

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

BETWEEN:

**MARCUS WIDE of Grant Thornton (British Virgin Islands) Limited and HUGH  
DICKSON, of Grant Thornton Specialist Services (Cayman) Ltd., acting together herein in  
their capacities as joint liquidators of Stanford International Bank Limited**

Plaintiffs

- and -

**THE TORONTO-DOMINION BANK**

Defendant

**SUPPLEMENTARY MOTION RECORD OF THE TORONTO-DOMINION  
BANK**

**(motion for an order temporarily staying the action pending the outcome of the appeal of  
the *Livent* decision to the Supreme Court of Canada)**

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**I N D E X**

**Tab Document**

1. Supplementary Affidavit of Katherine Stubits, sworn July 27, 2016
  - A. Webpage from Supreme Court of Canada's website for Docket 36875:  
*Deloitte & Touche v. Livent Inc., Through Its Special Receiver and  
Manager Roman Doroniuk*

**TAB 1**

**ONTARIO  
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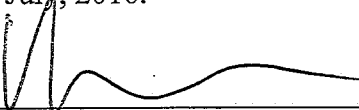
**SUPPLEMENTARY AFFIDAVIT OF KATHERINE STUBITS**

I, KATHERINE STUBITS, of the City of Toronto in the Province of Ontario, **MAKE  
OATH AND SAY:**

1. I make this affidavit supplementary to my affidavit sworn June 16, 2016, in order to update the Court on a development that has occurred since the swearing of that affidavit.
2. The date of the hearing of the appeal in *Deloitte & Touche v. Livent Inc., Through Its Special Receiver and Manager Roman Doroniuk* (S.C.C. Court File No. 36875) has now been scheduled for February 15, 2017. A copy of the Court's webpage for the matter's docket, which I

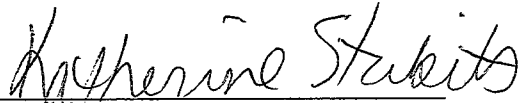
accessed on July 27, 2016 at the URL <http://www.scc-csc.ca/case-dossier/info/dock-regi-eng.aspx?cas=36875>, is attached as **Exhibit "A"**.

SWORN BEFORE ME at the City of  
Toronto, in the Province of Ontario this 27<sup>th</sup>  
day of July, 2016.



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Commissioner for Taking Affidavits



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KATHERINE STUBITS

Vladimira M. Ivanov  
LSUC: 68119J

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

Proceeding commenced at Toronto

**SUPPLEMENTARY AFFIDAVIT OF  
KATHERINE STUBITS  
(sworn July 27, 2016)**

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Lawyers for the Defendant

DOCS 15765655



# TAB A

# Supreme Court of Canada

Home > Cases > SCC Case Information > Docket

## Docket

36875


### Deloitte & Touche v. Livent Inc., Through its Special Receiver and Manager Roman Doroniuk

(Ontario) (Civil) (By Leave)

#### Proceedings

Date	Proceeding	Filed By (if applicable)
2016-06-30	Notice of appeal, Completed on: 2016-06-30	Deloitte & Touche
2016-06-24	Letter advising the parties of tentative hearing date and filing deadlines (Leave granted)	
2016-06-23	Appeal hearing tentative date, 2017-02-15	
2016-06-10	Copy of formal judgment sent to Registrar of the Court of Appeal and all parties	
2016-06-10	Judgment on leave sent to the parties	
2016-06-09	Decision on the application for leave to appeal, CJ Mo Ga, The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C58659, 2016 ONCA 11, dated January 8, 2016, is granted with costs in the cause. Granted, with costs in the cause	
2016-05-16	All materials on application for leave submitted to the Judges, CJ Mo Ga	
2016-04-04	Applicant's reply to respondent's argument, Completed on: 2016-04-04	Deloitte & Touche
2016-03-24	Certificate (on limitations to public access)	Livent Inc., Through its Special Receiver and Manager Roman Doroniuk
2016-03-24	Notice of name	Livent Inc., Through its Special Receiver and Manager Roman Doroniuk
2016-03-24	Book of authorities	Livent Inc., Through its Special Receiver and Manager Roman Doroniuk
2016-03-24	Respondent's response on the application for leave to appeal, Completed on: 2016-03-24	Livent Inc., Through its Special Receiver

This is Exhibit "A" referred to in the affidavit of Katherine Stoltz sworn before me this 27<sup>th</sup> day of July 2016.

  
A COMMISSIONER FOR TAKING AFFIDAVITS

		and Manager Roman Droniuk
2016-03-09	Correspondence received from, Return of the C/A order form	Deloitte & Touche
2016-02-29	Letter acknowledging receipt of an incomplete application for leave to appeal and without formal Court of Appeal order, File opened on 2016-02-29	
2016-02-26	Notice of name	Deloitte & Touche
2016-02-26	Certificate (on limitations to public access)	Deloitte & Touche
2016-02-26	Book of authorities, (3 volumes)	Deloitte & Touche
2016-02-26	Application for leave to appeal, (3 volumes), Missing C/A order - Rec'd on 2016-03-16, Completed on: 2016-03-16	Deloitte & Touche

Date modified: 2012-12-03

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