

Court File Nos. 35-2395487 and 35-2395481
Estates File Nos. 35-2395487 and 35-2395481

**ONTARIO
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY**

IN THE MATTER OF NOTICES OF INTENTION TO MAKE A PROPOSAL OF 1732427
ONTARIO INC. AND 1787930 ONTARIO INC. BOTH OF THE CITY OF ST. THOMAS, IN
THE PROVINCE OF ONTARIO

**SUPPLEMENTARY MOTION RECORD
OF TRANSIT PETROLEUM INC.**

December 21, 2020

MILLER THOMSON LLP
One London Place
255 Queens Avenue, Suite 2010
London, ON Canada N6A 5R8

Sherry A. Kettle, LSO #53561B
Tel: 519.931.3534
Fax: 519.858.8511
Email: skettle@millerthomson.com

Lawyers for Transit Petroleum Inc.

TO: The Service List

SERVICE LIST

TO: **Swanick & Associates**
Barristers and Solicitors
Suite 101
225 Duncan Mill Road
Don Mills, ON M3B 3K9

Bruce Simpson
Tel: 416.510.1888
Fax: 416.519.1945
bruce@bruceasimpson.com

Lawyers for 1787930 Ontario Inc.

AND TO: **Feldman Lawyers** (paul@feldmanlawyers.ca)
390 Bay Street, Suite 1402
Toronto, ON M5H 2Y2

Paul Feldman
Lawyers for 1787930 Ontario Inc.

AND TO: **MNP Ltd.**
111 Richmond Street West
Suite 300
Toronto, ON M5H 2G4

Sheldon Title
Tel: 416.323.5240
sheldon.title@mnp.ca

Proposal Trustee of 1787930 Ontario Inc.

AND TO: **Gowling WLG (Canada) LLP** (Patrick.shea@gowlingwlg.com)
1 First Canadian Place, suite 1600
100 King Street West
Toronto, ON M5X 1G5AND

E. Patrick Shea
Counsel for MNP Ltd. as Proposal Trustee

TO: **Office of the Superintendent of Bankruptcy**
Federal Building
451 Talbot Street, Suite 303
London, ON N6A 5C9

Attention: Glenn Schmid
(glenn.schmid@canada.ca)

**ONTARIO
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY**

IN THE MATTER OF NOTICES OF INTENTION TO MAKE A PROPOSAL OF 1732427
ONTARIO INC. AND 1787930 ONTARIO INC. BOTH OF THE CITY OF ST. THOMAS, IN
THE PROVINCE OF ONTARIO

INDEX

TAB DOCUMENT

- 1 Affidavit of Michele Szykaruk sworn December 21, 2020 and the exhibits annexed thereto

- A Letter dated December 17, 2020 to service list with motion record and requesting if unopposed
- B Letter from Glenn Schmid of the Office of the Superintendent of Bankruptcy Canada

- C E-mail string with service list
- D Draft Order

TAB 1

**ONTARIO
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY**

IN THE MATTER OF NOTICES OF INTENTION TO MAKE A PROPOSAL
OF 1732427 ONTARIO INC. AND 1787930 ONTARIO INC.
BOTH OF THE CITY OF ST. THOMAS, IN THE PROVINCE OF ONTARIO

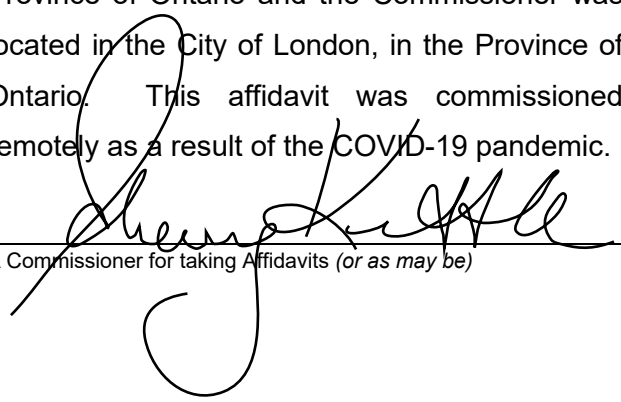
**AFFIDAVIT OF MICHELE SZYNKARUK
(Sworn December 21, 2020)**

I, Michele Szynkaruk of the City of London in the Province of Ontario, MAKE OATH
AND SAY:

1. I am an articling student with Miller Thomson LLP and, as such, have knowledge of the matters to which I depose. Where I do not possess personal knowledge, I have stated the source of my information in all such cases and do verily believe same to be true.
2. I make this affidavit in support of a motion brought by Transit Petroleum Inc. to lift the stay of proceedings arising under the *Bankruptcy and Insolvency Act*.
3. Attached hereto as **Exhibit "A"** is a letter dated December 17, 2020 that Ms. Kettle sent to the service list (Exhibit "A" excludes the Motion Record that was attached to the letter). In that letter, Ms. Kettle asks the parties to confirm whether they or their client will not oppose the relief sought so that the motion can proceed in writing.
4. Attached hereto as **Exhibit "B"** is a letter from Mr. Schmid confirming that the OSB does not oppose the motion.
5. Attached hereto as **Exhibit "C"** is an e-mail string with Bruce Simpson and Paul Feldman (counsel for 1787930 Ontario Inc. ("**178 Ontario**")), MNP Ltd. ("**MNP**"), the (trustee in the Notice of Intention to Make a Proposal of 1787930 Ontario Inc. Patrick Shea (counsel to MNP) and Glenn Schmid (Office of the Superintendent of Bankruptcy). In that e-mail string, counsel for 178 Ontario advises that 178 Ontario is not opposing the relief sought and counsel for MNP advises that MNP takes no position on the relief sought.

6. Attached hereto as **Exhibit "D"** is a copy of the draft Order that counsel for 178 Ontario has confirmed that it will not oppose and that counsel for MNP has confirmed that MNP will not take a position.

SWORN BEFORE ME over videoconference on the 21st day of December, 2020. The affiant was located in the City of London, in the Province of Ontario and the Commissioner was located in the City of London, in the Province of Ontario. This affidavit was commissioned remotely as a result of the COVID-19 pandemic.


A Commissioner for taking Affidavits (or as may be)


Michele Szykaruk

Attached are Exhibits "A" to "D" to the
Affidavit of Michele Szykaruk sworn
the 21st day of December, 2020



Cheryl Ketter
A Commissioner, Etc.

EXHIBIT "A"



MILLER THOMSON
AVOCATS | LAWYERS

MILLER THOMSON LLP
ONE LONDON PLACE
255 QUEENS AVENUE, SUITE 2010
LONDON, ON N6A 5R8
CANADA

T 519.931.3500
F 519.858.8511

MILLERTHOMSON.COM

December 17, 2020

Sherry A. Kettle

Direct Line: 519.931.3534
skettle@millertomson.com

File: 0217040.0004

Delivered Via E-mail

Swanick and Associates (bruce@bruceasimpson.com)
101-225 Duncan Mill Road
North York, ON M3B 3K9

Attention: Bruce A. Simpson

Feldman Lawyers (paul@feldmanlawyers.ca)
390 Bay Street, Suite 1402
Toronto, ON M5H 2Y2

Attention: Paul Feldman

MNP Ltd. (sheldon.title@mnp.ca)
111 Richmond Street West
Suite 300
Toronto, ON M5H 2G4

Attention: Sheldon Title

Gowling WLG (Canada) LLP
(Patrick.shea@gowlingwlg.com)
1 First Canadian Place, suite 1600
100 King Street West
Toronto, ON M5X 1G5

Attention: E. Patrick Shea

Office of the Superintendent of Bankruptcy
(glenn.schmid@canada.ca)
Federal Building
451 Talbot Street, Suite 303
London, ON N6A 5C9

Attention: Glenn Schmid

Dear Sirs:

**Re: In the matter of the Notice of Intention to Make a Proposal of 1787930 Ontario
cob as Messenger Freight
Court File No. 35-2395481**

My client, Transit Petroleum Inc., is bringing a motion to lift the stay of proceedings to commence an action against 1787930 Ontario Inc. cob as Messenger Freight Systems and Louise Vonk-Hiddink. The action includes claims in fraudulent misrepresentation and civil fraud that are not released by the acceptance of the proposal. Please see Motion Record attached.

MNP, as proposal trustee, brought a motion dated September 8, 2020 for relief that included authorizing the delivery of a Certificate of Full Performance upon receipt of certain funds and approving the distribution to certain creditors so that MNP could be discharged as trustee.

It appears that MNP has not yet been discharged and thus the stay not lifted. The bankruptcy court in London is only scheduling urgent hearings. Due to the potential expiry of a limitations period, we will seek the scheduling of an urgent hearing, if necessary. However, I hope that counsel, MNP and the OSB will advise that they do not oppose the motion to lift the stay of proceedings so that this matter can be dealt with on an unopposed and in writing basis.


The leading case, *Re Ma* (ONCA), states that a proposed claim that survives bankruptcy (fraudulent misrepresentation in that case, like this one) is the type of claim that should be allowed to proceed. An examination on the merits is not appropriate and the moving party is not required to establish a *prima facie* case. Rather, the Court will determine if there is sufficient prejudice to justify the lifting of the stay. In this case, the potential expiry of a limitation period is sufficient to justify the lifting of the stay. The reality is that MNP has intended to seek a discharge as set out in its September motion (which would have resulted in the termination of the stay) but for whatever reason, that process has taken a long time.

Please advise as soon as possible if you/your client will not oppose the relief being sought. Otherwise, I will ask the Court for a date on an urgent basis.

Yours truly,

MILLER THOMSON LLP

Per:


Sherry A. Kettle
SAK/sj
Enc.

c: client

51158676.1



51158676.1

EXHIBIT "B"



Innovation, Science and
Economic Development Canada

Office of the Superintendent
of Bankruptcy Canada

Federal Building
451 Talbot Street, Suite 303
London, Ontario
N6A 5C9
osb.ic.gc.ca

Innovation, Sciences et
Développement économique Canada

Bureau du surintendant
des faillites Canada

Édifice Fédéral
451, rue Talbot, bureau 303
London (Ontario)
N6A 5C9
bsf.ic.gc.ca

Ms. Sherry Kettle
Miller Thomson LLP
One London Place
255 Queens Avenue, Suite 2010
London, Ontario N6A 5R8

December 18, 2020

Dear Ms. Kettle;

Re: 1787930 Ontario cob as Messenger Freight File No. 35-2395481

I have reviewed the motion that you provided and understand that you are seeking to lift the Stay of Proceedings.

Please be advised that the Office of the Superintendent of Bankruptcy will not be opposing this motion.

Yours truly

Glenn A. Schmid
Senior Bankruptcy Analyst

EXHIBIT "C"

Kettle, Sherry

From: Kettle, Sherry
Sent: Monday, December 21, 2020 3:42 PM
To: 'Paul N. Feldman'; Shea, Patrick
Cc: Bruce Simpson; Sheldon Title; Schmid, Glenn (IC)
Subject: RE: In the matter of the Notice of Intention to Make a Proposal of 1787930 Ontario cob as Messenger Freight (Court File No. 35-2395481) [MTDMS-Legal.FID7656427]

Thank you.

Kind regards,

From: Paul N. Feldman <paul@feldmanlawyers.ca>
Sent: Monday, December 21, 2020 3:40 PM
To: Kettle, Sherry <skettle@millერთhompson.com>; Shea, Patrick <Patrick.Shea@gowlingwlg.com>
Cc: Bruce Simpson <bruce@bruceasimpson.com>; Sheldon Title <Sheldon.Title@mnp.ca>; Schmid, Glenn (IC) <glenn.schmid@canada.ca>
Subject: RE: In the matter of the Notice of Intention to Make a Proposal of 1787930 Ontario cob as Messenger Freight (Court File No. 35-2395481) [MTDMS-Legal.FID7656427]

Sherry,

As I said, 178 does not oppose on the basis of my earlier email. I am simply clarifying that the failure to oppose the relief sought cannot be used against the Defendants at a later date.

Paul

FELDMAN *Lawyers*

Paul Neil Feldman, M.B.A, LL.B.

390 Bay Street
Suite 1402, Toronto, Ontario M5H 2Y2
Tel: 416-601-6821 Ext. 222 | Cell: 416-560-2404
www.feldmanlawyers.ca

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From: Kettle, Sherry <skettle@millერთhompson.com>
Sent: December 21, 2020 3:36 PM
To: Paul N. Feldman <paul@feldmanlawyers.ca>; Shea, Patrick <Patrick.Shea@gowlingwlg.com>
Cc: Bruce Simpson <bruce@bruceasimpson.com>; Sheldon Title <Sheldon.Title@mnp.ca>; Schmid, Glenn (IC) <glenn.schmid@canada.ca>
Subject: RE: In the matter of the Notice of Intention to Make a Proposal of 1787930 Ontario cob as Messenger Freight (Court File No. 35-2395481) [MTDMS-Legal.FID7656427]

Mr. Feldman,

The relief sought in the Order is a lifting of the stay and granting of leave to commence the action. That relief does not prevent your client from filing a defence on whatever basis it should choose with the merits of those defences being decided by the Court.

Please confirm that 178 does not oppose the relief sought.

Kind regards,

SHERRY A. KETTLE, CPA, CA

Partner

Miller Thomson LLP

One London Place
255 Queens Avenue, Suite 2010
London, Ontario N6A 5R8

Direct Line: +1 519.931.3534

Fax: +1 519.858.8511

Email: skettle@millert Thomson.com

millert Thomson.com

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From: Paul N. Feldman <paul@feldmanlawyers.ca>

Sent: Monday, December 21, 2020 3:30 PM

To: Kettle, Sherry <skettle@millert Thomson.com>; Shea, Patrick <Patrick.Shea@gowlingwlg.com>

Cc: Bruce Simpson <bruce@bruceasimpson.com>; Sheldon Title <Sheldon.Title@mp.ca>; Schmid, Glenn (IC) <glenn.schmid@canada.ca>

Subject: RE: In the matter of the Notice of Intention to Make a Proposal of 1787930 Ontario cob as Messenger Freight (Court File No. 35-2395481) [MTDMS-Legal.FID7656427]

Hi Sherry,

I have reviewed your draft Order and 1787930 Ontario Inc. ("178") does not oppose the relief sought on condition that it is without prejudice to 178 and Ms. Vonk's rights to raise in the action any and all defences, but not limited to, any and all limitation or *res judicata* defences and any defences under the BIA, including under Sections 69 and 178. Obviously, 178 and Ms. Vonk will defend the fraud allegations vigorously.

Please confirm,
Paul

FELDMAN *Lawyers*

Paul Neil Feldman, M.B.A, LL.B.

390 Bay Street
Suite 1402, Toronto, Ontario M5H 2Y2
Tel: 416-601-6821 Ext. 222 | Cell: 416-560-2404
www.feldmanlawyers.ca

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From: Kettle, Sherry <skettle@millerthomson.com>
Sent: December 21, 2020 12:37 PM
To: Shea, Patrick <Patrick.Shea@gowlingwlg.com>
Cc: Bruce Simpson <bruce@bruceasimpson.com>; Sheldon Title <Sheldon.Title@mdp.ca>; Paul N. Feldman <paul@feldmanlawyers.ca>; Schmid, Glenn (IC) <glenn.schmid@canada.ca>
Subject: RE: In the matter of the Notice of Intention to Make a Proposal of 1787930 Ontario cob as Messenger Freight (Court File No. 35-2395481) [MTDMS-Legal.FID7656427]

Thank you.

SHERRY A. KETTLE, CPA, CA
Partner

Miller Thomson LLP
One London Place
255 Queens Avenue, Suite 2010
London, Ontario N6A 5R8
Direct Line: +1 519.931.3534
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millerthomson.com

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From: Shea, Patrick <Patrick.Shea@gowlingwlg.com>
Sent: Monday, December 21, 2020 12:37 PM
To: Kettle, Sherry <skettle@millerthomson.com>
Cc: Bruce Simpson <bruce@bruceasimpson.com>; Sheldon Title <Sheldon.Title@mdp.ca>; paul@feldmanlawyers.ca;
Schmid, Glenn (IC) <glenn.schmid@canada.ca>
Subject: Re: In the matter of the Notice of Intention to Make a Proposal of 1787930 Ontario cob as Messenger Freight (Court File No. 35-2395481) [MTDMS-Legal.FID7656427]

Confirmed.

Sent from my iPhone

On Dec 21, 2020, at 12:35, Kettle, Sherry <skettle@millertomson.com> wrote:

This message originated from outside of Gowling WLG. | Ce message provient de l'extérieur de Gowling WLG.

Patrick,

Thank you for your e-mail.

No relief is being sought that involves the trustee, the trustee is not required to participate in the litigation and no recovery is being sought against the funds subject to the proposal. As such, kindly confirm that the trustee does not take a position on this motion.

Kind regards,

SHERRY A. KETTLE, CPA, CA
Partner

Miller Thomson LLP

One London Place
255 Queens Avenue, Suite 2010
London, Ontario N6A 5R8

Direct Line: +1 519.931.3534

Fax: +1 519.858.8511

Email: skettle@millertomson.com
millertomson.com

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<image0e3a42.PNG>

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From: Shea, Patrick <Patrick.Shea@gowlingwlg.com>

Sent: Monday, December 21, 2020 12:30 PM

To: Kettle, Sherry <skettle@millertomson.com>; Bruce Simpson <bruce@bruceasimpson.com>; Sheldon Title <Sheldon.Title@mdp.ca>; paul@feldmanlawyers.ca; Schmid, Glenn (IC) <glenn.schmid@canada.ca>

Subject: RE: In the matter of the Notice of Intention to Make a Proposal of 1787930 Ontario cob as Messenger Freight (Court File No. 35-2395481) [MTDMS-Legal.FID7656427]

Thanks. The trustee does not take a position provided that: (a) no relief is being sought that would involve the trustee; (b) the trustee is not going to be required to participate in the litigation in any way; and (c) no recovery will be sought against the funds subject to the proposal.

E. Patrick Shea, LSM, CS Prof Corp
Partner



From: Kettle, Sherry <skettle@millertomson.com>
Sent: December-21-20 11:46 AM
To: Bruce Simpson <bruce@bruceasimpson.com>; Sheldon Title <Sheldon.Title@mdp.ca>; Shea, Patrick <Patrick.Shea@gowlingwlg.com>; paul@feldmanlawyers.ca; Schmid, Glenn (IC) <glenn.schmid@canada.ca>
Subject: RE: In the matter of the Notice of Intention to Make a Proposal of 1787930 Ontario cob as Messenger Freight (Court File No. 35-2395481) [MTDMS-Legal.FID7656427]

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Bruce,

As requested, please find attached a draft Order. I understand that Messenger will not oppose this relief, subject to being satisfied with the draft order attached. Please confirm by return e-mail so that I can send the materials to the Bankruptcy Court this afternoon.

Sheldon/Patrick—please advise whether the proposal trustee will also not oppose the relief sought.

Mr. Schmid has advised that the OSB will not oppose the relief sought.

Thank you.

Kind regards,

SHERRY A. KETTLE, CPA, CA
Partner

Miller Thomson LLP
One London Place
255 Queens Avenue, Suite 2010
London, Ontario N6A 5R8
Direct Line: +1 519.931.3534
Fax: +1 519.858.8511
Email: skettle@millertomson.com
millertomson.com

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From: Bruce Simpson <bruce@bruceasimpson.com>

Sent: Friday, December 18, 2020 2:58 PM

To: Kettle, Sherry <skettle@millერთhompson.com>; Sheldon Title <Sheldon.Title@mnt.ca>; Shea, Patrick <Patrick.Shea@gowlingwlg.com>; paul@feldmanlawyers.ca; Schmid, Glenn (IC) <glenn.schmid@canada.ca>

Subject: [**EXT**] RE: In the matter of the Notice of Intention to Make a Proposal of 1787930 Ontario cob as Messenger Freight (Court File No. 35-2395481) [MTDMS-Legal.FID7656427]

Hello Ms. Kettle,
I will have a response to you by noon on Monday.
Thank you.
Bruce

Bruce A. Simpson

Swanick & Associates

Lawyers

225 Duncan Mill Road, Suite 101

Toronto ON, M3B 3K9

Tel. 416-510-1888 x 229, Direct 647-799-0376

Fax 416-510-1945

From: Kettle, Sherry [<mailto:skettle@millერთhompson.com>]

Sent: Friday, December 18, 2020 2:54 PM

To: Bruce Simpson <bruce@bruceasimpson.com>; Sheldon Title <Sheldon.Title@mnt.ca>; Shea, Patrick <Patrick.Shea@gowlingwlg.com>; paul@feldmanlawyers.ca; Schmid, Glenn (IC) <glenn.schmid@canada.ca>

Subject: RE: In the matter of the Notice of Intention to Make a Proposal of 1787930 Ontario cob as Messenger Freight (Court File No. 35-2395481) [MTDMS-Legal.FID7656427]

Good afternoon,

Would you kindly advise if you have received instructions to not oppose this motion so that it can proceed in writing. Otherwise, I will ask the Bankruptcy Court for an urgent hearing date.

Thank you.

Kind regards,

SHERRY A. KETTLE, CPA, CA

Partner

Miller Thomson LLP

One London Place

255 Queens Avenue, Suite 2010

London, Ontario N6A 5R8

Direct Line: +1 519.931.3534

Fax: +1 519.858.8511

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<image001.png>

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From: Kettle, Sherry <skettle@millerthomson.com>

Sent: Thursday, December 17, 2020 1:56 PM

To: bruce@bruceasimpson.com; Sheldon Title <Sheldon.Title@mdp.ca>; Shea, Patrick <Patrick.Shea@gowlingwlg.com>; paul@feldmanlawyers.ca; Schmid, Glenn (IC) <glenn.schmid@canada.ca>

Subject: In the matter of the Notice of Intention to Make a Proposal of 1787930 Ontario cob as Messenger Freight (Court File No. 35-2395481) [MTDMS-Legal.FID7656427]

Gentlemen,

Please see letter and motion record attached. Please advise as soon as possible whether you/your client will not oppose this motion so that it can be dealt with in writing. Otherwise, I will ask for an urgent hearing at the Bankruptcy Court (which in London is only hearing urgent matters).

Thank you.

Kind regards,

SHERRY A. KETTLE, CPA, CA
Partner

Miller Thomson LLP

One London Place
255 Queens Avenue, Suite 2010
London, Ontario N6A 5R8

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EXHIBIT "D"

**ONTARIO
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY**

THE HONOURABLE)
)
)
JUSTICE) DAY OF _____, 2020
BETWEEN :

IN THE MATTER OF NOTICES OF INTENTION TO MAKE A PROPOSAL OF 1732427
ONTARIO INC. AND 1787930 ONTARIO INC. BOTH OF THE CITY OF ST. THOMAS, IN THE
PROVINCE OF ONTARIO

ORDER

THIS MOTION, made by Transit Petroleum Inc. ("**Transit**") for an Order:

- (a) if necessary, abridging the time for invalidating the method of service of the Notice of Motion and Motion Record and directing that any further service of the Notice of the Motion and Motion Record be dispensed with such that this motion is properly returnable on the date that it is heard;
- (b) if necessary, declaring that the stay of proceedings (the "**Stay**") arising by operation of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended (the "**BIA**") as a result of the Notice of Intention to Make a Proposal (the "**NOI Proceedings**") of 1787930 Ontario Inc. ("**178 Ontario**") be lifted *nunc pro tunc* to permit the delivery and filing of the Notice of Motion and Motion Record and the granting of the relief requested therein;
- (c) declaring that the Stay arising by operation of the BIA, as a result of the NOI Proceedings, be lifted and granting leave, *nunc pro tunc* if necessary, to allow Transit to commence an action against 178 Ontario substantially in the form attached at Schedule "A" to the Notice of Motion (the "**Proposed Action**");
- (d) such further and other relief as this Honourable Court deems just.

was heard in writing this day, at London, Ontario.

ON READING the Motion Record of Transit and noting that the motion is unopposed,

1. THIS COURT ORDERS that the Stay is hereby lifted to permit the delivery and filing of the Notice of Motion and Motion Record.
 2. THIS COURT ORDERS that the Stay is hereby lifted and leave is hereby granted to permit Transit to commence an action against 178 Ontario substantially in the form attached at Schedule "A" to the Notice of Motion.
-

IN THE MATTER OF NOTICES OF INTENTION TO MAKE A PROPOSAL OF 1732427
ONTARIO INC. AND 1787930 ONTARIO INC. BOTH OF THE CITY OF ST. THOMAS, IN THE
PROVINCE OF ONTARIO

Court File Nos. 35-2395487 and 35-2395481
Estates File Nos. 35-2395487 and 35-2395481

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at London

ORDER

MILLER THOMSON LLP

One London Place
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Lawyers for Transit Petroleum Inc.

IN THE MATTER OF NOTICES OF INTENTION TO MAKE A PROPOSAL OF 1732427
ONTARIO INC. AND 1787930 ONTARIO INC. BOTH OF THE CITY OF ST. THOMAS, IN THE
PROVINCE OF ONTARIO

Court File Nos. 35-2395487 and 35-2395481
Estates File Nos. 35-2395487 and 35-2395481

ONTARIO
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY
Proceeding commenced at London

AFFIDAVIT OF MICHELE SZYNKARUK
(SWORN DECEMBER 21, 2020)

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SUPPLEMENTARY MOTION RECORD
OF TRANSIT PETROLEUM INC.

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