

This matter proceeded before me today by Zoom. The attendees (listed below) are copied on this email.

BDO's motion for relief against the former officers and directors of HyperBlock, for a charging order, and for payment of its and its counsel's fees has been resolved on terms set out in the draft order. The form of order is now unopposed. In addition, BDO has withdrawn its request for a sealing order with respect to the Confidential Brief of Appendices to the Supplemental Report dated May 14, 2020 (the "**Confidential Brief**"). The Confidential Brief has been filed with the court on CaseLines and is publicly available. It is not subject to any sealing or confidential order. BDO's counsel will add the Supplemental Report to CaseLines.

Counsel have agreed that BDO's motion for discharge is being adjourned to a date to be fixed by the CL office. This will permit BDO's counsel to address with opposing counsel various issues raised today with respect to the Draft Fourth Report and any appendices thereto. BDO may reschedule the discharge motion before me through the CL office at the appropriate time. If I am unavailable, they may proceed before another CL judge. If counsel wish to seek further directions at a CC, they may arrange one before me.

The order has now been revised to eliminate the discharge provisions and to add some language agreed to by counsel with respect to the use of the Draft Fourth Report.

I have signed the revised order and attached it to this email. This order is effective from today's date and is enforceable without the need for entry and filing.



Superior Court of Justice (Toronto)

Subject: RE: Millership et al. v. HyperBlock Inc., CV-19-00612596-0000

Your Honour, here is the updated order and blackline to the earlier version.

List of Attendees:

- Alistair Crawley & Mitchell Fournie, Crawley MacKewn Brush LLP - Counsel for the Applicants (James Millership and Robert Segal)
- Michael Nowina, Baker & McKenzie LLP - Counsel for the Inspector, BDO Canada Limited
- Josie Parisi - representative of BDO Canada Limited
- Alan Mak - representative of BDO Canada Limited
- Brendan Bissell, Goldman, Sloan, Nash and Haber LLP - Counsel for Sean Walsh & Project Spokane LLC

- Graham Phoenix, Loopstra Nixon, LLP - Counsel for the Trustee
- Hans Rizari, Crowe Soberman Inc. - the Trustee in Bankruptcy of HyperBlock Inc.
- Kevin Richard, Groia & Company – counsel to Inder Saini and Roozbeh Ebbadi