

# Tab O

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**ED MIRVISH ENTERPRISES LIMITED AND 1 KING WEST INC.**

Applicants

- and -

**STINSON HOSPITALITY INC., DOMINION CLUB OF CANADA CORPORATION  
AND HARRY STINSON**

Respondents

**AFFIDAVIT OF IRA SMITH  
(Sworn October 1, 2007)**

I, Ira Smith, of the City of Vaughan, in the Province of Ontario, **MAKE OATH AND SAY AS FOLLOWS:**

1. I am the President of Ira Smith Trustee & Receiver Inc. ("ISI"), the court-appointed receiver and manager (the "Receiver") of Stinson Hospitality Inc., Dominion Club of Canada Corporation, The Suites at 1 King West Inc. and 2076564 Ontario Inc. (collectively, the "Debtors"). As such, I have knowledge of the matters hereinafter deposed to, except where stated to be on information and belief and whereso stated I verily believe it to be true.
2. ISI was appointed Receiver of all of the property, assets and undertaking of the Debtors pursuant to an Order of the Ontario Superior Court of Justice dated August 24, 2007 (the "Receivership Order").

3. Pursuant to paragraph 21 of the Receivership Order, the Receiver and its legal counsel are required to pass their accounts from time to time.

4. Attached hereto and marked as Exhibit "1" to this my Affidavit is a summary of the fees charged and accounts rendered by the Receiver in respect of the proceedings (the "Accounts Summary") for the period from August 16, 2007 to September 15, 2007 (the "Receiver Application Period"). Copies of the invoices rendered by the Receiver and referenced in the Accounts Summary are attached to this my Affidavit as Exhibit "2".

5. The Receiver has filed its First Report with this Honourable Court, which outlines, among other things, the Receiver's overall actions and activities since the date of its appointment.

6. A total of 330.0 hours were expended by the Receiver in connection with this matter during the Receiver Application Period, giving rise to fees totaling \$102,188.00 (excluding GST) for an average hourly rate of \$309.66 and allocated approximately as outlined in the Accounts Summary.

7. To the best of my knowledge, the rates charged by the Receiver throughout the course of these proceedings are comparable to the rates charged by other accounting firms in the Greater Toronto Area for the provision of similar services.

8. The average hourly billing rates outlined on the Accounts Summary are the normal average hourly rates charged by the Receiver for services rendered in relation to similar proceedings.

9. I verily believe that the Receiver's accounts are fair and reasonable in the circumstances.

10. Attached as Exhibit "1" to the Affidavit of Joseph Latham sworn October 1, 2007, and filed in support of the within motion are copies of the accounts rendered by Goodmans LLP ("Goodmans"), counsel to the Receiver, for the period from August 20, 2007 to September 24, 2007.

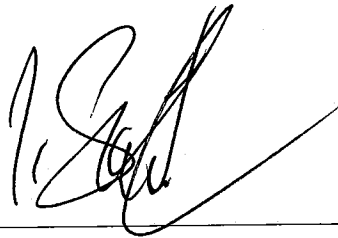
11. Goodmans has rendered services throughout these proceedings consistent with instructions from the Receiver, the Receiver has approved all such accounts and I verily believe that the fees and disbursements of Goodmans are fair and reasonable in the circumstances.

12. The said Affidavit is sworn in connection with the Receiver's motion to have, among other things, its fees and disbursements approved by this Honourable Court and for no improper purpose.

SWORN BEFORE ME at the City of  
Toronto, in the Province of Ontario,  
on October 1, 2007.



\_\_\_\_\_  
A Commissioner for taking affidavits



\_\_\_\_\_  
**Ira Smith**

**ED MIRVISH ENTERPRISES LIMITED AND  
1 KING WEST INC.**

And

**STINSON HOSPITALITY INC., DOMINION CLUB OF CANADA  
CORPORATION AND HARRY STINSON**

Applicants

Respondents

Court File No.: 07-CL-6913

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
- COMMERCIAL LIST -**

Proceeding commenced at Toronto

**AFFIDAVIT OF IRA SMITH  
(Sworn October 1, 2007)**

**Goodmans LLP**  
Barristers & Solicitors  
250 Yonge Street, Suite 2400  
Toronto, Canada M5B 2M6

Joseph Latham (LSUC#32326A)  
Tel: 416-979-2211  
Fax: 416-979-1234

Solicitors for Ira Smith Trustee & Receiver Inc. in  
its capacity as court-appointed receiver and  
manager of Stinson Hospitality Inc., Dominion  
Club of Canada Corporation, The Suites at 1 King  
West Inc. and 2076564 Ontario Inc.

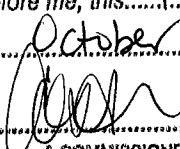
# **Tab 01**

**IRA SMITH TRUSTEE & RECEIVER INC.  
RECEIVER AND MANAGER OF  
STINSON HOSPITALITY INC., DOMINION CLUB OF CANADA CORPORATION,  
THE SUITES AT 1 KING WEST INC. AND 2076564 ONTARIO INC.**

**AUGUST 16, 2007 – SEPTEMBER 15, 2007**

<b>Staff Member</b>	<b>Title</b>	<b>Total Hours</b>	<b>Hourly Rate (\$CDN)</b>	<b>Amount Billed (\$CDN)</b>
Ira Smith MBA, CA•CIRP, Trustee	President	133.6	400.00	53,440.00
Martin Wolfe CA	Senior Manager	146.4	275.00	40,260.00
Robert Link CIRP	Senior Manager	10.0	275.00	2,750.00
Paul Hamilton CA	Manager	15.0	200.00	3,000.00
Brandon Smith BA	Estate Administrator	6.8	135.00	918.00
Steven Smith	Technician	<u>18.2</u>	100.00	<u>1,820.00</u>
<b>Total</b>		<b><u>330.0</u></b>	<b>Average hourly rate of \$309.66</b>	<b>102,188.00</b>
<b>Disbursements (as at August 31, 2007)</b>				
<b>Net Fees and Disbursements (excluding GST)</b>				<b><u>102,188.00</u></b>

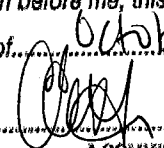
This is Exhibit 1 referred to in the affidavit of Ira Smith sworn before me, this 15<sup>th</sup> day of October 2007.

  
A COMMISSIONER FOR TAKING AFFIDAVITS

# **Tab 02**

# Ira Smith

TRUSTEE & RECEIVER INC.  
Suite 6 – 167 Applewood Crescent, Concord, Ontario L4K 4K7

This is Exhibit 2 referred to in the  
affidavit of Ira Smith  
sworn before me, this 1st  
day of October, 2007  
  
A COMMISSIONER FOR TAKING AFFIDAVITS

Tel. (905) 738-4167  
Fax (905) 738-9848  
Email: ira@irasmithinc.com  
Website: [www.irasmithinc.com](http://www.irasmithinc.com)

**R-1KW**  
GST # 86236 5699

October 1, 2007

**IN THE MATTER OF THE RECEIVERSHIPS OF  
STINSON HOSPITALITY INC., DOMINION CLUB OF CANADA  
CORPORATION, 2076564 ONTARIO INC. AND  
THE SUITES AT 1 KING WEST INC.**

For professional services rendered for the period August 16 to September 15, 2007 inclusive, in acting as Receiver and Manager of Stinson Hospitality Inc., Dominion Club of Canada Corporation, 2076564 Ontario Inc. and The Suites at 1 King West Inc. in accordance with the Order dated August 24, 2007 as follows (detail attached):

<u>Staff</u>	<u>Hourly rate</u>	<u>Hours</u>	
I. Smith, MBA CA-CIRP, President and Trustee	\$400	133.6	
Martin Wolfe, CA	\$275	146.4	
Robert Link, CIRP	\$275	10.0	
Paul Hamilton, CA	\$200	15.0	
Brandon Smith, BA	\$135	6.8	
Steven Smith	\$100	<u>18.2</u>	
		<u>330.0</u>	\$102,188.00
		GST	<u>6,131.28</u>
			<u>\$ 108,319.28</u>

IRA SMITH TRUSTEE & RECEIVER INC.  
 RECEIVER AND MANAGER OF  
 STINSON HOSPITALITY INC., DOMINION CLUB OF CANADA CORPORATION,  
 2076564 ONTARIO INC. AND THE SUITES AT 1 KING WEST INC.

BILLING SUMMARY FOR THE PERIOD FROM AUGUST 16 TO SEPTEMBER 15, 2007

Employee name	Hourly Rate	SHI		DCC		HOUSEKEEPING		SUITES		TOTAL	
		HRS	\$	HRS	\$	HRS	\$	HRS	\$	HRS	\$
IRA SMITH	400.00	92.1	36,840.00	17.5	7,000.00	0.5	200.00	23.5	9,400.00	133.6	53,440.00
MARTIN WOLFE	275.00	55.1	15,152.50	72.7	19,992.50	6.2	1,705.00	12.4	3,410.00	146.4	40,260.00
ROBERT LINK	275.00	1.0	275.00	9.0	2,475.00	-	-	-	-	10.0	2,750.00
PAUL HAMILTON	200.00	-	-	15.0	3,000.00	-	-	-	-	15.0	3,000.00
BRANDON SMITH	135.00	5.0	675.00	1.8	243.00	-	-	-	-	6.8	918.00
STEVEN SMITH	100.00	6.1	610.00	8.2	820.00	1.0	100.00	2.9	290.00	18.2	1,820.00
<b>Total:</b>		<b>159.3</b>	<b>53,552.50</b>	<b>124.2</b>	<b>33,530.50</b>	<b>7.7</b>	<b>2,005.00</b>	<b>38.8</b>	<b>13,100.00</b>	<b>330.0</b>	<b>102,188.00</b>

Average Hourly Rate: 309.66

**Ira Smith Trustee & Receiver Inc.  
Detail Time Sheet**

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW STINSON HOSPITALITY INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
16-Aug-07	IRA	3.0	Telephone calls and emails re: 1KW receivership application on Aug 20	1,200.00
17-Aug-07	BRANDON	2.5	Review emails from Ira & Goodmans; Complete Report of Putative Receiver and ship to Goodmans LLP	337.50
17-Aug-07	IRA	6.3	Finalizing monitor's second supplementary report to court; Emails w/ J. Latham, J. Carhart and B. Smith; Review of Stinson's affidavit material re: Maxium Financial; Emails to and from S. Menashy on Maxium	2,520.00
17-Aug-07	MARTIN	1.4	review receivership materials	385.00
17-Aug-07	MARTIN	0.2	review banking	55.00
17-Aug-07	MARTIN	2.6	Document review in preparation of receivership	715.00
17-Aug-07	ROBERT	1.0	Review second supplementary report in preparation for court hearing August 20th. Emails re: misleading information being sent out by Harry and Steve O'Brien re: financial performance of hotel, emails from and to J. Latham, J. Carhart, S. Menashy, M. Wolfe, R. Link, telephone call w/ J. Latham re: current status, Stinson emails, owners' pos	275.00
18-Aug-07	IRA	4.2	Meeting w/ M. Wolfe to go over issues prior to court and travel to meeting @ Goodmans; Meeting w/ M. Wolfe and J. Latham to go over issues of importance to Goodmans prior to court; Travel to court and attendance in court; Meeting at noon hour w/ J. Latham	1,680.00
20-Aug-07	IRA	8.9		3,560.00

This is Exhibit 2 referred to in the  
affidavit of Ira Smith  
sworn before me, this 15<sup>th</sup>  
day of October 2007

A COMMISSIONER FOR TAKING AFFIDAVITS

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW STINSON HOSPITALITY INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
20-Aug-07	MARTIN	9.7	meet with ira, meet at Goodman with J Latham and C Kosta, attend receivership hearing, meet with Raytek and Jacques during recess	2,667.50
21-Aug-07	IRA	5.0	Travel to court for second day of receivership appointment	2,000.00
21-Aug-07	MARTIN	0.8	motion attend in court and travel back	220.00
21-Aug-07	MARTIN	3.6	arrangements for IT for receivership	990.00
22-Aug-07	IRA		Telephone conversation w/ J. Latham re: Raytek telephone	320.00
22-Aug-07	MARTIN	0.8	conversation re: invoice; Telephone conversation w/ J. Carhart	1,622.50
22-Aug-07	MARTIN	5.9	preparation for receivership bank accounts	-
22-Aug-07	MARTIN		review records for creditors	-
22-Aug-07	MARTIN		and reviewing cash flow with Harjit Guraya	-
22-Aug-07	MARTIN		for DCC	-
22-Aug-07	MARTIN		email exchange with Stinson re obtaining	-
22-Aug-07	MARTIN		engagement letter with accountant and corporate	-
22-Aug-07	MARTIN	0.9	tax returns issues	247.50
22-Aug-07	MARTIN	0.1	email to Kathy attempting to obtain banking info for SHI & DCC	27.50
22-Aug-07	MARTIN	0.6	Meeting with Steve O'Brien removing terminated employee access	165.00

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW STINSON HOSPITALITY INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
23-Aug-07	IRA	3.0	call w/ J. Latham	1,200.00
23-Aug-07	MARTIN	1.6	meeting with Steve O'Brien at Ira's office	440.00
23-Aug-07	MARTIN	0.4	travel to 1 King obtain DCC corporate and SHI Quick Book records	110.00
23-Aug-07	MARTIN	0.4	Installation of books and records on separate computer to safeguard them given pending receivership decision	110.00
23-Aug-07	MARTIN	0.6	various emails re Verdun	165.00
23-Aug-07	MARTIN	0.6	receive and review employee exit strategy report	165.00
23-Aug-07	MARTIN	0.3	emails to Joe Latham re strategy to obtain F/S from Stinson	82.50
23-Aug-07	MARTIN	0.4	statements and corporate tax returns	110.00

Emails and telephone calls re: Raytek, financial statements and proposed responses; Meeting w/ S. O'Brien and M. Wolfe;  
Emails re: Raytek et al; Emails from and to M. Wolfe and J. Latham re: financial statements and email to be sent; Telephone

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name      Full Estate Name  
R-1KW        STINSON HOSPITALITY INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
24-Aug-07	IRA	6.5	TRAVEL TO 1KW, TELEPHONE CALLS WITH JOE LATHAM AND MARTY WOLFE, TELEPHONE CALLS WITH KOSTA TOMAZOS, MEETING AT 1KW WITH MARTY WOLFE, STEVE O'BRIEN, KOSTA TOMAZOS, HARJIT GURAYA, SENIOR STAFF IN ORDER TO EXPLAIN RECEIVERSHIP PROCESS, GO OVER DAY ONE PLANNING ISSUES FOR HOTEL OPERATIONS, WALK THROUGH OF PREMISES ARE PART OF DETERMINING CERTAIN PRIORITIES, WORKING ON EMAIL MESSAGE TO OWNERS REGARDING RECEIVERSHIP WITH STEVE O'BRIEN, WORKING WITH MICHAEL ALEXANDER REGARDING PRESS RELEASE DRAFTING AND	2,600.00
24-Aug-07	MARTIN	0.3	ISSUANCE, TRAVEL BACK	82.50
24-Aug-07	MARTIN	0.2	review bank statements	55.00
24-Aug-07	MARTIN	5.3	receive Financials from Kathy receive notification of receivership, taking possession of property and assets, meetings with staff	1,457.50
24-Aug-07	MARTIN	0.5	correspond with Ira and Latham to obtain accounting from Shibley for monies paid by DCC	137.50

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW STINSON HOSPITALITY INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
25-Aug-07	IRA	7.5	TRAVEL TO AND FROM AND ATTEND AT 1KW, COMMUNICATIONS WITH JOE LATHAM, MEETING WITH STEVE O'BRIEN AND MARTY WOLFE RE OPERATIONS IN RECEIVERSHIP, DEALING WITH OPERATIONAL ISSUES, STAFF MEETINGS, PREPARATION WITH MICHAEL ALEXANDER RE PRESS CONFERENCE, PRESS CONFERENCE	3,000.00
26-Aug-07	IRA	0.7	EMAIL FROM CATHY COSTA RE DRAFT RECEIVERSHIP ORDER, REVIEW SAME	280.00
26-Aug-07	IRA	1.2	CONFERENCE CALL WITH CATHY COSTA AND JOE LATHAM TO GO OVER TERMS OF DRAFT RECEIVERSHIP ORDER	480.00
27-Aug-07	IRA	0.6	PREPARATION OF TO DO LISTING FOR RECEIVERSHIP ADMINISTRATION	240.00
27-Aug-07	IRA	0.4	DEALING WITH PRESS	160.00
27-Aug-07	IRA	0.6	RECEIVERSHIP ADMINISTRATION ISSUES	240.00
27-Aug-07	IRA	3.1	TRAVEL TO AND MEET AT GOODMAN'S TO GO OVER DRAFT RECEIVERSHIP ORDER WITH LAWYERS	1,240.00
27-Aug-07	IRA	4.3	TRAVEL TO AND FROM AND ATTEND IN COURT RE OBTAINING RECEIVERSHIP ORDER	1,720.00
27-Aug-07	IRA	0.7	PRESS AND WEBSITE ISSUES	280.00
27-Aug-07	MARTIN	0.6	review preliminary list of receivership issues meet with Phil Kholes at HSBC to discuss receivership issues	165.00
27-Aug-07	MARTIN	1.3	and receiver's banking needs	357.50
27-Aug-07	MARTIN	0.2	review bank statements	55.00

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW STINSON HOSPITALITY INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
27-Aug-07	MARTIN	0.1	obtain DCC and SHI payable lists COMMUNICATIONS TO STAFF AND OWNERS, COMMUNICATIONS STRATEGY WITH MICHAEL ALEXANDER, COMMUNICATIONS WITH JASON GORBER RE WEBSITE	27.50
28-Aug-07	IRA	3.8	TELEPHONE CONVERSATION WITH KOSTA TOMAZOS RE HIS CONSULTING REPORT AND HIS VIEW OF ASSET VALUES	1,520.00
28-Aug-07	IRA	0.4	EMAIL FROM CATHY COSTA AND REVIEW OF ISSUED AND ENTERED ORDER	160.00
28-Aug-07	IRA	0.3	communication with HSBC	120.00
28-Aug-07	MARTIN	0.6	Printing press files to PDF and saving on server; Speaking w/ J. Gorber re: putting files on the website	165.00
28-Aug-07	STEVEN	1.2	MEETING WITH MARTY WOLFE TO GO OVER BANKING AND OPERATIONAL ISSUES FROM TODAY	120.00
29-Aug-07	IRA	1.2	TELEPHONE CALL WITH JOE LATHAM RE SEGURA SECURITY ISSUES	480.00
29-Aug-07	IRA	0.6	SECURITY ISSUES	240.00
29-Aug-07	IRA	0.9	EMAILS AND TELEPHONE CALLS WITH JOE LATHAM AND CATHY COSTA RE RAYTEK ISSUES SURROUNDING REQUEST FOR MIRVISH COMMUNICATIONS	360.00
29-Aug-07	IRA	1.1	OPERATIONAL ISSUES DISCUSSION WITH MARTY WOLFE, COMMUNICATION ISSUES WITH JASON GORBER AND FINALIZING RECEIVER'S 1KW WEBSITE COMMUNICATIONS PROGRAM	440.00

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW STINSON HOSPITALITY INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
29-Aug-07	IRA	0.7	WEBSITE PAGE	280.00
29-Aug-07	IRA	0.2	COMMUNICATIONS WITH MARTY WOLFE RE CREDITOR INFORMATION REQUIRED BY COMPANY	80.00
29-Aug-07	IRA	1.3	RETURNING NUMEROUS PHONE CALLS TO INTERESTED PARTIES	520.00
29-Aug-07	IRA	1.2	TRAVEL TO AND ATTEND STAFF MEETING	480.00
29-Aug-07	MARTIN	1.0	develop list of creditors for all companies	275.00
29-Aug-07	MARTIN	0.7	meeting with staff	192.50
29-Aug-07	MARTIN	0.2	obtained trial balances and reviewed for creditors	55.00
30-Aug-07	BRANDON	0.5	Telecons w/ Marty and draft letter to open bank account	67.50
30-Aug-07	IRA	0.4	PRESS RELEASE #2 COMMUNICATION AND EMAILS WITH MICHAEL ALEXANDER	160.00
30-Aug-07	IRA	0.2	EMAILS FROM AND TO CATHY COSTA REGARDING MIRVISH MEETING AND SANDY KILGOUR MEETING NEXT WEEK	80.00
30-Aug-07	IRA	2.6	TELEPHONE CALL WITH DON ANDERSON AND YVETTE SHIRLEY RE AON INSURANCE, EMAIL FROM DON ANDERSON CONFIRMING DISCUSSION RE INSURANCE, DRAFT AND ISSUE LETTER TO AON RE INSURANCE COVERAGE AND ADDING RECEIVER AS ADDITIONAL NAMED INSURED	1,040.00
30-Aug-07	IRA	1.4	EMAILS AND TELEPHONE CALLS WITH POTENTIAL PURCHASERS TO SET UP MEETINGS AND EMAILS WITH CATHY COSTA RE OWNERS GROUP	560.00
30-Aug-07	MARTIN	0.3	conversation HSBC re cheques to release	82.50

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW STINSON HOSPITALITY INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
30-Aug-07	MARTIN	0.4	emails to HSBC re poor service and receiver's banking needs	110.00
30-Aug-07	MARTIN	0.2	call to TD to discuss banking	55.00
30-Aug-07	STEVEN	2.1	Putting together mailing list of creditors	210.00
31-Aug-07	BRANDON	1.5	1KW mailing list	202.50
31-Aug-07	IRA	0.3	JENNIFER WELLS, TORONTO STAR TELEPHONE CALL	120.00
31-Aug-07	MARTIN	0.3	telephone call with CIBC re accounts	82.50
31-Aug-07	MARTIN	1.4	telephone call and emails HSBC re problems with account set up	385.00
31-Aug-07	MARTIN	0.2	telephone discussion with Harjit re bank issues	55.00
4-Sep-07	BRANDON	0.4	Assistance to Steven regarding 245 and 246 reports to be issued with individual creditors listings	54.00
4-Sep-07	IRA	2.6	Meeting with Mirvish Group, Jeff Carhart, Pat Conway, Joe Latham, Cathy Costa re vesting concerns of Receiver	1,040.00
4-Sep-07	MARTIN	3.6	Meeting at Miller Thomson with Sandy Kilgour, Jeff Shore, Cathy Costa, Marty Wolfe re review and discussion of underlying condo documents	1,440.00
4-Sep-07	MARTIN	0.2	requests for info from Sam Rhee	55.00
4-Sep-07	MARTIN	0.7	telephone call Phil Kohls HSBC re bank accounts etc	192.50
4-Sep-07	MARTIN	0.1	email to bank to permit certification of cheque	27.50
4-Sep-07	MARTIN	0.2	telephone discussion Ira re banking and statement preparation	55.00
4-Sep-07	MARTIN	0.6	review list of SHI creditors	165.00
4-Sep-07	MARTIN	3.0	meeting at Miller Thomson with Goodmans	825.00
4-Sep-07	MARTIN	0.8	operations review with Steve O'brien and Ira	220.00

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW STINSON HOSPITALITY INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
4-Sep-07	STEVEN	1.8	Updating list of creditors for SHI and Suites; Emailing scheds to M. Wolfe; Compiling mailing list for DCC	180.00
5-Sep-07	IRA	1.5	Attend meeting requested by Robert Newman with him regarding 1KW, assistance to Receiver	600.00
5-Sep-07	IRA	1.0	Meeting at 1KW with M. Rogers, G. Armoyan et al, potential purchaser, regarding receivership proceedings and interest of Clarke to purchase assets, discussion of potential sales process not yet developed and required to be approved by Court	400.00
5-Sep-07	IRA	2.9	Receivership activity, administration and problem solving suggestions meeting with Marty Wolfe and Rob Link, emails from and to Hank Kates and unit owner Maggie Lingard	1,160.00
5-Sep-07	MARTIN	0.5	review items with Ira	137.50
5-Sep-07	MARTIN	0.1	communication regarding receiver's 1 King office filling in missing addresses from Companies' files for creditors of all 4 companies	27.50
5-Sep-07	STEVEN	1.0	all 4 companies	100.00
6-Sep-07	MARTIN	0.2	email to bank re account	55.00
6-Sep-07	MARTIN	0.8	speaking with creditors of SHI	220.00
6-Sep-07	MARTIN	0.4	telephone discussions with Phil Kohl HSBC re account set up	110.00
6-Sep-07	MARTIN	0.5	approving payables and cheques	137.50
6-Sep-07	MARTIN	0.3	planning office space	82.50
7-Sep-07	IRA	1.5	Travel to and attend meeting with K. Tomazos and C. Villarin re report status update	600.00

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW STINSON HOSPITALITY INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
7-Sep-07	MARTIN	0.6	phone conversations with creditors Eric Peters, Gary Crawford, Dana, Debbie, Theresa	165.00
7-Sep-07	MARTIN	0.2	review of weekly A/R, A/P for all companies	55.00
7-Sep-07	MARTIN	0.4	emails to HSBC re banking	110.00
7-Sep-07	MARTIN	0.3	review update of O/S cheques	82.50
10-Sep-07	IRA		Receiver's 245 and 246 reports, J. Gorber emails re Receiver's website, communications from unsecured creditors	480.00
10-Sep-07	IRA	0.3	Review of S. Smith activities re 245 and 246 reports	120.00
10-Sep-07	MARTIN	0.6	working on office space with Kevin & email to Steve	165.00
10-Sep-07	MARTIN	0.7	planning office for receivers	192.50
11-Sep-07	IRA	1.5	Meeting with Timothy Gray of Spire Sharwood re 1KW potential purchaser client of his, discussion of receivership process and receiver's need to develop sales process and first get Court approval for it	600.00
11-Sep-07	IRA		Telephone call and emails with Joe Latham re owners meeting and upcoming application to court by Mirvish Group and requirements of Receiver, possible need for report to court, telephone call with Cathy Costa regarding october date for court attendance on approval of 2nd supplementary report to court	480.00
11-Sep-07	IRA	0.1	Email to Harry Stinson re contacting 1KW employees	40.00
11-Sep-07	IRA	0.6	Telephone calls and emails from noteholders and replies by telephone/email	240.00
12-Sep-07	BRANDON	0.1	telecon w/interested potential purchaser	13.50

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW STINSON HOSPITALITY INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
12-Sep-07	IRA	0.7	Receipt, rww and replies to various emails on 1KW	280.00
		<b>159.3</b>		<b>53,552.5</b>

<u>Employee name</u>	<u>Hourly Rate</u>	<u>Amount</u>
IRA SMITH	400.00	36,840.00
MARTIN WOLFE	275.00	15,152.50
PAUL HAMILTON	200.00	-
ROBERT LINK	275.00	275.00
BRANDON SMITH	135.00	675.00
STEVEN SMITH	100.00	610.00

**Total:** **159.3**

**Average Hourly Rate:** **\$ 336.17**

**53,552.50**

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW DOMINION CLUB OF CANADA CORPORATION,

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
17-Aug-07	MARTIN	0.1	review early bird report	27.50
21-Aug-07	MARTIN	0.1	review early bird report	27.50
21-Aug-07	MARTIN	1.7	review and comment on Ontario Club unprofitable business	467.50
22-Aug-07	MARTIN	0.1	email to Kathy attempting to obtain banking info for SHI & DCC travel to 1 King obtain DCC corporate and SHI Quick Book	27.50
23-Aug-07	MARTIN	0.4	records	110.00
23-Aug-07	MARTIN	0.4	Installation of books and records on separate computer to safeguard them given pending receivership decision	110.00
23-Aug-07	MARTIN	0.1	review early bird report	27.50
23-Aug-07	MARTIN	0.7	receive and reviewGLs for 1 King DCC and HKPNG	192.50
24-Aug-07	MARTIN	0.1	review early bird	27.50
24-Aug-07	MARTIN	0.3	review cheques issued to Stinson, discussed with Harjit	82.50
25-Aug-07	MARTIN		meet with Ira to go over issues for receivership administration today, various meetings with staff, take possession of property, identification and freezing of Dominion Club credits	2,530.00
26-Aug-07	IRA	3.0	TRAVEL TO AND FROM AND ATTEND STAFF MEETING MEETING WITH MARTY WOLFE TO GO OVER	1,200.00
27-Aug-07	IRA	1.1	RECEIVERSHIP OPERATIONAL ISSUES FOR THE DAY DEALING WITH MARTY WOLFE RE COMMUNICATIONS TO UNSECURED CREDITORS	440.00
27-Aug-07	IRA	0.3	DISCUSSION WITH MARTY WOLFE AND STEVE OBRIEN RE	120.00
27-Aug-07	IRA	0.4	DCC CREDIT CUT-OFF	160.00

**Ira Smith Trustee & Receiver Inc.**  
**Detail Time Sheet**

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW DOMINION CLUB OF CANADA CORPORATION,

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
27-Aug-07	IRA	1.8	MEETING WITH MARTY WOLFE TO GO OVER	720.00
27-Aug-07	MARTIN	0.2	RECEIVERSHIP OPERATIONAL ISSUES	55.00
27-Aug-07	MARTIN	1.6	review early bird for week end general staff meeting	440.00
27-Aug-07	MARTIN	1.4	review outstanding cheques with Harjit and Shahid to determine which cheques to stop payment and banking issues	385.00
27-Aug-07	MARTIN	0.9	meeting with sales staff re Dominion Club credits and set policies on existing reservations	247.50
27-Aug-07	MARTIN	0.2	obtain DCC and SHI payable lists	55.00
27-Aug-07	MARTIN	2.1	Creditor and supplier phone calls and meetings at beginning of receivership	577.50
27-Aug-07	STEVEN	3.0	Meeting w/ Ira, Marty and Paul for briefing; Tour of premises w/ Marty and Paul Hamilton, meeting various staff members, meeting w/ S. O'Brien re: responsibilities; Receiver's operational issues; Drafting Receiver's letter to creditors	300.00
28-Aug-07	IRA	1.2	DEALING WITH MARTY WOLFE ON OPERATIONAL ISSUES	480.00
28-Aug-07	MARTIN	1.7	INCLUDING ONTARIO CLUB MATTERS AND NATIONAL POST CONFERENCE EVENT FOR DCC	467.50
28-Aug-07	MARTIN	0.7	creditor phone calls	192.50
28-Aug-07	MARTIN	0.5	meeting with Michael Martincek Ontario Club discussions and emails re National Post business	137.50
28-Aug-07	MARTIN	0.2	discussion with Shahid on cheque and PO signing procedures	55.00

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW DOMINION CLUB OF CANADA CORPORATION,

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
28-Aug-07	MARTIN	1.3	general discussions, phone calls and emails regarding receiverships	357.50
28-Aug-07	PAUL	7.5	Assisting Martin Wolfe in taking possession issues and determining current financial issues	1,500.00
29-Aug-07	IRA	0.2	COMMUNICATIONS WITH MARTY WOLFE RE CREDITOR INFORMATION REQUIRED BY COMPANY	80.00
29-Aug-07	IRA	0.6	DEALING WITH MARTY WOLFE AND STEVE O'BRIEN ON VARIOUS OPERATIONAL ISSUES	240.00
29-Aug-07	IRA	1.2	MEETING WITH MARTY WOLFE AND ONTARIO CLUB EMAILS WITH HANK KATES RE REMOVAL OF SAPPHIRE	480.00
29-Aug-07	IRA	0.2	SIGNAGE FROM 1KW	80.00
29-Aug-07	IRA	0.6	INSPECTION OF OLD SAPPHIRE SALES OFFICE AND ARR'S WITH STEVE O'BRIEN RE CONVERTING OLD SAPPHIRE SALES OFFICE INTO RECEIVER'S OFFICE	240.00
29-Aug-07	IRA	0.2	TELEPHONE CONVERSATION WITH PETER KOFMAN	80.00
29-Aug-07	MARTIN	1.1	develop list of creditors for all companies	302.50
29-Aug-07	MARTIN	0.8	meet with Matt Black re contracts involving credits	220.00
29-Aug-07	MARTIN	0.1	review early bird	27.50
29-Aug-07	MARTIN	0.8	meeting with Ontario Club directors	220.00
29-Aug-07	MARTIN	0.1	obtain A/P 1 King DC and HKP	27.50
29-Aug-07	MARTIN	0.2	obtained trial balances and reviewed for creditors	55.00
29-Aug-07	MARTIN	1.3	phone calls and emails re receivership proceedings	357.50
29-Aug-07	PAUL	7.5	Assisting Martin Wolfe in taking possession issues and determining current financial issues	1,500.00

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW DOMINION CLUB OF CANADA CORPORATION,

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
30-Aug-07	IRA	0.4	TELEPHONE CALL WITH MARTY WOLFE RE BANKING WITH HSBC V. TD AND OTHER OPERATIONAL ISSUES	160.00
30-Aug-07	IRA	0.6	LETTER TO HARRY STINSON RE PERSONAL PROPERTY, CLASSIC CARS NOT BEING INSURED	240.00
30-Aug-07	MARTIN	3.8	work with Steven Smith on creditor lists	1,045.00
30-Aug-07	MARTIN	0.6	review and sign purchase orders	165.00
30-Aug-07	MARTIN	0.2	obtain Aug 24 A/R	55.00
30-Aug-07	MARTIN		Many emails received and read re supplier issues and internal hotel operational issues	220.00
30-Aug-07	MARTIN	2.2	meetings with various managers, telephone calls	605.00
30-Aug-07	STEVEN	2.2	Putting together mailing list of creditors	220.00
31-Aug-07	BRANDON	1.5	1KW mailing list	202.50
31-Aug-07	IRA	0.6	OPERATIONAL ISSUES	240.00
31-Aug-07	IRA		TELEPHONE CALLS WITH ALAN KALINSKY RE STEEDMAN WEDDING AND LIBERTY GROUP RE FOOD & BEVERAGE	160.00
31-Aug-07	IRA	0.3	EMAILS FROM AND TO STEEDMAN RE UPCOMING WEDDING RECEPTION	120.00
4-Sep-07	BRANDON	0.3	Assistance to Steven regarding 245 and 246 reports to be issued with individual creditors listings	40.50
4-Sep-07	IRA	0.2	Discussion with K. Tomazos prior to MT meeting	80.00
4-Sep-07	IRA	0.7	Meeting with Steve O'Brien and Marty Wolfe re receivership operations	280.00
4-Sep-07	MARTIN	0.3	reply to supplier emails	82.50
4-Sep-07	MARTIN		approve cheques and purchase orders	-

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW DOMINION CLUB OF CANADA CORPORATION,

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
4-Sep-07	MARTIN	0.1	DCC	27.50
4-Sep-07	MARTIN	0.5	meeting with new supplier for DCC - KBRO return call to creditor 4 Star Dairy and arrange for continuation of	137.50
4-Sep-07	MARTIN	0.2	supplier	55.00
4-Sep-07	MARTIN	0.5	updates from Steve O'Brien	137.50
4-Sep-07	MARTIN	0.4	meet with accounting staff	110.00
4-Sep-07	MARTIN	0.1	returned calls to 2 creditors and left messages	27.50
4-Sep-07	MARTIN	0.1	phone call from HSBC approving DCC cheques	27.50
			Updating list of creditors for SHI and Suites; Emailing scheds to	
4-Sep-07	STEVEN	1.9	M. Wolfe; Compiling mailing list for DCC	190.00
5-Sep-07	IRA	0.8	DCC emails regarding Faster Linen and National Post	320.00
			Telephone call with Joe Latham re problems caused for receiver by vesting order application and need for receiver entering into lease with Mirvish in order for Receiver to maintain control over all assets, properties and undertakings for sales process and consideration of appropriateness of quantum of rental income	
5-Sep-07	IRA	0.7	requested by Mirvish Group	280.00
5-Sep-07	MARTIN	0.2	email response to creditor	55.00
5-Sep-07	MARTIN	0.3	obtain creditor addresses for Dominion Club	82.50
5-Sep-07	MARTIN	0.1	email to S Smith	27.50
5-Sep-07	MARTIN	0.1	review early bird report	27.50
5-Sep-07	MARTIN	0.2	building inspection re sign removals	55.00
5-Sep-07	MARTIN	0.1	called Chair Man Mills Ellen 416-391-0400 left message	27.50
5-Sep-07	MARTIN	0.3	responded to creditors by phone	82.50
5-Sep-07	MARTIN	1.3	liquor license application transfer	357.50

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name	Full Estate Name	Date	Name	Duration	Activity	\$
R-1KW	DOMINION CLUB OF CANADA CORPORATION,	5-Sep-07	MARTIN	0.3	meeting with Matt Black re suppliers	82.50
		5-Sep-07	MARTIN	0.4	meeting with Steve O'Brien re contra decisions	110.00
		5-Sep-07	MARTIN	0.3	telephone responses to creditors	82.50
		5-Sep-07	MARTIN	0.8	updating creditor list with additional names	220.00
		5-Sep-07	MARTIN	1.7	obtain and begin review of lease files	467.50
		5-Sep-07	STEVEN	1.1	filling in missing addresses from Companies' files for creditors of all 4 companies	110.00
		6-Sep-07	MARTIN	4.2	re parking - various discussions throught day with Steve O'Brien, Gerry Bouthillier and Marie McCammont re logistics of terminating valet personnel and shifting positions. Calucuations affecting hotel DCC operation if parking is discontinued	1,155.00
		6-Sep-07	MARTIN	0.3	telephone conversation with DHL leasing re lease arrers various discussions and action plan re DCC credits allowed in error	82.50
		6-Sep-07	MARTIN	1.6	error	440.00
		6-Sep-07	MARTIN	0.4	providing S Smith with additional creditors and addresses	110.00
		6-Sep-07	MARTIN	0.6	memo and suggestions re Ontario Clun operation	165.00
		7-Sep-07	MARTIN	0.8	telephone calls re 4 star bakery	220.00
		7-Sep-07	MARTIN	0.5	approve purchase orders and payments	137.50
		7-Sep-07	MARTIN	2.8	conclusions on continuation of parking operations	770.00
		7-Sep-07	MARTIN	0.2	review of weekly A/R, A/P for all companies	55.00
		7-Sep-07	MARTIN	0.1	review early bird report	27.50
		10-Sep-07	IRA	0.4	Emails to and from M. Wolfe re unsecured creditor calls received, how best to deal with pre and post claims for essential suppliers	160.00

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW DOMINION CLUB OF CANADA CORPORATION,

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
10-Sep-07	IRA		Communications from and to unsecured creditors both by telephone and email regarding receiverships	640.00
10-Sep-07	MARTIN	1.6	1.6 retrieve 4 phone messages	55.00
10-Sep-07	MARTIN	0.2	0.2 telephone calls with creditors	357.50
10-Sep-07	MARTIN	1.3	1.3 meet with Harjit to review and obtain leases	82.50
10-Sep-07	MARTIN	0.3	0.2 issue with Moneris and long term leases	55.00
10-Sep-07	MARTIN	0.2	1.4 establish protocol for issuance of purchase orders	385.00
10-Sep-07	MARTIN	1.4	0.8 return calls to creditors	220.00
10-Sep-07	MARTIN	0.8	make enquiry re Ontario Club sales issue and email to Michael	
10-Sep-07	MARTIN	0.4	0.4 Martinchek	110.00
10-Sep-07	MARTIN	0.8	0.8 cheque signing and PO approval	220.00
10-Sep-07	MARTIN	3.0	3.0 owners meeting	825.00
10-Sep-07	ROBERT		Attend at 1KW, meet with Wolfe; meet w/ Smith, Wolfe and counsel; Attend owners meeting.	1,100.00
11-Sep-07	MARTIN	1.1	1.1 telephone calls to creditors	302.50
11-Sep-07	MARTIN	1.6	1.6 find new food suppliers for DCC, calls and meet with Chef	440.00
11-Sep-07	MARTIN	0.2	0.2 review early bird	55.00
11-Sep-07	MARTIN	0.3	0.3 discussion re new linen contract	82.50
11-Sep-07	MARTIN	1.5	1.5 meeting with staff, emails etc	412.50
12-Sep-07	MARTIN	0.8	0.8 phone calls creditors	220.00
12-Sep-07	MARTIN	0.4	0.4 phone Amsterdam Brewery Rob Mulvihill re Vault	110.00
12-Sep-07	MARTIN	0.5	0.5 PO approval	137.50
12-Sep-07	MARTIN	0.6	0.6 meeting with Harjit re accounting and financial	165.00
12-Sep-07	MARTIN	0.4	0.4 meeting with Steve re operations	110.00
12-Sep-07	MARTIN	1.1	1.1 Review and respond to emails re operations	302.50

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW DOMINION CLUB OF CANADA CORPORATION,

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
12-Sep-07	ROBERT	3.0	8:30 conference call; Meet w/ HSBC, execute account documents; deal with inquiries from creditors; review lease company files, deal with leasing companies.	825.00
13-Sep-07	ROBERT	1.0	Attend 1KW, meet w/ H. Guraya to sign cheques and approve purchase orders, general discussion.	275.00
14-Sep-07	ROBERT	1.0	Attend 1KW, meet w/ H. Guraya to sign cheques, review August financials.	275.00
<b>Total:</b>				<b>33,530.50</b>

<u>Employee name</u>	<u>Hourly Rate</u>	<u>Amount</u>
IRA SMITH	400.00	7,000.00
MARTIN WOLFE	275.00	19,992.50
PAUL HAMILTON	200.00	3,000.00
ROBERT LINK	275.00	2,475.00
BRANDON SMITH	135.00	243.00
STEVEN SMITH	100.00	820.00
<b>Total:</b>	<b>124.2</b>	<b>33,530.50</b>

**Average Hourly Rate: \$ 269.97**

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW 2076564 ONTARIO INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
23-Aug-07	MARTIN	0.7	receive and reviewGLs for 1 King DCC and HKPNG obtain info from O'Brien re Union Neutrality agreement further	192.50
23-Aug-07	MARTIN	0.2	email exchange with Stinson to obtain financial	55.00
27-Aug-07	MARTIN	0.2	response to Sushma re off site housekeeping	55.00
28-Aug-07	MARTIN	2.2	meeting with staff	605.00
29-Aug-07	IRA	0.2	COMMUNICATIONS WITH MARTY WOLFE RE CREDITOR	80.00
29-Aug-07	MARTIN	1.1	INFORMATION REQUIRED BY COMPANY develop list of creditors for all companies	302.50
29-Aug-07	MARTIN	0.2	obtain A/P 1 King DC and HKP	55.00
29-Aug-07	MARTIN	0.2	discuss O/S HSKPG invoice High Park Mgmt	55.00
29-Aug-07	MARTIN	0.2	obtained trial balances and reviewed for creditors	55.00
30-Aug-07	IRA	0.3	COMMUNICATIONS WITH STEVE O'BRIEN RE STRATEGY TO DEAL WITH HOUSEKEEPING PROVIDING CLEANING	120.00
4-Sep-07	MARTIN	0.3	SERVICES TO HIGH PARK LOFTS	82.50
4-Sep-07	MARTIN	0.3	Housekeeping balance preparation	-
4-Sep-07	MARTIN	0.1	approve cheques and purchase orders	27.50
5-Sep-07	STEVEN	1.0	Housekeeping filling in missing addresses from Companies' files for creditors of all 4 companies	100.00
7-Sep-07	MARTIN	0.2	review of weekly A/R, A/P for all companies	55.00
11-Sep-07	MARTIN	0.6	recommend collection agency and assist with terms	165.00
		<b>7.7</b>		<b>2,005.00</b>

**Ira Smith Trustee & Receiver Inc.**  
**Detail Time Sheet**

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
 R-1KW 2076564 ONTARIO INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
	<u>Employee name</u>		<u>Hourly Rate</u>	<u>Amount</u>
	IRA SMITH	0.5		400.00
	MARTIN WOLFE	6.2		275.00
	PAUL HAMILTON	-		200.00
	ROBERT LINK	-		275.00
	BRANDON SMITH	-		135.00
	STEVEN SMITH	1.0		100.00
<b>Total:</b>		<b>7.7</b>		<b>2,005.00</b>

**Average Hourly Rate: \$ 260.39**

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW THE SUITES AT 1 KING WEST INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
17-Aug-07	MARTIN	0.1	review early bird report	27.50
21-Aug-07	MARTIN	0.1	review early bird report	27.50
23-Aug-07	MARTIN	0.1	review early bird report	27.50
24-Aug-07	MARTIN	0.1	review early bird	27.50
24-Aug-07	MARTIN	1.8	advise banks to freeze accounts	495.00
27-Aug-07	MARTIN	0.1	review early bird for week end	27.50
			TRAVEL TO AND ATTEND RESIDENTIAL CONDO BOARD	
28-Aug-07	IRA	3.1	1703 MEETING	1,240.00
			MEETING WITH CATHY COSTA AND JOE LATHAM TO	
			DISCUSS ISSUES OF THE DAY AND RESIDENTIAL CONDO	
28-Aug-07	IRA	1.3	BOARD MEETING AND TO OBTAIN ADVICE AND INPUT	520.00
28-Aug-07	MARTIN	2.6	TSCC 1703 Board meeting with Ira	715.00
			COMMUNICATIONS WITH MARTY WOLFE RE CREDITOR	
29-Aug-07	IRA	0.2	INFORMATION REQUIRED BY COMPANY	80.00
			MEETING WITH BRIAN SMITH AND ALEX WILSON OF	
			RESIDENTIAL CONDO BOARD TO GO OVER ISSUES OF	
			CONCERN FOR BOARD AND TO FOLLOW UP ON CERTAIN	
29-Aug-07	IRA	2.1	ITEMS FROM MEETING WITH BOARD LAST NIGHT	840.00
29-Aug-07	MARTIN	1.1	develop list of creditors for all companies	302.50
29-Aug-07	MARTIN	0.1	review early bird	27.50
29-Aug-07	MARTIN	0.2	obtained trial balances and reviewed for creditors	55.00
30-Aug-07	IRA	0.3	EMAILS W. BOB VERDUN RE MEETING NEXT WEEK	120.00
30-Aug-07	IRA	0.6	OPEN LETTER TO THE PUBLIC	240.00

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW THE SUITES AT 1 KING WEST INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
30-Aug-07	IRA	0.3	FINALIZING OPEN LETTER TO THE PUBLIC EMAIL FROM AND REPLY TO ALEXANDER SIZOV RE REQUEST TO EXIT RMA DUE TO NEED TO SELL CONDO AND ADVISE THAT WE WILL RELEASE WHEN PROVIDED BY SOLICITOR'S WRITTEN REQUEST CONFIRMING	120.00
30-Aug-07	IRA	0.4	CLOSING OF CONDO SALE	160.00
4-Sep-07	IRA	1.7	Travel to and attend meeting with unit owner called at her request, J. Ramessar-Chung	680.00
4-Sep-07	MARTIN	0.8	1 King West Balance sheet preparation	220.00
4-Sep-07	MARTIN		approve cheques and purchase orders	-
4-Sep-07	MARTIN	0.2	Suites	55.00
4-Sep-07	STEVEN	1.9	Updating list of creditors for SHI and Suites; Emailing scheds to M. Wolfe; Compiling mailing list for DCC	190.00
5-Sep-07	IRA	2.0	Travel to (0.5) and attend Bob Verdun meeting at 1KW with Marty Wolfe	800.00
5-Sep-07	MARTIN	2.4	meeting with Bob Verdun	660.00
5-Sep-07	MARTIN	0.2	telephone discussion with Yehudi Hendler filling in missing addresses from Companies' files for creditors of all 4 companies	55.00
5-Sep-07	STEVEN	1.0		100.00
6-Sep-07	MARTIN	0.3	planning for owners meeting with O'Brien	82.50
7-Sep-07	IRA	1.7	Planning and prep for owners' meeting	680.00
7-Sep-07	IRA	2.3	Planning and prep for owners' meeting	920.00
7-Sep-07	MARTIN	0.3	phone conversation with owner Dyer Suite 4107 advise Matt Black re change of name of Hummingbird centre	82.50
7-Sep-07	MARTIN	0.2	and try to determine effect on contract	55.00

# Ira Smith Trustee & Receiver Inc. Detail Time Sheet

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
R-1KW THE SUITES AT 1 KING WEST INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
7-Sep-07	MARTIN	0.2	review of weekly A/R, A/P for all companies	55.00
7-Sep-07	MARTIN	0.1	review early bird report	27.50
10-Sep-07	IRA	2.1	Final prep for owners meeting tonight	840.00
			Travel to and attend meeting with J. Latham, C. Costa, M. Wolfe	
10-Sep-07	IRA	1.9	and R. Link re owners' meeting tonight	760.00
10-Sep-07	IRA	3.5	Attend and conduct owners' meeting	1,400.00
			spoke with Hotel guest (Ray Arco - Beverly Hills) and prepared	
10-Sep-07	MARTIN	0.3	his list for Steve & Kosta	82.50
10-Sep-07	MARTIN	0.8	discussion with Tamitha Oakley re hotel pool and related matters	220.00
12-Sep-07	MARTIN	0.3	phone Steve Stein BDO Dunwoody re 1 King W audit	82.50
		<b>38.8</b>		<b>13,100.00</b>

**Ira Smith Trustee & Receiver Inc.**  
**Detail Time Sheet**

Period from: 2007-08-16 to 2007-09-15

Key name Full Estate Name  
 R-1KW THE SUITES AT 1 KING WEST INC.

<u>Date</u>	<u>Name</u>	<u>Duration</u>	<u>Activity</u>	<u>\$</u>
	<u>Employee name</u>		<u>Hourly Rate</u>	<u>Amount</u>
	IRA SMITH	23.5	400.00	9,400.00
	MARTIN WOLFE	12.4	275.00	3,410.00
	PAUL HAMILTON	-	200.00	-
	ROBERT LINK	-	275.00	-
	BRANDON SMITH	-	135.00	-
	STEVEN SMITH	2.9	100.00	290.00
<b>Total:</b>		<b>38.8</b>		<b>13,100.00</b>

**Average Hourly Rate: \$ 337.63**

**STINSON HOSPITALITY INC., DOMINION CLUB OF CANADA  
CORPORATION AND HARRY STINSON**

And

**ED MIRVISH ENTERPRISES LIMITED AND  
1 KING WEST INC.**

Applicants

Respondents

Court File No.: 07-CL-691

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
- COMMERCIAL LIST -**

Proceeding commenced at Toronto

**AFFIDAVIT OF IRA SMITH  
(Sworn October 1, 2007)**

**Goodmans LLP**  
Barristers & Solicitors  
250 Yonge Street, Suite 2400  
Toronto, Canada M5B 2M6

Joseph Latham (LSUC#32326A)  
Tel: 416-979-2211  
Fax: 416-979-1234

Solicitors for Ira Smith Trustee & Receiver Inc. in  
its capacity as court-appointed receiver and  
manager of Stinson Hospitality Inc., Dominion  
Club of Canada Corporation, The Suites at 1 King  
West Inc. and 2076564 Ontario Inc.

# Tab P

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**ED MIRVISH ENTERPRISES LIMITED AND 1 KING WEST INC.**

Applicants

- and -

**STINSON HOSPITALITY INC., DOMINION CLUB OF CANADA CORPORATION  
AND HARRY STINSON**

Respondents

**AFFIDAVIT OF JOSEPH LATHAM  
(Sworn October 1, 2007)**

I, Joseph Latham, of the City of Toronto, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am a partner with the law firm of Goodmans LLP (“Goodmans”), counsel for Ira Smith Trustee & Receiver Inc., in its capacity as Court-appointed receiver and manager of (the “Receiver”) of Stinson Hospitality Inc., Dominion Club of Canada Corporation, The Suites at 1 King West Inc. and 2076564 Ontario Inc. (collectively, the “Debtors”). As such, I have knowledge of the matters hereinafter deposed to, except where stated to be on information and belief and whereso stated I verily believe it to be true.
2. ISI was appointed Receiver of all of the property, assets and undertaking of the Debtors pursuant to an Order of the Ontario Superior Court of Justice dated August 24, 2007 (the “Receivership Order”).
3. Pursuant to paragraph 21 of the Receivership Order, the Receiver and its legal counsel are required to pass their accounts from time to time.

4. Attached hereto and marked as Exhibit "2" to this my Affidavit is a summary of the invoices rendered by Goodmans to the Receiver (the "Goodmans Accounts") in respect of these proceedings for the period from August 20, 2007 to September 24, 2007 (the "Goodmans Application Period"), as well as copies of the Goodmans Accounts.

5. Goodmans expended a total of approximately 173 hours in connection with this matter during the Goodmans Application Period, giving rise to fees and disbursements totalling \$105,856.68 including GST and allocated approximately as outlined in the summary of fees attached hereto and marked as Exhibit "1".

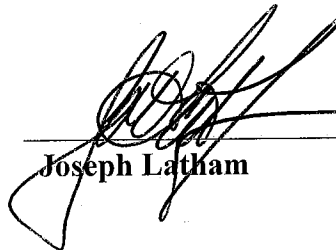
6. Goodmans has had its rates and disbursements, including the rates of various of the lawyers who provided services in these proceedings, approved by this Honourable Court in respect of similar services provided in various insolvency and restructuring files.

7. This Affidavit is sworn in connection with a motion by the Receiver to have, among other things, the fees and disbursements of its counsel, Goodmans, in relation to these proceedings approved by this Honourable Court and for no improper purpose.

SWORN BEFORE ME at the City of  
Toronto, in the Province of Ontario,  
this 1<sup>st</sup> day of October, 2007.



\_\_\_\_\_  
A Commissioner for taking affidavits



\_\_\_\_\_  
Joseph Latham

**ED MIRVISH ENTERPRISES LIMITED AND  
1 KING WEST INC.**

And

**STINSON HOSPITALITY INC., DOMINION CLUB OF CANADA  
CORPORATION AND HARRY STINSON**

Applicants

Respondents

Court File No.: 07-CL-6913

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
- COMMERCIAL LIST -**

Proceeding commenced at Toronto

**AFFIDAVIT OF JOSEPH LATHAM  
(Sworn October 1, 2007)**

**Goodmans LLP**  
Barristers & Solicitors  
250 Yonge Street, Suite 2400  
Toronto, Canada M5B 2M6

Joseph Latham (LSUC#32326A)  
Tel: 416-979-2211  
Fax: 416-979-1234

Solicitors for Ira Smith Trustee & Receiver Inc. in  
its capacity as court-appointed receiver and  
manager of Stinson Hospitality Inc., Dominion  
Club of Canada Corporation, The Suites at 1 King  
West Inc. and 2076564 Ontario Inc.

# **Tab P1**

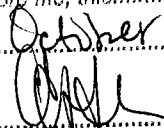
**IRA SMITH TRUSTEE & RECEIVER INC. AS RECEIVER AND MANAGER OF  
STINSON HOSPITALITY INC., DOMINION CLUB OF CANADA CORPORATION,  
THE SUITES AT 1 KING WEST INC. AND 2076564 ONTARIO INC.**

**AUGUST 20, 2007 – SEPTEMBER 24, 2007**

Staff Member	Title	Total Hours	Rate (\$CDN)	Amount Billed
Joseph Latham	Partner	75.3	\$650.00	\$48,945
Caterina Costa	Associate	63.1	\$495.00	\$31,234.50
Jeffrey Shore	Partner	25.3	\$545.00	\$13,788.50
Susan Zimmerman	Partner	.20	\$625.00	\$125.00
Ken Herlin	Partner	1.70	\$625.00	\$1,062.50
Joe Morrison	Associate	1.70	\$500.00	\$850.00
Brandy Cooper	Law Clerk	0.6	\$280.00	\$168.00
Maureen Buckley	Law Clerk	1.80	\$325.00	\$585.00
Diane Ferreira	Law Clerk	0.4	\$235.00	\$94.00
	Litigation Clerk	1.10	\$50.00	\$55.00
Word Processing	N/A	1.8	\$50.00	\$90.00
<b>Total Fees (excludes expenses and GST)</b>		<b>173</b>	<b>Average hourly rate \$560.68</b>	<b>\$96,997.50</b>

GOODMANS\5497905.1

This is Exhibit 7 referred to in the affidavit of Joseph Latham sworn before me, this 15<sup>th</sup> day of October, 2007.

  
A COMMISSIONER FOR TAKING AFFIDAVITS

**Tab P2**

IRA SMITH TRUSTEE & RECEIVER INC. AS RECEIVER AND MANAGER OF STINSON HOSPITALITY INC., DOMINION CLUB OF CANADA CORPORATION, THE SUITES AT 1 KING WEST INC. AND 2076564 ONTARIO INC.

AUGUST 20, 2007 – SEPTEMBER 24, 2007

Invoice Number	Invoice Date	Invoice Period / Description	Total Hours	Fees	Disbursements	GST	Invoice Total
482502	September 11, 2007	August 20, 2007 to August 31, 2007	86.1	\$47,145.50	\$1,183.86	\$2,899.76	\$51,229.12
483983	October 1, 2007	August 22, 2007 to September 24, 2007	86.9	\$49,852.00	\$1,689.77	\$3,085.79	\$54,627.56
		<b>TOTAL</b>	<b>173</b>	<b>\$96,997.50</b>	<b>\$2,873.63</b>	<b>\$5,985.55</b>	<b>\$105,856.68</b>

GOODMANS\5498247.1

This is Exhibit 2 referred to in the affidavit of Joseph Latham sworn before me, this 15<sup>th</sup> day of October 2007.

*[Signature]*  
A COMMISSIONER FOR TAKING AFFIDAVITS

# Goodmans <sup>LLP</sup>

Barristers & Solicitors  
250 Yonge Street, Suite 2400  
Toronto, Ontario Canada M5B 2M6  
Telephone: 416.979.2211  
Facsimile: 416.979.1234  
goodmans.ca

DIRECT LINE: 416.597.4211  
jlatham@goodmans.ca

September 12, 2007

Our File No.: 07.0060

Ira Smith Trustee & Receiver Inc.  
6 - 167 Applewood Crescent  
Concord, ON L4K 4K7

**Attention: Ira Smith**

Dear Mr. Smith:

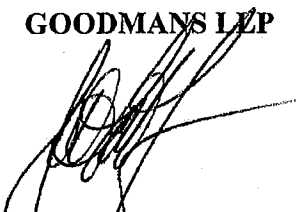
**Re: Stinson Hospitality Inc. and Dominion Club of Canada Corporation**

Enclosed is our interim account for services rendered to you in connection with the above matter for the period from August 20, 2007 to August 31, 2007.

Should you have any questions or comments with respect to the enclosed, please contact me.

Yours very truly,

**GOODMANS LLP**



L. Joseph Latham  
LJL/nw  
Encl.

This is Exhibit 2 referred to in the  
affidavit of Joseph Latham  
sworn before me, this 15<sup>th</sup>  
day of October 2007

\*\*\*\*\*  
A COMMISSIONER FOR TAKING AFFIDAVITS

GOODMANS\5491342.1



Barristers & Solicitors

250 Yonge Street, Suite 2400  
Toronto, Ontario Canada M5B 2M6

Telephone: 416.979.2211  
Facsimile: 416.979.1234  
goodmans.ca

GST Registration Number R119422962

September 11, 2007

Ira Smith Trustee & Receiver Inc.  
6 - 167 Applewood Crescent  
Concord, ON  
Canada L4K 4K7

ATTENTION: Ira Smith

OUR FILE NO.        ISTR        070060

OUR INVOICE NO.        482502

Re: Stinson Hospitality Inc. and Dominion Club of Canada Corporation

---

TO OUR PROFESSIONAL SERVICES RENDERED IN CONNECTION WITH THE ABOVE NOTED  
MATTER INCLUDING THE FOLLOWING:

Date	TKID	Hours	Description
08/20/07	JHS	1.20	Telephone conversations and correspondence with J. Latham and C. Costa re: emergency subsearches; conduct subsearches and execution searches via Teraview; draft report of subsearch results to J. Latham;
08/22/07	LJL	3.40	Multiple discussions and exchanges of email with I. Smith, M. Wolfe and C. Costa re: conclusion of hearing; exchanges of emails and telephone calls with P. Raytek re: issues of asserting solicitor client privilege on Shibley Righton's accounts; telephone calls with M. Wolfe and I. Smith re: same; multiple emails with P. Raytek and I. Smith regarding issue and allegations from P. Raytek of breach of terms of order;
08/23/07	CEC	0.40	E-mail correspondence re: post-hearing matters; review monitor appointment order;
08/23/07	LJL	2.80	Multiple discussions and exchange of email with P. Raytek re: issues involving production of evidence that payments to Shibley Righton were related to 1 King West; telephone call with M. Arnold to discuss comments by B. Verdun on Google group email list for 1 King owners and to discuss approach to matter in general; reviewing numerous emails regarding financial statements and other information requests;

08/24/07	CEC	3.50	Review Reasons of Justice Pepall; review Model Receivership Order; discussions with I. Smith and J. Latham re: same; e-mail with counsel re: meeting to settle order; review Segura security; review corporate/PPSA searches and real property searches; discussion/e-mail correspondence with J. Morrison re; employment issues;
08/24/07	LJL	6.20	Telephone calls with I. Smith re: issues to address if Order granted; receipt by fax of reasons from Justice Pepall; reviewing reasons and telephone calls with I. Smith and C. Costa re: same and impact; telephone call with M. Arnold and the Board of Directors of the residential condominium corporation to discuss the Receiver's initial reactions to the draft Order and perspectives on the Receiver's proposed course of action, including with respect to the scope of the receivership order; telephone call with I. Smith to debrief on discussions with the Board of Directors of the residential condominium board; telephone call with P. Raytek to advise that I. Smith was to be attending the hotel; telephone call J. Carhart to discuss issues involving reasons on the denial for the time being of the vesting order relief sought by the Mirvish Group; office conferences with C. Costa to discuss logistics of drafting order and proposing meeting time for Monday, August 27th for counsel to settle the Order; reviewing the reasons noted a second time; reviewing draft Orders from both of the April and the August appearances and reviewing model Order;
08/24/07	JMN	0.50	E-mail from C. Costa re: letter from employer by receiver;
08/25/07	LJL	1.00	Exchange of messages with I. Smith and C. Costa re: draft Order; telephone call with I. Smith for update regarding communications with employees and creditors and with the press;
08/26/07	CEC	2.80	Review Reasons of Justice Pepall; draft receivership order; discussions with I. Smith and J. Latham re: same; revisions to receivership order; compare to Model Receivership Order; e-mail correspondence with counsel;
08/26/07	LJL	2.50	Reviewing and commenting on draft Order; telephone calls with I. Smith and C. Costa and circulating draft Order to Counsel;
08/26/07	JMN	1.20	Drafting engagement letter for employer; e-mail to C. Costa with respect to same;
08/27/07	MUB	0.50	Order verbal PPSAs and circulate to C. Costa; update summaries;
08/27/07	CEC	9.30	Prepare for court hearing; review Segura materials; meeting with counsel to settle order; attend at court hearing;

08/27/07	LJL	9.30	Office conferences with C. Costa and reviewing drafts of Receivership Order and reasons of Justice Pepall in anticipation of meeting with counsel to settle the Order; meeting with M. Arnold, J. Carhart, I. Smith, P. Conway and, with A. Jacques and P. Raytek by telephone, to discuss issues with the Order and to settle same, noting areas of disagreement; preparing for submissions to Justice Pepall; attending Court to settled Order and making submissions in respect thereof; concluding submissions and awaiting endorsement and settled Order from Justice Pepall; follow-up discussions with I. Smith and C. Costa; discussions with J. Carhart to request his client re-consider issue regarding vesting order; telephone calls with I. Smith re: questions and concerns raised by various owners of units and issues and questions raised by employees;
08/28/07	MUB	0.20	Review email from C. Costa; conducted corporate searches and order updated PPSA searches;
08/28/07	DA	1.10	Issue and Enter order;
08/28/07	CEC	4.80	E-mail correspondence re: various receivership issues; tend to issuing/entering Order of Pepall J.; review transcription of Pepall endorsement; circulate Order and Endorsement to counsel; discussions with court office re: availability for motion to approve Monitor's Second Supplementary Report; attend tour at 1 King West; review and circulate term and task letter; e-mail correspondence with J. Morrison re: same; conference call with J. Carhart re: vesting order; discussions with I. Smith re: same; review Segura security; discussions with S. Zimmerman and H. Wilson re: same; review PPSA perfection provisions; begin drafting security letter; review OSC ruling;
08/28/07	LJL	6.30	Multiple discussions with I. Smith regarding issues with owners; debriefing with I. Smith and M. Wolfe re: discussions with S. O'Brien; telephone call with J. Carhart to express concerns of Receiver with respect to proposed vesting order; office conference with C. Costa re: review of Segora loan documents; office conference with J. Shore re: real estate issues and status of opinion; telephone call to T. Richards to request that his clients tone down email exchanges on Google groups to allow the antagonism to abate; email to J. Ramessar-Chung to respond to a question proposed by her regarding H. Stinson and making same requests; telephone call to M. Arnold requesting assistance in having Mr. Verdun avoid further discussions with the press which might destabilize operations; debriefing with M. Wolfe and I. Smith regarding their meeting with the Board of Directors of the Condominium Corporation;
08/28/07	SZ	0.20	Telephone conversation with C. Costa re: perfection of security issue;

08/29/07	MUB	0.30	Review PPSA search results; update summaries and recirculate;
08/29/07	CEC	5.50	E-mail correspondence with Miller Thomson re: real estate documentation; correspondence with J. Shore and S. Kilgour re: same; review real estate documentation provided; review caselaw re: requests made of receiver for information;
08/29/07	LJL	5.20	Reviewing caselaw regarding obligations of court officers to respond and provide access to broad based requests for information; drafting response to email from P. Raytek and forwarding draft to I. Smith and F. Myers for review and comments; revising, finalizing and issuing response; telephone call with J. Carhart and P. Conway, together with C. Costa, to discuss Receiver's request for Mirvish Group to leave real property interests within the receivership and discussing issues of concern to the Receiver should the vesting order be issued; follow-up discussions with I. Smith seeking instructions on positions taken by Mirvish Group; telephone call to J. Carhart and P. Conway to establish meeting with Mirvish Group to discuss Receiver's concerns with proposed vesting order; scheduling meeting with S. Kilgour to review condominium declarations, lease operating agreement and other documentation governing operation of hotel programs; discussions with I. Smith re: various emails and other issues, including press reports, regarding interests and concerns expressed by owners and points made by H. Stinson;
08/29/07	JHS	0.80	Telephone calls between J. Shore, J. Latham and C. Costa;
08/30/07	MUB	0.50	Review email message from C. Costa; order PPSA searches; update summaries and circulate; circulate hard copies of searches;
08/30/07	BLC	0.60	Brief discussion with Jeffrey Shore; retrieving PINs from Teraview; conducting execution search.
08/30/07	CEC	3.50	Discussion with T. Richards re: google group postings; E-mail to T. Reiber re: Segura security documentation; draft security review letter re: Segura; correspondence with J. Carhart re: vesting order and service list; discussions with J. Shore re: same; review bankruptcy search result against Harry Stinson; discussion with S. Kilgour re: real property documentation;
08/30/07	DEF	0.10	Receipt of email from M. Buckley re: PPSA hard copies to be emailed to C. Costa;
08/30/07	LJL	1.30	Exchange of messages with C. Costa and I. Smith re: issues involving vesting order and service list; telephone calls with J. Shore re: real estate issues and security opinion;

08/30/07	JHS	2.10	Attend to review of file and title opinion; correspondence between J. Shore and C. Costa re: draft vesting order; consider vesting order issues;
08/31/07	CEC	3.40	Review proposed vesting order and endorsement of Pepall J.; discussions with J. Shore re: service list for vesting order and list of permitted encumbrances; review permitted encumbrances schedule; review PPSA search summaries; e-mail correspondence with J. Carhart, J. Shore et al re: vesting order provisions; draft security review letter re: Segura; coordinate execution searches; review receivership order;
08/31/07	DEF	0.30	Receipt and review of certified PPSA search results; email hard copies to C. Costa and M. Buckley;
08/31/07	JHS	3.50	Prepare real property schedules to vesting order; correspondence with J. Latham, C. Costa and M. Marechaux; (Miller Thomson) re: same; telephone call between J. Shore and M. Marechaux re: vesting order; other matters related to vesting order and listing of those to be served;

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**OUR FEE****\$47,145.50****TIMEKEEPER SUMMARY**

TKID	NAME	HOURS	RATE
JHS	Shore, Jeffrey	7.60	\$545.00
LJL	Latham, L. Joseph	38.00	\$650.00
SZ	Zimmerman, Susan	0.20	\$625.00
CEC	Costa, Caterina	33.20	\$495.00
JMN	Morrison, Joe	1.70	\$500.00
BLC	Cooper, Brandy L.	0.60	\$280.00
DEF	Ferreira, Diane	0.40	\$235.00
MUB	Buckley, Maureen	1.50	\$325.00
DA	Clerk, Litigation	1.10	\$50.00
WPHO	Ostapuk, Helen	0.30	\$50.00
WPSM	Murphy, Sheenagh	1.50	\$50.00

# Goodmans<sup>LLP</sup>

Barristers & Solicitors

250 Yonge Street, Suite 2400  
Toronto, Ontario Canada M5B 2M6

Telephone: 416.979.2211

Facsimile: 416.979.1234

goodmans.ca

GST Registration Number R119422962

Invoice #482502 -- page 6

## DISBURSEMENTS

Meetings	164.38	
Parking/ Cab / Mileage	25.72	
Copies	952.25	
Computer Searches - QL System	36.12	
Meals	5.39	
<b>TOTAL DISBURSEMENTS</b>		<b>\$1,183.86</b>
<hr/>		
TOTAL FEES ON THIS INVOICE		\$47,145.50
GST ON FEES		2,828.73
NON TAXABLE DISBURSEMENTS	0.00	
TAXABLE DISBURSEMENTS	1,183.86	
TOTAL DISBURSEMENTS ON THIS INVOICE		\$1,183.86
GST ON TAXABLE DISBURSEMENTS		71.03
<b>TOTAL THIS INVOICE</b>		<b>\$51,229.12</b>
<hr/>		

## ACCOUNTS RECEIVABLE

DATE	NUMBER	INVOICE AMT	TOTAL PAID/CR	BALANCE DUE
07/18/07	479652	\$1,173.06	\$0.00	\$1,173.06
08/03/07	480646	\$1,584.70	\$0.00	\$1,584.70
08/16/07	481178	\$9,709.22	\$0.00	\$9,709.22
08/23/07	481539	\$28,065.09	\$0.00	\$28,065.09
<b>TOTAL OUTSTANDING INVOICES (IN CDN)</b>				<b>\$40,532.07</b>

Goodmans<sup>LLP</sup>

Barristers & Solicitors

250 Yonge Street, Suite 2400  
Toronto, Ontario Canada M5B 2M6

Telephone: 416.979.2211

Facsimile: 416.979.1234

goodmans.ca

GST Registration Number R119422962

Invoice #482502 -- page 7

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TOTAL AMOUNT DUE IN CANADIAN DOLLARS

**\$91,761.19**

THIS IS OUR ACCOUNT HEREIN  
GOODMANS LLP

PER: 

E. & O. E.  
LJL /

This invoice is payable upon receipt in accordance with Section 33 of the Solicitors Act (Ontario), interest will be charged at the rate of 6.00% per annum on unpaid fees, charges or disbursements calculated one month from the date this invoice is delivered.

October 1, 2007

Our File No.: 07.0060

Ira Smith Trustee & Receiver Inc.  
6 - 167 Applewood Crescent  
Concord, ON L4K 4K7

**Attention: Ira Smith**

Dear Mr. Smith:

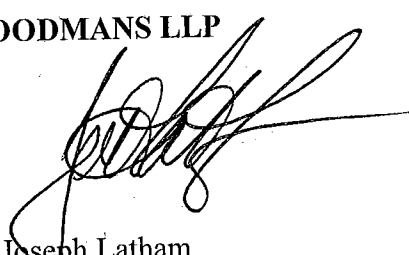
**Re: Stinson Hospitality Inc. and Dominion Club of Canada Corporation**

Enclosed is our revised interim account for services rendered to you in connection with the above matter for the period from August 22, 2007 to September 24, 2007.

Should you have any questions or comments with respect to the enclosed, please contact me.

Yours very truly,

**GOODMANS LLP**



L. Joseph Latham  
LJL/lw  
Encl.

October 1, 2007

Ira Smith Trustee & Receiver Inc.  
6 - 167 Applewood Crescent  
Concord, ON  
Canada L4K 4K7

ATTENTION: Ira Smith

OUR FILE NO.        ISTR        070060

OUR INVOICE NO.        483983

Re: Stinson Hospitality Inc. and Dominion Club of Canada Corporation

---

TO OUR PROFESSIONAL SERVICES RENDERED IN CONNECTION WITH THE ABOVE NOTED  
MATTER INCLUDING THE FOLLOWING:

Date	TKID	Hours	Description
08/22/07	CEC	1.00	Review Monitor's second report; conference call re: motion returnable August 23, 2007;
09/02/07	CEC	0.20	Review agenda for meeting; e-mail correspondence from I. Smith;
09/03/07	CEC	0.60	E-mail correspondence from I. Smith; finalize service list for vesting order;
09/04/07	CEC	7.30	Meeting with H. Kates, Miller Thomson, I. Smith and J. Latham re: receivership status and vesting order; meeting with Miller Thomson, J. Shore, I. Smith and M. Wolfe re: set up of One King West building and real property documentation governing condo corps.; prepare for same; draft letter to Miller Thomson enclosing service list for vesting order;
09/04/07	LJL	3.00	Attending meeting with P. Conway, J. Carhart, S. Kilgour, H. Kates and C. Casciato, as well as I. Smith and C. Costa to discuss Receiver's concerns with Mirvish Group's intentions to seek vesting order and follow-up discussions with J. Carhart and I. Smith re: same; office conferences with C. Costa and J. Shore re: results of discussions with S. Kilgour re: condominium documentation;
09/04/07	JHS	4.10	Attend meeting at Miller Thomson between J. Shore, I. Smith, S. Kilgore (Miller Thomson), M. Marchaux (Miller Thomson) and others re: real estate matters and vesting order; intraoffice meeting between J. Shore, J. Latham and C. Costa re: same;

Date	TKID	Hours	Description
09/05/07	MUB	0.30	Order execution searches and circulate results;
09/05/07	CEC	1.40	Discussions with court re: availability for motion to approve Second Supplemental Report; e-mail correspondence with counsel re: same; review e-mail correspondence from I. Smith; revisions to security letter re: Segura; circulate same for review;
09/05/07	LJL	2.80	Multiple discussions with I. Smith re: issues and concerns involving granting of vesting order to the Mirvish Group and considering manner to manage those risks; telephone call with J. Carhart re: same; drafting form of e-mail to J. Carhart and P. Conway to discuss Receiver's continuing concerns with vesting order and to propose alternate manners of dealing with Mirvish Group's requests; discussing draft e-mail with I. Smith prior to amending and sending e-mail to J. Carhart and P. Conway and copying H. Kates, C. Casciato and T. Nolan (D. Mirvish's assistant) at the request of J. Carhart; exchange of messages with I. Smith re: response from H. Kates; office conferences with C. Costa re: form of vesting order and re: service list;
09/06/07	CEC	2.70	E-mail correspondence with counsel re: motion for approval of Second Supplemental Report; prepare motion materials re: same; Review e-mail correspondence from I. Smith, J. Carhart and J. Shore; Review revised draft of vesting order; provide comments re: same; review list of parties to be served and permitted encumbrances schedule;
09/06/07	LJL	2.00	Reviewing and commenting on draft vesting order and exchange of emails with J. Carhart, C. Costa and J. Shore; multiple discussions with I. Smith re: issues involving impact of vesting order on process and efforts to manage those concerns; communications with P. Conway and J. Carhart and by I. Smith to H. Kates re: those issues; e-mail to K. McElcheran re: request from his client for meeting with Receiver;
09/06/07	JHS	1.10	Review and comment on up-dated draft of vesting order; correspondence with M. Marchaux (Miller Thomson), J. Carhart (Miller Thomson) and C. Costs re: same;
09/07/07	CEC	0.20	E-mail/telephone correspondence with counsel re: court date for upcoming motions;
09/07/07	LJL	2.30	Telephone calls with I. Smith and P. Conway re: issues and concerns of Receiver with respect to vesting order and impact on receivership process; office conferences with C. Costa re: security review for Segura;
09/07/07	JHS	0.50	Review correspondence from M. Marechaux (McCarthy Tetrault) re:

Date	TKID	Hours	Description
			revisions to vesting order; correspondence between J. Shore, C. Costa and J. Latham re: same; draft response to M. Marechaux re: same;
09/10/07	CEC	4.20	Attend at unitowners' meeting; review real property structure; e-mail correspondence with counsel re: upcoming motions; review e-mail correspondence from I. Smith;
09/10/07	LJL	4.00	Telephone calls and emails with I. Smith to obtain status update on issues including discussions with Mirvish Group re: vesting order and discussions with individual suite owners; meeting with I. Smith, M. Wolfe and R. Link to discuss strategy for suite owners; attending meeting of unit owners conducted at Dominion Club facilities;
09/10/07	JHS	0.30	Review correspondence from M. Marechaux (Miller Thomson) re: further revisions to vesting order;
09/11/07	CEC	2.30	Review newsletter sent to unitowners to ensure accuracy; review new Ontario regulation re: taxes; review real property documentation/structure; summarize same; e-mail correspondence with J. Shore, I. Smith and J. Latham re: same; e-mail correspondence with counsel re upcoming motions; discussion with I. Smith re: same; complete Commercial List request form; correspondence with court office re: scheduling of motions; receipt of e-mails from I. Smith re: various receivership matters;
09/11/07	LJL	2.40	Multiple issues with respect to property tax concerns and follow-up re: owners meeting held the night before; reviewing draft motion materials for approval of Monitor's Report; multiple discussions with I. Smith re: communications from owners and creditors;
09/12/07	CEC	1.40	Correspondence with court office re: date for motions; receipt of e-mails from I. Smith re: various receivership matters; review receivership order; revisions to motion materials re: approval of Second Supplemental Report;
09/12/07	LJL	2.60	Issues involving Vesting Order and discussions with I. Smith re: business points to be negotiated; inquiries as to status of proposed meeting between I. Smith and Mirvish interest re: same; reviewing emails re: concerns of Receiver; office conference with J. Shore re: draft security opinion on Mirvish mortgages;
09/13/07	CEC	0.20	E-mails from I. Smith re: receivership matters;
09/14/07	LJL	2.00	Office conferences with C. Costa and telephone calls with I. Smith re: issues in respect of proposed Vesting Order and requirements of Agreement with Receiver; telephone call with J. Carhart and P. Conway;

Date	TKID	Hours	Description
09/16/07	CEC	0.10	Review e-mail correspondence from I. Smith;
09/17/07	CEC	3.20	E-mail correspondence from I. Smith re: various receivership matters; draft letter to A. Jacques re: Stinson's behaviour; circulate same for review; finalize and assemble motion materials for October 5 motion re: second supplemental report;
09/18/07	CEC	3.00	Conference call with J. Shore, J. Latham and I. Smith re: lease agreement and upcoming motions; e-mail correspondence with M. Sims re: upcoming motions;
09/18/07	LJL	3.60	Issues with respect to assignments in bankruptcy filed by the 4 companies and responses; telephone calls with I. Smith and issues involving allegations of H. Stinson removing documentation from the hotel on Labour Day; reviewing materials re: proposed lease of property in connection with Vesting Order and meeting with J. Shore and C. Costa re: same; telephone call from with I. Smith and J. Shore to discuss business points to proposed leased arrangement and obtaining instructions for drafting;
09/18/07	JHS	2.20	Correspondence between J. Shore, C. Costa and J. Latham re: lease; intraoffice meeting between J. Shore, C. Costa and J. Latham re: lease and telephone call with I. Smith re: lease matters and other matters related to upcoming motions; review precedent gross leases and prepare list of issues to consider;
09/19/07	CEC	0.10	E-mail correspondence from I. Smith;
09/19/07	KEH	1.50	Meeting with J. Shore and assist him in drafting lease agreement with respect to hotel condominium units;
09/19/07	LJL	1.80	Telephone calls with I. Smith and subsequently with P. Conway and J. Carhart re: filing of assignments in bankruptcy by the 4 companies and information provided by M. Zwaig; receipt of correspondence from J. Carhart and P. Conway advising that motion seeking to annul bankruptcies; review of motion materials;
09/19/07	JHS	8.90	Draft gross lease with Mirvish; intraoffice meetings between J. Shore and K. Herlin re: same; correspondence to J. Latham and C. Costa re: same;
09/20/07	CEC	1.20	Research re: receiverships and voluntary assignments into bankruptcy;
09/20/07	LJL	8.20	Preparing for and attending motion to annul bankruptcies and making submissions with respect to same; various discussion throughout the day with I. Smith and counsel for H. Stinson, Condominium board and Mirvish

Date	TKID	Hours	Description
			interests; dealing with issues involving requests for documentation from H. Stinson; drafting and revising form of order re: production of documents and protocol for dealing with privilege issues;
09/20/07	JHS	0.40	Revise gross lease from Mirvish; correspondence to J. Latham and others re: same; telephone call to J. Latham re: same;
09/21/07	CEC	0.40	Review and revise order re: protocol; e-mails from I. Smith re: receivership matters;
09/21/07	KEH	0.20	Exchange voicemail messages with J. Latham re: status of gross lease;
09/21/07	LJL	2.60	Telephone calls with I. Smith; reviewing comments on draft Order re: protocol for documents on H. Stinson's computer; circulating draft Order; exchange of messages with A. Jacques and P. Raytek; multiple calls with I. Smith re: same; receipt of decision from Justice Pepall annulling bankruptcies; forwarding same to I. Smith and telephone calls to I. Smith and P. Conway;
09/21/07	JHS	0.20	Telephone calls between J. Shore and J. Latham;
09/22/07	CEC	0.20	E-mails from I. Smith re: receivership matters;
09/24/07	CEC	0.20	Review e-mail correspondence from I. Smith: review Reasons of Pepall J. re: bankruptcy annulments;

**OUR FEE**

**\$49,852.00**

**TIMEKEEPER SUMMARY**

TKID	NAME	HOURS	RATE
JHS	Shore, Jeffrey	17.70	\$545.00
KEH	Herlin, Ken	1.70	\$625.00
LJL	Latham, L. Joseph	37.30	\$650.00
CEC	Costa, Caterina	29.90	\$495.00
MUB	Buckley, Maureen	0.30	\$325.00

**DISBURSEMENTS**

Searches - Corporate/Lien - Disbursement(s)

70.00

# Goodmans<sup>LLP</sup>

Barristers & Solicitors

250 Yonge Street, Suite 2400  
Toronto, Ontario Canada M5B 2M6

Telephone: 416.979.2211  
Facsimile: 416.979.1234  
goodmans.ca

GST Registration Number R119422962

Invoice #483983 -- page 6

Meetings	143.99	
Searches - Corporate/Lien - Fee(s)	75.00	
Parking/ Cab / Mileage	41.18	
Copies	274.25	
Meals	9.05	
Conference Calls	9.26	
Delivery - Courier	77.54	
Search - Corporate	72.00	
Search - PPSA	200.00	
Search - Sub	707.00	
Telecopier Charges	10.50	
<b>TOTAL DISBURSEMENTS</b>		<b>\$1,689.77</b>
<hr/>		
TOTAL FEES ON THIS INVOICE		\$49,852.00
GST ON FEES		2,991.12
NON TAXABLE DISBURSEMENTS	112.00	
TAXABLE DISBURSEMENTS	1,577.77	
TOTAL DISBURSEMENTS ON THIS INVOICE		\$1,689.77
GST ON TAXABLE DISBURSEMENTS		94.67
<b>TOTAL THIS INVOICE</b>		<b>\$54,627.56</b>
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## ACCOUNTS RECEIVABLE

DATE	NUMBER	INVOICE AMT	TOTAL PAID/CR	BALANCE DUE
08/16/07	481178	\$9,709.22	\$0.00	\$9,709.22
08/23/07	481539	\$28,065.09	\$0.00	\$28,065.09
09/11/07	482502	\$51,229.12	\$0.00	\$51,229.12
<b>TOTAL OUTSTANDING INVOICES (IN CDN)</b>				<b>\$89,003.43</b>

# Goodmans<sup>LLP</sup>

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Invoice #483983 -- page 7

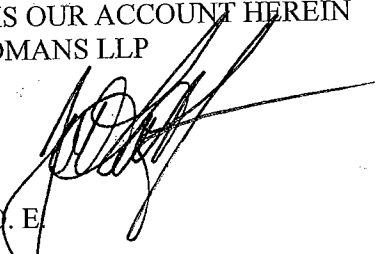
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TOTAL AMOUNT DUE IN CANADIAN DOLLARS

**\$143,630.99**

THIS IS OUR ACCOUNT HEREIN  
GOODMANS LLP

PER:

  
E. & C. E.  
LJL /

This invoice is payable upon receipt in accordance with Section 33 of the Solicitors Act (Ontario), interest will be charged at the rate of 6.00% per annum on unpaid fees, charges or disbursements calculated one month from the date this invoice is delivered.

# Tab 3

Volume 2 of the First Report containing the Consulting Report of  
CK Atlantis dated September 24, 2007

**[THIS VOLUME IS SUBJECT TO A  
SEALING ORDER REQUEST]**

# Tab 4

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**COMMERCIAL LIST**

**THE HONOURABLE** ) **FRIDAY, THE 5TH DAY**  
 )  
**MADAM JUSTICE PEPALL** ) **OF OCTOBER, 2007**

**ED MIRVISH ENTERPRISES LIMITED AND 1 KING WEST INC.**

**Applicants**

**- and -**

**STINSON HOSPITALITY INC., DOMINION CLUB OF CANADA CORPORATION  
AND HARRY STINSON**

**Respondents**

**ORDER**

**(RECEIVER'S REPORT AND INTERIM MANAGEMENT)**

**THIS MOTION**, made by Ira Smith Trustee & Receiver Inc., in its capacity as court-appointed receiver and manager (the "Receiver") of all of the assets, undertakings and properties of Stinson Hospitality Inc., Dominion Club of Canada Corporation, The Suites at 1 King West Inc. and 2076564 Ontario Inc. (collectively, the "Debtors"), for an order, *inter alia*, approving the First Report of the Receiver dated October 1, 2007 (the "First Report") and the actions and activities of the Receiver detailed therein.

**ON READING** the First Report and the exhibits thereto, as filed with this Honourable Court, and the Affidavits of Ira Smith sworn October 1, 2007 and Joseph Latham sworn October 1, 2007, and on hearing the submissions of counsel for the Receiver, the Debtors, Harry Stinson, Ed Mirvish Enterprises Limited, 1 King West Inc. and Toronto Standard Condominium Corporation 1703, no one appearing for the other persons listed in Schedule "A"

hereto, although duly served as appears from the Affidavit of Service of Lela Wyner, sworn October 1, 2007, filed,

**SERVICE**

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record herein is hereby abridged to the date of actual service, that the service, including the manner of service of the motion materials, is hereby approved and validated, that the motion is properly returnable today, and that all parties entitled to notice of this motion have been properly served and further service thereof is hereby dispensed with.

**FIRST REPORT**

2. **THIS COURT ORDERS** that the First Report and the actions and activities of the Receiver as reported therein be and are hereby approved.

**INTERIM MANAGEMENT AGREEMENT**

3. **THIS COURT ORDERS** that the interim management agreement between the Receiver and CK Atlantis Inc. (the "Interim Management Agreement"), attached as Exhibit "E" to the First Report, and the terms and conditions contained therein, be and are hereby approved.

4. **THIS COURT ORDERS** that the Receiver is hereby authorized to execute and enter into the Interim Management Agreement and to perform its obligations thereunder.

**CONSULTING REPORT**

5. **THIS COURT ORDERS** that the consulting report of CK Atlantis Inc. dated September 24, 2007, regarding the operations of the rental management program, the food and beverage services and other related activities forming the operations of The Suites at 1 King West, be and

is hereby sealed and shall remain sealed until further Order of this Honourable Court on at least 7 days' notice to the Receiver.

**FEES AND DISBURSEMENTS**

6. **THIS COURT ORDERS** that the fees and disbursements of the Receiver for the Receiver Application Period (as defined in the Affidavit of Ira Smith sworn October 1, 2007) and the fees and disbursements of the Receiver's counsel, Goodmans LLP, for the Goodmans Application Period (as defined in the Affidavit of Joseph Latham sworn October 1, 2007) be and are hereby approved.

**GENERAL**

7. **THIS COURT ORDERS** that the Receiver shall serve a copy of this Order by ordinary mail upon each person served with notice of this motion.

**SCHEDULE "A"**

**SERVICE LIST**

**TO: SHIBLEY RIGHTON LLP**

Barristers and Solicitors  
250 University Avenue  
Suite 700  
Toronto, ON M5H 3E5

**Arthur Jacques**

**Peter Raytek**

Tel.: 416.214.5213 / 5293

Fax: 416.360.5960 / 5493

Email: arthur.jacques@shibleyrighton.com

Email: peter.raytek@shibleyrighton.com

Counsel for Stinson Hospitality Inc., Dominion Club of Canada Corporation,  
Harry Stinson, The Suites at 1 King West Inc. and 2076564 Ontario Inc.

**AND TO: GARDINER MILLER ARNOLD LLP**

Barristers and Solicitors  
390 Bay Street  
Suite 1202  
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**Mark H. Arnold**

Tel.: 416.363.2614 Ext. 231

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Email: mark.arnold@gmalaw.ca

Counsel for Toronto Standard Condominium Corporation No. 1703

**AND TO: T.S. REIBER PROFESSIONAL CORPORATION**

Barrister & Solicitor  
121 Richmond Street West, Suite 1100  
Toronto, Ontario M5H 2K1

**Terrence S. Reiber**

Tel: 416.927.9841

Fax: 416.975.1531

Email: terry@reiber.ca

Solicitor for Segura Investments Ltd.

**AND TO: MILLER THOMSON LLP**  
Barristers and Solicitors  
Scotia Plaza  
40 King Street West, Suite 5800  
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**Jeffrey Carhart**  
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**Patricia Conway**  
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**Margaret Sims**  
Tel.: 416.595.8577  
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Solicitors for Ed Mirvish Enterprises Limited and 1 King West Inc.

**AND TO: OGILVY RENAULT**  
Barristers and Solicitors  
Suite 3800  
Royal Bank Plaza, South Tower  
200 Bay Street  
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Toronto, ON M5J 2Z4

**Orestes Pasparakis**  
Tel.: 416.216.4815  
Fax: 416.216.1995  
Email: opasparakis@ogilvyrenault.com

Solicitors for Peter Kofman and Projectcore Inc.

**AND TO: THOMAS G. RICHARDS**  
Barrister and Solicitor  
900-45 Sheppard Avenue East  
Toronto, Ontario M2N 5W1

**Thomas Richards**  
Tel.: 416.227.9990  
Fax: 416.227.9950  
Email: Thomas@thomasrichards.ca

ED MIRVISH ENTERPRISES LIMITED  
AND 1 KING WEST INC.

STINSON HOSPITALITY INC.,  
and  
DOMINION CLUB OF CANADA  
CORPORATION AND HARRY STINSON

Court File No: 07-CL-6913

Applicants

Respondents

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

**ORDER**

**GOODMANS LLP**  
Barristers & Solicitors  
Suite 2400, Box 20  
250 Yonge Street  
Toronto, Canada M5B 2M6

L. Joseph Latham (LSUC#32326A)  
Tel: 416-979-2211  
Fax: 416-979-1234

Counsel to Ira Smith Trustee & Receiver Inc., in its  
capacity as receiver and manager of Stinson  
Hospitality Inc., Dominion Club of Canada  
Corporation, The Suites at 1 King West Inc. and  
2076564 Ontario Inc.

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**ED MIRVISH ENTERPRISES  
LIMITED AND 1 KING WEST INC.**

and

**STINSON HOSPITALITY INC.,  
DOMINION CLUB OF CANADA  
CORPORATION AND HARRY  
STINSON**

Applicants

Respondents

Court File No: 07-CL-6913

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

**MOTION RECORD**

**GOODMANS LLP**  
Barristers & Solicitors  
Suite 2400, Box 20  
250 Yonge Street  
Toronto, Canada M5B 2M6

L. Joseph Latham (LSUC#32326A)  
Tel: 416-979-2211  
Fax: 416-979-1234

Counsel to Ira Smith Trustee & Receiver Inc., in its capacity as receiver and manager of Stinson Hospitality Inc., Dominion Club of Canada Corporation, The Suites at 1 King West Inc. and 2076564 Ontario Inc.

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