

ONTARIO

Court File No. FC-16-056454-00

Superior Court of Justice Family Court Branch

at 50 Eagle Street, Newmarket, Ontario L3Y 6B1

Applicant:

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This is the Questioning of SHEIDA ALETRATIKHOSROSHAHI,
the Applicant named herein, taken at the offices of Toronto
Court Reporters, Suite 1410, 65 Queen Street West, Toronto,
Ontario, on the 5th day of November, 2018.

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APPEARANCES:

INGRID VAN WEERT

for the Applicant

MICHAEL BURY

for the Respondent

ALSO PRESENT:

VANESSA APOSTOLI
MAHYAR RADMEHR



INDEX OF EXHIBITS

Exhibit No.	Description	Page No.
A:	Letter to Canada Revenue Agency dated July 2, 2017.....	29
B:	Copy of Business Card on 8x11 sheet.....	117

**INDEX OF UNDERTAKINGS (U/T), UNDER ADVISEMENTS (U/A) and
REFUSALS (R)**

Question No.	Description	Page No.
90.	U/T	15
163.	R	26
237.	U/T	40
253.	U/T	43
274.	U/T	48
380.	U/T	67
400.	U/T	70
402.	U/A	71
468.	U/T	82
475.	U/T	84
505.	U/T	90
537.	U/T	97
596.	U/T	108
605.	U/T	110
681.	U/T	127
787.	U/T	147
811.	U/T	152
856.	U/T	163
915.	U/T	174
1016.	U/T	190
1052.	U/T	198

PLEASE NOTE: The above list of undertakings and refusals is provided as a service to counsel and does not purport to be complete or binding upon the parties herein.

SHEIDA ALETRATIKHOSROSHAHI, Sworn

THE DEPONENT: Before we start, I just want to mention when I talk in front of like a few people I get nervous and sometimes I forget the vocabularies or the words, so I just wanted to mention that.

MR. BURY: I'm kind of the same way on Monday morning so we'll get through this somehow.

BY MR. BURY:

1. Q. So do you mind if I call you Sheida?

A. Absolutely.

2. Q. And am I saying it correctly?

A. Sheida.

3. Q. Sheida, sorry, because I'm horrible with last names. So you've stated your full name for the record and can you just repeat that for us, your full name?

A. Sheida Aletratikhosroshahi.

4. Q. Can you spell that for Madam Reporter, just in case?

A. S-h-e-i--ⁱ

MS. VAN WEERT: Well is that spelled correctly?

THE DEPONENT: Yes.

MS. VAN WEERT: On this title of proceedings it's spelled correctly.

5. MR. BURY: Okay, as long as Madam Reporter has

1 it.

2 MS. VAN WEERT: You have a copy of it, okay.

3 BY MR. BURY:

4 6. Q. And do you go by any other names?

5 A. In my bank, Sheida Khosroshahi.

6 7. Q. Okay. Can you spell that for Madam Reporter,
7 unless that's--

8 MS. VAN WEERT: May I interject?

9 8. MR. BURY: Sure, if it helps.

10 MS. VAN WEERT: It's just where the "k" starts in
11 her last name. She's just eliminated the first
12 several vowels, and it's just the last from the
13 "k" forward in her last name.

14 BY MR. BURY:

15 9. Q. Okay. Any other name that you go by or have
16 gone by?

17 A. No, never.

18 10. Q. And can you tell us where you were born?

19 A. Iran, Tabriz.

20 11. Q. Sorry, can you spell the city?

21 A. T-a-b-r-i-z.

22 12. Q. Okay, and what is your educational
23 background?

24 A. When I came to Canada I finished the Grade 12
25 in Canada and then I went to the college but I couldn't

1 finish my college.

2 13. Q. And what college did you attend?

3 A. Durham College in Whitby, and I took business
4 administration and information system.

5 14. Q. And how much of that program did you
6 complete?

7 A. I believe it was one and a half year.

8 15. Q. And can you tell us a little bit about the
9 program? What was your objective in taking that specific
10 program?

11 A. It was about like the business, like the
12 marketing.

13 16. Q. Do you remember any of your courses?

14 A. It was marketing, like the computer
15 marketing.

16 17. Q. Business administration, for example?

17 A. Yeah, it was business administration,
18 information system was the subject, yeah.

19 18. Q. And did your courses deal with business
20 forms?

21 A. No.

22 19. Q. Data entry?

23 A. We had the course of the computer.

24 20. Q. And what kind of course was that?

25 A. Like the Excel--

1 21. Q. So basic software?

2 A. Basic, yeah.

3 22. Q. And what kind of grades did you obtain in the
4 time you were there?

5 A. What do you mean by that?

6 23. Q. Your results. You passed, you failed?

7 A. I passed but I didn't finish my college.

8 24. Q. And was that a decision you made?

9 A. No. Because of the circumstances I had to
10 like move from Whitby to Toronto.

11 25. Q. And what circumstances were those?

12 A. When I was in the Whitby I was just few times
13 dating a guy and then he was a stalker and he bothered me
14 so much so he stole my car and stuff and all my book was
15 in the car so and like my exam I couldn't go, and I
16 didn't want to stay in that city because he was a
17 dangerous person.

18 26. Q. And can you assist us with his name?

19 A. For my personal and for my kids' safety I am
20 not going to give the name because I know my ex-husband,
21 he normally goes after the people so I don't want to like
22 he finds out about me or whatever, because that's the
23 past and he was a dangerous person and I don't want. . .I
24 have two beautiful girls and they are very important for
25 me.

1 27. Q. Did you report him to the police?

2 A. Yes, I did.

3 28. Q. Okay, and was he charged?

4 A. Yes, he charged.

5 29. Q. And was there a court proceeding?

6 A. Yes, it was.

7 30. Q. And what was the result of the court
8 proceeding?

9 A. He got the charge of the threatening and I
10 believe it wasn't just his only charge. For sure he had
11 like after and before so many charges because he was very
12 dangerous person.

13 31. Q. And what year was that in?

14 A. I'm . . . probably 2000 or 2001.

15 32. Q. And you indicated you reported him to the
16 police. Correct?

17 A. Yes.

18 33. Q. And do you recall which police force you
19 reported him to?

20 A. It was the Durham Region.

21 34. Q. And where were you living at the time?

22 A. Whitby.

23 35. Q. No, I know, but where in Whitby were you
24 living?

25 A. I believe it was Kathleen Street.

1 36. Q. And who were you residing there with?

2 A. Myself.

3 37. Q. So is this a house, townhouse, condo?

4 A. No, it was an apartment.

5 38. Q. And was it an apartment you rented or a condo
6 you bought?

7 A. Yes, it. . .no, no, I rented.

8 39. Q. And your evidence you lived there alone at
9 the time?

10 A. Yes.

11 40. Q. Okay, so let's go back a bit because we got a
12 bit sidetracked. When did you come to Canada originally?

13 A. In 1997, 5th of March.

14 41. Q. And who did you arrive with?

15 A. I got married in Iran with my first husband
16 and we came together.

17 42. Q. Okay, and what is his name?

18 A. His name is Mahmoud Bonakdarzadeh.

19 43. Q. Can you spell that for Madam Reporter?

20 A. M-a-h-m-o-u-d and the last name, B-o-n-a-k-d-
21 a-r-z-a-d-e-h.

22 44. Q. I'm sorry if you've already answered but when
23 did you get married to him?

24 A. In . . .I can't. . .'97. . .I believe it was
25 '96.

1 45. Q. Okay. Where there any children from that
2 marriage?

3 A. No.

4 46. Q. And when did your relationship. . .you
5 indicated you were divorced, when did your relationship
6 with him end?

7 A. In January 1999 we got separated.

8 47. Q. And where were you living at the time of
9 separation?

10 A. For three months I went to my uncle's house
11 and then my dad came and rented a place for me and I was
12 there.

13 48. Q. And what is your uncle's name that did that
14 for you?

15 A. Kamal Aletratikhosroshahi.

16 49. Q. Again--

17 MS. VAN WEERT: Is that the same last name as
18 yours?

19 THE DEPONENT: Yes. First name is K-a-m-a-l.

20 BY MR. BURY:

21 50. Q. Okay, and, sorry, where did he rent this--

22 A. My dad rent, my dad. I lived with them, with
23 my uncle for three months and my dad came to Canada and
24 he rented like it was a suite in the house beside my high
25 school.

1 51. Q. And I'm sorry, I may be a bit confused, you
2 lived with your uncle first?

3 A. Three months.

4 52. Q. And where did you live with your uncle?

5 A. In Richmond Hill.

6 53. Q. Do you remember the address?

7 A. I don't remember exact address but it was on
8 Yonge Street and south part of Elgin Mills.

9 54. Q. And who else lived there?

10 A. My uncle's wife and two daughters.

11 55. Q. Can you remember the names for us?

12 A. It's. . .his wife's name is Shahin Ardebili,
13 S-h-a-h-i-n A-r-d-e-b-i-l-i.

14 56. Q. Okay, and sorry, his wife's name?

15 A. Shahin Ardebili.

16 57. Q. That's what I thought. And the other people
17 that were living there at the time?

18 A. My older cousin is Shabnam, the same last
19 name, S-h-a-b-n-a-m, and my second cousin is Oldouz, O-l-
20 d-o-u-z.

21 58. Q. And how old were you at the time you were
22 living there?

23 A. Nineteen probably.

24 59. Q. Give or take? It could have been more, it
25 could have been less in terms of age or--

1 A. When I came to Canada I was seventeen, so if
2 it's '97, '99, I am nineteen.

3 60. Q. Okay, just so we're clear. And how old was
4 your husband at the time?

5 A. He was thirty years older than me.

6 61. Q. Okay, and what did he do for a living?

7 A. He was a computer engineer from Turkey but
8 when we came to Canada he didn't have his actual job so
9 he was doing pizza deliver.

10 62. Q. And you yourself, what were you doing at the
11 time?

12 A. Like when I got separated?

13 63. Q. No, no, just when you were living here at
14 your uncle's first?

15 A. I was in high school.

16 64. Q. And what high school did you attend?

17 A. Alexander Mackenzie High School.

18 65. Q. And just help me remember, what grades did
19 you complete there?

20 A. Eleven and twelve.

21 66. Q. Was Grade 13 around at the time? I can't
22 recall.

23 MS. VAN WEERT: I don't remember when it was
24 finished.

25 BY MR. BURY:

1 67. Q. But did you get a diploma?

2 A. Yes.

3 68. Q. So Grade 12 diploma?

4 A. Yes.

5 69. Q. And your husband, when you moved out with
6 your husband. . .your husband lived with you and the
7 uncle. Correct?

8 A. No. After separation I went to my uncle's
9 house.

10 70. Q. I see. Before separation where did you live
11 with your husband?

12 A. When first we came to Canada we lived in his
13 grandmother's house and then. . .which it was his
14 actually uncle's house, his grandmother was living there,
15 and they normally was living in Turkey. When they came
16 just for visit for like probably a month or so, we went
17 for another uncle's house to live there, and then we came
18 back again to the grandmother's house after they left.
19 And after that, the first year I went back to Iran to see
20 my parents and when I came back we rented an apartment in
21 Richmond Hill.

22 71. Q. And where was that apartment?

23 A. It was in Richmond Hill. . .if I'm not making
24 mistake it was on Elgin Mills.

25 72. Q. Do you remember the address or--

1 A. I don't remember.

2 73. Q. It was too long ago?

3 A. Yeah.

4 74. Q. Okay. Just a brief indulgence. And why did
5 you leave your uncle's residence again?

6 A. What do you mean?

7 75. Q. You were living with your uncle. Why did
8 you--

9 MS. VAN WEERT: Her father came from Iran.

10 BY MR. BURY:

11 76. Q. I know but why is it that you left?

12 A. Because my father came from Iran and rent the
13 apartment, like the suite, for me and I went to live by
14 myself.

15 77. Q. And how did you get along with your uncle's
16 wife?

17 A. While I was there she was like. . .she was
18 different.

19 78. Q. We all are in many ways. How was she
20 different?

21 A. Like for example, like she didn't want like I
22 do my laundry in their like the washing machines and
23 stuff. I had to take to my friend's house or like. .
24 .something like this stuff.

25 79. Q. So not a good relationship sounds like.

1 A. Not really.

2 80. Q. Okay, and your father came alone to Canada?

3 A. Yes.

4 81. Q. Do you remember exactly when that was?

5 A. After my separation. I just remember I was
6 there for three months in my uncle's house. Probably
7 after two months.

8 82. Q. Do you remember what month, time of year? I
9 may have missed it if you said it already.

10 MS. VAN WEERT: She did. She said she separated
11 in January.

12 BY MR. BURY:

13 83. Q. So your dad came--

14 A. So probably January. . .like March or
15 something. I don't remember exact time.

16 84. Q. And what was the reason for your separation?

17 A. What was the reason for my separation from my
18 first husband? It's because he was thirty years older
19 than me. It was kind of like we were relative, like the
20 far relative, and he was asking me I had to cover all
21 over when I was going to school or outside, and he was
22 very, very sensitive if the guys was talking to me or
23 like this stuff, and he was very religion person. He was
24 every time asking me I have to pray in front of her. .
25 .in front of him, and it's like different. . .like

1 different how can I say, culture or different opinions.

2 85. Q. Was there any police involved during that
3 relationship?

4 A. No.

5 86. Q. And you say you separated but when did you. .
6 .I assume you got a divorce at some point?

7 A. Yes, I got divorced after separation.

8 87. Q. Do you recall when that divorce took place?

9 A. Probably a year and half, something like that
10 after, but I have my divorce paper for exact date.

11 88. Q. And can we get an undertaking for that to be
12 provided?

13 MS. VAN WEERT: For the divorce from her first
14 husband?

15 89. MR. BURY: Yes.

16 MS. VAN WEERT: Is there any issue that they're
17 divorced, I'm sorry?

18 90. **U/T** MR. BURY: No, no, but she not recalling the date
19 now, just so we. . . unless you want to provide
20 us with the date?

21 THE DEPONENT: Sure.

22 MS. APOSTOLI: I think I can because I have the
23 income tax returns from that and then they say
24 divorced, separated or--

25 MS. VAN WEERT: But it doesn't say what date.

1 MS. APOSTOLI: It doesn't say what date, yeah.

2 THE DEPONENT: I can give you the date because I
3 have this. In the divorce paper it says the
4 date.

5 MS. VAN WEERT: Okay, okay. I'm not sure it's
6 relevant but since my client can do it I'm fine
7 to do it.

8 BY MR. BURY:

9 91. Q. Now in terms of the unfortunate relationship
10 in Whitby, that was a dating relationship, right?

11 A. With my husband?

12 92. Q. No, in Whitby, the person you said was
13 stalking you. You actually lived with him for a year and
14 a half, right?

15 A. No. He was staying with me just overnight
16 but he wasn't living with me.

17 93. Q. Okay, so you weren't living with him
18 consistently?

19 A. No. It was my apartment under my name.

20 94. Q. No, I know, but you know how it works.
21 Sometimes people decide to move in. Did he move in with
22 you and stay with you?

23 A. No.

24 95. Q. No? What is your current email address?

25 A. It's s-h-e-i-d-a underscore k-h-o-s-r-o-s-h-

1 a-h-i @yonge.ca (sheida_khosroshahi@yonge.ca).

2 96. Q. And how many emails do you have or have you
3 used?

4 A. I have two email. Another one is gmail and
5 it's s-h-e-i-d-a-k-h-o-s-r-o-s-h-a-h-i @ gmail.com
6 (sheidakhosroshahi@gmail.com).

7 97. Q. Have you used any other emails?

8 A. No.

9 98. Q. Does the email. . . perhaps I can refresh
10 your memory, neda, n-e-d-a, 200@yahoo.com ring a bell?

11 A. Sorry?

12 99. Q. I'll repeat it, sorry. Always ask me to
13 repeat it if you don't understand the first time.
14 neda200@yahoo.com.

15 A. I don't recall.

16 100. Q. Is that. . .does the name Neda mean anything
17 to you?

18 A. Neda is a girl name in Persian but I don't
19 recall I have an email.

20 101. Q. So you don't recall having neda200@yahoo.com
21 as an email account?

22 A. No.

23 102. Q. And where do you currently live?

24 A. 29 Woodhaven Crescent, Richmond Hill.

25 103. Q. And how long have you lived there?

1 A. Since our marriage.

2 104. Q. Marriage, you have to be specific. Marriage
3 to?

4 A. Mahyar Radmehr.

5 105. Q. Okay.

6 A. 2007.

7 106. Q. And who lives there with you now?

8 A. It's my two kids, and my mom and my dad.

9 107. Q. And how long have your mom and dad lived with
10 you?

11 A. You mean when they came?

12 108. Q. No, at that address?

13 A. They came in July 1st of 2018. I asked them
14 to come to help me out.

15 109. Q. Okay. Have they lived at the house
16 previously?

17 A. Yes, when they were visiting Canada like they
18 were with me.

19 110. Q. And how long were those visits typically?

20 A. When Maana was born, my first child, they
21 stayed like less than a year, not exactly a year, and
22 when Melina was born it was, I don't know, six or seven
23 months.

24 111. Q. Full time at your residence?

25 A. Yes.

1 112. Q. And how many times have they visited apart
2 from the births of the two children?

3 A. Maana was born in 2009 and Melina was born in
4 2011.

5 113. Q. I'm sorry, I'll repeat my question. Maybe I
6 wasn't clear.

7 A. Sure.

8 114. Q. Apart from those two extended stays have
9 there been any other extended stays? And when I say
10 extended I mean similar to the first two, several. .
11 .nine months, seven months, long durations.

12 A. After that they didn't come after like when
13 Melina was born and they were here. They went back and
14 they didn't come for few years, and they came back and
15 they got their immigration in, if I'm not making mistake,
16 October 2016, and they were. . .probably they were for
17 six months but as soon as they came they ask like they
18 want to find a place and to move out and it was my
19 husband say what is the reason, like they are helping
20 like with the kids and stuff. He was like denying, but
21 in January even they went and look few apartments they
22 rented out. But my dad had a call from Iran so he had to
23 go back so they went back to Iran in January.

24 115. Q. So they have never actually rented a separate
25 location here?

1 A. No. We were looking for that and then they
2 went back to Iran.

3 116. Q. And when you say we were looking, who was
4 looking?

5 A. Me, Mahyar, because he's a real estate agent
6 he was look. . .like my dad asked him to look for the
7 apartment. He was looking and we went to like the few
8 apartments beside the Hillcrest Mall and we looked for
9 those condominium apartments for them.

10 117. Q. And prior to their achieving or attaining
11 immigration status, how did they travel to Canada? On
12 what sort of--

13 A. Before?

14 118. Q. Yes.

15 A. Visitor.

16 119. Q. So they had visitor visas?

17 A. Yes, all the time, even before marriage.

18 120. Q. Okay, and where did they travel from?

19 A. Where they came from?

20 121. Q. Yes. When they travelled to stay with you,
21 where were they coming from?

22 A. From Iran there is no straight flight to
23 Canada so they normally go to Turkey and from Turkey
24 after a few hours stop they come to Canada.

25 122. Q. Okay, and that's the route they've travelled

1 each time?

2 A. Yes.

3 123. Q. And where do they live in Iran?

4 A. Tabriz.

5 124. Q. The city you've already referenced?

6 A. Yes.

7 125. Q. Do you have an address? Do you remember the
8 address?

9 A. Yes, I remember the address.

10 126. Q. Okay.

11 A. Tabriz. It's better I write it down.

12 127. Q. Thank you. Let's keep it simple today.

13 Perhaps if you could read it into the record.

14 A. Tabriz, Kooyevaliasr; Karimkhanezaind Street;
15 Amirkabir Street; Number 27, Second Floor.

16 128. Q. And their current immigration status now is?

17 A. They have a PR card.

18 129. Q. Okay, and do you recall when that PR card was
19 granted?

20 A. Permanent resident.

21 130. Q. Yes. Do you remember when they obtained
22 that?

23 A. October 2016, if I'm not making mistake.

24 131. Q. You're allowed to. And those. . .that was
25 for both of them?

1 A. Yes.

2 132. Q. Or just one of them?

3 A. No, both of them.

4 133. Q. And they both received it at the same time?

5 A. Yes.

6 134. Q. Sorry, if I asked you this I apologize. What
7 is your immigration status now?

8 A. I'm citizen.

9 135. Q. And when did you obtain that?

10 A. I believe three years after I came to Canada
11 in 1997. Around 2000.

12 136. Q. Back to your parents, are they currently
13 retired or working in any capacity?

14 A. They are retired.

15 137. Q. Okay, and what is their current source of
16 income?

17 A. My father has a store in Iran and he rented
18 out that and they have some. . .like my mom has some
19 other properties also.

20 138. Q. So let's try to break that down. So your
21 father had a store in the same city?

22 A. Tabriz, yes.

23 139. Q. And can you describe the store for us?
24 Square footage, for example. How big?

25 A. I don't know anything about the footage but

1 they had that store probably when I was one year old
2 something my dad opened that. That time my dad is an
3 engineer, agricultural engineer, opened that store for my
4 mom as a kids clothing because she was always housewife,
5 just she was like running that store. And after like he
6 got retired like he helped her too. They had that store
7 for. . .I was in Canada when they just. . .they came up
8 and they rented out that store to somebody else but they
9 were owning that store for that long.

10 140. Q. And they still own it?

11 A. Yeah, they still.

12 141. Q. And what are the current tenants doing with
13 the store, do you know?

14 A. I have no idea.

15 142. Q. Have you been back to the store since
16 leaving?

17 A. Yes. When I was in Iran I went back there
18 but I know when I was there it was just a clothing store,
19 but when my dad in January came back to Iran I believe
20 they changed the tenant and I'm not sure who is the
21 tenant now.

22 143. Q. Do you know the address of the store?

23 A. It's the same in Tabriz, Kooyevaliasr,
24 Karimkhanezaind Street. It's on Karimkhanezaind Street,
25 but I don't know the number.

1 144. Q. That's fine. In terms of the size of the
2 store maybe you can help estimate. You have some
3 familiarity with department stores. It's not Bay sized,
4 for example?

5 A. No, no, no.

6 145. Q. More like a Dollarama size?

7 A. No.

8 146. Q. Smaller than that?

9 A. Yes.

10 147. Q. Variety store? Your standard variety store
11 if that helps.

12 A. Probably.

13 148. Q. Okay. So small shop, to be fair?

14 A. It's not like small, small. Like we have
15 variety store. The variety store, it has different sizes
16 but it's not big like Dollarama and it's not like the
17 very small, like the very, very small variety store.

18 149. Q. Maybe the size of this room?

19 A. No, it's a bit. . .it's bigger.

20 150. Q. It's bigger, okay.

21 MS. VAN WEERT: That's a reference the record
22 won't--

23 151. MR. BURY: Yes, I was going to say. Let's agree
24 on--

25 MS. VAN WEERT: Whatever. Does it actually

1 matter?

2 152. MR. BURY: Not in any significant. . .if it does,
3 I'll follow up with you.

4 Q. So the current. . .there's current tenants
5 there. How long has there been tenant income from that
6 store, do you know?

7 A. The last one?

8 153. Q. Yes. The tenants who are now occupying. .
9 .or any tenants. How long has there been a revenue
10 stream?

11 A. You mean how long they are renting that
12 store?

13 154. Q. Out, yes.

14 A. Or how long the last tenant is?

15 155. Q. How long they've been renting out the store.

16 A. Since they just. . .they don't have like the
17 baby clothing store for themselves. Since that time they
18 renting that store.

19 156. Q. Sorry if you answered this, that year is
20 approximately?

21 A. I was in Canada so it's, I don't know, ten
22 years ago. I cannot give the exact date.

23 157. Q. So in any event, rental income for at least
24 since you arrived here, as far as you know, that they
25 rented out?

1 A. No, before like I arrived here they were--

2 158. Q. Already?

3 A. They were owning and it was their store,
4 right, you know?

5 159. Q. But after they arrived here--

6 A. Oh, after they arrived here?

7 160. Q. Yes.

8 A. Okay.

9 161. Q. So since then it's been a rental?

10 A. It is rental since like they don't have that
11 clothing store. It's renting out, yes.

12 162. Q. Do you have any sense of how much rent
13 they're earning from that store?

14 A. No.

15 163. **R** Q. Now you mentioned other properties they own.
16 Can you assist us?

17 MS. VAN WEERT: I'm sorry, how does this relate
18 at all to the pleadings? I just don't understand
19 the relevance of the questions.

20 164. MR. BURY: Well it relates to their income and--

21 MS. VAN WEERT: I understand it relates to their
22 income. How does their income relate to the
23 motion?

24 165. MR. BURY: Well she's made some references, I
25 believe to. . .or we'll make some references to

1 their income and her dealings with CRA and the
2 parents.

3 MS. VAN WEERT: She hasn't. We haven't ever
4 raised her parents' income as an issue.

5 166. MR. BURY: Well we will.

6 MS. VAN WEERT: Well no, you're raising it but
7 that doesn't mean I accept it as relevant. What
8 issue is it relevant to?

9 167. MR. BURY: Certain information she's provided to
10 CRA.

11 MS. VAN WEERT: Well, I'm sorry, I think you have
12 to make it relevant before you get to cross-
13 examine on her parents' income. I mean I've been
14 indulging, assuming that it wouldn't continue
15 beyond general questions but--

16 168. MR. BURY: Well I'm staying general, I'm not
17 getting too detailed.

18 MS. VAN WEERT: No, but I don't even understand
19 the relevance of the general questions at this
20 point, and it may be that you can tie it in to
21 something that's relevant but on the pleadings as
22 I've seen them, including the affidavits, I don't
23 know how their income is relevant.

24 169. MR. BURY: Well I'll try to tie it in. Bear with
25 me.

1 MS. VAN WEERT: No, actually I need to know
2 where. . .I'm objecting to it. If you want to
3 get to the CRA documents and then I can see it,
4 that's fine, and then you can come back to this
5 line of questioning, but until I know that it's
6 relevant I'm going to object.

7 BY MR. BURY:

8 170. Q. Have you. . .you filed some forms on behalf
9 of your parents with the CRA in terms of their income?

10 A. He was doing all our income.

11 171. Q. So you didn't?

12 A. He was doing my income tax and their income
13 tax.

14 MS. VAN WEERT: When you say "he" you have to be
15 specific.

16 THE DEPONENT: Mahyar Radmehr.

17 BY MR. BURY:

18 172. Q. Right. So it's your evidence today that you
19 were not involved in any tax dealings on behalf of your
20 parents?

21 A. No.

22 173. Q. I'm showing you a document dated July 2nd 2017
23 addressed to Canada Revenue Agency regarding a GST
24 credit, account Number 585185473 2016. If you could have
25 a look at it.

1 MS. VAN WEERT: So you've read it? You've had a
2 chance to read it?

3 THE DEPONENT: There's more.

4 MS. VAN WEERT: Okay.

5 THE DEPONENT: I never seen this before.

6 MS. VAN WEERT: Let's mark this as an exhibit.

7 174. MR. BURY: Yes.

8 **EXHIBIT NO.A:** Letter to Canada Revenue Agency dated
9 July 2, 2017.

10 BY MR. BURY:

11 175. Q. Did you assist your parents with that
12 document?

13 A. My parents doesn't know any English and I
14 never. . . since marriage he was doing, Mahyar Radmehr
15 was doing all the like the accounting, all my tax and my
16 parents' tax.

17 176. Q. So you have no knowledge of that document?

18 A. No.

19 177. Q. Never even seen it before?

20 A. Never again seen it before.

21 178. Q. You never explained it to your parents? Did
22 you ever explain the document to your parents?

23 MS. VAN WEERT: Well she can't. . .if she hasn't
24 seen it, how could she explain it?

25 BY MR. BURY:

1 179. Q. The context. Did you ever explain the
2 context?

3 A. I don't even understand about this stuff. He
4 was doing everything like--

5 180. Q. So do you have any knowledge of your parents
6 receiving. . .I'm being distracted by Smarties.

7 MS. VAN WEERT: I'm sorry, would you like some?

8 BY MR. BURY:

9 181. Q. Maybe at the break. You were not involved in
10 any HST discussions with your parents, about making
11 claims for HST credits?

12 A. They getting some. . .I don't know it's a GST
13 or HST from the government, but like he applied with the
14 accountant, their taxes, so I have no idea like how they.
15 . .how you apply for that.

16 182. Q. So you are aware of their HST or GST claim?

17 A. They getting from. . .because we have a joint
18 account, I have joint account with my dad and with my
19 mom. I know the government every three months or so they
20 putting some money but I don't know how the person get
21 that GST or HST.

22 183. Q. So it's your evidence you have no idea how
23 they managed to get that regular credit?

24 A. No, I don't know, because he was doing the
25 accounting and stuff.

1 184. Q. And you didn't assist him with any forms or
2 documents to acquire the credit?

3 A. Unless if he was like filling the . . .like
4 for the tax returns something and ask. . .because every
5 year he was filling the taxes and asking me to sign it
6 and for their taxes he did the same thing.

7 185. Q. Did you explain the HST credit to them?

8 A. When I don't understand myself how can I
9 explain to somebody else?

10 186. Q. Well you understand it results in money
11 coming from the government every three or four months.

12 A. I don't know.

13 187. Q. Well that was just your evidence. You have a
14 joint account, you see money coming in.

15 A. Yes, I understand they getting but I felt
16 like this is everybody's getting because 'til separation
17 I wasn't getting any GST and I don't know, Mahyar Radmehr
18 called Revenue Canada and what he told them, they cut my
19 Child Tax Benefit for few months and then when they start
20 putting back they deposit GST and I didn't understand. I
21 called my lawyer, I called the accountant, and I said I
22 never get the GST, what is this?

23 MS. VAN WEERT: Sheida, that's not. . .he's
24 asking about your parents' GST so that. . .you're
25 getting off track.

1 THE DEPONENT: Okay, I--

2 MS. VAN WEERT: She's answered. She doesn't
3 understand this and she hasn't seen the document.

4 THE DEPONENT: He gave me some paper, he fill it
5 out and he said, okay, this is for the tax
6 reason. Your parents have to sign it. They
7 signed it. Because he did the tax return files.

8 . .

9 BY MR. BURY:

10 188. Q. Right.

11 A. . . .for me and for my parents.

12 189. Q. You have no recollection of having any
13 discussion with your parents regarding this document?

14 A. No.

15 190. Q. And you already indicated you've never seen
16 it.

17 A. I never seen this paper.

18 191. Q. And you've never seen them sign any paper?

19 MS. VAN WEERT: She didn't say that.

20 THE DEPONENT: I said they sign paper if he gave
21 some paper about like the tax returns because he
22 was doing the family taxes.

23 BY MR. BURY:

24 192. Q. Did you ever see them sign this paper?

25 MS. VAN WEERT: Okay, again--

1 THE DEPONENT: I don't recall.

2 MS. VAN WEERT: No, she said she hasn't seen this
3 document so how could she have seen them sign it?

4 193. MR. BURY: She may have.

5 MS. VAN WEERT: Well then she would have seen the
6 document.

7 BY MR. BURY:

8 194. Q. Well she may have been aware of them signing
9 it. You're not aware of them signing it, is that your
10 evidence?

11 A. What do you mean by that?

12 195. Q. The document you haven't seen but you've
13 heard about it because you're aware of the HST credit.
14 Are you aware of them having signed any document?

15 A. No, I'm not talking about this paper, I'm
16 talking about the. . .when you're filing your taxes,
17 those forms with the numbers.

18 196. Q. Yes.

19 A. Because he was doing the taxes, like he
20 brought home from the accountant and I signed it and
21 because he did their taxes too, probably they signed it
22 too.

23 197. Q. But you don't know is your evidence, I
24 believe, you don't know if they signed that document?

25 MS. VAN WEERT: Being Exhibit 1?

1 BY MR. BURY:

2 198. Q. Yes.

3 A. No.

4 199. Q. Okay. Do they suffer from any disabilities,
5 your parents?

6 A. No. My mom had a problem with her knees and
7 she had a surgery last year.

8 200. Q. Did you make a claim under the caregiver
9 program to claim disability on their behalf, a credit?

10 A. Actually Mahyar asked our family doctor
11 because she had the surgery. Like he asked our family
12 doctor, Dr. Wendy Williams, for the . . .like give a
13 letter like I am helping them out at home and for that.

14 201. Q. So, I'm sorry, Dr. Wendy Williams, you're
15 saying is his doctor as well?

16 A. Yes, it's our family doctor and he asked for
17 that.

18 202. Q. Okay, but you applied for it, correct, or he
19 applied for it?

20 A. He wrote the letter and he said because my
21 mom had the surgery he wrote a letter and I am aware of
22 that.

23 203. Q. And as a result of that what happened? You
24 received a credit?

25 A. No. I don't know.

1 204. Q. You don't know. So you don't know what that
2 resulted in, applying for that caregiver-

3 A. He said like because you are taking care of
4 your parents in this house because she had the surgery,
5 that's why we ask from our family doctor.

6 205. Q. So apart from that, you have no knowledge of
7 this caregiver program?

8 A. I have no knowledge of like this stuff, like
9 whatever he was saying.

10 206. Q. Is this something you approached Dr. Wendy
11 Williams for yourself?

12 A. We went together and he asked for that.

13 207. Q. And do you remember when that was?

14 A. No, I don't remember.

15 208. Q. Do you remember a year?

16 A. It was last year.

17 209. Q. Okay. Now since coming back now and staying
18 here in July, do your parents travel back and forth to
19 back home?

20 A. When they came here as a permanent resident,
21 once they went back to Iran and after couple months they
22 come back, and my mom had the surgery. They were here
23 and they went back to Iran and in July 1st 2018 I called
24 them because I need their support and help whatever
25 happened to us, so they came back.

1 210. Q. Since then have they travelled back and
2 forth, since July?

3 A. I don't understand your question.

4 211. Q. Since they arrived most recently have they
5 travelled back and forth again?

6 A. Since July?

7 212. Q. Yes.

8 A. No.

9 213. Q. And when they travel here do they bring money
10 with them?

11 A. They bring money as much as like they are
12 allowed but normally if they need more money it's my
13 brother from Iran. My dad gave the money to my brother
14 and he send it by, what do you say, it's money exchange
15 places.

16 214. Q. And what's your understanding of how much is
17 allowed to come to Canada?

18 A. I know it's \$10,000.00 per person but they
19 never like even reach that \$10,000.00.

20 215. Q. Did they discuss with you how much they
21 brought over?

22 A. I didn't ask them. I'm not a money person
23 that much so I didn't ask them but I know they. . .I told
24 them before like what is the rules and they never, I
25 know, brought more than \$10,000.00.

1 216. Q. No, I know you never asked them but did they
2 ever discuss with you how much they had brought over?

3 A. I didn't ask them like.

4 217. Q. I know, but did they raise the topic? Did
5 they tell you how much they brought?

6 A. No, I don't remember.

7 218. Q. So you don't really know how much they
8 brought over?

9 A. For sure it's less than like for two person
10 it's less than twenty thousand together to bring it here.

11 219. Q. Well--

12 A. If you want, I can ask them exactly and then
13 I let Ingrid know and to tell you.

14 220. Q. Okay. So I guess that's an undertaking.

15 MS. VAN WEERT: Well from what period of time?

16 BY MR. BURY:

17 221. Q. Well that was next. Each time they've come
18 here. . .

19 A. Okay.

20 222. Q. . . .have they come with money?

21 MS. VAN WEERT: Don't volunteer. Why is this
22 relevant? Sorry, like why are her parents. .

23 .like her parents' money here, how is it
24 relevant?

25 223. MR. BURY: Well if she's been given any money,

1 it's relevant.

2 MS. VAN WEERT: But you haven't even asked her
3 that question.

4 224. MR. BURY: I'm getting there.

5 MS. VAN WEERT: Okay. We're going to have a
6 problem if the relevance is established after the
7 questions are asked.

8 BY MR. BURY:

9 225. Q. Have they given you money each time they've
10 come here?

11 A. For sure they're supporting me.

12 226. Q. Can you tell us in what amounts they're
13 supporting you?

14 A. They've always supported me because my
15 husband for the like with two kids I have all the time
16 the limited, and he knows that, especially when I didn't
17 work.

18 227. Q. So how much is the question.

19 A. Every time is different, like every time it's
20 different. Two thousand, three thousand, five thousand,
21 every time is different.

22 228. Q. Sometimes ten?

23 A. No.

24 229. Q. Okay. Sometimes more than ten?

25 A. I don't remember more than ten. If it was,

1 like before. . .before probably they wired it with the,
2 if I'm not making mistake, Tehran exchange, but I don't
3 remember that.

4 230. Q. Do you have any records reflecting how much
5 you received from them?

6 A. No, I don't have a record.

7 231. Q. So you have no wire transfer statement?

8 A. I called the Tehran exchange to find out
9 because unfortunately I had the papers and he destroyed
10 so many of my papers and they told me we cannot help you
11 from Canada, probably you can find out if it's not so far
12 from the Tehran location.

13 232. Q. And have you done that?

14 A. No.

15 MS. VAN WEERT: From the which location?

16 THE DEPONENT: Tehran, Tehran.

17 BY MR. BURY:

18 233. Q. Have you done that?

19 A. No.

20 234. Q. And when were you advised to do that by the
21 local--

22 MS. VAN WEERT: She wasn't advised to do it, she
23 was advised she could do it.

24 BY MR. BURY:

25 235. Q. She could do it. When was she advised?

1 A. But they didn't give me guarantee because
2 they didn't. . .they said first of all my dad has to
3 request from the Tehran, not me, because he was the one,
4 and then sometimes they don't hold it, like they don't
5 keep the track of the. . . like all the years.

6 236. Q. So have you or your father received any
7 information, copies of prior transfers?

8 A. I don't know that. I have to ask my father.

9 237. **U/T** Q. Are you prepared to ask your father and let
10 us know?

11 MS. VAN WEERT: If he's received information
12 about wire transfers from Iran?

13 238. MR. BURY: Duplicates, receipts, copies of any
14 monies that have come here that he's given to
15 her.

16 MS. VAN WEERT: That he's then given to her?

17 239. MR. BURY: Yes.

18 MS. VAN WEERT: Yes, we can ask that.

19 BY MR. BURY:

20 240. Q. Okay, and you yourself, just to be clear for
21 myself, you've never made any inquiries of the Tehran
22 office?

23 A. I can't. I'm not involved. I can't.

24 241. Q. Have you asked your permission or Power of
25 Attorney to do so in Iran?

1 MS. VAN WEERT: Why would she? I'm sorry, I
2 don't understand why she is supposed to have done
3 that.

4 242. MR. BURY: Well because she said the documents
5 were destroyed by my client.

6 MS. VAN WEERT: Okay, but what does she need them
7 for?

8 BY MR. BURY:

9 243. Q. Personal records. I'm just asking, do you
10 keep records of these types of transactions?

11 MS. VAN WEERT: Well they're not her
12 transactions.

13 244. MR. BURY: But she keeps the records. Do you
14 keep the records?

15 THE DEPONENT: I told you, even my. . .like the
16 tax paper, the working paper, he destroyed so
17 many paper of mine like five years ago.

18 BY MR. BURY:

19 245. Q. That's not the answer to my question. Did
20 you keep records of these transactions?

21 A. Not all of them. No, not all of them because
22 in the paper wise I'm not that organized but I have a
23 few.

24 246. Q. Do you remember from what time period?

25 A. Especially when I didn't work, I was raising

1 my kids at home, that time, yes. My parents, even when
2 my friend is coming from Iran they giving some money to
3 bring for me or sending me money.

4 247. Q. And did you keep records of those receipts
5 from your friends of money you received?

6 A. I didn't get any receipts from my friend.
7 When my father is giving to my friend, for example, two
8 thousand, three thousand dollars, what kind of receipt I
9 am going to ask from my friend?

10 248. Q. I don't know. I'm trying to find out the
11 system so--

12 A. I'm not like your client, like very
13 organized, keep tracking of everything. I wish I was.

14 249. Q. So are you able to assist us with how much
15 money you received from Tehran from your friend, your
16 parents--

17 A. No, I don't. . .I have no idea. I'm not like
18 that organized about those stuff.

19 250. Q. But definitely during the marriage you
20 received money from other sources?

21 A. During the marriage when I wasn't working,
22 yes, I need money for like raising the kids because your
23 client wasn't that much helpful.

24 251. Q. So it's your evidence the money you received
25 from other sources was only during the time you were not

1 working?

2 A. Yes.

3 252. Q. Okay, so--

4 A. Or even when my parents was here they were
5 like spending money for the household or like the grocery
6 shoppings or whatever, or even when my parents was in
7 Iran they were sending every two weeks all my clothing,
8 like the boxes, my kids' clothing, my husband's clothing,
9 and they were sending like, for example, nuts and stuff.
10 Every two weeks I had a box.

11 253. **U/T** Q. But you don't recall in total how much money
12 you received?

13 A. No.

14 254. Q. No approximation?

15 A. No, sorry.

16 MS. VAN WEERT: You know what, let's. . .we'll
17 undertake to try to give you a figure because I
18 suspect my client if she looked at her credit
19 card statements could probably figure out. I
20 mean if she can't, she can't, but we'll try.

21 BY MR. BURY:

22 255. Q. Okay, that's an undertaking. Now your
23 financial statement, do you have a copy? If you don't, I
24 may have an extra for you. Have a look at that. Let me
25 know when you're done.

1 THE DEPONENT: They told me it's not worth this
2 much.

3 MS. VAN WEERT: Okay, so you recognize this
4 document?

5 THE DEPONENT: Yeah.

6 MS. VAN WEERT: So it's the financial. . .for the
7 record it's the financial statement my client
8 swore on June 21st, 2018. I think there's only
9 been one actually so far.

10 BY MR. BURY:

11 256. Q. I think you're right. Sorry, you just made a
12 comment about one of the numbers when you were
13 identifying it?

14 A. Yeah, because Mahyar Radmehr told me like my
15 car worth 25,000, when after separation I find out they
16 said it's worth just 18,000.

17 257. Q. Who is "they"?

18 A. I ask the mechanic shop and one dealership.

19 258. Q. Did you get a formal appraisal?

20 A. No.

21 259. Q. Or an estimate?

22 A. No, they just told me by talking.

23 260. Q. So if you can turn to page 3. The pages are
24 at the top of the document.

25 A. Yeah.

1 261. Q. You list here almost \$6,000.00 worth of
2 monthly expenses, right? I think the total adds up being
3 5809.58.

4 MS. VAN WEERT: That's correct, yes.

5 BY MR. BURY:

6 262. Q. Are these expenses that you actually pay?
7 Which of these expenses do you pay yourself?

8 MS. VAN WEERT: Before separation or after?

9 263. MR. BURY: Before separation.

10 MS. VAN WEERT: Okay, so before you separated
11 which of these did you pay and which did Mahyar
12 pay?

13 THE DEPONENT: I didn't pay property tax. The
14 only time I paid before Maana was born and he had
15 the Pro Direct and that. . .only that time I was
16 paying property tax, all the utilities, all the
17 groceries and everything. He wasn't. And--

18 BY MR. BURY:

19 264. Q. Okay, what else--

20 A. But after--

21 265. Q. Sorry, go ahead.

22 A. And after he was paying the property tax,
23 property insurance, repairs and maintenance, the water,
24 heat, electricity and the telephone, cellphone, cable and
25 internet, and I have to mention about the cellphone and

1 insurance. Five years ago he gave my account number,
2 sole account number without my permission to the
3 cellphone company and the insurance company and when I
4 find out he said you getting the Child Tax, and that time
5 I wasn't working, without my permission. But if you're
6 talking about like couple years back--

7 266. Q. No, I'm just asking, let's imagine one day
8 before you filed these documents, one day before you
9 commenced proceedings, which of these expenses was he
10 paying and which were you paying?

11 A. The grocery, the most expensive one, I was
12 doing it; all the household supplies; meals outside the
13 home; the kids' care, like we don't have it any more;
14 laundry and dry cleaning; gas and oil for my car. The
15 licence, I paid for my licence; car insurance he was
16 paying. Repair and maintenance he was doing himself.
17 Dental, he had insurance but I had to pay out of my
18 pocket last year. Eye care, I did. Clothing, all these
19 last eleven years I did for kids or like my parents was
20 sending me or I was doing; I was paying for him, for
21 myself and for kids. Hair care and beauty, it's me.

22 267. Q. I would assume so.

23 A. Sorry?

24 268. Q. I assume so.

25 A. Yeah, even for the kids.

1 MS. VAN WEERT: Well lots of men pay with credit
2 cards.

3 THE DEPONENT: Entertainment for children, always
4 it was me, even the after school classes or if
5 they need something in the school like the trips
6 or everything; everything was on me. Gifts,
7 always on me. The school fees was me; clothing
8 for children it's me. Yeah.

9 BY MR. BURY:

10 269. Q. So let's talk about some of them. Sorry, I'm
11 just going to recap for my own benefit. I was trying to
12 follow you as best as I could. So \$900.00 a month, it's
13 your evidence, that's what you were spending up until the
14 time of separation, \$900.00 a month?

15 MS. VAN WEERT: On what?

16 270. MR. BURY: Groceries. I'm just going through
17 household expenses.

18 THE DEPONENT: Yes, I have, Mr. Bury. I have all
19 the grocery. Most of them I was doing from
20 Costco with my Costco card. I have the details
21 and the evidence, all of them on my Costco card.
22 And also it wasn't just Costco. I was shopping
23 from the Persian store or the regular supermarket
24 also and I have those in my Visa.

25 BY MR. BURY:

1 271. Q. So you're prepared to disclose that to us,
2 that information?

3 A. I did already for Mr. Sherman, right?

4 MS. VAN WEERT: That I can't answer, sorry. What
5 do you want exactly?

6 272. MR. BURY: Well she's saying she's paid \$900.00 a
7 month for groceries and she said she's got some
8 credit cards just to verify that.

9 MS. VAN WEERT: So what you're asking for is
10 copies of her credit card statements?

11 273. MR. BURY: Yes.

12 MS. VAN WEERT: For what period of time?

13 THE DEPONENT: Well I already have for last year,
14 all 2017.

15 274. **U/T** MR. BURY: Let's start with 2017.

16 MS. VAN WEERT: Fine.

17 THE DEPONENT: For example, if the dishwasher
18 was. . .I said about the maintenance. Our
19 dishwasher wasn't work, I bought that from
20 Costco. Our sofa I bought from the Costco. The
21 vacuum I bought from the Costco.

22 BY MR. BURY:

23 275. Q. Sure. I'm not asking those details, I'm just
24 trying to go through this list.

25 A. No, because the household and stuff so I just

1 want to mention even the like the--

2 MS. VAN WEERT: Okay, so I just. . .I'm a little
3 bit nervous because obviously these budgets are
4 an estimate and this particular budget was
5 produced under tremendous time constraints
6 because we were bringing an emergency motion, so
7 you're not going to find that it's \$900.00 to the
8 penny every single month. I take it that's
9 understood.

10 276. MR. BURY: Oh, that's understood. This is a
11 snapshot. I'm trying to get a sense of the
12 snapshot here.

13 MS. VAN WEERT: Right.

14 THE DEPONENT: And I just want to give some
15 explanation about the Costco. Probably it was
16 high. I find out, for example, if something in
17 the Costco was on sale, like--

18 BY MR. BURY:

19 277. Q. Cakes with dates, for example.

20 A. No.

21 278. Q. Laundry detergent. She gave this example
22 before.

23 A. Laundry detergent, I was buying three. After
24 a month there was nothing. I didn't realize Mr. Mahyar
25 Radmehr, whatever I'm buying from Costco and I'm putting

1 in the laundry room which I have the shelves, he is going
2 and returning under his credit card in the Costco, okay,
3 and then he's calling me and ordering me buy two dry cell
4 (phonetic) battery, not Kirkland one. After two weeks
5 there is no battery, the big box of battery, everybody
6 knows how Costco sells, and Kirkland ones are cheaper.
7 He goes and returns the dry cell ones because it's more
8 expensive.

9 279. Q. Well sounds like some miscommunication
10 managing the household. Let's continue with the list
11 though.

12 A. Yeah. So probably that's why it's high in
13 the shopping because I was keep buying and he was keep
14 every month returning under his credit card.

15 280. Q. Meals outside the home 500 a month? Is that
16 accurate? Look down--

17 A. Yeah, because I never take my kids to fast
18 food, I always try to raise my kids with the healthy food
19 and I was taking them to good restaurants.

20 281. Q. Okay, and how often would you do that on a
21 monthly basis? Well, \$500.00 worth. Is that accurate?

22 A. Yeah, three, four times. If you go to the
23 good restaurant and if. . .like the four people, right?

24 282. Q. Lucky kids.

25 A. And lucky husband.

1 283. Q. Now the turtles.

2 A. Yes?

3 284. Q. Those were the turtles my client bought for
4 the kids, right?

5 A. Actually my kids never liked from first day
6 and he bought I believe for himself because they never
7 liked the smell and they never liked it and--

8 285. Q. So he's the turtle fan of the family?

9 A. Probably, because he never asked them. They
10 like puppy more.

11 286. Q. Well did you ever get a puppy then?

12 A. He just made a big surprise. No, it's a big,
13 big maintenance.

14 287. Q. Kind of like the turtles it sounds like. The
15 turtles are gone now, right, so it's not an expense
16 anymore?

17 A. I send a text to his aunt and I said if he
18 wants to take care of it and he said no, so I call the
19 Animal Control for a month to find somebody to just take
20 care of them and then I just give it away, find somebody
21 from the kijiji and give it away for free.

22 288. Q. It was just a simple question. They're gone?

23 A. Yes.

24 289. Q. Okay.

25 A. Yeah, because I asked him. It was his

1 turtles and he said -- I have the text messages -- he
2 said he doesn't want it, and kids didn't want it.

3 290. Q. And gas and oil, 380 a month. That's what
4 you pay out of your pocket?

5 A. Yes.

6 291. Q. 154.58, car insurance and licence. That's
7 what you pay out of your pocket?

8 A. Right now, yes.

9 MS. VAN WEERT: I'm not sure. Did you say you
10 were paying that before separation?

11 THE DEPONENT: No, before separation I didn't pay
12 for that. I told you the car insurance he paid,
13 licence I paid. Repair and maintenance--

14 BY MR. BURY:

15 292. Q. Sorry, sorry. The licence--

16 MS. VAN WEERT: She paid insurance . . .or the
17 licence, before separation.

18 293. MR. BURY: She paid for the licence.

19 MS. VAN WEERT: Yeah, before separation. Now
20 she's paying both.

21 294. MR. BURY: Of course. So this number is not
22 complete. . .within the confines of an urgent
23 motion this number is not exactly correct then,
24 right? It will probably get updated.

25 MS. VAN WEERT: The insurance number?

1 295. MR. BURY: Insurance. . .no, the--

2 THE DEPONENT: Probably I will pay more for
3 insurance.

4 BY MR. BURY:

5 296. Q. Right. Now the repairs and maintenance, you
6 wrote down 75 a month.

7 A. Because, for example, if my car needs oil I
8 have to buy it and he was changing the oil in the garage,
9 or if needs the windshield washer I have to buy the
10 washer and he was just putting in the car.

11 297. Q. So this \$75.00 was a regular monthly expense
12 you're saying?

13 A. Yes.

14 298. Q. I'm on page 4 now. So in terms of clothing,
15 this \$800.00 a month amount, that doesn't include the
16 children's clothing, correct, because they're down here
17 at 500 a month.

18 A. That clothing, it's about me, the children
19 and himself.

20 MS. VAN WEERT: Well there's a separate thing for
21 children's clothing.

22 BY MR. BURY:

23 299. Q. There's a separate, I just pointed that out.
24 That's why I'm confused.

25 A. Yeah.

1 MS. VAN WEERT: So it's 800 plus 500? Is that
2 1300 a month on clothing?

3 THE DEPONENT: No, no.

4 BY MR. BURY:

5 300. Q. SO that's what I'm getting at. I'm a bit
6 confused by this. So 800. . .you see it says personal
7 here, so personal normally suggests you as the individual
8 and then it's broken down subsequently for children. So
9 this \$800.00 a month, can you explain that monthly
10 expense?

11 A. It's because I did fill in this in a rush. I
12 mean like this clothing it's me and him because I was
13 buying everything for him, clothing.

14 301. Q. I know it was a rush but at the end of the
15 day you know this was a sworn statement?

16 A. Yes, it is.

17 302. Q. So 800 a month was not just for yourself. Is
18 that your evidence?

19 MS. VAN WEERT: She said that several times.

20 BY MR. BURY:

21 303. Q. Just making sure.

22 A. Yeah.

23 304. Q. So that 800 was for you and your husband?

24 A. Yes.

25 305. Q. What clothing would you buy for him?

1 A. What kind of clothing you like normally buy
2 for a man?

3 306. Q. I don't know.

4 A. Shoes. In a month I bought four pair of
5 shoes. His . . .like his sunglasses, his like old
6 shorts, pants, suits, tie. Everything.

7 307. Q. So it's your evidence you bought all his
8 clothing every month?

9 MS. VAN WEERT: Not every month.

10 THE DEPONENT: Not every month but most of the
11 time.

12 BY MR. BURY:

13 308. Q. And was most of the time the expense \$800.00
14 a month?

15 A. No, probably it's less or more.

16 309. Q. Or more?

17 A. Less or more, yeah.

18 310. Q. Hair care and beauty, 200. That's just you
19 though, right?

20 A. Yes.

21 311. Q. So we know that amount. Is that a regular
22 amount every month?

23 A. Not every month.

24 312. Q. The entertainment and recreation for
25 children, 300 a month. What does that amount reflect?

1 What does that cover?

2 A. What's that cover? When I'm taking them to
3 like, for example, playground beside Hillcrest Mall. It
4 was just. . .not beside, it's the other side of the
5 Hillcrest Mall there is a playground. It just cost me
6 hundred dollars for both kids.

7 313. Q. To go to the playground?

8 A. Exactly. It's a. . .they have everything
9 over there. Like they have the arcade players, they have
10 like those jumping things. They have everything over
11 there.

12 314. Q. So, sorry, I know English is not your first
13 language. When you say playground, it's not. . .for me,
14 playground is like a park with some swings.

15 A. No, no, no.

16 315. Q. It's some sort of a centre?

17 A. Yes, it's a big centre.

18 316. Q. Okay.

19 A. And they have everything there and--

20 MS. VAN WEERT: It's indoors?

21 THE DEPONENT: Yes.

22 BY MR. BURY:

23 317. Q. So this is like a. . .is it a community
24 centre or a private--

25 A. No, it's not a community centre. I believe

1 it's private.

2 318. Q. Private business.

3 A. Or. . .there's lots of entertainment I was
4 taking. For example, to the aquarium, it's not cheap, in
5 downtown. There's lots of places.

6 319. Q. But the centre, whatever you call it, the
7 Hillcrest, it's a privately operated centre, I don't
8 know--

9 A. It's not in Hillcrest Mall. It's on Yonge
10 Street, the opposite side of the. . .which the No Frills
11 is there.

12 320. Q. Was this a monthly fee you paid or was this
13 just per use?

14 A. No, it's a big. . .for old kids and, you
15 know, buying a sandwich and then they playing. They play
16 in the arcade and they. . .like everything, and I have in
17 my Visa. I have in my Visa.

18 321. Q. Right, and I think we're going to get those.

19 A. Sure.

20 322. Q. Now gifts \$250.00 a month. Who did you give
21 gifts to for that amount?

22 A. For example, on Mother's Day his mother,
23 grandmother. On their birthdays, in his brother's
24 birthday, his sister's birthday, his nephew and niece
25 birthday.

1 323. Q. So these were all family gifts?

2 A. Exactly.

3 324. Q. Now the 300 you referred to, that was
4 entertainment for the children. Correct?

5 A. Yes.

6 325. Q. Now I see there's another amount for the
7 children of 500. Is that how much you spent every month
8 on clothing for the kids?

9 A. 500 is children activities.

10 326. Q. Oh, sorry, that's right. So how are those
11 activities different from the ones for 300 a month? No,
12 children's activities, sorry, is blank, to be fair to
13 you. It's clothing for children. We're looking at the
14 same document?

15 A. Yes.

16 327. Q. Children's activities is blank. I assume you
17 covered it off with the 300. The clothing for the
18 children, that 500 a month, is that a regular expense of
19 500 a month?

20 A. Probably it's not the--

21 MS. VAN WEERT: It's an average.

22 THE DEPONENT: Average expense, yeah, because
23 every time when I was going for both kids, to
24 going one like the Gymboree or Gap store, it was
25 just coming out with the three hundred, four

1 hundred dollars, and wasn't just one store.

2 BY MR. BURY:

3 328. Q. And that also you used your Visa for all of
4 these purchases, right?

5 A. Yes. Or Bay.

6 329. MR. BURY: Is this a good time for --

7 MS. VAN WEERT: Sure, if you want.

8 330. MR. BURY: We can have a break now.

9 **(SHORT RECESS)**

10 **... upon resuming**

11 BY MR. BURY:

12 331. Q. Okay, we're back on the record. I'm
13 continuing with your financial statement on page. . .my
14 page number may be cut off, but section 4B, general
15 household items and vehicles. You list there the 2013
16 Toyota Sienna. Correct?

17 A. Yes.

18 332. Q. And is that your car?

19 A. Yes.

20 333. Q. And how did you get that car?

21 A. I had before marriage a car, and every, like
22 every couple years he would sell my car and get another
23 car, but before marriage I always got my car brand new
24 from dealership and he was getting used car for me and
25 all these brand new car for himself with a couple of

1 thousand dollar more, getting the, like for example if I
2 had 2010 he was getting like 2012.

3 334. Q. I just asked about this car. I know you like
4 to add a lot of stuff.

5 MS. VAN WEERT: Don't add stuff. Just answer
6 what he asks.

7 335. MR. BURY: Otherwise we'll be here for weeks.

8 MS. VAN WEERT: He asked you how did you get this
9 car.

10 336. MR. BURY: Yes.

11 MS. VAN WEERT: Not what happened before
12 marriage.

13 337. MR. BURY: Just this car.

14 THE DEPONENT: Yeah, but I just want to explain
15 like why-

16 MS. VAN WEERT: No, just answer his question.

17 THE DEPONENT: He got as a second like the hand
18 car.

19 BY MR. BURY:

20 338. Q. So he bought this car for you you're saying?

21 A. I cannot say he bought this car for me
22 because I had a car before and the value it came to this
23 car. Did you get my point? That's why I. . .that's what
24 my explanation.

25 339. Q. So the prior car was sold and you used those

1 proceeds to purchase this car?

2 A. To the new car, exactly. Probably a few
3 thousand dollars more.

4 340. Q. And he contributed more towards the purchase.
5 Is that fair?

6 A. That is fair but as I remember I. . .like
7 whatever was extra I was paying him.

8 341. Q. So--

9 A. If I was selling my car, for example,
10 \$20,000.00, and the new car is \$24,000.00, so it happened
11 that I paid that \$4,000.00.

12 342. Q. So your evidence is. . .well, first of all
13 let's figure out the price. You're saying it's not
14 25,000?

15 A. He told me before your car would get 25,000
16 because he put on sale before separation, but I find out
17 it's not 25,000.

18 343. Q. So the number is. . .again refresh my memory.
19 What did you say, 18?

20 344. Q. Eighteen to twenty thousand.

21 345. Q. Okay, eighteen to twenty. So your prior car
22 is sold, the proceeds of that go towards this car.

23 A. Always it was like that.

24 346. Q. Right, and your evidence is you made up the
25 difference or he made up the difference? I think I may

1 have heard both but correct me if I'm wrong.

2 A. Because he changed my car prior to marriage a
3 few times and I remember once I paid for him. Probably
4 in the other times, yes, he paid for it.

5 347. Q. I'm talking about the specific Toyota Sienna
6 2013 that's in your financial statement. Do you recall
7 how this car came to be?

8 A. I had another Sienna. He sold that car and
9 he bought this car.

10 348. Q. So he paid for this car in full is what
11 you're saying?

12 A. He sold my Sienna and he bought this car with
13 my previous Sienna's money and probably few thousand
14 dollars more he put on top of it and he bought this.

15 349. Q. I'm not interested in probably. Do you know
16 or you don't know?

17 A. This Sienna, yes.

18 350. Q. He topped it off? He contributed money
19 towards it?

20 A. Yes.

21 351. Q. And a few thousand is your evidence?

22 A. Yes.

23 352. Q. Okay.

24 A. In money wise he was like always like dealing
25 and controlling, so it's--

1 353. Q. Yes, we've heard that a few times now.

2 A. Yes.

3 354. Q. The Persian rug, you indicated a value of
4 \$3,000.00, and that belongs to you. Correct?

5 A. Yes.

6 355. Q. Okay.

7 A. Before marriage.

8 356. Q. Just going back a moment, the Toyota Sienna,
9 that's in your name now. Correct?

10 A. Yes.

11 357. Q. You're the registered owner?

12 A. Yes.

13 358. Q. So the rug you had entering the marriage?

14 A. Yes.

15 359. Q. And who was that rug from?

16 A. Who is that rug from?

17 360. Q. Yeah.

18 A. My parents gave it to me.

19 361. Q. Okay. Now you've indicated 3,000. Is that a
20 guesstimate or do you actually know its value today?

21 A. I don't know about the value today.

22 362. Q. Do you have any receipts or documentation to
23 show it's worth that amount -- appraisals, estimates,
24 anything -- or did you just pick that number out of the
25 air based on your knowledge of carpets, I guess?

1 A. It is. . .because my parents bought before
2 marriage so it's around that price. I don't have any
3 receipt of that specific.

4 363. Q. Or any specific knowledge of that price,
5 right? You don't know?

6 A. No.

7 364. Q. Okay. Now the \$5,000.00 Persian rug, you
8 indicate you received it during the marriage. Correct?

9 A. Yes.

10 365. Q. And who did you receive that from?

11 A. From my mom.

12 366. Q. Okay. And again, same explanation for the
13 \$5,000.00?

14 A. That was a gift for my. . .when my daughter
15 was born, each daughter, so it was that.

16 367. Q. No, but again, same story with the price.
17 You don't know, you're just guessing? That's a guess?

18 A. Yes.

19 368. Q. Okay, so no appraisals were done, no
20 estimates, no--

21 MS. VAN WEERT: Well between when she came in to
22 see me and when we signed her financial statement
23 we didn't get an appraisal for the rug.

24 369. MR. BURY: Sorry, you did?

25 MS. VAN WEERT: We didn't.

1 370. MR. BURY: Didn't, yeah.

2 MS. VAN WEERT: In that twenty-hour period.

3 371. MR. BURY: Understood. And since then you
4 haven't gotten any, I assume?

5 MS. VAN WEERT: No.

6 BY MR. BURY:

7 372. Q. Now I'm curious. The jewellery, there's not
8 a mention of any jewellery.

9 A. What kind of jewellery he's looking for?

10 373. Q. No one's looking for anything. This is a--

11 A. Okay, let me explain about the jewellery.

12 374. Q. Well let me set it up, the question, first.

13 This is a financial statement.

14 A. Okay.

15 375. Q. Both sides have claimed. . .made under urgent
16 circumstances, there's a bit of grey areas for both
17 sides.

18 A. Okay.

19 376. Q. But at the end of the day you've listed stuff
20 that belongs to you and there's no jewellery.

21 A. Because I have no jewellery of the gold. I
22 have the fake jewellery like this if you mean, yeah. And
23 then I got the ring from him which is the. . .and I have
24 the passport for that. It is gold and the diamond in the
25 middle, it's not real. That's my wedding band.

1 377. Q. So you do own jewellery but your evidence is
2 it's of no value?

3 A. The gold is gold but the diamond is not real
4 diamond, and I have the . . .the passport of that, that
5 ring.

6 MS. VAN WEERT: Okay, I just want to interfere so
7 the record is clear. When she said she has fake
8 jewellery like this, she pointed to a ring on her
9 middle finger on her right hand, and then the
10 other reference was to. . .she was pointing to
11 her fourth finger on her left hand.

12 378. MR. BURY: Sure.

13 MS. VAN WEERT: Saying that that band is gold but
14 the diamond is fake.

15 BY MR. BURY:

16 379. Q. Right. I'm just a bit confused by your
17 terminology. Maybe it's lost in translation but you
18 mentioned the ring has a passport. What does that mean?

19 A. When he got the ring it has the description
20 in it, like they say how much. . .like what is a 14 carat
21 gold or whatever, 10 carat gold.

22 MS. VAN WEERT: So you're referring to a document
23 that came with the ring when it was purchased?

24 THE DEPONENT: Exactly, yes.

25 BY MR. BURY:

1 380. **U/T** Q. Is it an appraisal. You know, an estimate of
2 its value. Do you know?

3 MS. VAN WEERT: Is it for insurance purposes,
4 that document?

5 THE DEPONENT: I don't know when the. . .like
6 when we got it, like when he got it.

7 MS. VAN WEERT: We can give you a copy of that.

8 BY MR. BURY:

9 381. Q. That's fine. Do you have it, that document?

10 MS. VAN WEERT: Well she says she has it.

11 THE DEPONENT: Yes.

12 382. MR. BURY: Okay. So perhaps we could get a copy
13 of that document.

14 MS. VAN WEERT: We will list its value here. We
15 also haven't listed her premarital car, I see, so
16 we'll have to do that.

17 383. MR. BURY: Well that's why we have subsequent
18 financial statements.

19 Q. So apart from that ring that you've just
20 described, no other jewellery of any value apart from, I
21 don't know, costume jewellery or plastic jewellery?

22 A. I have like the. . .I don't have the gold. I
23 have lots of like fake jewellery like this. I don't know
24 what you guys call it, like--

25 MS. VAN WEERT: Costume jewellery.

1 BY MR. BURY:

2 384. Q. Costume jewellery I think you call it,
3 plastic--

4 MS. VAN WEERT: Well if it's not precious metal
5 or a precious stone--

6 THE DEPONENT: It's not plastic but it's--

7 BY MR. BURY:

8 385. Q. Let's put it this way. Other than costume
9 jewellery which your lawyer is helping describe, any
10 jewellery that you'd be really, really worried about if
11 your house got broken into, for example?

12 A. No, I don't have anything.

13 386. Q. Gold, jewellery, heirlooms from previous
14 grandmothers, parents, uncles; anything that you'd
15 really be sad to lose if your house was broken into?

16 A. No.

17 387. Q. Okay, and I assume nothing specific on your
18 insurance policy covering any specific jewellery pieces?

19 A. No.

20 388. Q. Okay, and it may be different in your
21 tradition or your culture, but when the children were
22 born did you receive from relatives, mother, parents,
23 father, any sort of jewellery? It's often given as a
24 gift, I understand, in some cultures.

25 A. Like my kids?

1 389. Q. Or you. Well, we'll start with you. Were
2 you given any jewellery as a gift celebrating the births?

3 A. If I get any jewellery for celebrating the
4 births?

5 390. Q. Yes.

6 A. No.

7 391. Q. Did the children receive any jewellery?

8 A. I believe yes. When his grandmother went to
9 Iran, for the kids like she brought for the girls like
10 the earrings and I'm not sure if it's gold or it's not
11 gold.

12 392. Q. Right. So apart from those items, no other
13 jewellery of significant value in your possession?

14 A. No.

15 393. Q. And it's your evidence today that there's
16 only two Persian rugs belonging to you?

17 A. There's a . . .and there was two other Persian
18 rugs with. . .from my dad, and unfortunately, when I was
19 in Turkey when I came back he sold it.

20 394. Q. And are there more than those two that
21 belonged to you, Persian rugs?

22 A. No. Whatever I have, it's in the home.

23 395. Q. So your evidence, it's just those two rugs in
24 the home?

25 A. Yes.

1 396. Q. Okay. No other Persian rugs in the home that
2 belong to you?

3 A. No.

4 397. Q. Any other Persian rugs in the home that don't
5 belong to you?

6 A. There is one. . .I don't know I call it rug
7 or whatever, there is one for the wall he had before
8 marriage.

9 398. Q. Okay, and what is that a. . .I don't know
10 which one that is. What does that show on it? You don't
11 have to give me details but what is it a picture of?

12 A. It's. . .what do you say, like the trees and
13 nature?

14 399. Q. Okay, that's fine. We'll figure it out. Now
15 moving on to the bank accounts, savings, securities and
16 pensions and maybe counsel can help me because Mr.
17 Sherman hasn't given us the files so I'm not sure what's
18 been disclosed. Have you disclosed to us copies of any
19 of the account statements for these accounts?

20 MS. VAN WEERT: I don't think so but I defer to
21 the brains of the operation over here.

22 MS. APOSTOLI: No, I don't think we did.

23 MS. VAN WEERT: Well I mean we will provide those
24 in time.

25 400. **U/T** MR. BURY: If we could get copies of those,

1 counsel, because unfortunately, Mr. Sherman is
2 withholding the file for an assortment of
3 reasons.

4 MS. VAN WEERT: Okay.

5 BY MR. BURY:

6 401. Q. The U.S. chequing account held with your
7 father jointly, the 50% there, does that mean your
8 component of the account or his. . .how does that work?
9 Does that mean there's over 18 in there? I'm bad with
10 math.

11 A. No, this is. . .now it's less. It's the
12 total. The total it's under my name and my dad's name.

13 402. **U/A** Q. Right, but you say 50%. So you have 50% of
14 the 9,000 or whatever it is?

15 MS. VAN WEERT: Well that's very. . .that's
16 confusing and I'm going to have to take that
17 under advisement because I clearly didn't see
18 that when I filled. . .I would have been
19 responsible for filling this in, but I don't know
20 why it says held in trust in the middle and then
21 50% over here.

22 403. MR. BURY: That was my question.

23 MS. VAN WEERT: So I will have to ask her after
24 this, because I can't talk to her now, and find
25 out what that means.

1 BY MR. BURY:

2 404. Q. Right. Similarly, the next account which you
3 hold jointly with--

4 A. That means, this 50/50, that means it's . .
5 .I'm. . .it's between me and my mom.

6 405. Q. Right, so as it's set out in the columns?

7 A. Yeah, but this. . .these are not my money.
8 I'm just. . .I'm. . .it's between. . .like it's my name
9 is there and my dad's name there and my name is there and
10 my mom's name there because their English is not good and
11 I do their. . . like if I go to the bank I do their
12 stuff. That's why.

13 MS. VAN WEERT: So it sounds like for the two
14 hundred. . . given what she just said, that
15 sounds like that should also be held in trust.

16 BY MR. BURY:

17 406. Q. Well that's my confusion. So you are saying,
18 and don't let me put words into your mouth, you're saying
19 that for your dad's account it's all his money?

20 A. For my mom's account it's all his money--

21 407. Q. No, no, your dad's.

22 A. For my dad's account it's. . .it was just
23 \$3,000.00 U.S. was mine and I took it because I needed.

24 408. Q. Okay, so that account you've taken money out
25 for yourself is what you're saying?

1 A. Right. The \$3,000.00 U.S. was my money.

2 409. Q. Right.

3 A. Okay? And the rest was my dad.

4 410. Q. Okay.

5 A. And after separation I need the money and I
6 took that \$3,000.00 for paying the bills and stuff.

7 411. Q. So if we were to look at the account today it
8 would probably show nine, give or take, minus the 3,000
9 you took out, something like that?

10 A. Yes.

11 412. Q. And your position is that that's now all his
12 money?

13 A. All his money.

14 413. Q. Okay, just so we're clear. But it is a joint
15 account, right?

16 A. It is joint account.

17 414. Q. You're both on it?

18 A. Yes.

19 415. Q. Do you have a Power of Attorney for your
20 father?

21 A. Like. . .no.

22 416. Q. Let me explain what I mean. Sometimes people
23 set up accounts, sometimes people have Power of Attorney
24 for their parent's banking.

25 A. Okay.

1 417. Q. The account stays in the parent's name but
2 you have the right to put money in, take money out with
3 that Power of Attorney, or it's a joint account as you've
4 done. So that's what you've done, right, is a joint
5 account?

6 A. It's a joint account but it's not like my
7 money. It's their money just I do the. . .they need
8 money, I took it. I don't have the Power of Attorney by
9 writing.

10 418. Q. Right, so it's an informal agreement?

11 A. Yes.

12 419. Q. Nothing in writing to that effect?

13 MS. VAN WEERT: You have to say no for the
14 record?

15 THE DEPONENT: No.

16 BY MR. BURY:

17 420. Q. And the same with your mother's account?

18 A. Yes.

19 421. Q. So have you taken anything out of your
20 mother's account?

21 A. No.

22 422. Q. Okay, so it's about 400 in there, give or
23 take?

24 MS. VAN WEERT: Well do you know whether there's
25 been transactions since June in these accounts?

1 THE DEPONENT: I can't open my RBC--

2 423. MR. BURY: Well if we can get updated--

3 MS. VAN WEERT: Yeah, because she also answered
4 that for her joint account with her father and I
5 didn't interfere, but there may have been
6 transactions.

7 424. MR. BURY: That she's not aware of.

8 MS. VAN WEERT: Yes.

9 425. MR. BURY: Well we'll get the statements and then
10 we'll know for sure.

11 426. Q. Okay, moving onto the next page, credit
12 cards. When were these credit cards opened, the
13 accounts?

14 A. Mastercard I just open it for Costco reason,
15 in the RBC.

16 427. Q. Sorry?

17 A. The Mastercard one.

18 428. Q. The first one?

19 A. Yes.

20 429. Q. So that's the Costco membership.

21 A. No, no. I opened it RBC but my purpose of
22 the Mastercard I just use for the Costco.

23 430. Q. Okay, And when did you open that, sorry?

24 A. If I'm not making mistake, I don't know,
25 probably a year and half or two years ago, but I'm not

1 sure. I can find out from the bank.

2 431. Q. Okay, so please continue.

3 A. And my Visa, the second Visa it was expired
4 and then they give me the Visa Avion. I had a regular
5 Visa, then they give me the Visa Avion and the. . .the
6 bank, like the teller, told me like you get like more. .
7 .more credit if you change it. You get points, something
8 like that. But Visa I have since I have the RBC account.

9 432. Q. And that's which one you've had since, the
10 first one or the second one? I'm getting confused.

11 A. It's all of the Visa is the same thing. They
12 just. . .they just. . .like how can I say?

13 433. Q. They upgraded your card?

14 A. Exactly, upgraded.

15 434. Q. And which one. . .so the Visa account 0842
16 there, that's the old account or is that an existing
17 account? I'm just confused.

18 A. I had one Visa account, like one Visa. They
19 just upgraded. Like they. . .I don't know. . .they call
20 it Avion and they call it something else.

21 MS. VAN WEERT: So did this 0842 become this
22 1107?

23 THE DEPONENT: Probably. I have just one Visa.

24 MS. VAN WEERT: I don't know why we have that
25 other one on there, sorry.

1 435. MR. BURY: You have statements though, right, we
2 can get?

3 MS. VAN WEERT: Well maybe not if 0842 is no
4 longer active. If it's active we'll provide that
5 but if it actually became the Visa Avion--

6 MS. APOSTOLI: It should trail off and start
7 again.

8 436. MR. BURY: Right.

9 MS. VAN WEERT: Yeah, so we'll try and sort that
10 out for you.

11 437. MR. BURY: Okay, we'll leave that for probably
12 the upgraded financial statement.

13 MS. VAN WEERT: Yeah.

14 BY MR. BURY:

15 438. Q. And those are all the credit cards you have?

16 A. Yes, Mastercard and Visa.

17 439. Q. Now I'm confused because you mentioned a
18 Costco card, right? I belong too. It's one of these,
19 right? They put your picture on the back? You don't
20 have one of these?

21 A. No, no, I don't have that one. I have from
22 RBC but I can use in the Costco. I registered in RBC,
23 not in the Costco. I have my Costco membership, and my
24 Mastercard I opened in RBC.

25 440. Q. Okay, so--

1 A. I have it here.

2 441. Q. I'm just a bit confused about that.

3 A. Don't get confused.

4 442. Q. Well it's hard sometimes.

5 A. This is my Mastercard.

6 443. Q. Right, okay.

7 A. This is from RBC.

8 444. Q. And as you go through, this is on your list,
9 that one. Correct?

10 A. Yes.

11 445. Q. I can't see that far.

12 A. And this is the Visa.

13 446. Q. And is that the one that's--

14 MS. VAN WEERT: It says 1107.

15 447. MR. BURY: Right, and that's active?

16 MS. VAN WEERT: Yeah, yeah. So do you have that?

17 You don't have another Visa?

18 THE DEPONENT: No, I don't have other Visa.

19 MS. VAN WEERT: Okay. I don't know why that's on
20 there, sorry.

21 BY MR. BURY:

22 448. Q. Any other credit cards in that pile you've
23 got out?

24 A. No.

25 MS. VAN WEERT: She's got a Costco membership

1 though.

2 BY MR. BURY:

3 449. Q. Right. So for Costco you don't have one of
4 these Costco credit cards or accounts?

5 A. I don't have that one, no.

6 MS. VAN WEERT: She has a Baskin Robbins account.

7 THE DEPONENT: No, it's a gift card. And I have
8 my debit.

9 BY MR. BURY:

10 450. Q. So Costco, you never had a joint account with
11 your husband?

12 A. The Costco I--

13 451. Q. No, no, not membership. Two different
14 things. So you never had a joint credit card with your
15 husband?

16 A. I had joint credit card when he was in
17 Montreal -- and I don't know for how long, probably for
18 few months, I don't remember how long -- but when he was
19 in Montreal and he had a fight on the phone when I was
20 putting gas in my car to take my kids to Wonderland, he
21 cancelled it.

22 452. Q. That may well be but that's not my question.
23 I'm back at Costco.

24 A. Okay.

25 453. Q. Do you have one of these Costco credit cards

1 that you shared jointly with him?

2 A. It wasn't Mastercard that time. I believe it
3 was American Express.

4 454. Q. Okay.

5 A. He opened a joint one and he just cancelled
6 it on me.

7 455. Q. So you had a Costco membership/credit card at
8 some point?

9 A. It was his. He just joined me on his
10 American Express that time when he was in Montreal. I
11 don't know, 2012 something.

12 456. Q. But was that -- again, sorry, I'm getting
13 confused -- was that a general credit card or a Costco
14 membership credit card?

15 A. Costco. No, it was I believe the Costco
16 credit card membership, like that one you have it, but it
17 was American Express.

18 457. Q. Right, and so you were both account holders?
19 You were both able to do transactions?

20 A. Yes.

21 458. Q. Okay, and that also got you into Costco,
22 right? It was like a membership card? It had the little
23 picture or--

24 MS. VAN WEERT: Well I don't think they're both
25 account holders. They both can use it. I mean

1 the way my AmEx worked at Costco was I owned it
2 and somebody else also had the right to use that
3 card, a family member or friend, whatever.

4 459. MR. BURY: And that's your membership, I think.

5 MS. VAN WEERT: No, that was actually the card.

6 BY MR. BURY:

7 460. Q. That's what I'm trying to figure out. So the
8 credit card for Costco. . .

9 A. Okay.

10 461. Q. . . .it was a joint credit card?

11 A. Yes.

12 462. Q. And you could make transactions on it and he
13 could make transactions on it?

14 A. And if I'm not making mistake, yes. I saw in
15 his paper in every transaction if he was making it was
16 under Mahyar Radmehr. If Sheida Aletratikhosroshahi was
17 making, in the statement it was under me. Yes.

18 463. Q. You're very good at saying your name quickly.
19 I had to take a bit of a pause there. So those
20 statements with all these transactions, and you've seen
21 some obviously, who did those statements come to?

22 A. To him.

23 464. Q. So is your position that he was the primary
24 account holder?

25 A. Yes.

1 465. Q. Okay. I'm just trying to sort out who had
2 what control. But it was a credit card you could use?

3 A. Yeah, just for few months.

4 466. Q. And you used it. Sorry, what few months do
5 you say you used it during?

6 A. That credit card I used for few months.

7 MS. VAN WEERT: When? He's asking when.

8 THE DEPONENT: When he was in Montreal.

9 BY MR. BURY:

10 467. Q. Do you know when that was?

11 A. It was '12 or '11, I don't remember but it
12 was--

13 MS. VAN WEERT: '13 I thought, but I might be
14 wrong.

15 THE DEPONENT: Yeah. I'm not good with dates
16 but--

17 BY MR. BURY:

18 468. **U/T** Q. Can you check for us and get back to us?

19 A. Sure.

20 469. Q. And were those transactions restricted just
21 to Costco or you used it generally?

22 A. I used the. . .I believe mostly Costco.

23 470. Q. Okay. Moving on then, in your financial
24 statement I noticed you attached your Notices of
25 Assessment. . .keep going, sorry.

1 A. Yes.

2 471. Q. Now there are no actual returns attached.

3 Correct?

4 MS. VAN WEERT: No, and there normally aren't.

5 472. MR. BURY: Well I've seen both because, you know,
6 the financial statement says at the front--

7 THE DEPONENT: What do you mean by return
8 attached?

9 MS. VAN WEERT: Your income tax returns. I've
10 answered for you. There's no income tax returns,
11 we've just attached your Notices of Assessment.

12 THE DEPONENT: Okay.

13 BY MR. BURY:

14 473. Q. Do you have the actual income tax returns
15 that would have resulted in these assessments?

16 A. He was doing all the taxes and if it is in
17 the. . .like the folder of the taxes, it's there.

18 MS. VAN WEERT: We can also get it from, the ones
19 that were filed, from the accountant.

20 BY MR. BURY:

21 474. Q. Right, but my question is do you have them,
22 the returns that were filed to generate these
23 assessments?

24 A. It is in his paper, it's in the home.
25 Probably it's there, yes.

1 475. **U/T** Q. Okay, and can you locate those for us and get
2 them to your lawyer, please?

3 MS. VAN WEERT: Well we'll provide copies of her
4 tax returns for the last three years.

5 BY MR. BURY:

6 476. Q. Now I just want to take you through the
7 assessments starting with 2017.

8 A. Sure.

9 477. Q. You list an income of zero. Is that correct?

10 A. No, it's not correct.

11 478. Q. No, it's what you list. That's my question.

12 MS. VAN WEERT: Okay. It's true that it's
13 listed.

14 THE DEPONENT: It's true it's listed, yes.

15 BY MR. BURY:

16 479. Q. Right, and is that an accurate number for
17 your total income in 2017?

18 A. No, it's not.

19 480. Q. And are you able to assist us what your
20 actual income was for 2017?

21 MS. VAN WEERT: I think no. What we've provided
22 is a statement from her employer. She's self-
23 employed.

24 481. MR. BURY: Yes.

25 MS. VAN WEERT: But we've provided a statement of

1 what gross commission income she earned.

2 482. MR. BURY: Yes, I've seen that.

3 MS. VAN WEERT: Right. She has not taken the
4 step, although I've advised her to do so and she
5 will soon do so, she's planning to do so, of
6 actually filing corrected tax returns to indicate
7 what her net income is, but she hasn't done that
8 yet and I'm not sure what, sitting here now,
9 neither she nor I know what expenses she'll be
10 deducting, if any. So the best we can do for you
11 at the present time is the statement of income
12 from Michel Germain which is spelled like this.

13 483. MR. BURY: No, I've seen it. Oh, sorry, for
14 Madam Reporter.

15 Q. So, and I'm sure somebody will correct me, so
16 you haven't actually gone through the process of creating
17 a return?

18 A. I don't understand. What do you mean by
19 creating?

20 484. Q. Sitting down, figuring out your expenses,
21 figuring out any deductions, figuring all of that out,
22 that resulted in this.

23 A. Whatever receipts I had I was giving him and
24 I was telling him. He was doing all the taxes, all the
25 accounting, all the money related stuff.

1 485. Q. So you've done nothing in terms of doing a
2 tax return?

3 A. Nothing.

4 486. Q. Okay. Have you ever filed your own tax
5 return?

6 A. Yes, before marriage.

7 487. Q. So what years did you file your tax returns
8 for?

9 A. What years before marriage?

10 488. Q. Yes.

11 A. Every year.

12 MS. VAN WEERT: Well did you file a tax return
13 when you were in high school?

14 THE DEPONENT: No.

15 MS. VAN WEERT: Okay, so--

16 THE DEPONENT: From 1999.

17 BY MR. BURY:

18 489. Q. So you started filing taxes in--

19 A. From 1999.

20 490. Q. Until when?

21 A. Until when even I was working in 2006 and 7
22 I. . .like I gave my income and he did the returning, but
23 after I didn't work and after I came back in the last
24 three, four years like he was doing, but after marriage
25 he was doing it. Before marriage, since 1999 I did my

1 taxes.

2 491. Q. Okay, so from 1999 until you were married you
3 did your own taxes?

4 A. Yes, exactly.

5 492. Q. So you know how to do an income tax return?

6 A. I just took it to the accountant and they did
7 it for me, yes.

8 493. Q. You know how to gather information for a tax
9 return?

10 A. I just total up whatever I made and it was
11 just. . .because I am self-employee, and it was my
12 receipts of the gas, cellphone, my renting. If I was
13 taking. . .like this is stuff I was collecting and giving
14 to accountant. They were doing it for me.

15 494. Q. Right. So they prepared the return and then
16 you signed it, I assume? Tell me if I'm wrong.

17 A. Yeah, the accountant prepared and I signed
18 it, exactly.

19 495. Q. Okay, and do you have copies of those
20 returns?

21 A. Actually I asked from the Revenue Canada for
22 my tax assessment since I came to Canada.

23 496. Q. As well as returns or just assessments?

24 A. It's tax assessments.

25 497. Q. Well do you understand the difference between

1 the two documents?

2 A. You mean you're asking me for the copies of
3 the returns, like what I give to the accountant?

4 A. No, no. When you file taxes you file a form
5 and then you get a form back from the government. So
6 there's really two documents involved in the process.
7 You file, you fill out all your expenses. . .

8 A. Exactly.

9 498. Q. . . .or you get the accountant to fill
10 everything out. He or she completes it, you look at it,
11 say yeah, and then you sign it and it goes to the
12 government.

13 A. Okay.

14 499. Q. You understand that part?

15 A. Yes.

16 500. Q. The government looks at it, yes, no, yes, no.
17 At some point you get your assessment back.

18 A. Okay.

19 501. Q. You get money back, you don't get money back.
20 Sometimes you're lucky, sometimes you're not. So those
21 two documents you understand?

22 A. Yes.

23 502. Q. This side, the actual returns--

24 A. Actual returns, yes, I had it but
25 unfortunately he destroyed so many paper of mine. I

1 mentioned it the first. . . when the. . .like the
2 questioning start, and even he destroyed and shred so
3 much paper of his after the 2012 incident because we had
4 the file cabinet of the four before, plus another two,
5 and after I came back from Iran -- I went for three
6 months -- that four file cabinet was empty, it was in
7 basement, and it was all my blotters (phonetic) and the
8 perfume stuff upstairs, because he destroyed all the
9 papers.

10 MS. VAN WEERT: But what Mr. Bury is trying to
11 ask you is did you ask Revenue Canada for copies
12 of your tax returns as well as copies of your
13 Notices of Assessment?

14 MS. APOSTOLI: She did, she did, and she got back
15 a tax summary, because it's such a long time ago
16 that they don't actually have full income tax
17 returns.

18 MS. VAN WEERT: Is that correct, Sheida?

19 THE DEPONENT: Yes.

20 MS. VAN WEERT: Okay.

21 BY MR. BURY:

22 503. Q. What accountant did you use for these
23 returns?

24 A. When I was in Whitby, if I'm not making
25 mistake, is it H & R Accounting? It's a green sign is in

1 the mall before taxes. I did for three years there and
2 then another three years I did with another Persian
3 accountant.

4 504. Q. Are you able to contact both H&R and this
5 accountant to get copies of your returns?

6 A. I don't know. Like that H&R, it was a booth
7 in the mall.

8 505. **U/T** Q. Well they're a big company. You see them in
9 all the malls.

10 MS. VAN WEERT: We can make an inquiry.

11 506. MR. BURY: Right.

12 MS. VAN WEERT: Do you remember the name of the
13 Persian accountant?

14 THE DEPONENT: Yeah.

15 BY MR. BURY:

16 507. Q. And what was his or her name?

17 A. It was Afshin Ahaini.

18 508. Q. And that's the accountant you've used since?
19 You haven't changed? That's the only accountant you've
20 used, right? Is that fair?

21 A. Yes.

22 MS. VAN WEERT: Oh, it's the same accountant you
23 use?

24 THE DEPONENT: And then after marriage he was
25 doing, I believe.

1 BY MR. BURY:

2 509. Q. So this accountant is familiar with both of
3 you, before marriage and after marriage?

4 A. No, before marriage. . .these accountants who
5 I'm talking about is before marriage. I'm talking about
6 before marriage. After marriage he was taking care of
7 with his accountant.

8 510. Q. And what's his name or her name?

9 A. What is his accountant's name? He had, I
10 believe, two. The first one I never met. I don't know,
11 it's S&M Accounting or something like that I saw in the
12 papers. For the second accountant, when I was with him I
13 just met him once, not for the tax reason. He got
14 anxiety, he didn't get back from the government his taxes
15 and I just went with him to Mr. Shafeghat and talk about
16 like this is normal routine, it takes time, about his
17 like taxes. So I never went to this accountant by myself
18 to do my taxes.

19 511. Q. Can you spell the last name?

20 MS. VAN WEERT: You have to spell the name of
21 your accountant prior to marriage and then the
22 accountant that you met once after marriage that
23 Mr. Radmehr uses.

24 THE DEPONENT: If I'm not making mistake--

25 MS. VAN WEERT: That's okay, just try. Go off

1 the record for a second.

2 **(DISCUSSION OFF THE RECORD)**

3 **... upon resuming**

4 MS. VAN WEERT: So Sheida has managed to write
5 down the H&R, two different accountants from
6 before marriage, one of whom appears to be H&R
7 Block. After marriage she can't remember the
8 first one used by Mr. Radmehr but she remembers
9 Quick Accounting as the second one and she thinks
10 she can remember the first one so we will
11 undertake to try to provide that name.

12 BY MR. BURY:

13 512. Q. Okay. Moving on then to the next income tax
14 Notice of Assessment for 2016, the same question. The
15 1320 reflected as total income, that too is incorrect,
16 right?

17 A. What do you mean?

18 MS. VAN WEERT: He's asking is this a correct. .
19 .your total income, is that a correct statement
20 of your total income for that year, at line 150?

21 THE DEPONENT: He's asking is this right or no?

22 MS. VAN WEERT: Yeah, he's asking is that . . .is
23 it correct?

24 THE DEPONENT: Is it true?

25 MS. VAN WEERT: Yeah.

1 THE DEPONENT: No, it's not true.

2 BY MR. BURY:

3 513. Q. So that's not your correct income. Do you
4 have any recollection of what your 2016 income was?

5 A. I actually my company gave me. . .can I say--

6 MS. VAN WEERT: It will be the same answer as
7 before.

8 514. MR. BURY: Yes, okay. The same answer will speed
9 things up. The same answer as before--

10 MS. VAN WEERT: And it will be for 2017 as well.

11 THE DEPONENT: Exactly, yeah.

12 BY MR. BURY:

13 515. Q. So you have no idea what the actual income
14 after all your expenses is?

15 A. No.

16 516. Q. Okay, that speeds things up. And your lawyer
17 I think may have answered this question already but
18 you've taken no steps to correct this since becoming
19 aware of this. Correct? You haven't put anything into
20 process?

21 A. I talked to my accountant and he's going to
22 probably. . .Miss Ingrid doesn't know. Like I went on
23 Friday and he's going to fill it out for adjustment.

24 MS. VAN WEERT: To be fair, the first time she
25 came in to see me she asked me if she should go

1 do it immediately because she wanted to and I
2 told her there were too many moving wheels and it
3 wasn't an urgent matter to attend to, but she has
4 intended to do it. I know that because she's
5 asked me several times, and last week I said to
6 her go ahead. Go ahead, just go correct it.

7 BY MR. BURY:

8 517. Q. Prior to meeting your lawyer, nothing was
9 done to correct it. Correct? That's fair?

10 A. Yeah, because it was out of my hand. He was
11 threatening me all the time with this so it's--

12 518. Q. Threatening you with what?

13 A. It's in every fight he was threatening me.
14 Even I have his voice record that he mention that. He
15 did all the taxes himself 'til this day and now go and
16 fix your taxes and I'm going to report you and you going
17 to go to jail. He was threatening me and holding me in
18 that house with the taxes.

19 519. Q. I see. So your evidence is you never
20 corrected any of these inaccurate returns--

21 A. I don't have the. . .I didn't have the power
22 of that because he had. . .he was controlling all the
23 money situation and everything related to the money.

24 520. Q. So your evidence is you had no control over
25 any of the money?

1 A. Any of the taxes and stuff, yes. I had the
2 control of my own making money to spend for my family,
3 but the taxes and stuff he was doing it.

4 521. Q. So you never did, after marriage you never--

5 A. I never went to the accountant. He was
6 going, he was doing all the forms. He was bringing home,
7 getting signature for me. I never go through the papers
8 to see because I never understand what is those numbers,
9 and he was returning back.

10 522. Q. So basically your evidence is you knew
11 nothing about these income tax returns. He just said
12 sign here. Is that what you're saying?

13 A. Exactly.

14 523. Q. Okay.

15 A. I didn't know how much he's himself making,
16 how much he's applying, how much he's applying for me.
17 It's. . .he was doing the taxes himself.

18 524. Q. And you never saw any of these documents?

19 A. What do you mean by that?

20 525. Q. Tax documents.

21 A. Yeah, I signed them at home.

22 526. Q. Did you read them, look at them?

23 A. I never read them.

24 527. Q. So you just blindly signed them?

25 A. Yeah. He said this is the tax return and I

1 signed them.

2 528. Q. You never reviewed them?

3 A. I never reviewed them because I don't
4 understand those . . .all the numbers in the papers of
5 the tax.

6 529. Q. Now when you applied for your parents'
7 sponsorship, the immigration process, did you have to
8 disclose your income? I think there's . . .I don't know
9 much about immigration law but you have to make a certain
10 amount to sponsor someone. Is that correct?

11 MS. VAN WEERT: Well did she sponsor them or did
12 he sponsor them?

13 BY MR. BURY:

14 530. Q. Well that's what I'm asking. Did you sponsor
15 them?

16 A. I sponsored them and he was the co-sponsor,
17 and I wasn't work. . .like when we applied I was working
18 but after for a few years I didn't work because I had my
19 kids, and he was. . .it was like his income he was like--

20 531. Q. But when you applied you disclosed your
21 income?

22 A. Because he did their immigration forms, I
23 didn't get the lawyer, he did the . . .like all the forms
24 for sponsoring. I don't know, like it probably was my
25 income or the together.

1 532. Q. Well do you know?

2 A. No, I don't know.

3 533. Q. So you have no idea what income you disclosed
4 to the immigration authorities for purposes of sponsoring
5 your parents?

6 A. Mostly it was. . .mostly I was the sponsor
7 but he was the co-sponsor, right? He was my husband so--

8 534. Q. I don't know.

9 A. Yeah, it was his income.

10 535. Q. And not your income?

11 A. I'm not sure. I don't want to give you the
12 wrong answer.

13 536. Q. Right. And did you file any forms for that
14 purpose, for sponsorship, disclosing your income?

15 A. I don't remember. If there is a disclosing
16 for my income, I'm truthful, probably I put it, but if I
17 wasn't working. . . so I don't remember.

18 537. **U/T** Q. Do you have those forms anywhere?

19 A. I have to look for it.

20 538. Q. Okay, so that's a yes.

21 A. I'm not sure.

22 539. Q. In all of the documents, and we'll get to
23 this in a bit, all the documents were kept in this filing
24 cabinet we've heard about?

25 A. What documents?

1 540. Q. Family documents, financial documents,
2 records, bills, receipts.

3 A. Okay. As I mentioned to you before, he had
4 more documents and I had more documents. When I went to
5 Iran and I come back those four cabinets was empty, and
6 the recent years we had two cabinets. The down one was
7 mine, with my parents' like immigration, like whatever
8 they had like for visitor visa; for example if they had
9 the properties or whatever it's the translation, and my
10 stuff. And the top of that cabinet was his stuff.

11 541. Q. And your stuff contained documents that you
12 had prepared?

13 A. Sorry?

14 542. Q. Your drawer, your stuff as you called it, had
15 documents you had prepared.

16 A. I prepared for what?

17 543. Q. Well you just described an example of getting
18 translations for your parents.

19 A. That translation I didn't, no, no, no.

20 544. Q. I'm not saying you did it. You obtained
21 these documents, you collected these documents. It was
22 your drawer versus his drawer, right?

23 A. Yes, exactly.

24 545. Q. You had your own? And the documents in your
25 drawer were documents that you had obtained, you had

1 completed, you had filled out, for example, your stuff?

2 A. Yes.

3 546. Q. So there were some documents that you had
4 completed and filled out? Correct?

5 A. Yeah, I have my. . .for example, for my work,
6 the invoice slip I completed. Who's going to complete
7 it, right?

8 547. Q. And other documents as well you completed,
9 right?

10 A. Yes. For the visitor visas I was completing.

11 548. Q. Right.

12 A. But for applying for my Persian passport I
13 was completing, yes.

14 549. Q. Right. So you know how to fill out forms,
15 you know how to complete documents and submit them?

16 MS. VAN WEERT: Well I think it depends on the
17 form and the document.

18 THE DEPONENT: Exactly. If it's about the like
19 the numbers and monies and then this stuff, or
20 the tax, I don't know.

21 BY MR. BURY:

22 550. Q. Tax stuff you don't like to complete but
23 other stuff you do?

24 A. It's not I don't like it, I don't know, so
25 that's why before marriage I was giving to the

1 accountant.

2 551. Q. But other documents you prepared and filed?

3 A. What kind of document? Could you please--

4 552. Q. Immigration documents, for example.

5 A. Immigration documents for the sponsorship, he
6 did it.

7 553. Q. I see.

8 554. Q. For visitor visa, yes, like for the family
9 information. Like what is my dad's son name, what is his
10 brother name. In the Farsi and English, yes, I did it.

11 555. Q. But the numbers, you're saying you were never
12 involved with?

13 A. The numbers, no.

14 556. Q. But you signed documents to the government
15 with numbers on them that you were saying were accurate.
16 Correct?

17 A. Could you please ask me what documents with
18 the numbers?

19 557. Q. Sponsorship documents, for example?

20 A. Sponsorship documents he fill it out. How
21 can I explain to you?

22 558. Q. He filled out but you signed it?

23 MS. VAN WEERT: Do you know whether you signed it?

24 THE DEPONENT: I signed it but I fill it up the
25 Persian part like the family information, like

1 about my family, my brother's wife's name, my
2 brother's kids name, my father's brother's name.
3 In those forms lots of like the questions so I
4 answered those.

5 BY MR. BURY:

6 559. Q. And the final application because my
7 understanding, and you can correct me, you were a sponsor
8 and he was a co-sponsor--

9 A. Exactly.

10 560. Q. So you signed sponsorship documents, right?

11 A. Yes. I signed and he signed.

12 561. Q. Okay, and you still. . .sorry, if you've
13 already answered this, do you have those documents still?

14 MS. VAN WEERT: Well there's an undertaking to
15 look for them.

16 BY MR. BURY:

17 562. Q. Okay. Just confirming that. In terms of
18 2006, and again I know we're jumping around, did you
19 declare income for 2006?

20 A. 2006?

21 563. Q. Take your time.

22 A. 2006 I declare all my incomes.

23 564. Q. And I guess we'll get that information. Do
24 you recall off the top of your head what your income was
25 for 2006?

1 MS. VAN WEERT: I can tell you what the gross
2 was. In 2006 her gross was 29,774.

3 BY MR. BURY:

4 565. Q. Okay. Thank you for that help. And is it
5 fair to say you earned income all throughout the
6 marriage?

7 A. Sorry?

8 566. Q. You have earned income all throughout the
9 marriage?

10 A. You mean when I was married I was--

11 567. Q. Sorry, to this gentleman, to my client.
12 Since being in a marriage with him you've earned income
13 every year?

14 A. No. I told you when my kids was born,
15 actually when I was pregnant for Maana I stopped working.

16 568. Q. And what year was that?

17 A. Probably I got pregnant 2008. I just worked
18 for few months and then perfume scents was bothering me.
19 I didn't work. And 2009 I didn't work. In 2009 when
20 Maana was like. . .in the Christmas time I just went for
21 few. . .like for few hours just help them out, Michel
22 Germain, very little. And then I got pregnant again and
23 I didn't work.

24 569. Q. Do you want to refer to that chart? It might
25 help you refresh your memory.

1 A. Sure, yeah. Yeah, 2009 I just work for few
2 hours, and 2010 I work a little bit and then I got
3 pregnant for Melina. That's why. . .like '12 and '13 I
4 didn't work.

5 570. Q. Sorry, can I just see what you're looking at,
6 just to make sure I have the same? So the only two
7 years. . .and this is, just to be fair, just for the
8 record, what we're referring to--

9 MS. VAN WEERT: It's Exhibit J to. . .well it
10 should say right on the stamp.

11 BY MR. BURY:

12 571. Q. Exhibit J of Form 14A, affidavit dated July
13 30th, 2018. So you have set out income earned from 2001
14 to 2017.

15 A. Yes.

16 572. Q. You've indicated for 2012 and 2013 there was
17 no income, right?

18 A. Yes.

19 573. Q. And that's accurate?

20 A. Actually when I got my tax assessment I saw
21 like he applied some business income. I don't exactly
22 remember what year and I didn't work.

23 MS. VAN WEERT: Okay, but I believe. . .aren't
24 these just figures from Michel Germain?

25 THE DEPONENT: It's figures from Michel Germain

1 but in one of the years which I didn't work at
2 all--

3 MS. VAN WEERT: Your tax return shows income?

4 THE DEPONENT: Yes.

5 MS. VAN WEERT: Okay, but what you're looking at
6 is her gross income from Michel Germain.

7 BY MR. BURY:

8 574. Q. Right. So what I'm saying is all of this
9 income would have been from Michel Germain. Correct?

10 A. Yes.

11 575. Q. Okay. No other income during those years
12 apart from Michel Germain?

13 A. I just work for Michel Germain.

14 576. Q. Right, apart from the two years when there
15 was no income, to be fair, from Michel Germain, 2012 and
16 2013?

17 A. Yeah, but the other years, even I just made
18 \$500.00 per year, I just worked a few hours probably or
19 few days.

20 577. Q. But you're saying in 2012 and 2013 zero work
21 for Michel Germain?

22 A. That shows that. I'm not saying, that shows
23 that.

24 578. Q. That's what they're saying. Do you remember?

25 A. I didn't work because I was raising my kids.

1 579. Q. Right, so what Michel Germain is saying is
2 accurate and you're saying that is accurate too?

3 A. It's accurate.

4 MS. VAN WEERT: But she's also saying that
5 apparently when you see the tax returns there
6 might be some business income.

7 580. MR. BURY: Right.

8 THE DEPONENT: And then rental income under my
9 name.

10 581. MR. BURY: Sorry?

11 MS. VAN WEERT: They rented the basement for a
12 period of time. I think that income was reported
13 under her name.

14 THE DEPONENT: Yeah, I never knew, and then some
15 business income is reported under my name and I
16 didn't work.

17 BY MR. BURY:

18 582. Q. Do you have any idea what that business
19 income was for?

20 A. You can ask you client because I didn't do
21 it. I have no idea.

22 583. Q. I'm asking you.

23 A. I have no idea about my tax papers.

24 584. Q. So any numbers declared on any of the tax
25 returns, you're saying that you have no idea as to what

1 these numbers are, what they mean--

2 A. Yes, I have no idea because I don't
3 understand those numbers and he was taking care of the
4 tax things.

5 585. Q. As was your accountant. Correct?

6 A. The accountant he was dealing with, not me.

7 586. Q. Well you dealt with an accountant too.

8 A. When? After marriage?

9 587. Q. Whenever you dealt with an accountant. You
10 have dealt with accountants in your life, right?

11 MS. VAN WEERT: Her evidence was that she met his
12 accountant on one occasion but she did have a
13 separate accountant prior to marriage.

14 BY MR. BURY:

15 588. Q. Right. All I'm saying is you're familiar
16 with accountants and giving them the documents and making
17 sure everything is accurate because returns have to be
18 filed. You've done that at some point in your life?

19 A. Yes.

20 589. Q. Okay. That was my question. Now for the
21 expenses, did you maintain. . .you consider yourself
22 self-employed, is that right?

23 A. Yes.

24 590. Q. Okay. Do you have an HST number?

25 A. No, I don't have HST number.

1 591. Q. Okay. Have you--

2 MS. VAN WEERT: Just a minute.

3 592. MR. BURY: That's the Michel Germain document. I
4 know where you're going. Let's go to the same
5 place.

6 MS. VAN WEERT: Yeah, like it may not be that
7 she's--

8 593. MR. BURY: Right, 30,000. Let's see.

9 MS. VAN WEERT: Well even if income, her gross
10 income was over, it was never declared so. .
11 .well in 2007 and then in 2016 and 2017 are the
12 only years she was over 30,000.

13 BY MR. BURY:

14 594. Q. Right, I know that. So you never obtained a
15 GST number or HST number, whatever number would have been
16 required at that time period?

17 A. Actually, when Friday I saw my accountant he
18 asked the same question and--

19 595. Q. That's good. We're all asking the right
20 questions now.

21 A. Yes, and I said what is the GST, and I read
22 my contract with Michel Germain that's saying as a PSS
23 you are not an employee of Michel Germain.

24 MS. VAN WEERT: She's showing me a contract dated
25 January 2015.

1 THE DEPONENT: And he said. . .send this email to
2 him and he's going to get back to me so I had no
3 idea what I have to do.

4 MS. VAN WEERT: Okay, well it just confirms that
5 as an independent contractor payment of GST is
6 her obligation.

7 596. U/T MR. BURY: Perhaps we could get a copy of the
8 contract?

9 MS. VAN WEERT: I don't know. Do you have the
10 full contract? I've only seen the signing page.

11 THE DEPONENT: The first page, yeah. The first
12 page I didn't send it, just I send page with tax-
13 -

14 MS. VAN WEERT: Okay, so we'll provide you with a
15 copy of her. . .this is dated January 2015. Is
16 there an earlier contract as well?

17 THE DEPONENT: No, because when I came back after
18 like the maternity leave I just had this one.
19 They have this one.

20 MS. VAN WEERT: Okay, so we can provide you with
21 a copy of the contract dated January 2015.

22 BY MR. BURY:

23 597. Q. How many contracts did you sign with Michel
24 Germain?

25 A. Probably this one was the second one because

1 the first one was when I first started, but they didn't
2 have it when I asked them. I came back like after, like
3 2015.

4 598. Q. Well I don't want you to guess. Do you
5 remember when you started with Michel Germain was there
6 some agreement signed?

7 A. Yes.

8 599. Q. Okay, and do you have that agreement?

9 A. No, I don't have it.

10 600. Q. Did you ever have it?

11 A. Probably yes.

12 601. Q. Okay, and do you remember where you kept it,
13 if you can you access it anywhere?

14 A. I don't have my paper from past, okay? I
15 don't have it. He destroyed them.

16 602. Q. So help me understand this. You're saying
17 you have no papers from your past as of what year?

18 A. As of like . . .as of before marriage.
19 Whatever I was. . .even my bills or whatever I had, my
20 papers, he destroyed it. He shred them, and even his
21 one.

22 603. Q. So up until what year would that be? You
23 were married again in what year, sorry?

24 A. 2007, and we are together since 2006. He was
25 living in my apartment.

1 604. Q. Right. So it's your evidence then prior to
2 2007 or 6, you can correct me which one it is, you have
3 no personal records, no business records--

4 A. I didn't say no personal records. I don't
5 have most of my papers.

6 605. **U/T** Q. Okay, so what papers do you still have, just
7 to help us figure this out? What type of papers do you
8 still have that weren't shredded, for example?

9 A. I have to go and look because when I looked
10 it was just my mom's property which is like translated
11 and my documents from Iran, my numbers like at school one
12 and. . .I can look for you.

13 606. Q. Okay, so that's some sort of an undertaking,
14 but can you also look to see if there's anything from
15 Michel Germain or are you sure you don't have it, the
16 contract?

17 A. I don't have it, I'm sure, because that's why
18 I ask my company to send me the contract because Mr.
19 Sherman was asking. That's why I have this.

20 MS. VAN WEERT: And the company said they don't
21 have it.

22 THE DEPONENT: They said they don't have the
23 first one because they don't keep everything for
24 so many years. It's eighteen years.

25 BY MR. BURY:

1 607. Q. Once you had the children you collected the
2 Child Tax Benefit?

3 A. Yes.

4 608. Q. And how long did you collect that for?

5 A. Since I had the kids.

6 609. Q. Okay, and you continue to collect it,
7 continue to receive it?

8 A. Except the past few months.

9 610. Q. And are you aware that that's connected, the
10 amount is ultimately connected to how much income you
11 make?

12 A. I find out after and I find out because he
13 always was saying, oh, I did a big deal, I give your
14 account for Child Tax Benefit. I will get it. After
15 separation I find out that is connected to your income
16 and that's always come to the mother. It's not something
17 like he did a big favour for me to giving my account for
18 the Child Tax Benefit.

19 611. Q. Right, but my question focused on. . .it's
20 connected to how much you make, how much you get. Do you
21 understand?

22 A. I find out after separation and I was. . .I
23 want to fix my taxes because he ruined the taxes. I
24 really want to fix my taxes.

25 612. Q. Right. Well can you give us an undertaking

1 then to tell us once you've started that process? You
2 actually. . .I know you've had discussion but--

3 MS. VAN WEERT: Well she went to the accountant
4 on Friday to do it so she's started the process.

5 BY MR. BURY:

6 613. Q. Right, and did he give you any sense of what
7 would happen next or what you're required to do next?

8 MS. VAN WEERT: To file your taxes.

9 THE DEPONENT: Yes, he ask me for all the. .

10 .because it's. . .he talked about the GST and I
11 send email him the contract because I didn't
12 understand like what he's talking about GST. He
13 said over \$30,000.00. And then he asked me what
14 was your expenses because as a self--

15 BY MR. BURY:

16 614. Q. Right.

17 A. And when I said I don't have the receipts
18 because whatever receipts I had I give it to him so I
19 don't have any receipts.

20 615. Q. Did you have any expenses as a self-employed
21 business person?

22 A. Like I put the gas, I like. . .after
23 marriage, right?

24 616. Q. When working for Michel Germain.

25 A. Yeah, when working for Michel Germain the

1 expenses are like whatever the expenses are, like gas,
2 cellphone, if you are renting--

3 MS. VAN WEERT: I think what she's saying is that
4 her accountant, and correct me if I'm wrong, but
5 her accountant is going to give her the benefit
6 of the standard deductions people take when
7 they're self-employed, however tenuously
8 connected they might be to the actual employment.
9 That may not matter for support purposes but,
10 like the deductions, but she as a self-employed
11 person will deduct part of her car and part of
12 the gas and part of her cellphone and possibly
13 part of your living. Is your. . .when you say
14 when you rent, what do you mean by rent?

15 THE DEPONENT: I was giving. . .like when I was
16 doing my taxes I was. . .like if I was renting my
17 apartment I had to give the--

18 MS. VAN WEERT: Oh, so from before marriage?

19 THE DEPONENT: Yeah.

20 MS. VAN WEERT: So, yes, it sounds like she's
21 going to deduct part of the house maybe, I don't
22 know, because she doesn't pay those expenses or
23 wasn't prior to. . .so I'm assuming, and we can
24 correct this if I'm wrong once she does it, but
25 I'm assuming she's going to take the normal

1 expenses which will probably not affect her
2 income for purposes of support but with her tax.

3 617. MR. BURY: Thank you, Madam Interpreter.

4 MS. VAN WEERT: Well, I mean--

5 618. MR. BURY: I know what you mean.

6 MS. VAN WEERT: Yeah, I think that's where the
7 accountant will go with it because that's what
8 they typically do. Do you have any expenses that
9 are specific to your job? Like do you have to
10 buy your inventory, do you have to dress in a
11 certain way?

12 THE DEPONENT: Yes, exactly. Some of. . .it's
13 like before accountant, not this accountant, told
14 me like because for my job I have to look very
15 professional about like the clothing, and some of
16 them they were applying. Like, for example,
17 sometimes I was taking like the Bay people for
18 the coffee or like for the lunch or whatever, I
19 could apply for those too.

20 MS. VAN WEERT: So when you say you have to look
21 very professional, are you planning to deduct a
22 portion of your clothing or something?

23 THE DEPONENT: Just little portion, yeah, because
24 it's related to my work.

25 BY MR. BURY:

1 619. Q. And have you had these discussions with your
2 now accountant what you're going to deduct or not deduct?

3 A. Not with the--

4 620. Q. The guy you saw last Friday.

5 A. Not the last Friday one, no.

6 621. Q. Okay.

7 A. But he just said like it's expenses and I am
8 going to do your form and come back and we explain what's
9 going on.

10 622. Q. And just -- I think your lawyer tweaked my
11 interest -- in terms of gas, you only go to one location,
12 is that right?

13 A. Not. . .my one location is my main location.

14 623. Q. Right.

15 A. Sometimes the sales of the. . .for example,
16 if Yorkdale comes down, the company asks me I just go for
17 one or two days there or some other store. I am a
18 vendor, so if they ask me I have to go.

19 624. Q. But ordinarily what is home base? What store
20 is home base?

21 A. My home base is Hillcrest Mall.

22 625. Q. Right.

23 A. Before marriage it wasn't. . .I didn't have
24 just a home base so I had like to go to different stores,
25 and but now it's my home base is the Hillcrest Mall but

1 if the company asks me, okay, this week or for two weeks,
2 the sales at a certain store is down, like go there for
3 this many hours so I have to go there.

4 626. Q. Okay, and that's a decision made by Michel
5 Germain.

6 A. Exactly.

7 627. Q. You don't decide? It's like an assignment.
8 You get told where to go.

9 A. It's my rep call me and telling me.

10 628. Q. And I'm just, on the topic of Michel Germain,
11 I saw your business card and you probably have it so I
12 don't need to show it to you, your job was to do. . .has
13 been to do what for Michel Germain?

14 A. I'm a salesperson.

15 629. Q. So what does that involve?

16 A. I am selling perfumes. I'm not working for
17 the Bay, I am for the company and I'm selling the
18 perfumes for the customers in the Bay.

19 630. Q. And that's the extent of your job
20 description? You are a salesperson selling perfume?

21 A. Yes, I am selling the perfume. If, for
22 example, because I have experience with the company, if
23 they need. . .they hiring a new employee, they send it to
24 me like to train them, like to show how to sell, what to
25 do. It's part of my job. And I am selling, for example,

1 this pen, she or he standing beside me and I'm explaining
2 how to get the customer, how to explain about the
3 ingredients and stuff, or for example, for around
4 Christmas time we need like more people in one store so
5 if I know a good salesperson or if I. . .somebody is
6 applying for job in the Bay, I can recommend it to the
7 company.

8 631. Q. Right. So I'm going to show you, this may
9 not be current, it's a copy of a business card. Is that
10 your current business card?

11 A. No, this is not my business card. This card
12 he made his real estate card in back of it and he made
13 this card to give it to my customers to find like for
14 real estate, his real estate. So this is not. . .this is
15 the card he made it but the back of this business card
16 was his business card.

17 MS. VAN WEERT: We should mark this as Exhibit B.

18 632. MR. BURY: Yes.

19 **EXHIBIT NO. B:** Copy of Business Card on 8x11 sheet.

20 BY MR. BURY:

21 633. Q. Did you use this business card?

22 A. Never.

23 634. Q. Do you have a current business card with you?

24 A. I don't have a card, business card.

25 635. Q. So did you design this with your husband?

1 A. I never know this stuff, designing stuff,
2 making stuff.

3 636. Q. Well let's go this way. Is the information .
4 . .you saw this card before?

5 A. Yes, I saw this card before.

6 637. Q. From what you've described it sounds like he
7 put his information on the back so you could both benefit
8 from giving out the cards, either his business or your
9 business?

10 A. I never used the business card. Recently, I
11 have to mention, Michel Germain sent the business card.
12 I can bring it for you. I never had business card
13 before. Once again, let me finish, and I can bring. We
14 just write our name with phone number, and before I was
15 using the Bay card or the card, like a simple card to
16 write down the number for the customers.

17 638. Q. But again, back to this card, you provided
18 the information for this card?

19 A. I didn't provide this information. I am not
20 a regional trainer or executive recruiter.

21 639. Q. Yeah, that's my question. I was a bit
22 puzzled by that title. So where did this come from?

23 MS. VAN WEERT: She said. He designed it.

24 BY MR. BURY:

25 640. Q. Well design is different from contents. Did

1 you see the card once it was designed?

2 A. Yes. He designed the card, he ordered the
3 card, I never use it. Probably the box of the card is at
4 home. I never use it. And he did this just because of
5 his real estate business.

6 641. Q. But you've indicated to us that you were a
7 trainer of other staff. Correct?

8 A. I didn't say I'm a trainer. I said like part
9 of my job, because of my experience, sometimes company
10 when hired the new people they sending to the location
11 for four, five hours to working with me. I just show how
12 to sell the product or what is the ingredients, how to
13 get the customers.

14 642. Q. Well that's training them, right? Part of
15 your job?

16 A. Yeah, but that's part of my job.

17 643. Q. Well that's what I'm getting at. So your
18 job, part of your job is not just selling, you're not
19 just a salesperson?

20 A. I am just a salesperson but when they need
21 the help, like other demonstration with the high
22 experience they do in the other stores too, but that
23 doesn't mean they are a trainer or whatever.

24 644. Q. Well I don't know what it means, that's what
25 I'm trying to figure out. But you help train, there's

1 nothing wrong with that?

2 A. I have my contract--

3 645. Q. There's nothing mysterious here, I'm just
4 trying to figure out what you do. You don't just sell
5 perfume. Because you're so good at what you do, the
6 company asks you--

7 A. It's not just because I am so good, because I
8 am with them for since 2001, so many years, right, so I
9 know my product.

10 646. Q. Right, and they count on you or ask of you to
11 train new staff?

12 A. Yeah.

13 647. Q. Right. Okay, there's no mystery here. It's
14 not a secret question.

15 A. No, it's not.

16 648. Q. So part of your employment then is sales and
17 part of your employment. . .

18 A. No.

19 649. Q. . . .is occasional training?

20 A. It's not part. No, it's not part. It's just
21 one part. I am getting \$29.00 per hour. It's while I'm
22 serving the customer, the person can stand beside me to
23 see how I'm selling. My responsibility is sales, okay?

24 650. Q. So you don't train anybody?

25 A. I train if they need it. I just. . .they

1 stand when I'm talking to the customer or I show them, if
2 I don't have the customer I explain to them.

3 651. Q. Well yeah.

4 MS. VAN WEERT: We're talking at cross purposes.
5 Are you saying you're not training because it's
6 such a small amount of your job?

7 THE DEPONENT: My job is sales.

8 MS. VAN WEERT: Right.

9 THE DEPONENT: Okay. If the company, for
10 example, is hiring the new demos and they send
11 for few hours and I show them like--

12 MS. VAN WEERT: But that's also part of your job,
13 to show them?

14 THE DEPONENT: That's part, yeah.

15 MS. VAN WEERT: So then you are showing them for
16 part of your job?

17 THE DEPONENT: Yes.

18 MS. VAN WEERT: Okay, so for part of your job
19 you're showing them how to sell?

20 THE DEPONENT: Yeah.

21 652. MR. BURY: Okay, that's all we're both getting
22 at. This doesn't have to be as painful as the
23 dentist's office.

24 MS. VAN WEERT: Clearly she views sales as her
25 primary obligation.

1 BY MR. BURY:

2 653. Q. And that's fair, but there are other things
3 associated with the job as we've now clarified. So apart
4 from the perfume sales, apart from the training or
5 whatever you'd like to describe it as, are there any
6 other functions to your job?

7 A. What kind of functions?

8 654. Q. I don't know. I'm asking the question.

9 MS. VAN WEERT: Is there anything else you do for
10 the company?

11 THE DEPONENT: If I see like the, for example,
12 good sales person is working for other company or
13 if somebody is looking for job, I introduce them
14 for my company.

15 BY MR. BURY:

16 655. Q. Right, and if. . .well, that's kind of like a
17 recruiter, isn't it?

18 A. It's not a recruiter. Recruiter is other
19 position.

20 656. Q. But you're looking for new. . .you're not
21 doing this for fun clearly, you're looking for potential
22 candidates for Michel Germain?

23 A. Yeah, because I love my company. Like I
24 know. . .especially Christmas time need more people so if
25 I see somebody need job, I do that. Or even like I am

1 always helpful. If somebody comes to the store, to the
2 Bay, and they have to apply on line, they give me their
3 resume, I pass it to management of the Bay. What is the
4 benefit? It's helping the people.

5 657. Q. Right, but I'm talking about Michel Germain.
6 So you're also keeping your eyes open for potential
7 Michel Germain candidates.

8 A. If they need the. . .they always need the
9 good people, yes, I just--

10 658. Q. And how many times have you found good people
11 for Michel Germain?

12 A. So many of my friends. Like one of my good
13 friends which I know her for twenty years, she went
14 there. She's not as good as her daughter.

15 659. Q. What's her name? I don't know who you're
16 talking about.

17 A. It's Suzan, Suzan Amini.

18 660. Q. Okay.

19 A. And her daughter is amazing.

20 661. Q. What's her name?

21 A. Homa Javadzadeh.

22 662. Q. You may have to write that down. I'll give
23 you a moment to do that, just so we're all on the same
24 page

25 A. And there is like probably a few of my

1 friends ask for job and they just work and they weren't
2 good.

3 663. Q. So maybe over the years you've worked at
4 Michel Germain and it's quite a few now, so how many in
5 total would you say new candidates have you acquired for
6 Michel Germain?

7 MS. VAN WEERT: This is an approximation figure?

8 BY MR. BURY:

9 664. Q. Approximation, unless you know an actual
10 number.

11 A. I don't know, fifteen, ten?

12 665. Q. And have you received any credit or any bonus
13 or any referral fee from Michel Germain for those
14 referrals?

15 A. Never.

16 666. Q. Okay. Apart from the sales have you received
17 any non sales-related income from Michel Germain?

18 A. What do you mean by that?

19 667. Q. Money from Michel Germain not related to
20 sales of a perfume?

21 A. I am. . .my job is sales. How can I get the
22 money from Michel Germain?

23 668. Q. I don't know.

24 MS. VAN WEERT: Did they give you a bonus, did
25 they give you any money for training somebody?

1 THE DEPONENT: No, no.

2 BY MR. BURY:

3 669. Q. No. So all the income that Michel Germain
4 has reported, to be fair to you and to Michel Germain, is
5 solely limited to sale of perfume?

6 A. Exactly.

7 670. Q. Okay.

8 MS. VAN WEERT: Well, yeah, including her hourly
9 rate. Like she's paid an hourly rate and then
10 commission on the perfume. Correct?

11 THE DEPONENT: No, I don't get commission.

12 MS. VAN WEERT: Oh, it's just hourly rate. Okay.

13 BY MR. BURY:

14 671. Q. That was my follow-up. So straight hourly
15 rate?

16 A. I just get the straight hourly rate.

17 672. Q. No bonuses, no gifts, performance gifts if
18 you did extremely well, a holiday one week somewhere?

19 A. Never.

20 673. Q. Or any sort of recognition from Michel
21 Germain?

22 A. Recognition?

23 674. Q. Financial. Sorry, financial first.

24 A. No, no financial.

25 675. Q. So how do they. . .they must do something to

1 recognize good employees or you wouldn't have stayed
2 there so long. So what do they do if you have a great
3 sales year?

4 A. It's not just about myself, it's about my
5 customer service also. They nominate me two times for
6 COSA award and I got finalist.

7 676. Q. Okay, and what is that award? I don't know
8 what COSA stands for.

9 A. Okay. COSA awards, it's related to the
10 fragrances and cosmetics. It's including Shoppers, Bay,
11 Sephora, you know, like the department store, all the
12 like. . .it has like different category. For example,
13 it's a rep category or a salesperson category, it's a
14 teamwork category. It has a different kind of categories
15 and I am as a demonstration I got two times like they
16 nominate me and I got two times finalist but not the
17 winner.

18 MS. VAN WEERT: What is COSA, C-O-S-A?

19 BY MR. BURY:

20 677. Q. That was my next question. What--

21 A. Yes, C-O-S-A.

22 MS. VAN WEERT: Do you know what it stands for?

23 THE DEPONENT: Cosmetic Outstanding. . .I don't
24 know.

25 BY MR. BURY:

1 678. Q. Something, something Industry or Association.

2 A. COSA Awards, it's COSA Awards.

3 679. Q. So you won finalist. In what years, if you
4 remember?

5 A. It was, if I'm not making mistake, 2016 and
6 17, but I can tell you exact one.

7 680. Q. Can you look it up?

8 A. Actually I believe I have. . .I don't know.
9 Did I send it to you?

10 MS. APOSTOLI: I think we have something.

11 681. **U/T** MR. BURY: Perhaps if we could get that.

12 MS. VAN WEERT: Well I think Michel Germain's
13 statement is pretty clear about it, just because
14 she wasn't working. . .here it is, in twenty. .
15 .her sales were much higher in 2016 and 17.

16 MS. APOSTOLI: She didn't win though, she was
17 just--

18 THE DEPONENT: It's not. . .it's just about the
19 customer service and then--

20 MS. VAN WEERT: Undertaking to advise when she
21 was nominated.

22 BY MR. BURY:

23 682. Q. And was there any sort of benefit received
24 for those awards, financial for example?

25 A. I didn't get any financial benefit from COSA

1 or from Michel Germain.

2 683. Q. Okay, so no prize from COSA, for example?

3 A. I just get a COSA pin. Silver colour of the
4 COSA pin. That's it.

5 684. Q. Doesn't sound like much, you should probably
6 get more. But apart from the COSA award, did you get any
7 other awards from Michel Germain, employee recognition--

8 A. No, but--

9 685. Q. A pat on the back? Anything?

10 A. In just the paper, not the recognition. In
11 the paper I believe it was three years ago they just like
12 every year they have the breakfast meeting. It's like a
13 school. Whatever store like they have the increased
14 sales, they just give them the paper like this person and
15 this store made like this much. It was just in the
16 paper.

17 686. Q. What paper?

18 A. It's like--

19 687. Q. A certificate?

20 A. It's like. . .it's like something like
21 certificate but it's not--

22 688. Q. Suitable for framing probably?

23 MS. VAN WEERT: Was it something you'd put on
24 your wall?

25 THE DEPONENT: No.

1 MS. VAN WEERT: It's an internal paper for--

2 THE DEPONENT: It was just a paper, just like,
3 for example, Sheida Aletratikhosroshahi in like
4 the year of 2016. . .

5 MS. VAN WEERT: Or whatever.

6 THE DEPONENT: . . .whatever, the increase of
7 sales of like 20% or something.

8 MS. VAN WEERT: Some kind of acknowledgment?

9 BY MR. BURY:

10 689. Q. Recognition, acknowledgment. Was this like
11 a--

12 A. It's every year all the companies, it's not
13 just Michel Germain.

14 690. Q. This is still the COSA you're talking about?

15 A. No, I'm not talking about COSA, I'm not
16 talking about Michel Germain.

17 691. Q. Right.

18 A. In the Bay fragrances, every fragrances has
19 their own vendor, and every Bay is different. Some of
20 the Bays is different, like the Yorkdale is different
21 than Hillcrest, okay. Every vendor, okay, they have a
22 school every year, if they have a new perfume just to
23 introduce the ingredient, how to promote, they have the
24 school. For example, this year we didn't have the new
25 perfume but we had the breakfast meeting for all the Bay

1 employees and all the vendors, right? Like two, three
2 years ago my boss was different and he did another plan,
3 like he did whoever, like five top demos did like the
4 increase in the stores, they just made a certificate and
5 in front of everybody said like okay, this person did
6 like 10%, 15% more than last year.

7 692. Q. Right. So pat on the back but nothing more
8 than that basically?

9 A. No.

10 693. Q. COSA, how did that work? Was that. . .how
11 did you become winner? Do you know?

12 A. I never was winner.

13 694. Q. Sorry, finalist. How does that work?

14 A. It is like your company or even I don't work
15 for the Bay but like the management of the Bay they are
16 happy with their demos, they just nominate. What they
17 do, I believe, like there are certain forms they just
18 fill it out and they sending to COSA. And then like I
19 don't know how many people they decide. They go through
20 the. . .if I'm not making mistake, in whole entire Canada
21 it's like twelve hundred applications which they
22 nominated. They go through like what she's doing, like
23 what kind of customer service they giving, and then they.
24 . .the first time they sending the mystery shopper, like
25 somebody says a customer but they come, talk to you, and

1 just write the points and they return to the COSA like
2 the. . .I don't want to call judge, like the COSA people,
3 and with those points they just say okay, from this many
4 people there are five finalists.

5 695. Q. So the COSA, the mystery shopper, the person
6 who is doing the random testing, random performance
7 testing, that's an employee of somebody?

8 A. I have no idea. I believe it's working for
9 COSA or whatever. COSA is different, it's about the
10 makeup, about the cosmetics.

11 696. Q. So there's no way you could. . .was there any
12 way you could influence your position by getting more
13 recommendations, getting more satisfied customer surveys,
14 for example? Was there anything you could do to affect
15 your result in this competition?

16 A. I just don't get what you mean. It's when
17 it's a mystery shopper. I don't know who is that. I
18 serve ten customers a day. Who I know like is that?

19 697. Q. I understand that, but I'm saying you're not
20 aware. . .apart from that, you can't influence your
21 rating for the competition, right, in terms of--

22 A. If you let me. . .let me to finish.

23 698. Q. I will.

24 A. Okay. After they decide, they call you and
25 they tell you, okay, you are finalist, and they send you

1 a paper with, if I'm not making mistake, three questions.
2 They ask from your . . .like whoever working for you, co-
3 worker, manager, your company, your customers, whoever,
4 just fill it out a paper just how is your customer
5 service, how is your sales. Everybody can do it.

6 699. Q. Okay. So what is that document called?

7 A. It's just a questioning document, three
8 questions.

9 700. Q. A survey?

10 A. Yeah, it's just a . . .it's from customer
11 eyes, from the management eyes, from the company eyes,
12 like how it's . . .like how she's working.

13 701. Q. So who is responsible for getting that into
14 the hands of the people who would fill it out? For
15 example, would that be you?

16 A. Yeah. When I get that, I give to my
17 customers or my co-worker who is working beside me. He
18 sees I'm selling or I'm giving the customer service or
19 the management or . . .the Michel Germain employment is
20 not in the Bay.

21 702. Q. And you get this form back?

22 A. Yes, I get this form back.

23 703. Q. And then who do you submit it to?

24 A. Some of these forms, most of my co-workers or
25 like my company or management was emailing me, but the

1 customers was. . .if the customer was there and they were
2 happy I was getting this form, they were writing. So
3 like they fill out those form, I brought home and I asked
4 him just as a typing to type the. . .because it was the
5 handwriting, type with their name and email it to me.
6 And then I collect all of them and I send it to the COSA.

7 704. Q. I'm not clear on what your husband's
8 involvement now is with the forms.

9 A. Because after I came back from Iran our
10 printer didn't work with my laptop, so whoever customer
11 was it wasn't typing, it was the handwriting, like how
12 was my service, you understand?

13 705. Q. Yes, yes, now I do.

14 A. I was collecting, for example, three or four
15 customers I had I get from them, I gave him to type it
16 for me, the typing for me, their name and email it to me,
17 because the others like management, was emailing to me or
18 instead of like sending the handwriting I asked him just
19 in a typing way with their name because there's no
20 signature or no nothing, it's just the way of like the
21 people see you as a sales representative.

22 706. Q. Okay, so--

23 A. And he was emailing me and I was, for
24 example, if I had fifteen from management, if friends was
25 in the store and I sold them something, from my co-

1 worker, I was collect them, sending to the COSA. They
2 were reading those and then they were sending another
3 three mystery shoppers. No, please listen. Let me
4 finish. They were sending three mystery shoppers for to
5 be winner. The first time was one and after reading
6 those and those three mystery shoppers, they were
7 deciding from these five people who is the winner.

8 707. Q. Let me know when you're done.

9 MS. VAN WEERT: That's a complicated process.

10 BY MR. BURY:

11 708. Q. So I want to talk about your specific
12 involvement in the COSA's. So you are saying you
13 collected customer surveys.

14 A. Yes.

15 709. Q. You gave them to your husband?

16 A. If it was the handwriting.

17 710. Q. Right.

18 A. Some customers was good. Like some Persian
19 customers they don't like, you know, it was the old lady.
20 They don't know that much about the computers so it was
21 just the handwriting or whatever.

22 711. Q. Sure. And do you have any of these forms
23 still or long gone?

24 A. Probably in my email, yeah.

25 712. Q. The handwritten ones. Do you have any of

1 those?

2 A. Handwritten ones? I can look.

3 713. Q. Okay, please. And these handwritten ones
4 which you got your husband to transcribe--

5 A. Not transcribe, just the type it for me and
6 email it for me.

7 714. Q. Well that's what it means. In my vocabulary
8 transcribe means take what's on the paper and transcribe
9 it and then send it.

10 A. Exactly, yeah. Email it to me.

11 715. Q. Right. So he would have sent these to you
12 based on the information you provided to him?

13 A. Exactly.

14 716. Q. And the collection of these surveys would
15 obviously impact any awards received. The more you got,
16 the better you did?

17 A. No, it's not about that. It's about the . .
18 .like they read those and then they send three more
19 mystery different type shoppers and they collect whatever
20 paper and whatever points the mystery shoppers gave and
21 then they make a decision.

22 717. Q. But it influences the final decision.

23 A. Yes.

24 718. Q. And the more you have the better it looks?

25 A. It's not like the more you have, it's . .

1 .there is a certain amount. If I'm not making mistake,
2 it's fifteen to twenty. I have to get from fifteen to
3 twenty.

4 719. Q. Okay.

5 A. . . .customers.

6 720. Q. Customers.

7 A. Customers, management, like from head office
8 of Michel Germain, whoever knows me, saw me like on
9 selling.

10 721. Q. So how many from customers?

11 MS. VAN WEERT: I guess it depends on how many
12 from co-workers and management.

13 THE DEPONENT: Yeah, it's like--

14 BY MR. BURY:

15 722. Q. So there's a quota of fifteen to twenty,
16 right? And they can come from any of those groups your
17 lawyer has described for us. They can come from
18 managers--

19 MS. VAN WEERT: Well she referenced them.

20 BY MR. BURY:

21 723. Q. Well whoever referenced. So it could have
22 been all managers, it could have been all people off the
23 street, customers, for example, but just fifteen to
24 twenty?

25 A. Exactly.

1 724. Q. Right.

2 A. Whoever see me, and it could be my friend
3 like waiting there while I'm with customer waiting for
4 fifteen minutes we go for coffee, right? So I am
5 talking, dealing with the customers.

6 725. Q. And these, again, back to the customer
7 surveys, these were anonymous? The person didn't write
8 down their phone numbers, their name or anything?

9 A. There's no phone number or even they can't. .
10 .don't put their name, but most of them they put the
11 name. It's not always like. . .some of my co-workers
12 even introduce themselves and say how long they know me.
13 Everybody write in their way.

14 726. Q. Right. But this form didn't have specific
15 location for contact information?

16 A. No.

17 727. Q. So there was no way to verify, right?

18 A. No. If I find it I can--

19 MS. VAN WEERT: Go ahead.

20 THE DEPONENT: Yeah, if I find it I can. . .I'll
21 go back to my emails or I can give it to you the
22 paper. There's questions like, for example, the
23 third question, if I'm not making mistake, it's
24 what kind of like, what you say, like in the
25 store what kind of. . .like it's a Valentines'

1 Day, what kind of program you have for customer.

2 Valentine's, what you say?

3 MS. VAN WEERT: Promotion?

4 THE DEPONENT: Not. . .yeah, like some companies

5 put the flowers and like some tables with the

6 scents and stuff like, you know. Some customers

7 they don't know about that. Everybody is saying

8 about their points of views.

9 BY MR. BURY:

10 728. Q. So if a suggestion was made to you that you
11 had filled out some of these surveys by yourself and had
12 your husband submit them, you would agree or disagree
13 with that?

14 A. Sorry, I didn't get you.

15 729. Q. If the suggestion was made by me or anyone
16 that you had completed a number of these forms by
17 yourself to influence your position and the results,
18 would you agree or disagree that you made these forms as
19 well on occasion?

20 A. You mean I wrote myself about myself?

21 730. Q. Right, yeah.

22 A. Like why I have to do that?

23 731. Q. Well I'm asking you. Do you agree or
24 disagree? Did you do that?

25 A. No.

1 732. Q. So you never did that?

2 A. No, I didn't do.

3 733. Q. So all of the forms submitted were for real,
4 live people?

5 A. Yes, it was a real, live people.

6 734. Q. Okay. Two more questions then we're going to
7 go have lunch hopefully.

8 MS. VAN WEERT: And how long do you propose for
9 lunch?

10 735. MR. BURY: How much do you think you need?

11 MS. VAN WEERT: Well we're in the building so it
12 doesn't matter. It's really up to you.

13 736. MR. BURY: We'll figure it out. Just two more
14 side questions relating to all this and then it's
15 a good time to break.

16 Q. Did you hire someone named Sona or Sonia or
17 got her hired?

18 A. Yes.

19 737. Q. And who is Sonia?

20 A. Sona.

21 738. Q. Sona, sorry. S-o-n-a, I think.

22 A. Yes.

23 739. Q. And who is that?

24 A. She used to work for another company and then
25 she didn't have hours. She came to me and asked for . .

1 .like if the company has hours. I gave my boss number
2 and she called him.

3 740. Q. And what's her last name? I don't know if we
4 got it earlier or not.

5 A. I don't know her last name.

6 741. Q. And were you involved in the hiring of Suzan
7 Amini? Sorry, we've already covered this name. We
8 covered that.

9 MS. VAN WEERT: Yeah, that was the one. . .that
10 was. . .she's not as good as her daughter.

11 BY MR. BURY:

12 742. Q. Right. And Homa Javadzadeh?

13 MS. VAN WEERT: That's her daughter.

14 BY MR. BURY:

15 743. Q. Got it. Right?

16 A. Yes, I just wrote the name.

17 744. Q. And Seyed Reza Ziaei?

18 A. Seyed Reza Ziaei was my ex-boyfriend years
19 ago, and both of us working for the Michel Germain. Why.
20 . .like I introduce him to the Michel Germain?

21 745. Q. No, that's my question. Did you also help
22 him get his position?

23 A. Probably, yes, because first I was working
24 with Michel Germain so I. . .like probably.

25 746. Q. Okay, and do you remember when that was?

1 A. When I was with him.

2 747. Q. Which was when? We're getting old, us
3 lawyers or at least one of us is.

4 MS. VAN WEERT: Prior to 2007 or 6 actually.

5 THE DEPONENT: No, no, it's--

6 MS. VAN WEERT: Yes, I mean it was before you
7 were married.

8 THE DEPONENT: No, it was long time ago. Three,
9 four years after I just met Mahyar.

10 BY MR. BURY:

11 748. Q. After or before? We're getting confused.

12 A. No. After Reza I met Mahyar.

13 MS. VAN WEERT: Right. So you helped Reza get
14 the job before marriage?

15 THE DEPONENT: Yes, before marriage. In two
16 thousand I don't know. '01, '02, '01?

17 BY MR. BURY:

18 749. Q. Could you just write down the name for Madam
19 Reporter of that last name?

20 A. Yeah.

21 750. Q. That's fine. Last question, promise. Well,
22 not for the day. Now I think I've seen some of these
23 time sheets and is it fair to say -- you can agree or
24 disagree -- you got paid, you would get paid for
25 training? You would get \$32.00 an hour for training and

1 \$29.00 an hour for sales. Is that not right?

2 A. What do you mean \$32.00?

3 751. Q. You got paid a little bit more when you were
4 training people?

5 A. No.

6 752. Q. No? So on none of your time sheets would
7 there be \$32.00 reflected for training?

8 A. No.

9 MS. VAN WEERT: Do you have a time sheet to show
10 her?

11 753. MR. BURY: I'm going to ask her after the break.

12 MS. VAN WEERT: Okay.

13 754. MR. BURY: Okay, good time to break unless you
14 guys have any time sheets as well.

15 MS. VAN WEERT: We produced one time sheet
16 attached to Olimpia Gilmour's . . .the affidavit
17 about Olimpia Gilmour but that's the only one
18 I've seen.

19 THE DEPONENT: I have my yesterday one.

20 MS. VAN WEERT: Well I don't have it.

21 755. MR. BURY: Okay, no problem.

22 **(LUNCH RECESS)**

23 **... upon resuming**

24 BY MR. BURY:

25 756. Q. Good afternoon, Sheida.

1 A. Good afternoon, Mr. Bury.

2 757. Q. We're at five to two. You can call me
3 Michael. It's okay, I'm informal. Sorry if I repeat any
4 stuff. I've been going through my set of questions but
5 we've also jumped around so I'll try to be quick, and if
6 I'm saying something again just let me know. As I said,
7 we may have covered it.

8 Mr. Afshin Ahaini, that was the accountant?

9 A. Afshin Ahaini.

10 758. Q. Could you spell that again for me, sorry. I
11 think the court reporter has it but I don't have it
12 again. Afshin Ahaini. Okay, so that was your
13 accountant?

14 MS. VAN WEERT: That's after marriage or before?

15 THE DEPONENT: Before.

16 BY MR. BURY:

17 759. Q. And when did he start being your accountant
18 before marriage?

19 A. Actually he did, if I'm not making mistake,
20 like my three year of tax together.

21 760. Q. Okay, so he did a catch-up accounting for
22 you? Is that what you mean?

23 A. Yes.

24 761. Q. And do you remember what years he caught up
25 for you?

1 A. Probably the--

2 762. Q. I don't want you to guess.

3 A. 2003 to 6, like those three years, if I'm not
4 making mistake.

5 763. Q. Okay, and sorry if we've heard this name
6 already, so he was best friends with Mr. Ali Reza Vaziri?

7 A. Yes.

8 764. Q. And that was a former boyfriend?

9 A. Yes.

10 765. Q. And Mr. Vaziri accompanied you several times
11 to Mr. Ahaini's office?

12 A. No, actually I just gave all my documents and
13 he did my taxes.

14 766. Q. Right, so Mr. Vaziri never accompanied you to
15 the accountant's office?

16 A. No.

17 767. Q. Okay, and again, sorry if we've covered this
18 off, do you have copies of those records that you
19 submitted to Mr. Ahaini?

20 A. No. I have nothing previously, like the
21 previous, no documents.

22 768. Q. Back to the Persian rugs. Sorry, I said I
23 might bounce around a bit.

24 A. No problem.

25 769. Q. It's my understanding that in that home, the

1 matrimonial home, there were approximately. . .well not
2 approximate, there were eleven pieces of handmade Persian
3 carpets. Is that correct or not correct?

4 MS. VAN WEERT: At what point?

5 770. MR. BURY: During the marriage at any point.

6 MS. VAN WEERT: Well she did say that some were
7 sold when she was away.

8 THE DEPONENT: Exactly.

9 MS. VAN WEERT: So I'm not sure at what point.

10 BY MR. BURY:

11 771. Q. Okay, so at the highest there were eleven of
12 these carpets in the household?

13 A. I don't think so.

14 772. Q. Okay. More or less?

15 A. Less.

16 773. Q. Okay, and are you able to estimate how many?

17 A. Sure. As I mentioned before, they were, like
18 my parents bought them. Nothing. . . like whatever was
19 from before marriage or during the marriage was gift for
20 me and I just said in the motion.

21 MS. VAN WEERT: But you're still to estimate--

22 774. MR. BURY: I'm still waiting on your answer.

23 MS. VAN WEERT: You're supposed to estimate how
24 many rugs there were. I mean I don't even know
25 if you have to estimate. How many rugs were

1 there in the home?

2 BY MR. BURY:

3 775. Q. Do you know? I'm not talking about like--

4 MS. VAN WEERT: Persian rugs.

5 776. MR. BURY: Yeah, I'm talking about the fancy
6 stuff that costs a fortune rugs.

7 THE DEPONENT: Six, five, six.

8 BY MR. BURY:

9 777. Q. Okay, five or six. And of those five or six,
10 two were gifts you say?

11 A. All of them was gifts. None of them he
12 didn't buy. All of them, the receipt was under my
13 parents' name which bought for me, all before marriage I
14 had it.

15 778. Q. Right. So you were the final owner of these
16 five or six?

17 A. Except one, the nature one was his.

18 779. Q. Okay, so you owned five of the six or four of
19 the five.

20 MS. VAN WEERT: Was there five or was there six?

21 780. MR. BURY: Take your time.

22 MS. VAN WEERT: Including Mahyar's.

23 781. MR. BURY: Yes.

24 THE DEPONENT: Including Mahyar's, six.

25 MS. VAN WEERT: Six, okay.

1 BY MR. BURY:

2 782. Q. So you're saying you owned five?

3 A. Yes.

4 783. Q. And of those five, two at some point were
5 sold?

6 A. Yes.

7 784. Q. Okay, and do you recall how much they were
8 sold for?

9 A. How do I know?

10 785. Q. Well you know the value of these rugs.

11 A. I was in Turkey.

12 786. Q. But you know the value of these. Do you know
13 which ones? Do you remember which ones were missing?

14 A. Yes. It's the two white ones which even
15 wasn't mine. Those two was my dad's. They brought here
16 for themselves.

17 787. **U/T** Q. Okay, and do you have any idea of their
18 value?

19 A. I can ask my dad.

20 788. Q. Well we'll write that down and you'll ask
21 your dad. And if my client was to deny selling them you
22 would disagree with that?

23 A. For sure.

24 789. Q. And how did you find out they were sold?

25 A. When I came back from Turkey I find out that,

1 after I came back from Turkey.

2 790. Q. What did you find out, that they were missing
3 or that they were sold or they were no longer in the
4 home?

5 A. They were missing. It's not just about the
6 carpets. So many things from the household was missing,
7 doesn't matter if it was valuable or unvaluable (sic),
8 and even when I was in Iran for three months when I came
9 back so much stuff was gone.

10 791. Q. Okay.

11 A. And he was saying it was in. . .he put in the
12 garbage or it's. . .and I knew it's sold. Every day
13 strange people was coming from kijiji, Amazon.

14 792. Q. Well, you're guessing though. You don't know
15 whether it was actually sold. Correct? To be fair.

16 A. About what? About carpets?

17 793. Q. The two rugs.

18 A. He said he sold it.

19 794. Q. When did he say that?

20 A. April, around April.

21 795. Q. Sorry, what year are we in?

22 A. 2018.

23 796. Q. And the other items, again, were you involved
24 in their sale? You said other stuff was missing.

25 A. I didn't never involved. When I was work he

1 was selling. This was the habit Mr. Mahyar Radmehr has
2 it, returning the stuff under his credit card, selling
3 the stuff. Doesn't matter if it's \$2.00 or \$2,000.00, in
4 the kijiji, Amazon, eBay, and he. . .some stuff he was
5 saying I put in the garbage.

6 797. Q. Okay.

7 A. And then asking me, this is not working, go
8 and buy another one.

9 798. Q. When you say under his credit card, Costco,
10 that was the joint card he was returning stuff under.
11 Correct?

12 A. No. That joint account is closed three, four
13 years ago.

14 MS. VAN WEERT: She said that was only while he
15 as in Montreal.

16 THE DEPONENT: Exactly. He had his own credit
17 card, I had my own sole credit card. Just Costco
18 membership was under my name so whatever I was
19 purchasing with my credit card, he was returning
20 on his credit card.

21 BY MR. BURY:

22 799. Q. Well I'm not sure how that works because
23 normally when you buy something on one credit card--

24 A. I got the receipt from the Costco.

25 MS. APOSTOLI: That's a new practice that you

1 have to return it. It's not. . .it hasn't been
2 around for a long time.

3 800. MR. BURY: Which practice, sorry?

4 MS. APOSTOLI: Where you buy something on one
5 credit card and you have to like return it on the
6 same credit card.

7 THE DEPONENT: When they see it's both our like,
8 for example, Mastercard, they don't change. .
9 .they don't check the numbers, right?

10 BY MR. BURY:

11 801. Q. Right.

12 A. So they just do the return. They see the
13 membership and they just return it to that. They don't
14 check the number.

15 MS. VAN WEERT: So you're saying because you are
16 both on the Costco membership?

17 THE DEPONENT: I am the actual membership and--

18 MS. VAN WEERT: He's secondary?

19 THE DEPONENT: Secondary, but our credit cards,
20 his was sole, mine was sole.

21 MS. VAN WEERT: So because he's on your Costco
22 membership he can return it. Is that what you're
23 saying?

24 THE DEPONENT: Exactly.

25 BY MR. BURY:

1 802. Q. So he can return it on his credit card you're
2 saying is their practice?

3 A. Yes.

4 803. Q. And you were aware he was doing this.
5 Correct?

6 A. Honestly--

7 804. Q. Well you just said so. You gave examples of
8 batteries.

9 A. I was aware, yes, but like for the
10 confirmation I went to the Costco after separation and I
11 find out, because I was just buying and buying. I didn't
12 realize why like the thing can last for six months, how
13 come it's done in less than a month and I was buying.

14 805. Q. When did you go to Costco?

15 A. Oh, after separation.

16 806. Q. And what did you say you found out?

17 A. I find out whatever I purchase under my
18 credit card it was returned under his credit card.

19 807. Q. Okay, so what documents show that? Was there
20 a document?

21 MS. VAN WEERT: Well I guess his credit card.

22 THE DEPONENT: His number is different and my
23 credit card number is different.

24 BY MR. BURY:

25 808. Q. No, I know that, but you say you discovered

1 this from Costco.

2 A. And there's the items, yes, because the items
3 purchased under my credit card and then it return to his
4 credit card.

5 MS. VAN WEERT: So I guess if you compare the
6 credit card statements you'll see--

7 BY MR. BURY:

8 809. Q. Well that's what I'm getting to. So how did
9 you make the determination that stuff was returned on his
10 credit card?

11 A. I went to the Costco and I ask for the few
12 items and then they give me some more items which I
13 didn't even realize.

14 810. Q. Well, again, I'm getting confused. What did
15 they show you?

16 A. They give me the printout of the items which
17 I purchased under my credit card.

18 811. **U/T** Q. Right.

19 A. And then those, from that purchases, some of
20 those it's returned to his credit card.

21 MS. VAN WEERT: Okay, but does it show on that
22 Costco printout which items were returned and to
23 where?

24 THE DEPONENT: Yes.

25 MS. VAN WEERT: And you still have that printout?

1 THE DEPONENT: Yes.

2 MS. VAN WEERT: Okay, so we'll provide that.

3 BY MR. BURY:

4 812. Q. Thank you, so I can understand better. And
5 did you ever have a discussion with your husband about
6 this?

7 A. Before separation I didn't know like he's
8 doing that. Like for make sure I just find out from the
9 Costco. Before that I knew, yes, but most of our fights
10 about like he was selling the stuff without my knowledge
11 because most of the time I was at work or I was away or
12 he was selling this stuff.

13 813. Q. So let me understand this marital bliss or
14 lack of. So you would buy stuff at Costco for X dollars.
15 He would decide, for example, whoa, you bought way too
16 many batteries. How are we ever going to use these up
17 and he'd make the decision to return them and then
18 there'd be a fight, for example?

19 A. No. The fight wasn't about that. The fight
20 was mostly about this. Like I was purchasing stuff for
21 home and it was missing and he was saying he put in the
22 garbage or it wasn't useful, he sold it in the kijiji--

23 814. Q. What--

24 A. I'm talking, okay? And then he was asking
25 me, okay, go and buy the new one. Did you get the point?

1 815. Q. I'm still struggling with it so let me
2 repeat--

3 MS. VAN WEERT: I guess it depends on what it is.

4 BY MR. BURY:

5 816. Q. Yeah, that was my. . .give me an example.

6 MS. VAN WEERT: Well she did give you the
7 laundry.

8 THE DEPONENT: Example of the Costco or example
9 of the household?

10 BY MR. BURY:

11 817. Q. Of a Costco product that he felt . . .you say
12 he felt you bought too much of.

13 A. It was the laundry detergent. . .actually
14 before that like I bought the sunscreen for kids, it came
15 three, and like those bug killer for summertime. I
16 couldn't find it in our. . .like in our laundry in the
17 shelves, so when I ask him he said I returned it because
18 it's going to. . .the summer is over. The expiry date is
19 going to go on and like expiry date is going to go so I
20 just returned it. You can buy next year, okay. That was
21 the first thing like I got what he did, but after--

22 818. Q. Well can I just stop you there? Did that
23 make sense to you, what he was suggesting to you? What's
24 the point of keeping multiple sunscreens if they're going
25 to expire?

1 A. So why I have to buy with my money and he
2 returns? If he's returning he can return and bring back
3 the money to me, but he's not giving me. . .like I have
4 to spend my every penny, whatever I'm making on
5 household, and then he returns to his credit card? Is
6 that your point?

7 819. Q. Well to be fair, he also contributed
8 significantly to the household too, right? You agreed
9 with that. We went through the financial statements.

10 A. It's about the. . .I believe about the
11 rigidity.

12 MS. VAN WEERT: You're putting words in her
13 mouth. I don't think she ever agreed he
14 contributed significantly to the household. She
15 agreed he paid for certain things.

16 820. MR. BURY: Right.

17 MS. VAN WEERT: But she also very clearly said
18 her parents had to subsidize her because he was
19 very cheap with her. She did not say at any
20 point that he contributed significantly.

21 BY MR. BURY:

22 821. Q. So you disagree with that?

23 A. Significantly? Yes, I disagree.

24 822. Q. So your position is he was Mr. Miser, gave
25 you virtually nothing to live on?

1 MS. VAN WEERT: Well no, that's not actually what
2 she said either. I'm just saying you put words
3 in her mouth when you said she agreed he
4 contributed significantly. She didn't.

5 BY MR. BURY:

6 823. Q. But you're saying he didn't give you enough
7 to live on. That's your evidence.

8 MS. VAN WEERT: Correct.

9 THE DEPONENT: Yeah. About the kids, about
10 myself, he was just paying the utilities and the
11 tax of the house. All the groceries and all the
12 clothing, all the classes, if the vacations I
13 went with the kids, everything. I was doing it.

14 BY MR. BURY:

15 824. Q. So for the two years you didn't work and
16 didn't have any income basically, he wasn't. . .you were
17 getting all that money from your parents? Is that how
18 that worked?

19 A. He was. . .for that two years we had the
20 joint account and that Mastercard, but I was allowed
21 just. . .he was collecting \$1,200.00 from basement and I
22 was just allowed to use \$900.00 and he didn't even give
23 that money to me. He said it's going to stay in the
24 account and I'm going to see what you spending one by
25 one.

1 825. Q. Like a budget?

2 A. Exactly.

3 826. Q. Okay.

4 A. But budget for. . .but that \$900.00 was
5 because he was in Montreal and I was getting the bills
6 from the mail. I had to pay with that \$900.00 the bills,
7 the food, the kids, everything.

8 827. Q. So at his worst he was cheap? Is that fair?

9 MS. VAN WEERT: At his worst? I don't. . . he
10 might have been other things so--

11 BY MR. BURY:

12 828. Q. Well I'm putting the suggestion to her. Is
13 he more than cheap in your mind?

14 MS. VAN WEERT: Sorry, I don't understand the
15 question. I just don't want it to be
16 misconstrued because there might be other
17 complaints about him that are worse. But you're
18 talking about finances?

19 829. MR. BURY: Sorry, yes, in terms of finances. I
20 think--

21 MS. VAN WEERT: In addition, she's saying that
22 not only was he cheap but when she spent her own
23 money when she was working, he would actually
24 take money she had spent and keep it for himself.

25 BY MR. BURY:

1 830. Q. And you're saying that was the returns from
2 Costco?

3 A. Exactly.

4 MS. VAN WEERT: And selling household items as
5 well.

6 THE DEPONENT: Exactly.

7 BY MR. BURY:

8 831. Q. So how much, what value do you put at what
9 was returned from Costco?

10 A. I just got, because it's a long process and I
11 couldn't go back to the last two, three years, I believe
12 I went back to just two receipts, and I have a copy of
13 it.

14 832. Q. Do you remember the value?

15 A. I don't remember.

16 MS. VAN WEERT: That's the printout that you got
17 from printout is just the last two receipts?

18 THE DEPONENT: I believe, yeah.

19 MS. VAN WEERT: Well there will be some. . .I
20 assume there's some value on them.

21 THE DEPONENT: A hundred fifty. . .I don't want
22 to give the wrong thing, but if like every month
23 imagine that happens with the stuff, hundred
24 fifty, two hundred dollars, just imagine.

25 BY MR. BURY:

1 833. Q. Well I don't want to speculate so we'll find
2 out.

3 A. \$200.00 from returned, four five thousand
4 dollar from the selling in kijiji--

5 834. Q. Sorry, how much from kijiji?

6 A. There was stuff he was selling from \$2.00 to
7 \$2,000.00.

8 835. Q. And did you see what these items were?

9 A. Unfortunately, in kijiji there is .
10 .actually there is some evidence in kijiji under his
11 number, whatever he put on sale, but not all the items is
12 coming up because it's expiring.

13 836. Q. So what items were you aware of that were
14 sold on kijiji?

15 A. What items? So many items.

16 MS. VAN WEERT: Well name some.

17 837. MR. BURY: That was my question.

18 MS. VAN WEERT: Name some.

19 THE DEPONENT: It's like most of the kids' stuff
20 like scooters, and then all my fishing items and
21 the camping items from before marriage it was in
22 the garage and like it was like air boat and it
23 was two tents. It was. . .there is so many
24 stuff. It was my bike. I believe I had a list,
25 right?

1 MS. APOSTOLI: Yes, there were a couple of
2 things, skates, helmet-

3 THE DEPONENT: We can provide that list because-
4 -

5 BY MR. BURY:

6 838. Q. So kind of like a garage sale?

7 A. It wasn't a garage sale, like he has--

8 839. Q. On line.

9 MS. VAN WEERT: Well he sold her bike and her
10 camping equipment.

11 THE DEPONENT: Without telling me.

12 BY MR. BURY:

13 840. Q. But you noticed them missing, clearly?

14 A. After separation, yes. I was taking kids for
15 the cottage. When I went to the garage I couldn't find
16 any of them. So he had that habit. Even neighbourhood
17 was very familiar with his habit because every day after
18 when I was leaving for the work, stranger people was
19 coming in front of my house.

20 841. Q. So he sold stuff on kijiji from the
21 household?

22 A. Probably he was a lot on Amazon and eBay but
23 I don't know what he sold, how he sold.

24 842. Q. Right, and same with kijiji? You don't
25 really know.

1 A. Yes, kijiji.

2 843. Q. No, but you don't know much detail about what
3 was sold?

4 A. I don't know much detail about the eBay and
5 Amazon but like mostly kijiji, yes.

6 844. Q. But what do you know about kijiji is the
7 question?

8 A. I had a list and I already gave it, I
9 believe, Ms. Ingrid. Vanessa email it to you, right?

10 845. Q. I don't think I have that yet. Don't forget
11 there's been a change of counsel so we may not have
12 gotten that. And do you recall the approximate value of
13 those kijiji sales? Sorry, you have to . . .she has to
14 record it.

15 A. I don't know because I don't know how much
16 like he was selling.

17 846. Q. Well the list you provided, for example, do
18 you know how much--

19 A. I just. . .actually, I just remember. When
20 he was home I bought for him and my parents bought for
21 him birthday occasions nice watches, like six, seven
22 hundred dollar watches. Once I was at home I saw, like
23 the door was, the doorbell was ringing and he put five,
24 six watches in the bucket and he was selling all of them
25 for ten bucks. And I said like what are you doing? He

1 did it because we had like the argument. I said what are
2 you doing, these are gifts for you. Do you know how much
3 we paid for each of them? So he had this habit. Doesn't
4 matter it was ten bucks or thousand bucks.

5 847. Q. My question was do you know how much he sold
6 on kijiji?

7 A. I don't know.

8 848. Q. And you gave some list?

9 A. Yes.

10 849. Q. And that list has some amount reflecting
11 something?

12 A. Yeah.

13 MS. VAN WEERT: So I'm looking at what I believe
14 to be a kijiji ad with his phone number which
15 says he sold half gallon of paint, sheet metal
16 cutter, scissors, box cutter, drywall saw.

17 850. MR. BURY: It sounds like a bunch of junk to me.

18 THE DEPONENT: It doesn't matter it's junk or
19 even expensive things.

20 MS. VAN WEERT: You can characterize it as you
21 will, it kind of depends on who owns it and--

22 THE DEPONENT: When I came back from Iran it was--

23 -

24 BY MR. BURY:

25 851. Q. Well did you own any of the items your

1 counsel just read out? I think she read out half a can
2 of paint. Did you own the paint can?

3 852. Q. Mr. Bury, it's not about just the paint can.
4 Unfortunately, I told you it's everything when expiring
5 the kijiji doesn't come out in the internet. I'm talking
6 about the habit of the person.

7 853. Q. I'm talking about what your lawyer just read
8 out, I think it's a box cutter, scissors or--

9 A. It shows the person habit.

10 MS. VAN WEERT: Staples, calculator, highlighter,
11 two extension cords. Ten dollar staples,
12 calculator and highlighter.

13 854. MR. BURY: I don't think that's anywhere close to
14 two thousand. I might be wrong.

15 MS. VAN WEERT: But there's a whole bunch of
16 things here.

17 855. MR. BURY: And do we have a total for this?

18 THE DEPONENT: Oh, actually, yeah. The kids' car
19 which they loved it and still they miss it, and I
20 told him so many times and I took it to basement
21 but he sold it in the final.

22 MS. VAN WEERT: I'll have to get this more
23 organized for you.

24 856. **U/T** MR. BURY: Yes.

25 MS. VAN WEERT: But we'll send it to you.

1 BY MR. BURY:

2 857. Q. So what you're saying, and correct me if I'm
3 wrong, your husband liked to sell stuff on kijiji?

4 MS. VAN WEERT: That he didn't necessarily own.

5 858. MR. BURY: Well we don't know.

6 MS. VAN WEERT: Her bike.

7 859. MR. BURY: Her bike. So he sold your bike.

8 A. I had a, what you call it, buffet (phonetic),
9 from before marriage. When I came back from Iran it was
10 gone. There was like the three computer table and the
11 two desk tops, it was gone. Three of my, what do you
12 call these chairs, like--

13 860. Q. Office chairs.

14 A. Yes, office chairs for each room, it was
15 gone. When I was come back from Iran, huge amount is
16 gone. My. . .like I had a beautiful. . . like the lights
17 but it's loose, what do you call it?

18 MS. VAN WEERT: Chandelier?

19 THE DEPONENT: Chandelier. So it's lots of them.

20 BY MR. BURY:

21 861. Q. Which chandelier?

22 A. What do mean which chandelier?

23 862. Q. Where was this chandelier located?

24 A. If I tell you the explanation--

25 863. Q. Do you have a picture of it?

1 A. I can look.

2 MS. VAN WEERT: Was it hanging?

3 THE DEPONENT: Yes, it was hanging. He just
4 change with something else.

5 MS. VAN WEERT: And where was it hanging? Which
6 room?

7 BY MR. BURY:

8 864. Q. Where was this chandelier hanging? What
9 room?

10 A. It was in my bedroom.

11 865. Q. Well your own bedroom or your bedroom?

12 A. Our bedroom, master bedroom.

13 866. Q. Okay, so he changed out the light fixture in
14 your bedroom and you have no idea why. Is that correct?

15 MS. VAN WEERT: And the old light fixture
16 disappeared.

17 BY MR. BURY:

18 867. Q. Right, but you don't know why. Did you
19 discuss this with him?

20 A. Yeah. He didn't like it. It wasn't very. .
21 .in his taste or passion or whatever you call it.

22 868. Q. So you had a fashion clash over the light
23 fixture?

24 A. Not me, him. Like whatever he didn't like
25 it, without the discussion, doesn't matter it was mine or

1 it was the house, he was doing it. It was his decision.

2 869. Q. Right, and you never got rid of anything in
3 the house, or did you?

4 A. Like what?

5 870. Q. Anything that you didn't like in the house.

6 A. No, normally not. That's why like he was
7 telling me you are garbage collector. You are collect
8 everything, you don't throw it out.

9 871. Q. Right. Like I think there was some incident
10 involving old pans or old cookware that--

11 A. That cookwares, it was purchased in Christmas
12 time 2017, two sets from the Bay, and one sets I brought
13 from Iran, okay, and when I asked him he said, oh, it's
14 in the garage. I want to make the food, and one top was
15 there and the bottom wasn't, and for two days he said in
16 the garage. The second day I went to the garage, nothing
17 was there and he said I put in the garbage.

18 872. Q. Right, because--

19 A. Yeah, because it's sticking or whatever, but
20 he's not cooking.

21 873. Q. Because food had been burnt on it and it
22 wasn't cleanable, right?

23 A. No, not really.

24 874. Q. No? Okay.

25 A. No, not really. I believe he wants just, I

1 don't know, to sell it again and Sheida buys it again,
2 because he said it's not. . .it's sticking, you can go
3 buy another one, and that thing he was mentioning to me.

4 875. Q. Right, that there was damage to it. It was.
5 . .food was burnt on, right?

6 A. And like the cookware is for six months, it's
7 just burned on, and how much like he was cooking at home
8 to realize that because I was doing most of the cooking.

9 876. Q. Well clearly he noticed it, right?

10 MS. VAN WEERT: Oh, that's his story.

11 877. MR. BURY: Right.

12 THE DEPONENT: That is his story and his habit.

13 BY MR. BURY:

14 878. Q. To throw out cookware?

15 A. I don't know if he wants to throw out them or
16 hide them to sell them. Probably he put on the kijiji to
17 sell them because he. . .it's hard for me to believe he
18 was honestly he was throwing out.

19 879. Q. So you think he took the burnt cookware--

20 A. It wasn't burnt one.

21 880. Q. Okay, so it's not. . .it's immaculate, brand
22 new cookware?

23 A. It's not. . .it wasn't brand new but for six
24 months old I don't think it's burnt one.

25 881. Q. Okay, so he took six month old cookware, put

1 it in the garage--

2 A. He didn't put it in the garage, it wasn't in
3 the garage. After I find out some of them, just some of
4 them in the big bin beside the back yard with the closed
5 lid. After separation I find them there, hidden.

6 882. Q. So somehow the cookware, one set of the
7 cookware travelled to the garage and then made its way
8 into some bin as well?

9 A. None of them travelled to the garage. He
10 said it's in the garage. When I looked for the garage I
11 never find in the garage.

12 883. Q. And do you have the receipt for this cookware
13 somewhere, from the Bay?

14 A. My parents bought that for my Christmas gift.

15 884. Q. Did they give you a gift receipt in case you
16 didn't like it?

17 A. No, they didn't give me a gift receipt
18 because the shopping we were doing together, but it was a
19 gift from them.

20 885. Q. Okay, so--

21 A. And then from Iran I don't have the receipt.

22 886. Q. And where is the Iranian cookware that stayed
23 in the kitchen before you separated?

24 A. No, everything, like he took all of them and
25 it's just few left with the lid different than the

1 bottom. It's just few left there, okay?

2 887. Q. Okay. So I'm trying to understand your
3 household. You were the one who liked to keep
4 everything, as you said, you said you liked to keep
5 everything.

6 A. I didn't say. I said he was mentioning I am
7 like garbage collector. I don't throw out this stuff.

8 888. Q. And that was true, right? You don't throw
9 out. . .you didn't throw out a lot of things.

10 A. If it's garbage I was throwing out but like,
11 you know, making money and buying this stuff is very hard
12 but for some people when they don't do this stuff and --
13 I don't know I can give my point -- it's okay, I sell
14 for ten bucks, she's going to buy it again, right?

15 889. Q. Or he would buy it again?

16 A. Yes. That fight is started in May 23rd about
17 the cookware and like we got in the fight about the
18 cookware. He started yelling and, as usual, breaking all
19 my--

20 MS. VAN WEERT: Okay, hold on. Can I just
21 interrupt? Is this going into the criminal--

22 THE DEPONENT: Yes, this is the case going to the
23 criminal.

24 MS. VAN WEERT: The fight is about. . .is that
25 when the alleged assault occurred?

1 THE DEPONENT: Exactly.

2 MS. VAN WEERT: Well we agreed that there would
3 not be questions about this topic.

4 890. MR. BURY: Well, no questions of him we said.

5 MS. VAN WEERT: Well I'm not agreeing to her
6 answering them either.

7 891. MR. BURY: On the basis of?

8 MS. VAN WEERT: Well they are both going to be
9 testifying at the criminal trial.

10 892. MR. BURY: But she's a witness and he has the
11 right against self-incrimination.

12 MS. VAN WEERT: Well you can object but I'm not
13 saying ever but I'm not giving you a first shot
14 at her and then a second shot at the criminal
15 trial.

16 893. MR. BURY: Well I'll try, you object, as we go
17 through.

18 MS. VAN WEERT: I'm objecting about all questions
19 about. . .that will be. . .that are in any way
20 connected to the criminal charges.

21 894. MR. BURY: Which criminal charges? There's been
22 several over the years.

23 MS. VAN WEERT: The ones that are--

24 895. MR. BURY: The current ones?

25 MS. VAN WEERT: The current ones. There's only

1 been one other, there haven't been several.

2 There's only been the ones from 2012.

3 896. MR. BURY: Well we'll go through it and you
4 object as you see fit.

5 Q. So where were we?

6 A. It was about the cookware and where the fight
7 started.

8 897. Q. Right, and sorry, what year was that?

9 A. 2018. May 23rd.

10 898. Q. Okay, so there was a . . .this is the one that
11 resulted in the most recent charges?

12 A. Exactly.

13 MS. VAN WEERT: Sheida, don't answer anything
14 about the cookware. You can pose whatever
15 questions you want, she's not answering anything
16 about this.

17 899. MR. BURY: Well she already has. She said they
18 had a fight about cookware.

19 MS. VAN WEERT: But she's not any more.

20 BY MR. BURY:

21 900. Q. That's fine. And we'll get back to that in a
22 different section. Did you receive an Arctic fox fur
23 coat last year for your birthday?

24 A. Yes, he bought from Winnipeg for me.

25 901. Q. And you were aware of the cost of that coat?

1 A. No.

2 902. Q. So if I were to suggest to you it was worth
3 \$15,000.00 you'd agree or disagree?

4 A. I'm disagreeing because he never spent that
5 much money. If he has the receipt he can provide that.

6 903. Q. So what do you think it was worth?

7 A. Thousand dollar?

8 904. Q. Sorry?

9 A. Thousand dollar.

10 905. Q. So is that a half length or full length?

11 A. It's a full length.

12 906. Q. Okay. Well you're someone who has some
13 fashion sense. You purchase clothing for work, you
14 purchase clothing for yourself. Is that really a fair
15 estimate, \$1,000.00 for a full-length fox fur coat?

16 A. You know what? He said he bought from the
17 Winnipeg. Honestly, I don't know if he bought the second
18 hand or the first hand, so. . .right?

19 907. Q. Because I don't know if foxes are cheaper in
20 Winnipeg, but you don't. . .you're saying your best
21 estimate is a thousand dollars for a full-length fur
22 coat?

23 A. I just think.

24 MS. APOSTOLI: And (inaudible) isn't that
25 expensive.

1 THE DEPONENT: And I don't know even if it's a
2 fox or not.

3 MS. VAN WEERT: Okay, no words from you. You're
4 not giving evidence. No words on this. Sheida,
5 don't guess.

6 BY MR. BURY:

7 908. Q. Don't guess.

8 A. Okay.

9 909. Q. And I don't want you to guess, to be fair to
10 you. If you don't know, please--

11 A. I don't know and I can tell clearly, I know
12 him for twelve years. He never spend that much money.

13 910. Q. But I don't want you to guess if you don't
14 know.

15 A. I'm not. . .no, when somebody doesn't. . .the
16 first thing is the ring. If somebody bought the ring for
17 \$2,000.00 he's not going to come and buy \$15,000.00 coat
18 for the wife, which I have two kids, he never bought not
19 even one flower in the hospital when he came, no Mother's
20 Day, no nothing. It's just the only thing he bought it
21 was my cellphone and it was that coat.

22 911. Q. So your evidence is you weren't treated very
23 well in terms of gifts?

24 A. Exactly.

25 912. Q. Okay. Do you have any other bank accounts in

1 Canada apart from those that have been listed in your
2 financial statement?

3 A. I have a joint account with my dad in TD
4 which he has for years and I never use it. We never use
5 it, I don't know.

6 913. Q. Sorry, is that a different account from the
7 joint one you've listed with your father?

8 MS. VAN WEERT: I think the one here is RBC,
9 isn't it?

10 BY MR. BURY:

11 914. Q. Yes, that's my recollection.

12 A. Yeah, because it's. . .I normally just deal
13 with RBC.

14 MS. VAN WEERT: There's no TD account listed
15 here.

16 BY MR. BURY:

17 915. **U/T** Q. Okay, so can you provide us with copies of
18 the accounts for that. . .statements from that account?

19 A. Sure.

20 916. Q. And what knowledge do you have with respect
21 to how much is in that account?

22 A. You said like I don't have to guess.

23 917. Q. No, no, I don't want you to.

24 MS. VAN WEERT: Don't guess.

25 BY MR. BURY:

1 918. Q. Don't guess. Do you know how much is in that
2 account? One thousand, one dollar?

3 A. No. It's twenty dollar or forty dollar.

4 MS. VAN WEERT: Are you guessing?

5 BY MR. BURY:

6 919. Q. Are you guessing? Don't guess. If you don't
7 know, you don't know.

8 A. Okay, so I don't know.

9 920. Q. We'll find out. And when was the last time
10 you accessed that account?

11 A. Two, three years ago, probably.

12 921. Q. And do you have an access card, a debit card
13 for that account?

14 A. I do have but honestly I didn't use for such
15 a long time I have to look.

16 922. Q. And where do the statements for that account
17 go?

18 A. I don't get any paper statements or anything.

19 923. Q. Well that sounded like a question mark at the
20 end of your voice. Do you know or you don't know?

21 A. I get the mail. I just get one paper
22 statements of the Royal Bank, the joint account with my
23 dad. I don't even get mine or my mom, so I don't get any
24 TD statements.

25 924. Q. Okay. Does your father get those statements?

1 A. When I don't get it so that means he doesn't
2 get it because whatever they get I have to get first.

3 925. Q. Well I don't know what the arrangement is so
4 that account you say is a joint account?

5 A. Joint account. It's my dad's account and
6 it's joint under both of us.

7 926. Q. Okay, and do you recall where the statements
8 have been directed to be sent?

9 A. Probably they sending on line or whatever
10 because I'm not using that account.

11 927. Q. Not probably. I don't want you to guess.
12 When you opened. . .you opened this account with your
13 dad?

14 A. Yes.

15 928. Q. Okay, so when you open an account you give an
16 address, right?

17 A. Yes.

18 929. Q. Do you remember what address you gave?

19 A. We gave for sure 29 Brookhaven Crescent.

20 930. Q. Okay. Any other bank accounts in Canada
21 apart from that one?

22 A. No.

23 931. Q. And that bank account, who would make the
24 deposits and withdrawals primarily for that account?

25 A. Me.

1 932. Q. So you would--

2 A. Or like. . .it's long time ago. I don't
3 remember if my dad, like if he had the money I put in
4 that account or not. I cannot answer that question, but
5 like I am always on behalf of my parents' banking stuff.

6 933. Q. So probably you, your first answer?

7 A. Yes.

8 934. Q. Well not probably, you said me, I think.

9 A. Yeah.

10 935. Q. And the money that went into that account. .
11 .and just correct me, that account is still open, right?

12 A. Yeah.

13 936. Q. So the money that went into that account,
14 what was the purpose of that account?

15 A. I believe. . . I'm not sure but I believe I
16 had that account before my marriage, because before my
17 marriage I was with TD always, and he had some incident
18 at TD Bank, they made a mistake with his brother and he
19 said, like he closed his account and he asked me to close
20 my account, but that account I left it open with my dad.

21 937. Q. Well that's my next question. That account
22 was started up as your own account and then you added dad
23 or you opened it with your dad?

24 A. I'm not. . .I don't remember. I don't
25 remember.

1 938. Q. Can you find out for us?

2 A. Yes.

3 939. Q. And that account did not include your mother,
4 just dad?

5 A. It's just me and my dad.

6 940. Q. You and your dad, right. We discussed this
7 earlier and I'll just. . .I'm touching upon it again. Do
8 you have any Powers of Attorney over your dad's or
9 mother's personal matters, business matters?

10 A. I don't have any written thing in Canada now.

11 941. Q. Okay. Do you have any Powers of Attorney
12 over their, similar question, business, personal matters
13 back home?

14 A. No.

15 942. Q. So you're not authorized on paper to deal
16 with any business affairs back home, for example?

17 A. I gave a Power of Attorney to my dad at one
18 point. I don't know about my. . .some of my documents or
19 about like my first marriage, like the divorce stuff.

20 MS. VAN WEERT: No, he's asking if you have any
21 Power of Attorney for your parents. I think she
22 just answered that they have a Power of Attorney
23 for her. But do you have a Power of Attorney to
24 deal with your parents' stuff and I think your
25 most recent question was, in Iran?

1 943. MR. BURY: Right.

2 THE DEPONENT: No.

3 MS. VAN WEERT: She has two siblings, two
4 brothers.

5 944. MR. BURY: Yes, I know.

6 THE DEPONENT: No, I don't have them.

7 BY MR. BURY:

8 945. Q. Okay, and I think you've already answered no,
9 nothing in Canada either to deal on their behalf.

10 A. No, I don't have any Power of Attorney.

11 946. Q. Okay. Do you have any safety deposit boxes
12 in Canada?

13 A. My parents, when they came as a permanent
14 resident, like they opened a safety deposit box in Royal
15 Bank which is under my mom name, my dad and my name.

16 947. Q. And, sorry, when was that opened?

17 MS. VAN WEERT: She said after they became
18 permanent residents which was October 2016.

19 THE DEPONENT: After October 2016. I don't
20 remember the exact month.

21 BY MR. BURY:

22 948. Q. Okay, and what branch of the Royal Bank was
23 that safety deposit box opened?

24 A. It's Oak Ridges branch.

25 949. Q. And what was the purpose of that safety

1 deposit box?

2 A. It's just my parents was putting their
3 documents, their passports, their documents from Iran.

4 950. Q. What about you? What do you keep in there?

5 A. It was nothing about me but their stuff
6 there.

7 951. Q. So again, why were you a joint box holder I
8 guess?

9 A. Because I was dealing with their accounts,
10 their bank stuff, their doctor stuff, everything. I was
11 dealing with that.

12 952. Q. Was there any money kept in the safety
13 deposit box?

14 A. When they came in 2016 it was like their
15 money was there, yeah.

16 953. Q. And do you know how much money was in that
17 safety deposit box?

18 A. I believe it was a total of like \$10,000.00.

19 954. Q. And was this money we referred to earlier?
20 This is money they brought when they came to Canada?

21 A. Yes, exactly, both of them together.

22 955. Q. Is there any reason why it wouldn't have just
23 been deposited into a bank account? You had bank
24 accounts with your mother jointly, with your father
25 jointly.

1 A. It's. . .they deposited some of them, that
2 U.S. account you see, and then they were like they were
3 spending, because it was very hard for me just every time
4 just going getting the money, but like whenever they
5 needed I was just going, for example, \$5,000.00 or
6 whatever dollar.

7 MS. VAN WEERT: But that's not his question. His
8 question was if they put money into the safety
9 deposit box, why would they not put that money
10 into a bank account instead?

11 THE DEPONENT: It was their decision. I cannot
12 say why they made that decision.

13 MS. VAN WEERT: I hope you don't mind that I did
14 that.

15 BY MR. BURY:

16 956. Q. Oh, any help is always appreciated. And do
17 you recall the denomination of the money? Was this. .
18 .well let's start first of all with the type of currency.
19 Was this Iranian money or Canadian money, U.S. money?
20 What kind of money was it?

21 A. It was \$10,000.00 Canadian money.

22 957. Q. And you may or may not know the answer to
23 this question, how is it that. . .do you know, first of
24 all, whether this was money from back home?

25 A. Sorry?

1 958. Q. Do you know whether this was money from back
2 home?

3 A. Yes, they brought it from Iran because they
4 came to Canada they have the expenses, right?

5 959. Q. No, no, I don't want you to guess. I'm
6 talking about the very specific currency sitting in this
7 safety deposit box at TD, Oak Ridges, this little metal
8 box with money sitting in there.

9 A. It's not TD, it's RBC.

10 960. Q. Sorry, RBC. That money, how did it get
11 there? Was this cash they brought here in Iranian
12 currency? Was it cash they converted somewhere?

13 A. No. They brought Canadian from Iran and I
14 believe it was like five each but the total was ten
15 thousand and that's it, Canadian dollar.

16 961. Q. And where was that money turned into Canadian
17 dollars?

18 A. They bought from Tabriz or Tehran, I have no
19 idea.

20 962. Q. So you don't know?

21 A. No, I don't know.

22 963. Q. And apart from . . .that \$10,000.00, how often
23 do you access this safety deposit box?

24 A. How often I access? Whenever they need their
25 stuff.

1 964. Q. So how often is that? Once a week, once a
2 month, once a year?

3 A. Whenever . . .like there is a signature in
4 the paper whenever they need their stuff, so I cannot
5 give you the like exact date. Probably once a week,
6 probably it's once a month. It's not. . .it doesn't have
7 the--

8 965. Q. Okay, but do you have any sense of how often
9 they ask you to go get money, withdraw money?

10 MS. VAN WEERT: Well it may not just be money.
11 They also have their documents.

12 THE DEPONENT: They have their papers and stuff.

13 BY MR. BURY:

14 966. Q. No, I'm talking about the money. So how
15 often do they ask you to go get money?

16 A. Whenever they need it.

17 967. Q. Do you know how often that is?

18 A. No, I don't know.

19 968. Q. Okay, and what else have you accessed for
20 them from this safety deposit box?

21 A. What do you mean by your question?

22 969. Q. Well you mentioned some documents were kept
23 in this box. What documents are kept?

24 A. It's their documents. Their passports
25 Iranian passports; their PR card; their documents.

1 970. Q. Okay, and how often--

2 A. Birth certificates.

3 971. Q. How often is that accessed? Probably not
4 that often. Is that fair?

5 A. Yeah, that's fair.

6 972. Q. Probably not at all really once. . .they've
7 got their PR card, right, so there's no. . .is there any
8 need for them to access the actual documents in there?

9 A. No.

10 973. Q. Right, and you said there's a log each time
11 you go to the bank?

12 A. Yes, it is, and my mom has some jewellery and
13 she was putting her jewellery there too, and it is her
14 jewellery.

15 974. Q. Okay. You say that with emphasis so there's
16 none of your jewellery is in there?

17 A. I don't have any jewellery.

18 975. Q. Well you do. You said you had the ring. You
19 have the ring, right?

20 A. Yes.

21 976. Q. So do you have anything of your jewellery in
22 there?

23 A. I don't have anything over there. The only
24 time I use that safety deposit box in my purpose it was a
25 date when I got my passport and the kids' passport after

1 that fight, and I don't want to talk about it. That is
2 the only date I used that safety deposit box.

3 MS. VAN WEERT: That you used for your personal--

4 THE DEPONENT: Personal.

5 BY MR. BURY:

6 977. Q. So you put your kids' passports in there and
7 your passport?

8 A. Exactly. My passport and my kids' passport,
9 Canadian passport.

10 978. Q. Any other personal documents of yours?

11 A. I didn't put anything. I never used that
12 safety deposit box in my purpose.

13 979. Q. Any of the children's documents in there?

14 A. No.

15 980. Q. Okay.

16 MS. VAN WEERT: Other than the passports.

17 BY MR. BURY:

18 981. Q. Yes. None of the OHIP cards, nothing like
19 that?

20 A. No. OHIP card is right here.

21 982. Q. Okay, good. Now the children's passports, do
22 they remain in that box now?

23 A. No.

24 983. Q. So where are the children's passports?

25 A. Children's passports is right now at home.

1 After Ms. Gilmour reported my safety deposit box to Mr.
2 Sherman I didn't feel safe in that branch.

3 984. Q. Because you thought Mr. Sherman might break
4 in?

5 A. No, because that was a confidential thing Ms.
6 Gilmour was reporting.

7 985. Q. So who did you think might--

8 A. I don't know. It's we going to find out
9 hopefully in the future.

10 986. Q. Okay. Do your parents' documents belong in
11 there?

12 A. My parents' documents, no. That safety
13 deposit box, after the court, it's empty and I am going
14 to close it soon.

15 987. Q. Okay, so--

16 A. And if I find another safety deposit box for
17 them I'm going to close it because I'm not dealing with
18 the Oak Ridges branch any more, out of my home branch.

19 988. Q. So as of today's date, the safety deposit box
20 would be empty?

21 A. What do you mean today's date?

22 989. Q. Today it's empty.

23 A. Yeah.

24 990. Q. And do you know how long it's been empty?

25 A. I told you, since like Mr. Sherman through

1 the court said I have a million . . .like hundred
2 thousands of dollars in that safety deposit box.

3 991. Q. I wasn't involved so bear with me.

4 A. Yeah, so it's like I didn't like--

5 992. Q. So since when you think?

6 MS. VAN WEERT: Well I mean Mr. Sherman only
7 acted from June 22nd . . .

8 THE DEPONENT: After the second court.

9 MS. VAN WEERT: . . .until the middle of July or
10 something.

11 993. MR. BURY: Right.

12 THE DEPONENT: Yeah. I just. . .I didn't feel to
13 go to that branch to deal with anybody at that
14 branch.

15 BY MR. BURY:

16 994. Q. So since June 22nd the box has been empty?

17 MS. VAN WEERT: No, probably ten days after.

18 Like she said the second court appearance he said
19 that.

20 THE DEPONENT: The second court appearance. Just
21 once I used it again and when I was going to the
22 cottage, just once. I used it when I was going
23 for three days to the cottage I used that and
24 then I take back.

25 BY MR. BURY:

1 995. Q. When you say you used it, what did you use it
2 for?

3 A. It's for the documents. For my kids'
4 passports, my passport and the documents of my parents.

5 996. Q. So it was empty at some time in June--

6 A. And then I put it there because I was going
7 to the cottage.

8 997. Q. You put stuff back in because you were going
9 to the cottage.

10 A. Yes.

11 998. Q. And when were you going to the cottage?

12 A. I don't want to give you exact date but it
13 was probably August.

14 999. Q. Okay, and how long were you at the cottage?

15 A. Three days.

16 1000. Q. And whose cottage? Is this a family cottage?

17 A. No.

18 1001. Q. It's a rental?

19 A. Yes.

20 1002. Q. And who did you rent it from?

21 A. It's. . .I went with one of my friend's
22 family, not I, like my family with one of my friend's
23 family and her husband's friend.

24 1003. Q. Okay. What are their names?

25 A. It's Sonaz and Ali.

1 1004. Q. Okay. Last names, just so we're complete?

2 A. I'm uncomfortable to give their last names
3 because of him.

4 1005. Q. What do you think he's going to do with their
5 last names?

6 A. I'm not just comfortable because he can do so
7 many paperwork in back of my friends I find out he did,
8 which he knows the names and last names, so I'm not
9 comfortable to give their name, last name.

10 1006. Q. Like what, what do you think he's going to do
11 or what has he done you said?

12 A. In future. I'm not comfortable to tell right
13 now but he did before under my. . . all my friends' name
14 in his company, make the receipts and make this stuff, so
15 I'm not comfortable to give their last names.

16 1007. Q. What specifically did he do, you allege, to
17 these other friends?

18 A. He made papers. He made receipts.

19 1008. Q. Receipts, and how did this--

20 A. And he used their names. My co-worker's
21 name, my friend's name, last name, whoever he knew, so
22 I'm not comfortable to give my friends' last name.

23 1009. Q. Your evidence is he has used your friends'
24 names to create some documents, receipts I think you
25 said.

1 A. Mm hmm.

2 1010. Q. And do you know. . .have you seen these
3 receipts?

4 MS. VAN WEERT: We produced some of them to him.

5 BY MR. BURY:

6 1011. Q. Yes, I know. Have you seen them?

7 A. Yes. After separation I find them.

8 1012. Q. Which ones did you find, apart from the ones
9 that were put to him? Any others?

10 A. I find a few of them in the Pro Direct
11 company and I find my friend which is she's studying
12 chemical, she has a PhD of chemical. He made her as a
13 law student with her name. So I'm not comfortable to
14 give my friends' last name for the future.

15 1013. Q. I'm trying to understand. That example you
16 just gave, he turned your friend into a law student?

17 A. Exactly. He used the name, last name, and he
18 put the law student.

19 1014. Q. In what context?

20 A. It was one of the companies he sued and he
21 said this person fill it up the paper for her. She's a
22 law student and she fill it up the court paper for her.

23 1015. Q. And you have these documents?

24 A. Yes.

25 1016. **U/T** Q. Any problem with us getting copies of these

1 documents?

2 MS. VAN WEERT: No problem.

3 BY MR. BURY:

4 1017. Q. Okay. You have a lot of documents that
5 belong to him. Is that fair to say?

6 A. Not a lot of documents but whatever is at
7 home in that case, yes.

8 1018. Q. Right. You have all of his documents that
9 are at home still.

10 A. Not all of his documents.

11 MS. VAN WEERT: But you have the ones that are at
12 home?

13 THE DEPONENT: Yes.

14 MS. VAN WEERT: It's not that she has them,
15 they're in the home.

16 BY MR. BURY:

17 1019. Q. Right. So these are the documents, I think
18 you referenced the two drawer filing cabinet. So top
19 drawer, all those documents are in there?

20 A. Yeah, but most of them was like the
21 (inaudible) receipts, it was like--

22 1020. Q. I don't know, so--

23 A. Yeah.

24 1021. Q. And that's where you're alleging these other
25 documents were found?

1 A. Yes.

2 1022. Q. Okay, we'll get to that. Do you have any
3 post office boxes?

4 A. I don't have any post office boxes.
5 Actually, once again, in 2012 when we had the fight, just
6 for. . .I don't know for how long, probably a month or
7 so, I changed my address and my parents' address from 29
8 Brookhaven to the post office, and then I change it back
9 to my address.

10 1023. Q. And which post office?

11 A. It's in Oak Ridges, the post office in Oak
12 Ridges.

13 1024. Q. Well I'm not familiar with them all. Is that
14 in a post office, in a Shoppers Drug Mart?

15 A. No, it's not Shoppers Drug Mart, it's a post
16 office in Oak Ridges.

17 1025. Q. So a Canada Post outlet?

18 A. Exactly.

19 1026. Q. Right, and what was. . . apart from mail
20 forwarding did you use that mail box for anything else?

21 A. No.

22 1027. Q. Did you keep any other items in there as a
23 storage unit?

24 A. No, nothing. I had just probably a month.

25 1028. Q. So your evidence is only mail redirected from

1 the residence?

2 A. Exactly.

3 1029. Q. And then you cancelled it?

4 A. Yes.

5 1030. Q. Okay, and whose mail was redirected there?

6 A. It was mine, my mom and my dad.

7 1031. Q. And that's what you put on the form? You
8 specified those three names only?

9 A. Yes.

10 1032. Q. Now just backtracking a little bit, your
11 parents' money, once you closed this TD--

12 A. I didn't close the TD.

13 1033. Q. Sorry, the RBC safety deposit box.

14 A. I didn't close the safety deposit box yet.

15 1034. Q. Thank you for the corrections. Where did the
16 money go?

17 A. The money is home.

18 1035. Q. So the money has been kept home since when?

19 A. Since I took it because my parents when they
20 need their expenses they spend it.

21 1036. Q. So you took this money out sometime in June?
22 To be fair we don't know exactly when.

23 MS. VAN WEERT: No, she said after--

24 THE DEPONENT: After second court.

25 MS. VAN WEERT: Which is July, or I can't

1 remember the date. . .yeah, it might have been
2 June 26th.

3 BY MR. BURY:

4 1037. Q. But after the first date in any event. So
5 after, whenever you say you took stuff out to go to the
6 cottage you also took out your parents' money from there?

7 A. I took it, I bring it back the documents and
8 probably that ten thousand is not ten thousand because
9 they have expenses, right? I put that again for few days
10 and then took it back again after cottage.

11 1038. Q. Okay, so how. . .did you sign for a dollar
12 amount when you took out the money when you went to the
13 cottage the first time? After the second court date you
14 say you took everything out. Did you have to sign like a
15 dollar amount you were taking out or the RBC didn't
16 require it?

17 A. In RBC when you're going in they just put the
18 date and I believe time and you sign it, and that's it.
19 They don't ask what you put.

20 1039. Q. Okay, fair enough. So they don't care what
21 goes in and what goes out? They don't document currency.

22 A. No.

23 1040. Q. Are you able to help us with how much
24 currency went back home when you took it back home the
25 first time when you emptied out the RBC safety deposit

1 box?

2 A. What do you mean?

3 MS. VAN WEERT: How much money was left? How
4 much of your parents' money was left that you now
5 took to your house, that was in the safety
6 deposit box in June or July or August, whenever
7 you emptied it. . .

8 THE DEPONENT: Okay.

9 MS. VAN WEERT: . . .and you took it to your
10 house. How much was that?

11 THE DEPONENT: How much is left now?

12 MS. VAN WEERT: No, how much did you take out of
13 the box?

14 THE DEPONENT: It was ten thousand with the
15 documents. It was just ten thousand and--

16 MS. VAN WEERT: You said they used it when they
17 came. How much was left when you emptied the
18 box?

19 THE DEPONENT: Like when I emptied the box, I
20 don't remember that, but I remember it was ten
21 thousand. I can ask my parents, my father.

22 BY MR. BURY:

23 1041. Q. Right, but you were the only one taking money
24 out of that box. Correct?

25 A. I don't count it. I just take it. Okay, I

1 don't count like how much they spend and how much they
2 giving me. Do you get my point?

3 1042. Q. Well no, because they didn't give you
4 anything. It was the original ten thousand that went in.

5 A. And I take it. I don't know if they took it
6 for their expenses, right?

7 1043. Q. I'm talking about you, not them. What they
8 did with their money is their concern, I'm talking about
9 you. We know the box started out with ten thousand.

10 A. Okay.

11 1044. Q. You made a decision after the nefarious Mr.
12 Sherman and Ms. Gilmour you felt violated your privacy,
13 you decided to take everything out. When you took out
14 the cash in addition to the documents, how much cash was
15 there?

16 A. I don't know. I didn't count that. It was
17 in the. . .like in the envelope. I didn't. . .like I'm
18 not going to sit down and count them to see how much was.
19 . .how much they give it back. I didn't count them.

20 1045. Q. Okay, well now I'm getting confused.

21 A. Am I like--

22 1046. Q. No, no, it's not your fault. I'm allowed to
23 be confused at my level of confusion. So after the
24 initial ten thousand went in there you're saying money
25 went in and out. So I'm confused now.

1 MS. VAN WEERT: No.

2 1047. MR. BURY: Or only out?

3 MS. VAN WEERT: No, she's just saying that. .
4 .well, you answer that.

5 THE DEPONENT: Okay. If the money is there, if
6 they need it I probably I took like, for example,
7 they said, okay, Sheida, we need 500, 2,000, or
8 whatever. I don't remember that. When I took it
9 for the cottage I didn't count like okay, how
10 much left, how much I'm giving them. That's
11 their money, that's their stuff. I don't know.
12 So I can ask my dad because he's writing this
13 stuff but I never do that.

14 BY MR. BURY:

15 1048. Q. What do you mean writing this stuff?

16 A. Like for example if he gave me \$10,000.00 to
17 put that account, and then he's asking me, okay, go get
18 the \$2,000.00, if I get it, like give it to him, he's
19 going to write like, okay, Sheida give me from that money
20 the \$2,000.00 or whatever, or Sheida spend this money I
21 have to give her this money.

22 1049. Q. Sounds like he's a details man that keeps a
23 book like your husband did of money in and out.

24 A. If it's his money, yes, but my husband never
25 kept the books like about the in and out.

1 1050. Q. Well we've heard about that. We're going to
2 get to that. So no money was deposited by you, just so
3 we're clear, except for the initial ten thousand. You
4 didn't continue adding more money?

5 A. No.

6 1051. Q. No, okay. So you took out the money at the
7 time you said you took it out with the documents. You
8 don't know how much was there is what you're saying.

9 MS. VAN WEERT: She's been crystal clear on that
10 point, yes.

11 BY MR. BURY:

12 1052. **U/T** Q. Right. Okay, can you find out?

13 A. Yes, I can find out like, dad, how much money
14 left for you. Whatever I took it, you have it, from that
15 ten thousand how much money you have.

16 1053. Q. Okay.

17 MS. VAN WEERT: Sorry, was there an undertaking
18 there?

19 1054. MR. BURY: I think so, yes.

20 MS. VAN WEERT: Undertaking to find out how much
21 money--

22 1055. MR. BURY: Was left, remaining.

23 MS. VAN WEERT: Okay, how much money came out of
24 the safety deposit box when she emptied it.

25 1056. MR. BURY: Right. And of. . .sorry, I'll wait

1 until everyone one is done catching up.

2 MS. VAN WEERT: We're good.

3 BY MR. BURY:

4 1057. Q. Okay. Of the money that came out were you
5 given any money?

6 A. Sorry?

7 1058. Q. Were you given any money of the money that
8 came out?

9 A. What do you mean by that?

10 1059. Q. The money that came out of that safety
11 deposit box that you gave to your parents. . .

12 A. Okay.

13 1060. Q. . . .and then previously taken out money, I
14 think. . .

15 A. Okay.

16 1061. Q. . . .were you given money from that stash of
17 money?

18 A. I don't understand.

19 MS. VAN WEERT: Did your parents give you money?

20 THE DEPONENT: Oh, did my parents give me--

21 BY MR. BURY:

22 1062. Q. From that amount kept in the bank?

23 A. No.

24 1063. Q. Okay, so your evidence you did not receive
25 any of those specific funds?

1 A. From that ten thousand, no.

2 1064. Q. Right. Okay, did they keep money in their
3 own names elsewhere?

4 A. No.

5 1065. Q. So no other safety deposit boxes for you
6 alone?

7 A. No.

8 1066. Q. None for them alone?

9 A. No.

10 1067. Q. Okay. And the post office box, just to be
11 clear, was never utilized for storage of anything?

12 A. No.

13 1068. Q. How did you -- and I'm sorry, as I said we
14 might be jumping around a bit -- how did you begin your
15 relationship with Michel Germain? How is it that you
16 came to work for them?

17 A. I was. . .when I was in Whitby I was in the
18 Oshawa mall, in the Bay. I was shopping with my mom and
19 there was a lady in fragrances by the name of Guita. She
20 was just a salesperson. She saw me and we didn't know
21 her, we just talk and she was the same city as my mom,
22 so. . .and at that time I was looking for job so she just
23 introduced me for the demoing job.

24 1069. Q. Sorry, who was it that--

25 A. Guita.

1 1070. Q. Is that the person from Michel Germain?

2 A. No, actually she was working for Royal
3 Doulton at that time so I just worked, I don't know,
4 probably like few days for Royal Doulton, and then Michel
5 Germain, like there was a . . .because I had to work in a
6 different store. When I was in Scarborough the demo from
7 Scarborough just introduced me to Michel Germain.

8 1071. Q. Sorry, what's a demo? Sounds like a person.

9 A. Demo means like me, a salesperson for the
10 perfume. They call it demo or vendor.

11 1072. Q. Okay, so who was your first management point
12 of contact for Michel Germain?

13 A. Oh my God, I don't remember the name.

14 1073. Q. And did you attend at the offices of Michel
15 Germain?

16 A. No. Michel Germain normally it's like . .
17 .it's by . . .like you know by phone, like you recording,
18 or even by phone they just interviewed me and they sent
19 me like which store you go at.

20 1074. Q. So you've never been to the Michel Germain
21 offices?

22 A. Yes, I've been in the Michel Germain offices
23 but not the first time when they hired me.

24 1075. Q. And where is that office located?

25 A. It's in Yonge and . . .like it's in Yonge . .

1 .I don't want to give you the wrong information but it's
2 in Yonge and Eglinton area.

3 1076. Q. And how many times have you been there?

4 MS. VAN WEERT: Don't guess.

5 THE DEPONENT: I don't know.

6 BY MR. BURY:

7 1077. Q. Was it part of your regular requirement to go
8 there? For example, would you have to go there once a
9 month for anything?

10 A. No.

11 1078. Q. So there was no regular requirement to go
12 there?

13 A. No.

14 1079. Q. What reasons would you go there?

15 A. I . . .like I took the . . .if I was buying
16 the Christmas gifts for them I was taking them. It's
17 like few years I didn't go there. I honestly I don't
18 recall like for what else I went there.

19 1080. Q. And when you say to get Christmas gifts, what
20 do you mean by that?

21 A. I always buy the little Christmas gifts for
22 everybody, like for secretaries in my family doctor's
23 office, my dentist, my co-workers, so it's like I'm
24 working for them--

25 1081. Q. I was going to say, have you bought your

1 lawyer anything yet?

2 MS. VAN WEERT: Well she keeps pointing in my
3 direction.

4 **(DISCUSSION OFF THE RECORD)**

5 **... upon resuming**

6 THE DEPONENT: So it's just little Christmas
7 gifts I always buy, like whoever I know around
8 me.

9 BY MR. BURY:

10 1082. Q. And what are these little Christmas gifts? I
11 don't want to guess so what are they?

12 A. What do you mean?

13 1083. Q. What are they? What did you. . .let me just
14 rephrase and let me say this. You went. . .you would go
15 to Michel Germain's corporate offices to purchase gifts
16 for the people in your circle that you described, right?

17 A. Yeah, I gave. . .like one Christmas I
18 remember I bought a vase, like the flower vase.

19 1084. Q. Well that's what I want to get to next. What
20 type of gifts is it that you were purchasing from Michael
21 Germain?

22 A. I give the Christmas gifts to the people.
23 Like for example if--

24 MS. VAN WEERT: That's what I understood her to
25 have said.

1 1085. MR. BURY: You see, I wasn't clear.

2 MS. VAN WEERT: No, I understood that.

3 1086. MR. BURY: So I'll rephrase that.

4 MS. VAN WEERT: She brought gifts to Michel
5 Germain.

6 BY MR. BURY:

7 1087. Q. Right, sorry.

8 A. Yes. Like for the secretaries in my
9 doctor's, whoever like I'm working, this is my habit.

10 MS. VAN WEERT: He's asking about Michel Germain.

11 THE DEPONENT: Okay.

12 BY MR. BURY:

13 1088. Q. Yes, stick with me, please. This doesn't
14 have to be this long. So you. . .the original question I
15 think we started out is the reasons you would attend at
16 the corporate office of Michel Germain.

17 A. Yes.

18 1089. Q. You said it hasn't been that often but the
19 times you did go, you recall, and if I've said something
20 wrong you'll correct me, is to deliver little gifts to
21 staff at Michel Germain.

22 A. Exactly. Whoever is in the office and for
23 like the Eric Cook (phonetic) or my rep or whoever like
24 is in the office, yeah.

25 1090. Q. And what time. . .I don't want to guess, was

1 that Christmas time or what time of year would you do
2 that?

3 A. It's November, end of the November, but it's
4 almost like few years I didn't do it. That's why I said
5 those few years I didn't go there.

6 1091. Q. So this was something that happened some
7 years ago?

8 A. Yes.

9 1092. Q. Have you reattended their offices for any
10 other purpose apart from distributing gifts?

11 A. I don't remember. Yes, probably, but I don't
12 remember.

13 1093. Q. And while you may not remember when, do you
14 remember for what purpose you may have attended at their
15 corporate offices? Why would you have gone?

16 MS. VAN WEERT: Other than the Christmas gifts?

17 BY MR. BURY:

18 1094. Q. Other than the Christmas.

19 A. I said I don't remember.

20 1095. Q. No, I know you don't remember how many times
21 or when but the times you've been--

22 A. I don't remember for what I went there.

23 1096. Q. So you have no recollection whether it's
24 training, performance reviews, for example?

25 A. No.

1 1097. Q. No staff meetings?

2 A. No.

3 1098. Q. So it's fair to say you were pretty much a
4 free agent? You were on your own in terms of Michel
5 Germain, very little contact?

6 A. It's all the vendor and their job for all the
7 companies is the same. You're working in the Bay and
8 you have the rep who is your boss, like giving you
9 schedule, like checking like stock or whatever, and this
10 is for all the companies, Christian Dior, Chanel,
11 L'Oreal, Michel Germain, it's all this is the vendor or
12 demoing job is like that.

13 1099. Q. That's fine. I'm just trying to understand
14 the workplace, what if any workplace environment and
15 workplace relationships. So your direct contact with
16 Michel Germain would be the rep you've described?

17 A. Exactly.

18 1100. Q. Okay, good. And what was the rep's. . .did
19 the rep come to you at the Bay where you were stationed?
20 How did that work?

21 A. It's if there is need like the meeting with
22 the management of the Bay or if meeting with the
23 fragrances Bay Staff, yes, rep comes to the Bay and talk
24 to them about the vendor, about the business.

25 1101. Q. And who is your current rep?

1 A. Wendy Dottin.

2 1102. Q. Okay, and has she been your rep all along?

3 A. No. Before Wendy it was Toni and before Toni
4 it was. . . before I got married it was Reenea, Reenea
5 Lodge, and before that it was, I think it was Anne.

6 1103. Q. Can you just spell for Madam Report Wendy's
7 last name?

8 A. D-o-t-t-i-n. Wendy Dottin.

9 1104. Q. And the other two persons you mentioned?

10 A. Toni, Toni's last name I forgot. T-o-n-i.
11 Reenea, R-e-e-n-e-a, last name was Lodge, L-o-d-g-e.

12 1105. Q. Sounds like the last two were from some time
13 ago. Is that fair?

14 A. Reenea Lodge was before my marriage.

15 1106. Q. So you've worked. . .Reenea, I'm sorry, Wendy
16 Dottin has been your rep for how long?

17 A. Okay, when I came back to work, when was it
18 2015, okay, it's after the kids, it was Wendy because
19 Toni was on mat leave. Probably I worked with her for
20 two months, and then Toni came back to the work from mat
21 leave and I worked with Toni. And Toni's dad, I don't
22 know, probably a year, two years, I don't want to give
23 the wrong date, and then Toni's dad passed away. Just
24 Wendy came back and Toni wasn't longer with the company.

25 1107. Q. So Wendy has been your rep now since when?

1 MS. VAN WEERT: Since Toni's dad died.

2 BY MR. BURY:

3 1108. Q. But we don't know when exactly that was. For
4 how many years has Wendy now been your go to person?

5 A. I don't want to give the wrong information
6 but it's years.

7 1109. Q. Approximately?

8 MS. VAN WEERT: Two years approximately?

9 THE DEPONENT: Two years approximately

10 BY MR. BURY:

11 1110. Q. So Wendy is the person who you report to
12 then? Is that fair to say?

13 A. Exactly.

14 1111. Q. So you don't report to head office on Yonge
15 Street or wherever that is, Yonge and Eglinton?

16 A. It's report what? Would you please be
17 specific?

18 1112. Q. If you're having stock supplies, any
19 workplace issues, any--

20 A. Stock supplies, first I report it to Wendy
21 and then. . .yeah, she. . .if it's like she cannot do
22 anything she's going to report to now Kevin and then
23 Kevin to Eric, like it's go like that, but it's. .
24 .that's like if it's something Wendy can't do it.

25 1113. Q. And how often does Wendy come into the Bay,

1 to where you're stationed?

2 A. Probably last year three, four times. I
3 cannot like--

4 1114. Q. I don't want you to guess but certainly not
5 on a weekly basis, not on a daily basis?

6 A. No.

7 1115. Q. So three to four times, maybe six times, but
8 certainly not with any regular. . .regularity?

9 A. Yeah.

10 1116. Q. And can you assist us with understanding, so
11 what is it her role to do when she does come during those
12 times?

13 A. I explained I believe before. If like she
14 has the business meeting with the fragrance manager or
15 store manager, talk with the. . .like there is a
16 fragrances Bay employees all the time there that talk to
17 them about the business, or talk to me what's going on.

18 1117. Q. So more higher level things if I can use that
19 phrase, more management.

20 MS. VAN WEERT: Higher than her.

21 BY MR. BURY:

22 1118. Q. Yes, that's what I mean.

23 A. Yes.

24 1119. Q. But day to day, say for example you open up
25 your counter and you're like, oh my God, three boxes

1 left, who is responsible for telling Michel, hey, we
2 need---

3 A. Three boxes of what?

4 1120. Q. Perfume. Hey, we need more perfume, more
5 stocks.

6 A. Okay. I let Wendy know and then in other
7 hand I let the cosmetic manager knows too because they
8 can do, employee of the Bay, because they can do the
9 boost order from both sides so we can get this stuff
10 faster.

11 MS. VAN WEERT: You mean transfer from another
12 Bay?

13 THE DEPONENT: No, it's just--

14 BY MR. BURY:

15 1121. Q. How does product get in? Maybe you can
16 describe it for us.

17 A. Okay.

18 1122. Q. So your counter is empty.

19 A. If my counter is empty, in one way I let the
20 Wendy knows and they can order through the like the
21 buying office, okay?

22 1123. Q. Right.

23 A. Sometimes, the company to do that, it takes
24 time, but if the Bay cosmetic manager, like the
25 management of the Bay, do the boost order, we can get

1 earlier. So if it's like the from two sides, from the
2 company and from the Bay, we can get earlier, because
3 sometimes the stock can get like few months or few weeks
4 to get it.

5 1124. Q. Okay. Yeah, we're learning a lot today about
6 perfume. So the ordering process, it sounds like, you
7 have nothing to do with apart from declaring help, I need
8 more, right? Wendy does--

9 A. Yeah.

10 1125. Q. Right, and Wendy connects with the Bay if you
11 need that boost order, right?

12 A. No, I tell Wendy and I tell to the cosmetic
13 manager and the Bay employee. I ask them or talk to
14 them.

15 1126. Q. And everybody knows what's going on, you're
16 not getting triple shipments all of a sudden?

17 A. No, because it goes through the system. Just
18 the buying office see it's like it's coming from the
19 company and it's coming from the Bay so it's--

20 A. Okay, got you. So if it comes from you or
21 Wendy, the company may not be as excited to deliver
22 quickly. If it's a Bay boost demand order they may
23 respond or they do respond quicker. Is that fair?

24 A. Could you please ask me one more time?

25 1127. Q. I think the way. . . I know it's getting late

1 in the day.

2 A. I just don't know--

3 1128. Q. I think the way you've described it -- I'm
4 trying to understand it and be fair to you at the same
5 time -- if you and Wendy just decide to call up good old
6 Michel Germain and say, hey, we need. . .we're getting
7 low, we need more, that can take some time, sometimes
8 it's slow.

9 A. Yeah.

10 1129. Q. If you and Wendy wave over the Bay manager of
11 cosmetics and say, look, we're really low--

12 1130. Q. It's not. . .I explained for the third time,
13 it's not me and Wendy. Once I send an email or I call
14 Wendy and I tell, okay, this stock is short, I need it.
15 In other hand I go to the cosmetic manager and the Bay
16 employee and say, listen, I have this stock shortage.

17 1131. Q. Right.

18 A. So they, like the Bay employee has the
19 specific gun, they come, they write okay, how many is on
20 hand, how many is coming. We don't have it, okay, we
21 going to boost order. So management of the Bay is boost
22 order that and then Wendy, in other hand from the company
23 side, it's going to boost order. So it's the Bay and the
24 Michel Germain or whatever company, it's the buying
25 office is different.

1 1132. Q. Right, but you yourself can trigger on the
2 Bay side, yourself, as a rep, right.

3 A. I'm not a rep, I'm a salesperson.

4 1133. Q. Salesperson.

5 A. Yes.

6 1134. Q. So you can trigger that order on your own?
7 You don't need Wendy for that, right?

8 MS. VAN WEERT: The Bay. . .I mean she says they
9 work in tandem. So Wendy does it on this side,
10 the Bay does it on this side, and she starts both
11 those processes.

12 BY MR. BURY:

13 1135. Q. Right, you start both processes?

14 A. Yes.

15 1136. Q. And that's something you regularly do.
16 That's part of what you do? Beyond sales you have to
17 make sure you have stock?

18 A. I always have enough stock. Just sometimes
19 that happens.

20 1137. Q. So apart from that contact with Michel
21 Germain, are there any other meetings that take place,
22 either. . .we know not directly at the office. Do you
23 have any sales meetings, do you have any training
24 meetings, over the phone, for example, Skype, anything?

25 A. Once a year we have a school and breakfast

1 meeting. I believe I mentioned it the first of our
2 questioning.

3 1138. Q. You may have, yeah.

4 A. Yes, and any other meeting? No, like it's. .
5 .this year they didn't nominate me for COSA award, I'm
6 not a finalist, but they invite me for COSA award. This
7 is. . .I'm going to see the Michel Germain team there, so
8 what else?

9 1139. Q. That's an event coming up?

10 A. Yes, in two weeks.

11 1140. Q. That's the COSA award we've heard about?

12 A. Yeah, every year. COSA award is every year
13 in November.

14 1141. Q. And is that, now that we're kind of back to
15 that topic, is that in any way connected to overall sales
16 or more customer satisfaction?

17 A. It's the different stuff. The customer
18 satisfaction, it's the sales, everything. Like it's
19 combined.

20 1142. Q. And are you able to tell us how much your
21 sales are for the past few years? Can you say, yeah,
22 last year I sold a million or last year I sold five
23 thousand?

24 A. I cannot say by store because in Christmas
25 time, for example, I'm not the only one working there.

1 There's three or . . .we have three or four people
2 together working for Michel Germain, or Valentine's or
3 whatever, but the company has every salesperson, like
4 probably my sales per hour overall is ninety or ninety. .
5 .I don't want to give exactly but ninety or ninety-four
6 dollars per hour.

7 1143. Q. Okay.

8 A. It's. . .I'm talking about the whole year
9 because sometimes probably I sell less, sometimes I sell
10 more per hour.

11 1144. Q. Like yourself, I'm not good with numbers, so
12 what does that translate into for annual sales? Have you
13 ever been told, for example, by Michel Germain, wow, you
14 sold a million this year, congrats?

15 A. I never sold a million dollar in Hillcrest
16 Mall, no.-

17 1145. Q. Or anywhere? Like do you have a sense, and
18 don't attach--

19 A. I--

20 1146. Q. Sorry, let me finish. Don't attach any
21 significance to that number, I'm just saying as a general
22 proposition. . .

23 MS. VAN WEERT: Have they told you how much you
24 sell?

25 BY MR. BURY:

1 1147. Q. . . .have they told you how much you sell?

2 A. I believe last year was, not my sale, like in
3 overall the Hillcrest Mall sales was one hundred twenty
4 or thirty thousand, but not my sales because there's
5 other people.

6 1148. Q. But are those numbers maintained? Like do
7 you know? Have you ever been told, for example, good
8 job, you sold this year a hundred thousand, or last year
9 you sold two hundred thousand? Do you have a sense of--

10 A. Every time, like every month I ask Wendy,
11 okay, how much I made because it's not just the Michel
12 Germain in the perfume and cosmetic sales. Normally if
13 you sold, for example, \$100,000.00 or \$10,000.00 in month
14 of September last year, you have to have the increase of
15 like the 10% or 15% the next year and the next year,
16 right? So I always ask Wendy, okay, how much I made,
17 like the Hillcrest Mall made in September, so like how
18 much like we have to sell. You asked?

19 1149. Q. So I'm not sure that's what I wanted. These
20 are sales targets, for example? Is that a fair word to
21 use?

22 A. The sales target, honestly, for us, it's like
23 we have to sell hundred dollar per hour.

24 1150. Q. So we know there's some standard.

25 A. Yeah.

1 1151. Q. So your target is to sell a minimum of a
2 hundred an hour?

3 A. Yes.

4 1152. Q. And do you know what that translates into
5 annual sales? What does that mean per year that you're
6 expected to sell? Do you know?

7 MS. VAN WEERT: Well how many hours are you
8 supposed to work?

9 THE DEPONENT: That's why I said like my sales
10 per hour for year it's probably 90 or 94 dollars.

11 BY MR. BURY:

12 1153. Q. What's your best year then? Do you know. .
13 .can you attach a dollar amount to your best year of
14 sales?

15 A. I don't know. Like how much I sold?

16 1154. Q. Do you know. . .this last year, 2014 or 2018
17 or whatever, that was my best year, I sold a hundred
18 thousand?

19 A. No, I don't know.

20 1155. Q. And is that ever communicated with you or
21 shared with you in any way?

22 A. They normally, in the computer system, they
23 look overall at store sales, okay, and individually is
24 very important for them, right?

25 1156. Q. For sure, to track performance.

1 A. Exactly.

2 1157. Q. And is that information shared with you
3 regularly?

4 A. Yes.

5 1158. Q. By Wendy?

6 A. Yes, by Wendy.

7 1159. Q. And in what format is that shared with you?
8 Are these . . .do you get a printout of your sales?

9 A. No, they don't give me the printout of my
10 sales.

11 1160. Q. So how do they share it?

12 A. For example, if last week from Saturday. .
13 .no, sorry, from Sunday to Saturday, okay, last year we
14 did 3,000. If this year I do the thousand dollar, Wendy
15 is going to call me on Monday morning and say, okay,
16 Sheida, what's going on. Like why like we lost
17 \$2,000.00? What happen?

18 1161. Q. And will she call you individually or will
19 she call the whole team? How does that work?

20 A. The whole team, it's not like. . .I don't
21 have right now whole team. In the Christmas time we are,
22 or November, the second week of November, we work like
23 three, four people. From December like four people, or
24 November it's two, three people.

25 1162. Q. Right, but all separate individuals,

1 separate--

2 A. Normally she calls me.

3 1163. Q. I see, and why is that?

4 A. Because I am. . . that's my main store and
5 like I am--

6 1164. Q. The most experienced?

7 A. Exactly.

8 1165. Q. Do you sell at any other Bay locations?

9 A. Right now?

10 MS. VAN WEERT: She answered that already.

11 THE DEPONENT: I said this is my home location.

12 BY MR. BURY:

13 1166. Q. Right.

14 A. Whenever company needs and ask me, yes, I go
15 to the different Bay locations.

16 1167. Q. And how often would you say that happens now?
17 I'm sure it's changed throughout your career. How often
18 does that happen now?

19 A. It's. . .honestly, with this happen, like the
20 separation stuff, I cannot work that much even my own
21 hours because I am just busy, like you know, with the. .
22 .like to come to downtown or whatever. I cannot do. .
23 .like, for example, I have to work today. I can't,
24 right. So if they ask me, if I can do it, I'll do it.
25 If I can't, they know I am in the divorce and separation

1 process and I tell them I can't go.

2 1168. Q. And are there any. . .do you have any minimum
3 hours you have to work?

4 A. Each month is different but if. . .like, for
5 example, it's November is. . .December was thirty hours
6 per week and if I-

7 1169. Q. Sorry, what month was--

8 A. October was thirty hours per week, okay?

9 1170. Q. Yes.

10 A. Okay. If I couldn't, if I see. . .okay,
11 today for example I couldn't go to the work, I call one
12 of the like other salesperson. I said could you cover
13 here.

14 1171. Q. So each month it has different target hours
15 set for you individually?

16 A. Yes, each month is different.

17 1172. Q. No, that's not the question. Someone sets
18 those hours for you? Okay, Sheida, this month you have
19 to work thirty hours.

20 A. Every month, like for example if it's
21 November, end of October, Wendy send me the schedule it's
22 . . .not the schedule, just okay, thirty hours each week
23 or thirty hours personal week, forty hour. And sometimes
24 I don't go, sometimes I work like twenty-five hours the
25 first week and then I work forty-five hours if I can the

1 other week. They know that.

2 1173. Q. So they don't care when you work these hours,
3 is that fair? Or do they?

4 A. It's . . .they don't give me a schedule so I
5 like about this job when is like it's my having the
6 ability and with my kids' schedule, I just go over there,
7 but normally I work like the night shift also.

8 1174. Q. Right, and what is the night shift?

9 A. It's. . .I work 'til 8:30 or 9:00 o'clock,
10 but now I'm working just two nights.

11 1175. Q. And again, just going back--

12 A. But sometimes I work like four to nine, five
13 to nine, it depends. It depends on my schedule.

14 1176. Q. Right, and again, no one schedules you, you
15 schedule yourself, right? The thirty hours someone else
16 tells you.

17 A. Exactly. If she gave me thirty hours, so I
18 have the thirty hours.

19 1177. Q. Right, and who decides when those thirty
20 hours are worked? Just you, right?

21 A. Exactly. It's just me. I just go to the
22 work. For example, like twelve to six if I'm available,
23 or take the kids from school and then after go. In the
24 morning go.

25 1178. Q. Right. It's very flexible, right?

1 A. Exactly.

2 1179. Q. Okay, so no one audits you, no one checks on
3 you. You can basically work those thirty hours, using
4 that number, whenever you want?

5 A. If I go to my store, if I start that shift
6 and I finish it, every end of shift Bay employee or
7 management has to sign it. They know like I came, for
8 example, 12:00 o'clock and I finish 6:00 o'clock. I came
9 at 6:00 o'clock, I finished at 9:00 o'clock. They have
10 to sign it with my total sales.

11 1180. Q. Right. But that amount of hours is
12 determined by you?

13 A. Yes.

14 1181. Q. So you can, for example, say we finish today,
15 if we ever do, you for example can say. . .yeah, I'm
16 working on it. Please nudge, nudge, wink, wink, at any
17 time if you prefer. You can, for example, say okay, this
18 month I was told I've got to do thirty hours. Oh, we're
19 finishing at 3:30 or we're finishing at four. I can show
20 up and do three hours tonight, for example? Is that the
21 kind of flexibility we're talking about?

22 A. Yes. Like Thursday I had two doctor's
23 appointment and I just had to pick up the kids and take
24 care of them. I went Thursday night like for example six
25 to nine.

1 1182. Q. Right. That's within your control?

2 A. Yes.

3 1183. Q. Okay. And Michel Germain doesn't care what
4 time of day you go as long as you go for those, again,
5 those thirty hours?

6 A. As long as the sales is happen. If I go
7 thirty hours and I have no sales, no, they don't like it.

8 1184. Q. Well of course, I agree with them. So you'd
9 look kind of stupid if you did two days in a row, didn't
10 sell much because they were horrible days, then they
11 would notice, for example?

12 A. Yes.

13 1185. Q. They'd say what's going on, Sheida, your
14 sales are down.

15 A. Exactly.

16 1186. Q. So are there. . .you're in sales for a long
17 time now. Are there better days of the week than others,
18 I would assume. For example, Mondays, is Monday useless,
19 for example, for sales?

20 A. It's honestly every year, I believe, is
21 different.

22 1187. Q. Okay.

23 A. For example, when I was working in Yorkdale
24 Tuesday was my best day.

25 1188. Q. Okay.

1 A. Over here, Tuesday is not good day. But most
2 of the companies think weekend is good day for sales but-
3 -

4 1189. Q. Everyone's busy doing their shopping
5 elsewhere.

6 A. See, it's different, it's very different.
7 Sometimes daytime is good, sometimes night time is good,
8 so you cannot predict.

9 1190. Q. Sure, but you've worked at the current
10 location for how long now?

11 A. It's as in my main home since I came back two
12 thousand--

13 1191. Q. So you must have by now a sense of good days,
14 bad days, so days for making money, right?

15 A. I believe I answered this question. These
16 days it's not predictable.

17 1192. Q. So you have no way at this point, you're
18 saying, of knowing what days to pick to increase sales,
19 for example?

20 A. It's not on my hand with my like . . .like
21 busy schedule whenever like yes.

22 1193. Q. But to be fair, it is in your hands. You
23 control when you do those thirty hours, right? You've
24 said that already.

25 A. Yes. My hours is flexible, yes.

1 1194. Q. But I'm just saying, you're saying as of now
2 you can't tell us, you know, Friday nights are really
3 good, that's when all the shoppers are out, or you know
4 what, believe it or not, Monday nights are busy. You
5 have no senses of that, is that your evidence?

6 A. Yes. Before probably I could say that or
7 even the other salesperson but now it's--

8 1195. Q. Before what? Sorry, I don't--

9 1196. Q. Like ten years ago, before my marriage or
10 whatever, like I had certain days I was making better
11 sales but like--

12 1197. Q. What were those days, for example? Just help
13 me learn the process. What days were good days in the
14 before time?

15 A. When I was in Yorkdale Tuesdays was like for
16 me it was like the best day in the whole week.

17 1198. Q. Okay. What about Hillcrest where you are
18 now?

19 A. Like what do you mean?

20 1199. Q. Are there any good days?

21 MS. VAN WEERT: Well I think she's answered that.
22 It's unpredictable.

23 BY MR. BURY:

24 1200. Q. I know it's not predictable but recently are
25 there any good days that you've noticed?

1 A. It's. . .I have good days and I have bad
2 days. I cannot say like, okay, Thursday is a good day,
3 Saturday is a bad day.

4 A. So right now it is what it is. You go in and
5 you hope for the best?

6 A. Exactly.

7 1201. Q. And based on this new era I guess or new
8 period of unpredictability, you can pick whatever day you
9 want, it doesn't really matter in terms of what you
10 expect to generate in sales?

11 A. Yes.

12 1202. Q. Right. And when you're not there, who else.
13 . .is there anyone else selling Michel Germain when
14 you're not there?

15 A. When I'm not there the Bay employee who is in
16 the fragrances is responsible for the whole fragrances,
17 okay. We have two full timers and two part timers. They
18 are responsible for all the fragrances.

19 1203. Q. Right. They're the general people who. . .

20 A. Exactly.

21 1204. Q. . . . stand there and try to annoy me and
22 squirt me with difference stuff.

23 A. Exactly.

24 1205. Q. Those are Bay employees?

25 A. Yes.

1 1206. Q. Okay, but then you come in specifically for
2 your own brand?

3 A. Exactly.

4 1207. Q. And when you are there, again help me
5 understand this, are they then competing with you, the
6 Bay folks, for sales or they're not allowed to sell
7 Michel Germain when you're there?

8 A. Actually they're not selling. I cannot put
9 in the cash register, I'm not allowed to use the cash
10 register. They're getting the commissions so they have
11 to put under their number--

12 1208. Q. No, no, I understand that part.

13 A. Okay.

14 1209. Q. When you're there as Michel Germain, are they
15 also allowed to sell Michel Germain, those other ladies
16 you've said were there when you're not there?

17 A. Yes, they are allowed to sell.

18 MS. VAN WEERT: They're not competing for
19 commissions because she doesn't earn any.

20 BY MR. BURY:

21 1210. Q. Well that was my question. They're allowed
22 to sell, you're allowed to sell.

23 A. Everybody allowed to sell every brand, not
24 the fragrances, allowed to sell every brand.

25 1211. Q. But not yourself?

1 A. If the customer is coming and I'm showing the
2 Michel Germain perfume and they don't like it, they don't
3 like the name, they don't like the scent, I always. . .I
4 don't let the customer walk away. If they ask for other
5 stuff I still help them. It's. . .there's no benefit for
6 me because I have to just sell Michel Germain. That's
7 why it's one of my customer service. That's why the
8 customers. . .like I don't have to like sell Michel
9 Germain if they don't like it but still I give my service
10 to them.

11 1212. Q. And Michel Germain is okay with that, you
12 selling the competition?

13 A. Yeah, because I'm not going to force the
14 customer when they don't like it, that's part of customer
15 service.

16 1213. Q. No, no, I'm saying Michel Germain.

17 A. That is my point of view. Michel Germain
18 knows my point of view. Probably that customer two times
19 doesn't buy Michel Germain but this is my. . .when they
20 like my customer service they coming back to me. They
21 asking for Sheida. The third time they going to buy
22 Michel Germain.

23 1214. Q. Understood, but I'm just saying, Michel
24 Germain is aware of this.

25 A. Yes, they're aware of that. They are in

1 business, they know how business work.

2 1215. Q. So they're okay with you selling other
3 brands?

4 A. I introduce my brand, if they don't like it,
5 yes, I give my service to customer to help them.

6 1216. Q. Just a yes or no. They're okay with you
7 selling other brands?

8 A. Yes.

9 1217. Q. Okay, and in terms of the actual sale, your
10 evidence is that you are nowhere near the cash. Correct?

11 A. I don't use cash, I'm not a Bay employee.

12 1218. Q. You're not allowed to cash people out,
13 whatever form that may take.

14 A. I can check the prices but I cannot use the
15 cash.

16 1219. Q. Okay, and you can't take debit, you can't
17 take credit, you can't--

18 A. I cannot use cash.

19 1220. Q. Do you have access to the Bay's system, the
20 cash system, the . . .can you look up. . .you said you
21 could look up product inventory?

22 A. I didn't say I, I said Bay employee.

23 1221. Q. Okay, so you have no access to the Bay
24 internal. . .whatever happens behind the sale you have no
25 access?

1 A. No, I don't. I'm a salesperson. I'm in the
2 front. I don't have access. If the Bay employee, they
3 have a gun, they come, they scan, okay, whatever you
4 have. I don't have the access for the computer or their
5 gun or whatever. I am there for sales.

6 1222. Q. Right, I understand. What I'm trying to get
7 at conclusively here is you do not have access to Bay
8 internal. . .you can't, for example, go up to a cashier
9 and process a transaction? You don't know your own Bay
10 password, you can't access?

11 A. No.

12 1223. Q. That's what I was trying to get. So no
13 access at all?

14 A. No.

15 1224. Q. Let me know if we're okay for continuing.

16 MS. VAN WEERT: Well it's up to you. It's been
17 an hour and a half.

18 1225. MR. BURY: Let's take a break and then decide
19 next.

20 **(SHORT RECESS)**

21 **... upon resuming**

22 MS. VAN WEERT: So we continue on Friday? Is
23 everybody okay with that?

24 **(DISCUSSION OFF THE RECORD)**

25 **... upon resuming**

1

ADJOURNED until Friday, November 9, 2018

2