardens access.
Flett, D	01/27/2020	0.8	Emails from M. Stamp re easements, Dr. Masse property easements; email to J. Watson of Committee of Adjustment with authorization letter; review 2020 interim tax bills including parcels sold to Banwell Gardens; forward Banwell Gardens tax bills to G. Barlow with explanation re 2019 past due amounts; review 2020 tax bill for storm water pond and adjust for clean-up charges added by City of Windsor.
Cherniak, S	01/27/2020	0.5	Review of emails from M. Stamp. Discuss property tax issues.
Flett, D	01/28/2020	0.4	Email with G. Barlow re Banwell Gardens property taxes; review clean-up charges, property taxes for storm water pond with S. Cherniak; review M. Stamp emails with Miller Thomson, P Layfield re easements and committee of adjustment applications; summary memo from M. Stamp.
Cherniak, S	01/28/2020	0.3	Review of emails from M. Stamp to Miller Thomson and Miller Thomson responses.

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Staff	Date	Time	Narrative
Flett, D	01/29/2020	0.2	Review summary email from M. Stamp re easements, committee of adjustments and reply; review RC Spencer email re Enwin.
Cherniak, S	01/29/2020	0.1	Review of email to M. Stamp.
Cherniak, S	01/30/2020	0.1	Email from M. Stamp.
Hooper, L	01/31/2020	0.1	Banking
Cherniak, S	01/31/2020	0.1	Update email from M. Stamp.
Flett, D	02/04/2020	0.3	Review M. Stamp summary on status and timing of commercial servicing; memo to M. Stamp with queries re hydro servicing, water servicing to Lots 1-4.
Flett, D	02/05/2020	0.2	Update Receiver Interco accounting.
Finnegan, M	02/05/2020	0.5	File administration and bill payments.
Cherniak, S	02/05/2020	0.2	Review of D. Flett response to M. Stamp email. Discuss same.
Flett, D	02/10/2020	0.2	G. Barlow emails and review seller extension of conditions for Parts 5 - 10; review committee of adjustment hearing documents.
Cherniak, S	02/10/2020	0.4	Call from G. Barlow. Execute extension.
Finnegan, M	02/11/2020	0.3	File HST return.
Cherniak, S	02/11/2020	0.1	Amendment from G. Barlow.
Cherniak, S	02/12/2020	0.2	Review of Windsor Star article re road widening.
Cherniak, S	02/18/2020	0.1	Review of email from M. Stamp.
Flett, D	02/20/2020	0.3	Email with M. Stamp re commercial servicing; review of RC Spencer email re Enwin; review M. Stamp email to F. Giorgio, lawyer to Dr Masse.
Cherniak, S	02/20/2020	0.3	Review of email from M. Stamp re correspondence with F. Giorgio. Review of correspondence from RC Spencer.
Cherniak, S	02/21/2020	0.2	Review of correspondence from M. Stamp.
Finnegan, M	02/25/2020	0.2	Bill payment.
Cherniak, S	02/25/2020	0.2	Call from B. Sasso re update.
Cherniak, S	02/28/2020	0.3	Review of emails from M. Stamp, RC Spencer and F. Giorgio.
Cherniak, S	03/02/2020	0.1	Review of email from M. Stamp.
Cherniak, S	03/03/2020	0.2	Review of emails re servicing.
Flett, D	03/03/2020	0.4	Review recent emails from M. Stamp, RC Spencer, F. Giorgi re servicing and easements; review RC Spencer prepared site servicing plan; email to RC Spencer re documents
Flett, D	03/04/2020	0.2	Email with RC Spencer re locates, G-Tel; review M. Stamp emails re City of Windsor Committee of Adjustment.
Cherniak, S	03/04/2020	0.4	Review of emails from M. Stamp and RC Spencer.
Cherniak, S	03/05/2020	0.1	Review of M. Stamp email.
Flett, D	03/06/2020	0.2	Review M. Stamp, RC Spencer emails re locates, servicing; prepare City of Windsor Committee of Adjustments' fees for approval and processing from M. Stamp email.
Cherniak, S	03/06/2020	0.1	Review response to Stamp. Approve payment to City of Windsor.
Finnegan, M	03/09/2020	0.4	Banking for Royal Timbers, cheque preparation and send.
Flett, D	03/09/2020	0.2	Review M. Stamp, R. Simone emails re utility easements, G-Tel locates and Committee of Adjustments; review Committee of Adjustments application fee cheque with M. Finnegan.
Cherniak, S	03/09/2020	0.2	Sign cheque for City of Windsor. Review of M. Stamp email.

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Staff	Date	Time	Narrative
Cherniak, S	03/10/2020	0.4	Review of email from M. Stamp and Miller Thomson response. Review of Miller Thomson account.
Flett, D	03/10/2020	0.2	Emails with M. Stamp re committee of adjustment application fees; review M. Stamp, J Cook emails re part 24, easements
Hooper, L	03/10/2020	0.1	Bank recs
Cherniak, S	03/11/2020	0.2	Emails from M. Stamp and Simone re update.
Flett, D	03/11/2020	0.2	Email with M. stamp re easements, committee of adjustment; review R. Simone email and sketch re hydro locations, part 24.
Flett, D	03/12/2020	0.3	Emails with M. Stamp and review RC Spencer emails re easements, committee of adjustment applications, servicing tender; review RC Spencer invoices for March 2020.
Cherniak, S	03/12/2020	0.4	Emails from M. Stamp re update.
Finnegan, M	03/13/2020	0.3	Pay property tax installment.
Cherniak, S	03/13/2020	0.3	Emails from M. Stamp.
Flett, D	03/16/2020	0.4	Review emails from M. Stamp, RC Spencer re easements, servicing; review Verhaegen prepared reference plan for hydro; prepare letter to Committee of Adjustment and cheque requisition for Committee of Adjustment fees.
Cherniak, S	03/16/2020	0.4	Review of correspondence from M. Stamp. Review and sign letter to City of Windsor. Review of email to B. Ropat re pond. Review of email letter to City of Windsor.
Flett, D	03/17/2020	0.3	Email with City Windsor re Committee of Adjustment meetings; email with M. Stamp re Committee of Adjustment fees; email to T. Bagnara to forward Tribunal Ontario decision.
Finnegan, M	03/17/2020	0.6	File HST returns for Banwell and Royal Timbers. Cheque for City of Windsor re consent applications and send.
Cherniak, S	03/17/2020	0.3	Emails from City of Windsor re: Committee of Adjustments. Sign additional cheque. Correspondence to Avila.
Finnegan, M	03/18/2020	0.4	Bill payments.
Cherniak, S	03/18/2020	0.3	Review of email from M. Stamp re additional easements. Brief review of quote.
Cherniak, S	03/19/2020	0.4	Review of emails from M. Stamp and RC Spencer.
Flett, D	03/19/2020	1.3	Review draft tender documents prepared by RC Spencer for commercial land servicing; email to M. Stamp, RC Spencer with queries; review M. Stamp email with detailed comments on.
Flett, D	03/20/2020	0.3	Email with M. Stamp re servicing tender, committee of adjustment; review emails from M. Stamp and RC Spencer re servicing.
Cherniak, S	03/20/2020	0.5	Review of emails from M. Stamp and RC Spencer re tender and related issues.
Flett, D	03/24/2020	0.2	Review M. Stamp email re servicing; review Gtel invoice for locates, reply and forward for payment.
Finnegan, M	03/24/2020	0.2	Banking, bill payments.
Cherniak, S	03/24/2020	0.1	Email from B. Ropat.
Flett, D	03/27/2020	0.4	Review M. Stamp and RC Spencer emails re commercial land servicing tender; review bidder list with S. Cherniak; email to RC Spencer re bidder list, question re water main removal.
Cherniak, S	03/27/2020	0.4	Emails from RC Spencer re tender. Discussion with D. Flett re contractors.

Banwell Development Corporation and Royal Timbers Inc.

Staff	Date	Time	Narrative
Flett, D	03/30/2020	0.7	Review email from RC Spencer and revised tender documents; email from M. Stamp re servicing tender; email to RC Spencer with query re water mains; review Jan 2020 RC Spencer invoice, review with S. Cherniak and email with R Hill.
Finnegan, M	03/30/2020	0.5	Bill payment.
Cherniak, S	03/30/2020	0.2	Deal with Spencer invoice. Email from M. Stamp re tender package.
Cherniak, S	03/31/2020	0.3	Review of emails from M. Stamp to RC Spencer re tender.
Flett, D	04/01/2020	0.3	Review M. Stamp and RC Spencer emails re survey bars, servicing considerations; review Verhaegen prepared reference plan and invoice.
Cherniak, S	04/01/2020	0.3	Emails from M. Stamp. Pay bill.
Flett, D	04/07/2020	1.2	Call with B. Ropat of RC Spencer re commercial servicing tender - deadline, paving sub-contractors and pond function issue; review servicing tender considerations with S. Cherniak; email to B. Ropat, RC Spencer; further email with B. Ropat re servicing; review B. Ropat email re stormwater pond mechanical issues and brief memo to S. Cherniak; RC Spencer email re tender addendum and deadline; call with B. Ropat re stormwater pond mechanical issues.
Cherniak, S	04/07/2020	0.4	Discuss Coco included in tender. Review of email from City of Windsor re pond. Respond.
Cherniak, S	04/08/2020	0.8	Call from K. Damore (not returned). Email from Martini. Call with Martini. Emails to/from RC Spencer.
Flett, D	04/08/2020	0.1	Review email from RC Spencer and email with S. Cherniak re servicing tender issue.
Flett, D	04/09/2020	1.5	Calls with B. Ropat re servicing tender process and call with S. Cherniak; RC Spencer email re tender package to Sterling Ridge; review commercial servicing tenders received; several emails with S. Cherniak and M. Stamp re paving, compare to 2019 RC Spencer cost estimate and additional scope of work for water mains, sewer connections at each lot, etc; call with S. Cherniak re tenders received, estimated cost and work added for sale of parts 5-10.
Cherniak, S	04/09/2020	1.4	Emails from RC Spencer and B. Ropat re Sterling issue. Review of tender quotes. Discussions re same. Clarification on fees and services. Review of email to M. Stamp.
Flett, D	04/13/2020	1.2	Review M. Stamp email with comments on tender bids, potential allocation of costs to owners; review RC Spencer invoices to date re servicing design and tender and forward March 31 invoice to S. Cherniak for approval; memo to S. Cherniak re M. Stamp comments on servicing cost allocation; call with S. Cherniak re servicing, Banwell Gardens funds in trust; review Banwell gardens closing documents; M. Stamp email to RC Spencer.
Cherniak, S	04/13/2020	0.8	Review of M. Stamp email re servicing. Discuss with D. Flett. Review file. Review emails to M. Stamp and RC Spencer. Email from Martini. Review of RC Spencer invoice.

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Staff	Date	Time	Narrative
Flett, D	04/14/2020	0.6	Review RC Spencer email re hydro servicing costs in Parts 6-10 and emails with S. Cherniak re hydro, successful bidder; review tender documents re timetable, hydro work; review March 24, M. Stamp email re servicing timetable and completion date.
Cherniak, S	04/14/2020	0.8	Long call with G. Barlow. Review RC Spencer email re hydro cost.
Flett, D	04/15/2020	0.5	Call with B. Ropat re award of tender to Sterling Ridge, approach to modified timetable and email to S. Cherniak to summarize; review recent storm water pond functioning and City of Windsor status with S. Cherniak; email with M. Stamp re hydro servicing, tender award; Call with B. Ropat re tender award to Sterling Ridge.
Finnegan, M	04/15/2020	0.5	Bill payments.
Cherniak, S	04/15/2020	0.5	Emails re hydro cost and sterling. Respond. Review of email to M. Stamp. Discussion re B. Ropat visit to pond. Pay bill.
Flett, D	04/16/2020	1.3	Review tender award letter from RC Spencer; review cost estimate from Bell for re-location of pedestal and several emails with M. Stamp, RC Spencer re pedestal and soil testing for commercial servicing work; M. Stamp email to Bell; review Bell issue with S. Cherniak.
Cherniak, S	04/16/2020	0.7	Review of emails re Bell pedestal bill. Review of email re soil sample company to be hired.
Flett, D	04/21/2020	0.3	Review M. Stamp email, Wood agreement for soil testing, Verhaegen invoice and reply.
Cherniak, S	04/21/2020	0.3	Review of email re soil testing. Review and execute agreement.
Flett, D	04/22/2020	0.2	Email with M. Stamp re Bell pedestal re-location and forward signed contract with Wood Environmental.
Finnegan, M	04/22/2020	0.4	Bill payments.
Cherniak, S	04/22/2020	0.2	Update on Bell pedestal issue. Email from BMO re new account manager.
Flett, D	04/23/2020	0.1	Email from M. Stamp and review MGS Consulting invoice.
Cherniak, S	04/23/2020	0.1	Review of M. Stamp invoice.
Flett, D	04/28/2020	0.2	Email and call with B. Ropat re Sterling Ridge servicing commencement; call with S. Cherniak re servicing.
Cherniak, S	04/28/2020	0.3	Review of email from D'Amore re start date for servicing. Review funds on hands.
Flett, D	04/29/2020	0.4	Call with S. Cherniak to review Royal Timbers cash balance, servicing cost and 2nd deposit in part 5 - 10 sale; call and email with B. Ropat re Sterling Ridge tender documents; email with M. Stamp, RC Spencer re servicing timetable.
Finnegan, M	04/29/2020	0.4	Deposit funds.
Cherniak, S	04/29/2020	0.4	Discuss cash on hand re RT and servicing. Status of remaining funds to come. Emails re date servicing to start.
Hooper, L	04/29/2020	0.1	Banking
Cherniak, S	05/01/2020	0.2	Update on servicing.
Flett, D	05/04/2020	0.2	Email with RC Spencer and S. Cherniak re commencement letter to Sterling Ridge.
Cherniak, S	05/04/2020	0.2	Review of email to RC Spencer. Call from G. Barlow.
Finnegan, M	05/05/2020	0.3	Bill payment.
Cherniak, S	05/06/2020	0.4	Review and execute service documents. Pay bills.

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Staff	Date	Time	Narrative
Flett, D	05/07/2020	0.2	Email with RC Spencer re servicing documents, Sterling Ridge commencement.
Cherniak, S	05/07/2020	0.2	Review of email to RC Spencer re servicing. V/m from M. Troup.
Cherniak, S	05/08/2020	0.4	Email from M. Stamp re attendance at site during servicing. Respond. Email from T. Van Klink re timing of funds. Respond.
Flett, D	05/08/2020	0.3	M. Stamp and S. Cherniak emails re servicing and supervision; review T. Van Klink and S. Cherniak emails re distribution, W. Sasso enquiry and review most recent projected realization chart.
Flett, D	05/11/2020	1	Emails from M. Stamp re servicing supervision, Wood Environment and review signed contract; review 12th report and start preparation of 13th report of receiver.
Cherniak, S	05/11/2020	0.3	Review of email from M. Stamp to RC Spencer. Discuss report with D. Flett. V/m from M. Troup.
Cherniak, S	05/12/2020	0.5	Call with Sasso re update. Review of RC Spencer bill.
Cherniak, S	05/15/2020	0.1	Review of RC Spencer response to M. Stamp.
Cherniak, S	05/19/2020	0.1	Email from BMO.
Hooper, L	05/21/2020	0.2	March & April bank recs & ABR report.
Cherniak, S	05/21/2020	0.1	Email from M. Stamp.
Cherniak, S	05/22/2020	0.2	Email from Reynolds. Respond.
Cherniak, S	05/25/2020	0.2	Emails from RC Spencer and Reynolds.
Flett, D	05/26/2020	0.5	Voice mail and brief call with B Ropat; review emails, agenda from RC Spencer re pre construction meeting with Sterling Ridge; emails from M. Stamp; review City of Windsor notice re Banwell Gardens; email with S. Cherniak re unsolicited offer for Parts 5 – 10.
Finnegan, M	05/26/2020	0.3	Bill payment.
Cherniak, S	05/26/2020	0.4	Emails re meeting with Sterling. Discussion with D. Flett re same. Review of agenda re meeting.
Flett, D	05/28/2020	1.1	M. Stamp email re Banwell road servicing meeting; review 2020 interim tax bills and brief memo to S. Cherniak re Banwell Gardens assumption of maintenance; email with M. Stamp, L. Lansink and G. Bowman of Responsive re grass cutting north of Palmetto, by-law compliance; email with M. Finnegan re direction to Landscape Creations for spring/summer grass cutting; email with L. Lansink re status of balance of commercial land status.
Finnegan, M	05/28/2020	0.3	Email from Landscape Creations re seasonal grass cutting. Reply with services required.
Cherniak, S	05/28/2020	0.5	Update from M. Stamp on servicing. Call from G. Barlow. Emails re landscaping. Email to purchaser of other parcel re grass cutting.
Cherniak, S	05/29/2020	0.2	Emails re report.
Flett, D	05/29/2020	2.5	Prepare 13th report of receiver - Receiver activities; review correspondence with City of Windsor re storm water pond and email with S. Cherniak; M. Stamp email re Bell pedestal relocation.
Flett, D	06/01/2020	0.6	Continue with 13th report of receiver; review email and documents from RC Spencer re start of servicing.

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Staff	Date	Time	Narrative
Cherniak, S	06/01/2020	0.2	Emails re Sterling Ridge documents.
Flett, D	06/02/2020	1.2	Continue with 13th report; Email with M. Stamp re commercial servicing.
Finnegan, M	06/02/2020	0.3	Pay bill
Flett, D	06/03/2020	0.2	Review 13th report status, LRO issue history with S. Cherniak; review email from G. Barlow and photos re servicing.
Cherniak, S	06/03/2020	0.3	Review BDO response to Stamp email. Review of servicing pictures.
Flett, D	06/04/2020	2.2	Review Zurich bond for servicing; review various October 2019 emails and correspondence regarding Land Registry Office issues re easements, PIN's and solution; Continue with 13th report of Receiver - Receiver activities - commercial lands, sale of Parcels 5-10.
Cherniak, S	06/04/2020	0.1	Correspondence from Sterling.
Flett, D	06/05/2020	0.3	Review servicing pre-construction meeting minutes and email with RC Spencer; email from M. Stamp re servicing minutes, access and bell pedestal.
Cherniak, S	06/05/2020	0.3	Updates on servicing.
Flett, D	06/09/2020	0.7	Review prior correspondence with City, RC Spencer re pond; call and email with B Ropat re pond, ongoing grass cutting; continue with 13th report.
Finnegan, M	06/09/2020	0.2	Bill payments.
Cherniak, S	06/09/2020	0.2	Review of emails B. Ropat/City of Windsor/BDO re pond.
Finnegan, M	06/11/2020	0.5	File HST returns for Banwell.
Cherniak, S	06/11/2020	0.1	Review of RC Spencer bill.
Flett, D	06/11/2020	0.5	Review June 1 RC Spencer invoice and forward; update intercompany schedule for 2020 commercial servicing invoices from RC Spencer, MGS, Verhaegen; email to M. Finnegan to confirm account paid from.
Finnegan, M	06/15/2020	0.2	Confirm certain bill payments were made from Royal Timbers bank account.
Cherniak, S	06/15/2020	0.3	Email from B. Sasso. Respond to T. Van Klink.
Flett, D	06/15/2020	0.2	M. Stamp email re commercial servicing progress; review S. Cherniak and B. Sasso emails re Banwell Gardens.
Flett, D	06/16/2020	0.7	Brief review of 3 reports received from Wood on Banwell commercial servicing and email to M. Stamp, S. Cherniak; review additional report from Wood and forward to M. Stamp; city by-law notice re storm water pond; update intercompany schedule for Miller Thomson invoices, commercial servicing costs, review Ascend accounting and email with M. Finnegan.
Cherniak, S	06/16/2020	0.4	Review of soil reports. Review of Robins Appleby bill.
Flett, D	06/17/2020	0.6	Update receiver intercompany schedules re Miller Thomson fees, committee of adjustment, property taxes and emails with M. Finnegan regarding which account paid from; review property tax summaries re commercial lands.

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Staff	Date	Time	Narrative
Flett, D	06/18/2020	1.5	Email with M. Maki of Wood re servicing reports; review soil density reports and email with M. Stamp re apparent compaction outside tolerances; update receiver intercompany for Royal Timbers property taxes from 2019 4th installment forward; email with M. Finnegan re 2020 3rd installment and review payment summary; brief review of further filed report from Wood; email with S. Cherniak and M. Stamp re Troup Crescent damage claim.
Finnegan, M	06/18/2020	0.3	Further bill payment confirmations
Cherniak, S	06/18/2020	0.5	Review of correspondence from soil tester. Emails to/from insurance adjuster. Email from M. Stamp re same.
Flett, D	06/19/2020	2.3	Emails with M. Stamp, S. Cherniak and RC Spencer re 3084 Troup Crescent damage claim; review detailed report from M. Stamp on servicing progress/issues, review servicing diagram and reply to M. Stamp with additional queries; brief review of further field reports from Wood; call with S. Cherniak re Wood and review quotation; continue with 13th report; email to M. Stamp with query on extent and frequency of 3rd party sampling.
Cherniak, S	06/19/2020	0.8	Numerous emails re insurance claim. Send to adjuster. Review of soil sample emails.
Flett, D	06/22/2020	0.4	Emails with M. Stamp re electrical service in Parts 8, 9, 10 and Wood testing; review detailed summary from M. Stamp of testing parameters.
Finnegan, M	06/22/2020	0.3	Bill payment.
Cherniak, S	06/22/2020	0.5	Review of numerous emails from M. Stamp re update on servicing.
Flett, D	06/23/2020	0.3	Emails with M. Stamp, S. Cherniak re Committee of Adjustment application status, resumption of meetings and arrangements for new cheques for increased fees.
Finnegan, M	06/23/2020	0.3	Void and reissue cheques to City of Windsor re Consent applications.
Cherniak, S	06/23/2020	0.5	Review of emails from M. Stamp re required cheques for Committee of Adjustments. Organize same.
Finnegan, M	06/24/2020	0.5	Pay bills, resend cheques for City of Windsor for consent applications.
Hooper, L	06/24/2020	0.1	Banking.
Flett, D	06/24/2020	0.2	Brief review of Wood email and soil density report; email with M. Finnegan re property taxes, payments to City Windsor.
Flett, D	06/25/2020	0.4	Attend at commercial lands while in Windsor to view servicing project; view storm water pond, Robinet lot severances.
Cherniak, S	06/29/2020	0.3	Update from M. Stamp on servicing. Update from D. Flett on site visit.
Flett, D	06/29/2020	0.3	Email with M. Stamp re Royal Timbers servicing, Committee of Adjustment; email with S. Cherniak re Banwell gardens funds in trust, servicing funding, Phase 4 cost sharing.
Flett, D	07/02/2020	0.3	Email with RC Spencer re servicing; brief review of 2 reports from Wood on servicing.

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Staff	Date	Time	Narrative
Flett, D	07/03/2020	0.8	Call with S. Cherniak re W. Sasso, counsel to D'Amore Construction, enquiries, status of 13th report and content of summary report for W. Sasso; prepare summary of steps and timetable to Banwell unsecured creditor distribution and Receiver's discharge re W. Sasso request.
Cherniak, S	07/03/2020	0.5	Call from W. Sasso re update. Discuss response with D. Flett.
Flett, D	07/06/2020	0.1	Brief review of servicing report from Wood
Flett, D	07/07/2020	0.7	Continue with summary schedule of steps and timetable to distribution and Receiver's discharge and email with S. Cherniak.
Flett, D	07/08/2020	3.8	Continue with projected timetable and milestone summary per W. Sasso request and forward draft to S. Cherniak; review D'Amore construction judgement and calculation summary and email with S. Cherniak re Banwell unsecured creditor distribution; update Simba mortgage balances to May 31, 2020; prepare updated projected realizations schedule, estimated unsecured pro rata distribution and emails with S. Cherniak to review; emails with L. Bezaire of Doherty & Co and forward May 31, 2020 Simba mortgage balances and payment summary; review S. Cherniak email to W. Sasso re receivership timetable and distribution.
Cherniak, S	07/08/2020	0.8	Emails re schedule for W. Sasso. Review schedules. Email W. Sasso.
Flett, D	07/09/2020	0.2	Review reference plan and tender documents re Palmetto roadway to be constructed and emails with M. Stamp.
Cherniak, S	07/09/2020	0.5	Review of T. Van Klink response to W. Sasso email. Respond. Update from M. Stamp on servicing.
Flett, D	07/10/2020	2.5	Review RC Spencer invoice and forward to S. Cherniak with comments; review servicing report from M. Stamp including reply to query on palmetto road extension; call with S. Cherniak to review servicing status, Banwell Gardens servicing contribution trust arrangements and related matters; further emails to M. Stamp re sewer connections, restricting future site access; review Banwell Gardens APS and Undertaking and Holdback agreement and email with S. Cherniak re release of funds; email with S. Brisbois of Grant Thornton re year ends; email with RC Spencer re tender amounts, inclusion of Section F.
Cherniak, S	07/10/2020	0.7	Review of emails from M. Stamp and RC Spencer. Review of RC Spencer bill. Discuss servicing and getting funds released from Miller Thomson.
Finnegan, M	07/13/2020	0.2	Bill payment.
Cherniak, S	07/13/2020	0.5	Review of emails re procedure to get funds out of trust for servicing. Review of Agreement of Purchase and Sale re same.
Flett, D	07/14/2020	2.2	Review and extract section of Banwell Gardens escrow agreement email to B. Ropat of re engineer certification; email to Miller Thomson with Banwell Gardens documents re completion of servicing except for Palmetto intersection road and release of escrow funds; call with S. Cherniak re cost of section F portion of tender, approach to release of Banwell gardens escrow funds on servicing completion; review Section

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Staff	Date	Time	Narrative
			F, project cost breakdown of Sterling Ridge tender and emails to RC Spencer.
Cherniak, S	07/14/2020	0.5	Review of emails to B. Ropat and Miller Thomson re accessing holdback funds. Discuss same with D. Flett.
Cherniak, S	07/15/2020	0.4	Review of Sterling cost breakdown. Emails re same. Review of Miller Thomson account.
Flett, D	07/20/2020	0.3	Review insurance renewal and email from S. Martinson of SCI; forward insurance renewal to S. Cherniak with comments.
Cherniak, S	07/20/2020	0.1	Review of email re insurance.
Finnegan, M	07/21/2020	0.2	Cheque for utilities.
Flett, D	07/23/2020	1.8	Review Royal Timbers commercial servicing payment certificate #1 and accompanying emails from M. Stamp, RC Spencer; email with Miller Thomson and S. Cherniak re Banwell Gardens funds in escrow, partial release and forward form of tender re section F; email to RC Spencer re engineer certification; call with B. Ropat re Banwell gardens escrow fund arrangements, servicing status and engineer certification requirement; detailed email to Miller Thomson re basis to determine escrow funds to be released re Palmetto roadway costs to complete, Banwell Gardens share of original servicing estimate; further call with B Ropat and RC Spencer re roadway costs to complete, storm water pond status and ongoing issues; call with S. Cherniak to review Sterling Ridge payment certificate #1 and approach to escrow funds release.
Cherniak, S	07/23/2020	0.8	Review of payment certificate from RC Spencer and correspondence thereto. Email from Roth re payout of held funds. Respond. Discussion with D. Flett re same. Review of D. Flett emails
Finnegan, M	07/24/2020	0.2	Bill payment
Cherniak, S	07/24/2020	0.2	Review of RC Spencer invoice re sterling ridge.
Flett, D	07/27/2020	0.8	Email from RC Spencer and review payment certificate; email with M. Stamp re servicing; review emails from Miller Thomson re escrow agreement for Banwell gardens; brief review of Wood reports for concrete and asphalt; brief review of sewer testing reports from RC Spencer and sign cheque to Sterling Ridge.
Finnegan, M	07/27/2020	0.3	File HST return.
Cherniak, S	07/27/2020	0.4	Email from A. Roth re funds in trust. Respond. Deal with Sterling Ridge payment.
Flett, D	07/28/2020	0.9	Call with S. Cherniak and review Banwell Gardens escrow funds issues and approach; email to B. Ropat re status of engineer certification for commercial servicing; review 2020 final tax bills, City of Windsor charges to 3017 Troup Crescent; forward Banwell gardens lands tax bills to G. Bowman.
Finnegan, M	07/28/2020	0.4	Pay bills

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Staff	Date	Time	Narrative
Cherniak, S	07/28/2020	0.4	Discuss funds out of trust re servicing with D. Flett. Review of email to RC Spencer. Emails re property tax bills.
Flett, D	07/29/2020	0.4	Review draft letter from RC Spencer re certification of servicing completion and emails with RC Spencer re basis of funds paid into escrow and options to determine amount to be released.
Cherniak, S	07/29/2020	0.4	Review letter from RC Spencer re funds out of trust and emails thereto. Respond.
Hooper, L	07/29/2020	0.2	Banking
Flett, D	07/31/2020	0.3	Call to B. Ropat re servicing; review draft letter from RC Spencer re certification for Banwell Gardens servicing completion and email with comments.
		128.5	Total Time

Staff	Position	Location	Hourly Rate	Time
Cherniak, S	Sr. Vice President	London	\$525	44.5
Finnegan, M	Administrative	London	\$175	14.6
Flett, D	Vice President	London	\$400	68.2
Hooper, L	Administrative	London	\$175	1.2
				128.5

KEVIN D'AMORE

and

Applicant

BANWELL DEVELOPMENT CORPORATION,
928579 ONTARIO LIMITED, SCOTT D'AMORE
and ROYAL TIMBERS INC.
Respondents

Court File No: CV-11-17088

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at WINDSOR

MOTION RECORD
(RETURNABLE ON A DATE TO BE DETERMINED BY
REGIONAL SENIOR JUSTICE THOMAS)
(VOLUME 3 OF 4)

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