

ONTARIO

Court File No. FC-16-056454-00

Superior Court of Justice Family Court Branch
at 50 Eagle Street, Newmarket, Ontario L3Y 6B1

B E T W E E N:

SHEIDA ALETRATIKHOSROSHAHI

Applicant

- and -

MAHYAR RADMEHR

Respondent

This is the Continuation of the Questioning of
SHEIDA ALETRATIKHOSROSHAHI, Applicant herein, taken
before Carrie-Ann Gallinger, Verbatim Reporter, at
the offices of Exact Transcription, 17665 Leslie
Street, Unit 31, Newmarket, Ontario, on the 23rd
day of May 2019, commencing at 9:12 a.m.

A P P E A R A N C E S:

MS. I. VAN WEERT -- For the Applicant

MR. M. BURY -- For the Respondent

Also Present: Vanessa Apostoli

Mahyar Radmehr

EXACT TRANSCRIPTION
VERBATIM REPORTING
Newmarket, Ontario

905-853-0062

877-818-7779

1 SHEIDA ALETRATIKHOSROSHAHI, PREVIOUSLY SWORN

2 CONTINUED EXAMINATION BY MR. BURY:

3 1451. Q. So good morning.

4 A. Good morning.

5 1452. Q. So we're continuing the examination
6 which we began way back in November. I may be
7 jumping around because I'll be continuing where --
8 kind of where we left off, and then there's other
9 areas that I would like to examine you on. Let's
10 start then with your financial statement dated
11 January 21st, 2019. That's in front of you?

12 A. Uh-huh.

13 1453. Q. I just have a few questions on that
14 starting on page 3 of that statement.

15 A. Okay.

16 1454. Q. So we see under Part 2 expenses,
17 you've indicated income taxes to be determined.
18 And I know your counsel also on May 6th advised me
19 that your returns will be provided shortly. What
20 is the actual status of those returns?

21 MS. APOSTOLI: We have the last three
22 notice of assessments here.

23 MS. VAN WEERT: These are copies for
24 him?

25 MS. APOSTOLI: Yes, they were just

1 received.

2 MR. BURY: So we've gotten this. So
3 we'll need a chance to review them.
4 Mr. Radmehr, I'll pass those to you to
5 have a look at.

6 MS. VAN WEERT: Actually can we
7 identify them for the record?

8 MR. BURY: Sure.

9 MS. VAN WEERT: So we've just handed
10 Mr. Bury a 2015 Notice of Reassessment,
11 2016 Notice of Reassessment and a 2017
12 Notice of Reassessment, all of which
13 were -- have been issued by Revenue
14 Canada because you refiled your tax
15 returns for those years, correct?

16 THE DEPONENT: Exactly.

17 MS. VAN WEERT: So should I mark them?

18 MR. BURY: Sure.

19 MS. VAN WEERT: Okay, Exhibit O.

20 MS. APOSTOLI: F.

21 MS. VAN WEERT: F. All three of them
22 will be Exhibit F collectively.

23

24 --- EXHIBIT F: 2015, 2016 and 2017
25 Notices of Assessment.

1 MR. BURY: So thank you for those. And
2 what is the status of the prior years
3 as of today's date? Remember, there
4 was some --

5 MS. VAN WEERT: Years prior to that?

6 MR. BURY: Right.

7 MS. VAN WEERT: Are you refiling for --
8 she wasn't working all that much years
9 prior to that. Are you refiling for
10 '12, '13, '14, any of those years?

11 THE DEPONENT: When I didn't working,
12 like why I have to refile?

13 MS. VAN WEERT: So answer him, are you
14 refiling?

15 THE DEPONENT: No.

16 MS. APOSTOLI: The undertaking was
17 only, I think, for the three years.

18 THE DEPONENT: Exactly.

19 MR. BURY: Right. But when we had the
20 prior examination, I think we went back
21 in time with respect to prior returns
22 and the expectation that she would be
23 addressing them with her accountant. I
24 may be wrong.

25 THE DEPONENT: I just did -- no, I just

1 give the old reassessment in my
2 undertaking since 2000, I'm not
3 remembering.

4 BY MR. BURY:

5 1455. Q. Sorry, sorry, I didn't understand
6 your answer there.

7 A. In my undertaking, I believe I gave
8 you since I came to Canada all my tax assessment.

9 MS. VAN WEERT: Yeah. But that's not
10 his question. The question is given
11 that, regardless why, but given that
12 many of your income tax returns were
13 filed showing zero income, are you
14 planning to refile any others except
15 for these three? I think that's what
16 you're getting at?

17 MR. BURY: Yes, thank you.

18 THE DEPONENT: When I didn't work, I
19 didn't work.

20 MS. VAN WEERT: So there's no point
21 refileing the earlier ones.

22 THE DEPONENT: Exactly.

23 MS. VAN WEERT: She's not planning to
24 refile prior to 2015.

25

1 BY MR. BURY:

2 1456. Q. Okay. So is your evidence that
3 prior to 2015, you had no employment?

4 A. No.

5 MS. VAN WEERT: None at all?

6 THE DEPONENT: No. I had my kids and I
7 was home and I raising my kids.

8 BY MR. BURY:

9 1457. Q. Okay. Moving on then in the
10 statement -- I'm sorry, financial statement. I'm
11 now on Part 3. Let me know when you get there.

12 A. Page 3?

13 1458. Q. Part 3.

14 MS. VAN WEERT: Part 3.

15 MR. BURY: It's actually page 5 I
16 think. It's just mine's not numbered
17 at the top of the page.

18 MS. VAN WEERT: Keep going. Part 3.

19 THE DEPONENT: Okay.

20 BY MR. BURY:

21 1459. Q. So you've indicated with respect to
22 other income earners in the home that there's
23 essentially no one, correct, other than yourself?

24 A. Yes, exactly.

25 1460. Q. Okay. But your parents are still

1 living with you, correct?

2 A. Yes.

3 1461. Q. And are they earning an income at
4 this time?

5 A. No. They are not working in
6 Canada.

7 1462. Q. Okay. Are they earning an income
8 from any rental properties from back home?

9 A. They earning -- if they earning,
10 they are not bringing to Canada.

11 1463. Q. Okay. So your evidence is that
12 here they do not have an income?

13 A. No.

14 1464. Q. And they are not contributing in
15 any way to the household expenses?

16 A. Whatever they had it, like they
17 brought, which I showed like, yes, they
18 contributed.

19 1465. Q. Okay. So until when did they
20 contribute to the household expenses?

21 A. Until when?

22 1466. Q. Yes.

23 A. Until if I need them, I'm going to
24 borrow the money from them.

25 1467. Q. Okay. I understand that concept.

1 But the question is until when could --

2 A. I have no idea.

3 1468. Q. -- they contribute?

4 A. I cannot -- like I don't -- like we
5 never know like what's going to happen tomorrow.

6 MS. VAN WEERT: But they continue to
7 contribute to the present day, do they
8 not?

9 THE DEPONENT: Yeah.

10 MS. VAN WEERT: They continue to
11 contribute. That's different than
12 being an income earner.

13 MR. BURY: Right. And that was my next
14 move question.

15 MS. VAN WEERT: Uh-huh.

16 THE DEPONENT: Yeah.

17 BY MR. BURY:

18 1469. Q. So they reside in the house. So
19 what are they contributing towards the household
20 expenses, if anything? You have indicated nothing
21 in your financial statement. My question is what
22 are they contributing?

23 MS. VAN WEERT: That's not fair. She
24 has not indicated nothing. She's
25 indicated that there are no other

1 income earners in the house.

2 MR. BURY: Right.

3 MS. VAN WEERT: They're not income
4 earners.

5 MR. BURY: Well, I believe she said she
6 -- they were earning income from their
7 rental properties back home.

8 BY MR. BURY:

9 1470. Q. So what are they contributing --
10 when did they -- you said they've contributed to
11 the household expenses. When did that start? When
12 did it end, for example, if you need help?

13 A. Okay. Their help, like always like
14 they giving me money as a gift and I was just using
15 them and -- or they have their own expenses, they
16 spend their money so ...

17 1471. Q. That's fair enough. I'm talking
18 about -- this is a very specific statement in the
19 financial statement --

20 A. Exactly.

21 1472. Q. -- with respect to household
22 expenses. You've indicated, I believe, you've
23 already agreed they've contributed to household
24 expenses. So when did they start and when did they
25 finish? You said they've stopped I believe.

1 MS. VAN WEERT: No. I said they
2 continue to the present day --

3 MR. BURY: Okay.

4 MS. VAN WEERT: -- and she agreed with
5 me.

6 BY MR. BURY:

7 1473. Q. So what do they contribute to the
8 household expenses?

9 A. What -- what you wanted to know,
10 Mr. Bury?

11 MS. VAN WEERT: He's asked you what he
12 wants to know which is what do your
13 parents contribute? Correct me if I'm
14 wrong, but she's previously advised me
15 that throughout the marriage, because
16 she was put on a very strict budget by
17 your client, I believe \$900 a month or
18 something, she never had enough --

19 THE DEPONENT: For a few months when I
20 didn't work, yeah.

21 MS. VAN WEERT: She never had enough
22 money to meet the expenses of the
23 household. Her parents often gave her
24 money throughout the marriage, like
25 this has been a long-standing thing

1 because she was not provided with
2 enough. And that continues to the
3 present day I believe. But it's not a
4 set amount of money, it's as needed.

5 MR. BURY: Okay.

6 THE DEPONENT: Exactly.

7 MS. VAN WEERT: Is that correct?

8 THE DEPONENT: As needed, yeah.

9 MS. VAN WEERT: That's what she told
10 me. I'm not making it up. I'm just
11 trying to expedite the answer here.

12 MR. BURY: Yes. So since --

13 MS. VAN WEERT: That's what you should
14 be telling him when he asks that
15 question.

16 MR. BURY: Yes. Because your lawyer is
17 doing all the answering for you.

18 MS. VAN WEERT: Yes. And I'm not
19 supposed to answer for you so don't --
20 like, you know, that's the kind of
21 thing you have to say.

22 BY MR. BURY:

23 1474. Q. So since separation, can you assist
24 us with about how much they've contributed to the
25 household expenses?

1 A. I have no idea. I don't know.

2 1475. Q. Five thousand?

3 A. I have no idea. I don't know.

4 1476. Q. You have no --

5 A. No, I have no idea.

6 1477. Q. No understanding? No idea?

7 A. No.

8 1478. Q. No estimate?

9 A. No.

10 1479. Q. Nothing?

11 A. No.

12 1480. Q. Could it be 10,000?

13 MS. VAN WEERT: She said she doesn't
14 know.

15 THE DEPONENT: I have no idea.

16 BY MR. BURY:

17 1481. Q. Okay. What type of expenses --
18 what type of household expenses have they
19 contributed to since separation, if it helps you
20 with the time frame?

21 A. If I need -- like I have lots of
22 expenses in the household, or the lawyer fee, this
23 and that. If I need money, I borrow it from them.
24 I'm working. So if it's not enough, I borrow from
25 them.

1 MS. VAN WEERT: Help me with how this
2 is relevant to any of the outstanding
3 issues?

4 MR. BURY: Well, it's with respect to
5 her income.

6 MS. VAN WEERT: Yeah, but why is her
7 income relevant? She's not seeking
8 spousal support.

9 MR. BURY: Uh-huh.

10 MS. VAN WEERT: Child support is based
11 on your client's income.

12 MR. BURY: Right.

13 MS. VAN WEERT: So how is this
14 relevant? Like what claim does this
15 speak to? I mean, I'm trying not to
16 interfere but at a certain point, like
17 what is this about?

18 MR. BURY: It's going to deal with
19 issues of credibility ultimately.

20 MS. VAN WEERT: What her client -- what
21 her parents contribute is an issue of
22 credibility?

23 MR. BURY: Yes, it will be.

24 BY MR. BURY:

25 1482. Q. Okay. So you don't have a specific

1 recollection of which ones. Let's turn to the
2 expenses page, back to page 3.

3 A. Sure.

4 1483. Q. You said you have a number of
5 expenses. Are you able to assist us which ones do
6 your parents help you with?

7 MS. VAN WEERT: Oh no, you're back
8 here.

9 MR. BURY: Back to page 3, backwards in
10 time.

11 MS. VAN WEERT: He's looking to your
12 budget now.

13 BY MR. BURY:

14 1484. Q. Right. Page 3 expenses. You've
15 said you have a number of household expenses.

16 A. Yes, exactly.

17 1485. Q. So which ones do your parents
18 contribute to?

19 A. It's not such a thing like my
20 parents contribute like, okay, this is the water
21 bill or whatever. But sometimes when we're going
22 for the grocery shopping, they pay for that.

23 1486. Q. Uh-huh.

24 A. For the kids' clothes, they help
25 me.

1 1487. Q. Okay.

2 A. Okay.

3 1488. Q. So, for example, when you're
4 referring to groceries, you've listed 900 a
5 month --

6 A. Sometimes, right.

7 1489. Q. -- as your groceries.

8 A. Not all the time.

9 1490. Q. Well, it's an average. So you're
10 saying they contribute to that expense?

11 A. Sometimes.

12 1491. Q. Sometimes. What other expense do
13 they sometimes contribute to?

14 A. As I --

15 1492. Q. Of these expenses?

16 A. As I mentioned, whenever I don't
17 have enough and I need money, I -- like I borrow
18 the money from them.

19 1493. Q. So it's not a particular area.
20 It's just overall, when you're short, you ask them
21 for money?

22 A. Exactly.

23 1494. Q. They give you the money. And when
24 you say borrow, do you have any arrangement to
25 repay them?

1 A. Normally they supported me. So I
2 am -- like I feel I am old enough, they did a lot
3 to me, all these years. So hopefully, yeah, I have
4 to pay them back because I am ...

5 1495. Q. I understand that. But do you have
6 any formal agreement?

7 A. No, we don't have any formal
8 agreement.

9 MR. BURY: Just a brief indulgence.

10 BY MR. BURY:

11 1496. Q. Continuing in the financial
12 statement, we're now in Part 4B, with respect to
13 the Toyota Sienna.

14 A. Yes.

15 1497. Q. Can you give us some historical
16 information as to when that was purchased, who
17 purchased it, how it was purchased?

18 MS. VAN WEERT: When the warranty ran
19 out.

20 THE DEPONENT: Exactly.

21 MS. VAN WEERT: Which was after --
22 after alleged repair bills. Do you
23 know that that disappeared last -- when
24 they were in criminal court?

25 MR. BURY: Well, that was my next

1 question. We'll get to that.

2 MS. VAN WEERT: Yeah.

3 BY MR. BURY:

4 1498. Q. So what's the history of the Toyota
5 Sienna in terms of purchase; who bought it, when?

6 A. Toyota Sienna, I'm not making --
7 I'm not sure, but we bought it 2013 probably. I'm
8 -- like I'm not sure but around 2013.

9 1499. Q. Okay. When you say we, who
10 actually bought it?

11 A. Me and him, we went. He find the
12 car from Auto Trader. It was an Indian lady was
13 selling -- they were moving to the India so they
14 were selling the car. He sold my previous Toyota
15 Sienna and we purchased this one.

16 1500. Q. Okay. Did you contribute
17 financially to this purchase?

18 MS. VAN WEERT: Well, okay, let me --

19 MR. BURY: She's saying we.

20 MS. VAN WEERT: Well, okay. Are we
21 suggesting that as a married couple all
22 the money is his?

23 MR. BURY: No.

24 MS. VAN WEERT: When she's not working
25 and taking care of the kids?

1 MR. BURY: I'm not suggesting anything.

2 MS. VAN WEERT: So, yeah, she did

3 contribute financially, Mr. Bury.

4 BY MR. BURY:

5 1501. Q. So how much did you contribute
6 financially?

7 MS. VAN WEERT: The purchase price
8 because funds are joint in a marriage.

9 MR. BURY: No, I understand that. But
10 she also has separate accounts. She
11 also has separate sources of income
12 from her parents she's agreed to.

13 THE DEPONENT: That's not the income.

14 BY MR. LAWYER.

15 1502. Q. Money. However you want to --

16 A. If it's a gift, it's a gift.

17 MS. VAN WEERT: So whose account did
18 the money come from is the question?

19 BY MR. BURY:

20 1503. Q. Who paid for it?

21 A. Then it's a gift.

22 1504. Q. Who paid for it?

23 A. For what?

24 1505. Q. The car, the Sienna that we're
25 talking about.

1 A. I had the -- before that Sienna, I
2 had another Sienna, I sold that.

3 1506. Q. Okay. So you sold that.

4 A. Yes. Not I sold it, he sold it.

5 1507. Q. Okay.

6 A. As my husband.

7 1508. Q. I understand that.

8 A. Uh-huh.

9 1509. Q. I'm just trying to figure out what
10 -- who paid for the new Sienna, the 2013 Sienna?

11 A. My other -- like the van I sold
12 that car, the money came to this car.

13 1510. Q. Right.

14 A. And it was probably a couple
15 thousand dollar more. He paid it.

16 1511. Q. Okay. That's all.

17 A. Okay.

18 1512. Q. Now this car, as your lawyer has
19 just told us, has it recently disappeared?

20 A. What happened when we had like the
21 April 23rd --

22 1513. Q. We had our criminal case.

23 A. Exactly.

24 1514. Q. So what happened to the car?

25 A. I thought like somebody stole my

1 car but it was -- but it was towed by bailiff. So
2 because of the -- my transmission and engine, which
3 it was under warranty, the mechanic shop made a
4 receipt and they put a lien on the car. And they
5 towed the car but from the courthouse, not in front
6 of my house.

7 1515. Q. Okay. So help me understand that
8 because --

9 MS. VAN WEERT: I'll do it.

10 MR. BURY: -- I honestly know nothing
11 about this issue apart from a van
12 issue.

13 MS. VAN WEERT: Okay. So I'll do it.
14 A mechanic that your client used to
15 work with, Chesswood I believe is the
16 name, a long-standing relationship with
17 your client.

18 THE DEPONENT: Eighteen years.

19 MS. VAN WEERT: Put a lien on my
20 client's car for work allegedly done
21 just prior to separation on the
22 transmission and on the engine, work
23 totalling \$15,000 approximately. Each
24 invoice was in the range of seven to
25 eight thousand dollars. Claimed they

1 were unpaid, therefore put a lien on
2 the car, and the car was still under
3 warranty. So why the transmission and
4 the engine would've required them to
5 have this kind of outstanding invoice
6 is surprising. It's signed with the
7 same signature that we have identified
8 as having been done by your client in
9 previous examinations. It's not my
10 client's signature. It's not your
11 client's signature. It's a signature
12 he's put on other documents claiming
13 it's my client's signature. And then
14 this mechanic somehow knew the car
15 would be at the Newmarket Courthouse on
16 that day, which my client certainly
17 didn't tell them. And the car was
18 seized and my client has not had it
19 back to this day.

20 MR. BURY: Okay.

21 MS. VAN WEERT: So the car has been
22 essentially stolen from her.

23 BY MR. BURY:

24 1516. Q. Okay. And you reported that to the
25 police I assume?

1 A. Exactly. The police first for two
2 days they thought it's stolen. Because when they
3 tow the car, even bailiff right away they say to
4 the police and then they tow the car.

5 1517. Q. Right.

6 A. The police didn't know for two days
7 the car's not stolen. After two days they find
8 out.

9 1518. Q. And what's the status of the car
10 now?

11 MS. VAN WEERT: The bailiff still has
12 it.

13 THE DEPONENT: No, not the bailiff.
14 Mechanic shop has it.

15 MS. VAN WEERT: Oh, the mechanic shop.

16 THE DEPONENT: Yeah.

17 MS. VAN WEERT: Your client's friends
18 have it.

19 THE DEPONENT: Yeah. Exactly. Best
20 friend has it.

21 BY MR. BURY:

22 1519. Q. We don't know who his friends are
23 or aren't. But in terms of the work done -- you're
24 smiling a lot. I think it's a serious matter
25 having your car --

1 MS. VAN WEERT: It certainly is.

2 MR. BURY: Exactly.

3 MS. VAN WEERT: It should have probably
4 been handled with a lot more foresight.

5 BY MR. BURY:

6 1520. Q. Yes. So in terms of the work done
7 on the car, when was the work done that your --

8 MS. VAN WEERT: It wasn't done is the
9 point.

10 THE DEPONENT: My car never was broken.

11 MS. VAN WEERT: They're false receipts.

12 BY MR. BURY:

13 1521. Q. Okay. So where are these receipts?
14 Do you have these receipts?

15 MS. VAN WEERT: We have copies of them.

16 THE DEPONENT: Yeah.

17 MR. BURY: Can we get an undertaking --

18 MS. VAN WEERT: We don't have the
19 originals. Your client may have the
20 originals for all we know, like they
21 bear his writing.

22 MR. BURY: Can we get an undertaking to
23 get copies of those receipts?

24 MS. VAN WEERT: Yes.

25 MR. BURY: Thank you. Undertaking one.

1 BY MR. BURY:

2 1522. Q. And do you have any recollection as
3 to the dates of those receipts or have you studied
4 the receipts?

5 MS. VAN WEERT: I believe they're May,
6 late May.

7 THE DEPONENT: May 15 and May 29th, two
8 weeks apart.

9 BY MR. BURY:

10 1523. Q. Of 2018?

11 A. '18. And I have the warranty till
12 end of June.

13 MS. VAN WEERT: On that car.

14 THE DEPONENT: On that car.

15 MS. VAN WEERT: Furthermore, the car
16 had less than 50,000 kilometres on it I
17 believe, so the fact that both the
18 transmission and the engine would go
19 when it's not even five years old and
20 it has very low mileage is really
21 rather startling and it was under
22 warranty. And your client is
23 well-versed with warranty matters.

24 It's surprising that he would have --

25 THE DEPONENT: And also with the

1 mechanic. He's a mechanic.

2 MR. BURY: I appreciate your expertise.

3 MS. VAN WEERT: Well, he ran two
4 warranty companies so it's surprising
5 that he may have forgotten.

6 BY MR. BURY:

7 1524. Q. Do you have a copy of the warranty?

8 A. I don't have it here.

9 1525. Q. No. But do you have a copy of the
10 warranty?

11 A. Exactly.

12 MS. VAN WEERT: Here are the receipts.
13 We'll mark them as Exhibit G.

14
15 --- EXHIBIT G: Two Chesswood invoices.

16
17 MR. BURY: And can we get a copy with
18 respect to the warranty, please?

19 THE DEPONENT: Vanessa, do you have a
20 copy of the warranty?

21 MS. APOSTOLI: I don't have a copy of
22 the warranty here.

23 MS. VAN WEERT: So undertaking one has
24 been fulfilled.

25 MR. BURY: Thank you. So undertaking

1 will be the warranty, correct?

2 MS. VAN WEERT: Yes.

3 MR. BURY: A copy of the warranty.

4 MS. VAN WEERT: I'll mark that as
5 Exhibit G, both of them as Exhibit G,
6 the two receipts.

7 MR. BURY: Are you ready to go ahead?

8 MS. VAN WEERT: Go ahead.

9 BY MR. BURY:

10 1526. Q. So back to the financial statement
11 Part 4B, Persian rug again, I believe we touched
12 upon this briefly. These two Persian rugs, are
13 these the only two Persian rugs that you were
14 indicating belong to you?

15 A. I believe we talked about it the
16 last time.

17 1527. Q. Briefly, yes.

18 A. And there was like the five of
19 them. And if you want, you can go back there and
20 we can read it over.

21 1528. Q. I don't need to go anywhere. I'm
22 just saying these two rugs, are these the two rugs
23 you claim belong to you?

24 A. Yes.

25 1529. Q. Okay. Do you have photographs of

1 these rugs?

2 A. I'm not sure. I can look. I'm not
3 sure.

4 MR. BURY: Okay. Can we get an
5 undertaking to locate any photographs
6 that may exist with respect to these
7 rugs indicated in the financial
8 statement?

9 MS. VAN WEERT: Yup.

10 BY MR. BURY:

11 1530. Q. Do you have any documentation with
12 respect to these rugs such as purchases -- purchase
13 receipts or estimates for the rugs?

14 A. I didn't do any estimate, but
15 whatever rugs was in that house my parents bought
16 as a gift before marriage or after marriage. And
17 the receipts is going to be under their name if
18 there is any.

19 1531. Q. Are you aware of any receipts
20 existing?

21 A. I'm not sure. It's so many years,
22 I don't know.

23 MR. BURY: Can we get an undertaking to
24 ask that question of her parents and
25 whether they are producible?

1 MS. VAN WEERT: Sure.

2 MR. BURY: The receipts, okay. Done
3 with the financial statement.

4 BY MR. BURY:

5 1532. Q. The next area is the RBC documents
6 that we have disclosed to you. Your counsel asked
7 us to provide date of marriage proof with respect
8 to the investment account. We provided that
9 information to your counsel. I understand now that
10 your lawyer has written to the RBC asking for some
11 sort of verification or authentication of these
12 documents. And specifically you have apparently a
13 concern about these documents. I have printed them
14 out. Are you able to -- I'll hand over a copy to
15 you. Are you able to assist us in what way you
16 feel these documents are not authentic as you've
17 requested a meeting with the RBC?

18 A. I'm not comfortable to tell you.
19 Whenever it's the time, I'm going to talk to the
20 RBC and I'm going to tell them.

21 MS. VAN WEERT: No, he's entitled to
22 know.

23 MR. BURY: It's not about comfort.

24 THE DEPONENT: Sorry.

25 MS. VAN WEERT: He's entitled to know.

1 MR. BURY: You've made an allegation.

2 MS. VAN WEERT: He's entitled to know
3 why you don't think this is --

4 MR. BURY: If you want to circle, for
5 example, or highlight.

6 THE DEPONENT: Do we have a copy -- can
7 we --

8 MR. BURY: You can use this copy if you
9 like.

10 MS. VAN WEERT: There you go.

11 THE DEPONENT: Can I just pass like
12 this or do I have to explain?

13 MS. VAN WEERT: Let me take a look.
14 He'll probably ask you to explain but
15 -- I think it's fine. You can pass
16 like this. So what I'm passing to you,
17 and we'll mark as Exhibit H, is some of
18 the RBC documents you forwarded to us
19 reproduced with my client's handwriting
20 and various circles and question marks
21 indicating where she believes they do
22 not look like -- these are ones you
23 printed off the internet, right?

24 THE DEPONENT: Uh-huh.

25 MS. VAN WEERT: Next to them are

1 templates from the internet that show
2 what an RBC document --

3 THE DEPONENT: And that's why I
4 asked --

5 MS. VAN WEERT: -- looks like now. Now
6 they may have looked different back
7 then.

8 MR. BURY: Sure.

9 MS. VAN WEERT: But the fonts
10 presumably would have lined up, things
11 like that. So there you go. That's
12 what it is. Let me mark it.

13 MR. BURY: Yes, sure.

14
15 --- EXHIBIT H: RBC documents with
16 Sheida Aletratikhosroshahi's
17 annotations.

18
19 THE DEPONENT: I actually find some of
20 them from the 2006 and '7 but --

21 MS. VAN WEERT: You can explain that.

22 MR. BURY: So if I can have a brief
23 moment to look at it.

24 MS. VAN WEERT: For sure. Of course.

25 THE DEPONENT: Where's the RBC logos?

1 MS. VAN WEERT: We're off the record.

2

3 --- SHORT RECESS

4

5 BY MR. BURY:

6 1533. Q. So I take it your lawyer has given
7 you everything we sent with respect --

8 A. Yes.

9 1534. Q. -- to those statements. Can you
10 then explain to us your annotations? I don't need
11 you to go over each page if they're the same
12 annotation but if you could just explain --

13 MS. VAN WEERT: Give some examples.

14 BY MR. BURY:

15 1535. Q. -- samples of your concerns.

16 A. First of all, the whole format is
17 wrong. One line is longer, one line is shorter.
18 Never. RBC, such a place like RBC doesn't give
19 such a statement. And then where's the RBC logo?
20 And there is I find what's supposed to be Dominion
21 Securities statements look like and they try to
22 look like but it's in the whole format it's space.
23 If you see here, this is space never supposed to be
24 happen. Look at here.

25 1536. Q. Just so -- sorry.

1 A. Sorry.

2 1537. Q. Just so we're clear, you are
3 comparing, for my benefit so I understand, a modern
4 day statement sample with --

5 A. No. I actually find it after but
6 Ingrid doesn't have it, the 2006 and '7 too.

7 MS. VAN WEERT: But right now, looking
8 at Exhibit H, we're looking at a 2016
9 statement versus --

10 THE DEPONENT: Exactly.

11 MS. VAN WEERT: Yes.

12 THE DEPONENT: So this is -- there is
13 no RBC sign and the whole format is
14 wrong, like the typing, the bold, the
15 front, the space. Everything is wrong.

16 BY MR. BURY:

17 1538. Q. Well, that's your opinion.

18 A. That's my opinion.

19 1539. Q. Right?

20 A. And then that's why we ask the
21 Royal Bank to investigate about that and they can
22 prove it.

23 1540. Q. That's fine. You are not a former
24 employee of RBC I take it?

25 A. No, I'm not. But I went and

1 search. I talk in the different branches with
2 different managers.

3 1541. Q. Who did you speak with?

4 A. One of them is the same person
5 Ingrid put -- what's the name? Sonia?

6 MS. VAN WEERT: I don't know.

7 THE DEPONENT: Like you emailed.

8 MS. VAN WEERT: The same person on the
9 email that I sent?

10 THE DEPONENT: Sonia.

11 MS. VAN WEERT: That's right actually.
12 She spoke to this person and this
13 person said she could only -- I don't
14 remember her name but I copied you on
15 the email --

16 MR. BURY: Yes.

17 MS. VAN WEERT: -- requesting the
18 investigation.

19 MR. BURY: Right.

20 MS. VAN WEERT: That person said they
21 could only act if the request came from
22 me. So she spoke to that person.

23 BY MR. BURY:

24 1542. Q. Right. And what did that person
25 tell you?

1 A. She just looked. And when I
2 explain to her, she said, yeah, probably doesn't
3 look like as the original copies. But we cannot do
4 anything unless the investigation and the fraud
5 department of the Royal Bank, they're going to do
6 the investigation.

7 1543. Q. What document -- I'm sorry, did you
8 speak to her over the phone or did you meet with
9 her?

10 A. No, I --

11 1544. Q. It's not clear to me.

12 A. -- just met in the exact same -- I
13 just went to same location it was indicating here,
14 1136 Centre Street.

15 1545. Q. And when --

16 A. And I took all --

17 1546. Q. Sorry, when did you go there?

18 A. Sorry?

19 1547. Q. When did you go there?

20 A. Before you sent the email.

21 MS. VAN WEERT: Just a few days before
22 the email.

23 THE DEPONENT: Yeah.

24 BY MR. BURY:

25 1548. Q. I'm sorry, the person you met with?

1 Can you repeat their name? I don't think I caught
2 it.

3 MS. VAN WEERT: It's the person --

4 MR. BURY: Is it the Sonia person?

5 MS. VAN WEERT: -- on the email, yeah.

6 MR. BURY: So Sonia Veri, V-e-r-i?

7 MS. VAN WEERT: Well, don't look at me.

8 I mean that's -- that's the name -- she

9 gave me the business card and that's --

10 THE DEPONENT: And I just showed, yeah,

11 whatever document is there.

12 BY MR. BURY:

13 1549. Q. Right. So you showed her our email
14 attachment?

15 A. Exactly.

16 1550. Q. Okay?

17 A. And what I find in the internet as
18 an example.

19 1551. Q. What do you mean on the internet?

20 What did you find on the internet?

21 A. Like these ones. These copies I
22 find on the internet.

23 1552. Q. Right. The sample.

24 MS. VAN WEERT: Sheida is pointing to

25 the --

1 THE DEPONENT: Samples.

2 MS. VAN WEERT: -- left-hand side of --

3 MR. BURY: Right.

4 MS. VAN WEERT: -- page 1 of Exhibit H.

5 BY MR. BURY:

6 1553. Q. Right. And that's a sample
7 statement?

8 A. Exactly.

9 1554. Q. From when, do you know?

10 A. This one here is saying but also I
11 find --

12 MS. VAN WEERT: No. It says 2016.

13 THE DEPONENT: Sorry, 2016. And also I
14 find like from some 2006 and '7.

15 BY MR. BURY:

16 1555. Q. And where did you find those?

17 A. Internet.

18 1556. Q. So, what, you just Googled RBC bank
19 statements --

20 A. Exactly. RBC Dominion Security
21 bank statements, like how it looks like, and I just
22 compared.

23 1557. Q. And did you save those web
24 searches, those results?

25 A. Yes.

1 1558. Q. Did you print them out?

2 A. I didn't -- I didn't save it. I
3 just searched it.

4 1559. Q. Okay. Did you print them out?

5 A. For sure I print them out.

6 MS. VAN WEERT: No, no, no. The
7 earlier ones.

8 MR. BURY: The earlier ones.

9 MS. VAN WEERT: You're pointing at a
10 2016. He's asking about --

11 MR. BURY: You're pointing at 2016.

12 MS. VAN WEERT: -- the 2006 and 2007.

13 THE DEPONENT: No, no, no. I didn't
14 print it out. I didn't even -- I
15 forgot to email it to you.

16 BY MR. BURY:

17 1560. Q. So do you have them, these so
18 called samples, from 2006?

19 MS. VAN WEERT: No. She didn't print
20 them.

21 MR. BURY: No, but --

22 THE DEPONENT: I didn't print them.

23 BY MR. BURY:

24 1561. Q. Didn't print, didn't save. Do you
25 know what website --

1 A. Oh, I have it at home.

2 1562. Q. You have it at home?

3 A. Like I just saved it like in my
4 other phone.

5 1563. Q. Sorry, in your other?

6 A. I had -- I had in my old phone, I
7 took a picture from the site. From my phone I took
8 a picture.

9 1564. Q. Of the screen?

10 A. Exactly.

11 MR. BURY: Okay. Can we get an
12 undertaking to get those screenshots?

13 MS. VAN WEERT: Yes.

14 BY MR. BURY:

15 1565. Q. I take it you have no experience as
16 a forensic examiner. So you're just speculating as
17 to authenticity.

18 MS. VAN WEERT: Right. And RBC will
19 say yes or no.

20 MR. BURY: Of course, right.

21 BY MR. BURY:

22 1566. Q. But you have no personal background
23 as a forensic examiner or any expertise, correct?

24 A. No.

25 MR. BURY: So why don't I get -- I

1 think we're done with these.

2 MS. VAN WEERT: Are those ours or
3 yours?

4 MR. BURY: No, these are mine. I just
5 handed them over.

6 MS. VAN WEERT: This is yours.

7 MR. BURY: And we'll keep that exhibit
8 in the middle I guess. Actually could
9 I just see it, if there's any other
10 questions I have on it.

11 BY MR. BURY:

12 1567. Q. And these assorted annotations that
13 you've made, were these provided to the RBC person
14 Sonia Veri?

15 MS. VAN WEERT: I don't remember what I
16 attached to the email.

17 THE DEPONENT: No. No, you didn't
18 attach these ones.

19 MS. VAN WEERT: Yeah, I didn't think I
20 did. I think I just -- I don't even
21 know if I attached all the other ones.
22 I guess I did.

23 THE DEPONENT: No, you didn't attach
24 what they were. I just --

25 MS. VAN WEERT: Right. But did I

1 attach what they sent us? I think I
2 must have.

3 MR. BURY: You must have.

4 THE DEPONENT: Oh yeah, yeah. You
5 attached those ones.

6 MS. VAN WEERT: Yeah. And then just
7 asked if they were true. Yeah.

8 MR. BURY: So you didn't attach the --

9 MS. VAN WEERT: I didn't.

10 BY MR. BURY:

11 1568. Q. Right. Did you provide these
12 annotations separately to anyone at the RBC for
13 review?

14 A. I sent it to Ingrid.

15 MS. VAN WEERT: No, no, no.

16 MR. BURY: That's not the question.

17 MS. VAN WEERT: But did you leave them
18 with Sonia when you met with her? Did
19 you even have them with you when you
20 met with her?

21 THE DEPONENT: I believe she made a
22 copy. I don't remember. But the first
23 time I went there, I believe she made a
24 copy of whatever I was explaining, yes.

25 MS. VAN WEERT: And that was Exhibit

1 H --

2 THE DEPONENT: Yeah, yeah.

3 MS. VAN WEERT: -- that you had.

4 THE DEPONENT: Yeah.

5 MS. VAN WEERT: So it seems like Sonia
6 likely has a copy.

7 BY MR. BURY:

8 1569. Q. Okay. Did you provide Sonia with
9 any other documents yourself?

10 A. No. That's it.

11 1570. Q. Okay. Thank you for that. And
12 this is the part where we'll continue where we left
13 off in November. And I'm sure Ingrid will correct
14 me if we've already dealt with the question.

15 MS. VAN WEERT: That assumes that we've
16 read it.

17 MR. BURY: Right.

18 MS. VAN WEERT: My client might correct
19 you.

20 MR. BURY: Right. Okay. I'm just
21 going to continue where we left off.

22 MS. VAN WEERT: Okay.

23 MR. BURY: Literally where we left off,
24 so if it seems a bit disjointed, it's
25 because that's where we left off.

1 BY MR. BURY:

2 1571. Q. When we stopped back in November we
3 were, as far as I recall, still on the topic of
4 Michel Germain or had almost finished that
5 discussion. So I'll just continue with my
6 questions. With respect to the timesheets, have
7 you ever falsely increased your hours after the
8 timesheet was signed by The Bay staff but before
9 being submitted to Michel Germain?

10 A. No.

11 1572. Q. Did you ever make any changes to
12 timesheets after they were signed by The Bay
13 supervisor and prior to being submitted to Michel
14 Germain?

15 A. As I explained last time, sometimes
16 it happens, I sign out, I get the customer, I stay
17 half an hour, one hour more, I have two more sales
18 or so. So in front of them, I change my sales, I
19 change my time. And the same person who signed it,
20 they just initial though they see it. And that's
21 the only case.

22 1573. Q. Okay. So have there ever been
23 cases where that has happened and someone has not
24 signed it, the person who's supposed to at The Bay?

25 A. I didn't get your question.

1 MS. VAN WEERT: Well, you said that --
2 you just said -- and I think you're
3 misrepresenting her evidence, Mr. Bury,
4 but she said it pretty unclearly. You
5 said they initial or whatever -- like
6 when you change it in front of
7 somebody, you said they initial.

8 THE DEPONENT: Yeah.

9 MR. BURY: Right.

10 MS. VAN WEERT: Do they always initial
11 is what Mr. Bury --

12 THE DEPONENT: That doesn't happen
13 always. Just once a blue moon, twice.

14 MS. VAN WEERT: And we can have that
15 read back because I don't think that
16 she said it always happens the first
17 time.

18 THE DEPONENT: Yeah.

19 BY MR. BURY:

20 1574. Q. Okay. So you're saying some -- and
21 we can clarify that, thanks. So sometimes you make
22 changes, late customer --

23 A. I didn't say sometimes I make
24 changes. I'm just clearing again. And if you
25 don't mind, just take out like the last time and

1 you can read it exactly, or you can pass it to me
2 and I told you.

3 1575. Q. No, the question --

4 MS. VAN WEERT: You think you've
5 already asked and answered this --

6 THE DEPONENT: Yes, I did answer.

7 MS. VAN WEERT: -- about making the
8 changes?

9 THE DEPONENT: Yeah, yeah.

10 MS. VAN WEERT: Okay. Asked and
11 answered, Mr. Bury.

12 BY MR. BURY:

13 1576. Q. But I don't think on this new point
14 which is --

15 MS. VAN WEERT: Which is?

16 THE DEPONENT: There's in there.

17 BY MR. BURY:

18 1577. Q. When you made changes because of a
19 last minute customer, for example --

20 A. Yes, it's right there.

21 MS. VAN WEERT: Let him finish his
22 question.

23 BY MR. BURY:

24 1578. Q. Let me finish my question. Have
25 there been occasions when you have not been able to

1 have it initialled because the supervisor's gone --

2 A. No, but --

3 1579. Q. -- it's the end of the day?

4 A. I don't remember that, no.

5 1580. Q. Okay. Is it possible that happened
6 a few times?

7 A. No.

8 1581. Q. Okay. And all of these timesheets
9 you submitted to Michel Germain you've already
10 indicated previously, correct?

11 A. Uh-huh.

12 1582. Q. Do you have any understanding of
13 Michel Germain keeping the timesheets in your, for
14 example, file at their office? Do you know what
15 happened to these timesheets after they were
16 received by Michel Germain?

17 A. They have just probably for like a
18 few years or -- I don't know. I don't know their
19 rules.

20 1583. Q. No, I don't want you to guess.

21 A. I don't know their rules. They
22 have it in their system probably, but not totally,
23 the system is changed. We don't have any more
24 timesheets. There is no paper.

25 1584. Q. Okay.

1 A. Since after our last questioning.
2 It's everything with the computer, like the online.

3 1585. Q. So prior to the last questioning,
4 everything still remained the paper-based format,
5 the timesheets?

6 A. Not the paper-based. They have in
7 their system as -- for the bank reason. When I ask
8 them, and it wasn't very easy because they have to
9 go search, like look if they have it, they don't
10 have it and they email it to me.

11 1586. Q. Okay. So, sorry, I'm just a bit
12 confused about the process now. I thought you
13 indicated that it changed after the last
14 questioning. But prior to the last questioning,
15 was not the process the paper-based timesheet that
16 you fill out?

17 A. The paper-based timesheet, I used
18 to fax it or --

19 1587. Q. Right. Take a picture I believe?

20 A. -- scan -- yeah, scan picture and
21 email it to them.

22 1588. Q. Right.

23 A. Right.

24 1589. Q. So that system was in place up
25 until November of this past year?

1 A. Exactly.

2 1590. Q. Okay. So since then, what -- how
3 has the system changed?

4 A. It's there's no paperwork anymore.
5 It's online. We do everything online.

6 1591. Q. So you enter your data online now?

7 A. Exactly.

8 1592. Q. Okay. And does someone have to
9 authorize that submission online?

10 A. Exactly. They sign it online.

11 1593. Q. With respect to the prior
12 timesheets, do we have your consent to obtain prior
13 copies from Michel Germain if they still exist?

14 A. I have no problem to give you a
15 consent for that.

16 1594. Q. Okay.

17 A. But I have in the past year, I have
18 like enough problems like to asking them this and
19 that and this. You know, I'm not the only their
20 employee and I don't want any more headache.

21 1595. Q. Okay. Well, we'll try to avoid as
22 much headache as possible, but you're in agreement
23 that we can attempt to obtain these documents from
24 them if they exist?

25 A. If they exist, I have no problem.

1 But I don't want to like any pressure on Michel
2 Germain because it's not easy for them, like
3 it's --

4 1596. Q. It's no pressure. It will be a
5 letter from us. It will be straightforward as long
6 as you're consenting to it. Now the original
7 timesheets that you used to fax --

8 MS. VAN WEERT: How far back are you
9 planning to go? And how -- like what
10 are you asking Michel Germain for?

11 MR. BURY: Any timesheets that remain
12 in their possession.

13 MS. VAN WEERT: She's worked for them
14 since 1998 or something --

15 MR. BURY: Right.

16 MS. VAN WEERT: -- intermittently.

17 THE DEPONENT: No, 2000.

18 MS. VAN WEERT: Since 2000.

19 MR. BURY: They probably won't have so
20 we'll see what's available, first of
21 all.

22 MS. VAN WEERT: No, I'm not consenting
23 to you going back --

24 THE DEPONENT: And then my boss has
25 changed --

1 MS. VAN WEERT: -- prior to marriage,
2 first of all.

3 MR. BURY: Okay.

4 MS. VAN WEERT: And, secondly, how is
5 this even relevant?

6 THE DEPONENT: And it's going to be a
7 headache for them.

8 MR. BURY: It's going to be relevant to
9 an issue at trial with respect to
10 credibility.

11 MS. VAN WEERT: I'm not consenting.
12 Unless you give me more evidence than
13 that, I'm not consenting because --

14 MR. BURY: Well, she's already
15 consented.

16 MS. VAN WEERT: Yeah, well, I'm not --

17 THE DEPONENT: I said I'm not like --
18 I'm not like -- I don't mind to
19 consent. Please, Mr. Bury, I said, I
20 don't mind to consent but I don't want
21 any more headache to Michel Germain.

22 MS. VAN WEERT: It's fine that it's not
23 a concern on your side because it's one
24 letter. On their side, any timesheets
25 that exist, they have to pull out their

1 records and then photocopy them all and
2 send them.

3 MR. BURY: Uh-huh.

4 MS. VAN WEERT: Obviously that is a bit
5 of a headache and --

6 MR. BURY: We can undertake to pay any
7 reasonable costs, photocopying costs.

8 THE DEPONENT: It's not about the
9 copying costs --

10 MS. VAN WEERT: It's the time --

11 THE DEPONENT: -- it's the time.

12 MS. VAN WEERT: -- and the effort at
13 their end.

14 MR. BURY: Well, we don't know what the
15 time and effort is at their end.

16 THE DEPONENT: Oh, no. I know that.

17 MR. BURY: Maybe this is all digitized
18 and scanned and it's one employee file.
19 We don't know.

20 THE DEPONENT: Yeah, because --

21 MS. VAN WEERT: We're not going on a
22 fishing expedition because you say
23 there's going to be an issue at trial.

24 If you're going to be more specific
25 than that, fine. If you're not going

1 to be, then you can bring a motion and
2 explain to a judge why it's relevant.

3 MR. BURY: There have been edited
4 dockets. We've seen those timesheets.
5 They've been changed. They've been
6 whited out.

7 THE DEPONENT: Do you have evidence?

8 MS. VAN WEERT: Yeah, show us the
9 timesheet you're talking about.

10 THE DEPONENT: Can I see?

11 MR. BURY: We examined it -- we
12 examined it at the last appearance --
13 at the last --

14 MS. VAN WEERT: Put it in front of us.
15 I don't even know what you're referring
16 to.

17 MR. BURY: There was a timesheet that
18 we examined her on that had changes on
19 it.

20 MS. VAN WEERT: Right. And she's
21 explained how that works. How does
22 that justify getting all of her
23 timesheets forever?

24 MR. BURY: Well, not forever. We can
25 limit it to marriage, commencement of

1 marriage.

2 MS. VAN WEERT: No. I'm not even
3 consenting to that. Just because she
4 once made -- like you have one
5 timesheet where it was changed and she
6 explains why that happens, you want to
7 see all timesheets. How is that --

8 THE DEPONENT: I don't even --

9 MR. BURY: To see --

10 MS. VAN WEERT: I still don't
11 understand the relevance.

12 MR. BURY: Well, our position will be
13 that timesheets have been changed over
14 the years --

15 MS. VAN WEERT: And what does that
16 prove that's relevant to this?

17 MR. BURY: -- without supervisor
18 approval.

19 MS. VAN WEERT: Okay. Well, then you
20 can call a supervisor at trial and make
21 the case that way.

22 MR. BURY: Well, we want to get
23 disclosure of the timesheets first.

24 MS. VAN WEERT: We're not -- that's a
25 fishing expedition as far as I'm

1 concerned. If you want evidence from a
2 third-party, you can bring a motion for
3 evidence from a third-party.

4 MR. BURY: Okay. So she's now refusing
5 to consent to that?

6 MS. VAN WEERT: Yes, that's correct.

7 BY MR. BURY:

8 1597. Q. Did you keep the original
9 timesheets during the course of your work with
10 Michel Germain?

11 MS. VAN WEERT: You already asked
12 that --

13 THE DEPONENT: As I --

14 MS. VAN WEERT: -- in the last
15 examination and she said, no, she
16 doesn't.

17 THE DEPONENT: No.

18 MS. VAN WEERT: And you said, why don't
19 you keep them because you're
20 self-employed. And she said --
21 shouldn't you keep them for the CRA.
22 And she said, no, she doesn't keep
23 them. Asked and answered.

24 BY MR. BURY:

25 1598. Q. Okay. So you have no more

1 timesheets left?

2 A. No.

3 1599. Q. And I think you may have -- you'll
4 correct me I'm sure, Ingrid. I believe you gave us
5 your consent to speak to The Bay and the people
6 responsible for signing the timesheets?

7 MS. VAN WEERT: If we did, we did. I
8 don't recall.

9 THE DEPONENT: That's the cosmetic
10 manager. She doesn't sign -- she --
11 like she sometimes sign. But she
12 doesn't sign. She knows the rules of
13 The Bay, the vendor, when they come,
14 when they go. She knows the rules.

15 BY MR. BURY:

16 1600. Q. And, sorry, what's her name again?

17 A. Ria.

18 1601. Q. Ria. What's her last name?

19 A. I don't remember.

20 1602. Q. So she sometimes signs. So if
21 she's not signing --

22 MS. VAN WEERT: No. She said she
23 doesn't sign. She understands the
24 rules. Isn't that what you said?

25 THE DEPONENT: She's the cosmetic

1 manager, right?

2 MS. VAN WEERT: Right. Does she sign
3 the timesheets or no?

4 THE DEPONENT: Not always.

5 MS. VAN WEERT: But sometimes?

6 THE DEPONENT: Sometimes. Not always.

7 MR. BURY: Well, that's what she said,
8 sometimes.

9 THE DEPONENT: Because it's The Bay --
10 like the beauty advisor or the
11 fragrances advisor, it's their job to
12 sign it because they are on the floor.
13 They see what time who came, what time
14 who left.

15 BY MR. BURY:

16 1603. Q. And I believe we covered that so
17 I'm not --

18 A. Exactly.

19 1604. Q. -- going there. So who else would
20 have signed these sheets? That's kind of -- I
21 don't think we covered that in detail. So apart
22 from this Ria person you've identified, who else?

23 A. Fragrances advisor, full timer or
24 part timer. And I explained last time. You can go
25 back and read it.

1 1605. Q. I'm sure I will. I'm just asking
2 for names. So who else apart from Ria would've
3 sign your timesheets?

4 A. Rita --

5 1606. Q. Rita. Who else?

6 A. -- Lucy, June, Gina.

7 1607. Q. Okay. And who are these people?

8 A. And if -- before Ria, there was
9 Diane manager, before Diane if there was another
10 manager.

11 1608. Q. Okay. So who are these people, the
12 names you've just outlined?

13 MS. VAN WEERT: Well, Rita and Diane
14 are the fragrance managers at The Bay.

15 THE DEPONENT: Diane is not.

16 MS. VAN WEERT: Well, she used to be.

17 THE DEPONENT: Used to be.

18 MS. VAN WEERT: Right.

19 THE DEPONENT: It's mostly it's the
20 fragrances advisors. It's Rita, it's
21 Gina, June and Lucy.

22 BY MR. BURY:

23 1609. Q. Okay. And what is -- the fragrance
24 advisor role, is that above you or equal to you? I
25 don't have an understanding. Are they management?

1 A. They are working for The Bay.

2 1610. Q. Okay. So they're not necessarily
3 managers. They're just other employees at the
4 cosmetics level?

5 A. As you have seen my invoice, it
6 says the beauty advisor or the manager. So they
7 are the fragrances and beauty advisor and it's
8 their job to sign in and sign out or they sign my
9 sheet.

10 1611. Q. Okay. So that was part of my
11 confusion. So it's not only the manager that would
12 sign you in or out --

13 A. Yes.

14 1612. Q. -- it was other staff.

15 MS. VAN WEERT: It's beauty advisors.

16 MR. BURY: Right.

17 MS. VAN WEERT: Beauty advisors --

18 THE DEPONENT: It's not -- oh my God.

19 MS. VAN WEERT: -- that work for The
20 Bay.

21 BY MR. BURY:

22 1613. Q. What are you oh my God-ing now?

23 MS. VAN WEERT: It's either a manager
24 or a beauty advisor that works for The
25 Bay.

1 MR. BURY: Right.

2 MS. VAN WEERT: And they're not above
3 her because she doesn't work for The
4 Bay.

5 MR. BURY: Right.

6 MS. VAN WEERT: She works for Michel
7 Germain.

8 BY MR. BURY:

9 1614. Q. So beauty advisor, is that part of
10 the management team or is it just counter level
11 advisors?

12 MS. VAN WEERT: Do you know how The Bay
13 considers their beauty advisors?

14 MR. BURY: Right.

15 THE DEPONENT: They have two full-timer
16 and two part-timer and they --

17 MS. VAN WEERT: She doesn't know what
18 the management structure at The Bay is.

19 MR. BURY: I don't know what she knows.
20 That's why I'm asking her.

21 MS. VAN WEERT: How is it relevant?
22 They're the beauty advisors. That's
23 their position. That's the name of
24 their position. Whether they're in
25 management or not, they have the

1 authority to sign her timesheets.

2 MR. BURY: Well, we don't know that.

3 MS. VAN WEERT: She says they sign her
4 timesheets.

5 MR. BURY: Well, they may have signed
6 them but we don't know they have
7 authority to sign them. That's a
8 separate issue.

9 THE DEPONENT: It's in the paper. It
10 says -- you read it last time, Mr.
11 Bury.

12 MR. BURY: Yes.

13 THE DEPONENT: It's the beauty advisor,
14 the signature of beauty advisor or
15 management.

16 MR. BURY: Right.

17 THE DEPONENT: Do you have it in front
18 of you? Can I see?

19 BY MR. BURY:

20 1615. Q. No, I don't. I don't have it in
21 front of me. Maybe your lawyer has it if you want
22 to point something out to me. Who is Ashley?

23 A. Ashley's the store manager.

24 1616. Q. Okay. And what -- is she currently
25 still working there?

1 A. Yes, she is.

2 1617. Q. And what is your relationship with
3 her like?

4 A. It's very good.

5 1618. Q. Have you ever accused her of being
6 incompetent or making false allegations against
7 you?

8 A. Excuse me? I didn't understand
9 your question.

10 1619. Q. Did you ever accuse her to
11 management of being incompetent --

12 A. Never.

13 1620. Q. Who's Arash Akram?

14 A. Who?

15 1621. Q. Arash Akram. I may have the name
16 wrong. I'm guessing at the name.

17 A. I know Arash. I don't know Akram.

18 1622. Q. Who is Arash then?

19 A. Arash used to work like as a
20 salesperson for Dior.

21 1623. Q. Okay. And what was his
22 relationship to you?

23 A. It's -- we are just all
24 salesperson. He's working for Dior and I was
25 working for Michel Germain. What kind of

1 relationship is it going to be?

2 1624. Q. And Akram, that name you don't
3 recognize?

4 A. Akram is the last name or it's the
5 first name? What is it?

6 1625. Q. I don't know. That's why I'm
7 asking the question.

8 MS. VAN WEERT: How is this relevant to
9 anything?

10 THE DEPONENT: I -- I am working for so
11 many people, I don't know. Arash
12 Akram, Arash is first name, Akram is
13 last name?

14 BY MR. BURY:

15 1626. Q. So the name Akram you're not
16 familiar with?

17 A. Akram, there was another
18 salesperson in The Bay. You mean Arash is one
19 person, Akram is one person or Arash Akram is --

20 1627. Q. I don't know. I'm trying to figure
21 it out from you.

22 A. If you don't know then --

23 MS. VAN WEERT: Well, if you don't
24 know --

25 THE DEPONENT: If you don't know --

1 MS. VAN WEERT: -- the question can't
2 be relevant and we're refusing it. If
3 you understand what the question is,
4 then -- and can explain the relevance,
5 then we'll consider it.

6 MR. BURY: Well, I'm trying to
7 determine whether it's one person or
8 two people.

9 MS. VAN WEERT: How is that relevant to
10 anything?

11 MR. BURY: Well, I'll get to it.

12 MS. VAN WEERT: Who she worked with at
13 The Bay, how is that relevant?

14 MR. BURY: I'll get to that once I
15 establish if she knows the person or
16 persons.

17 THE DEPONENT: Mr. Bury, you don't --
18 you're saying to me you don't know. If
19 you don't know, how do I know? Because
20 you don't know it's the person name,
21 it's the last name, who is it.

22 BY MR. BURY:

23 1628. Q. Because you work there.

24 A. I don't understand your --

25 1629. Q. Because you work there. I'm the

1 one asking the questions.

2 A. I worked --

3 1630. Q. I didn't work there.

4 A. There is the people coming and
5 going for two months, for one week, for two years,
6 for 20 years.

7 1631. Q. Right.

8 MS. VAN WEERT: Do you know anybody
9 named Akram?

10 THE DEPONENT: Akram, yes, I know that
11 name Akram. But I don't know the name
12 Arash Akram. Arash Akram is --

13 MS. VAN WEERT: Okay. So you know a
14 person named Arash --

15 THE DEPONENT: Arash and --

16 MS. VAN WEERT: -- and a person --

17 THE DEPONENT: -- a person named Akram.
18 Yes, I know.

19 BY MR. BURY:

20 1632. Q. Okay. Two separate people just so
21 it's clear on the names.

22 A. It is two separate people.

23 1633. Q. Okay. Did you ever ask your
24 husband to send someone into slip something into
25 Akram's bag to have her arrested and fired this

1 past Valentine's Day?

2 A. No.

3 MS. VAN WEERT: This past -- 2019?

4 MR. BURY: Sorry, 2018.

5 MS. VAN WEERT: I didn't know they were
6 still speaking.

7 MR. BURY: 2018. No, I don't think
8 they are.

9 MS. VAN WEERT: Uh-huh.

10 BY MR. BURY:

11 1634. Q. Who is Gina?

12 MS. VAN WEERT: Did he do that by the
13 way?

14 MR. BURY: I'm not -- you'll have to
15 ask him.

16 MS. VAN WEERT: Okay.

17 BY MR. BURY:

18 1635. Q. Who is Gina?

19 A. I believe I mentioned, Gina is one
20 of the fragrances employee.

21 1636. Q. Okay. And have you ever reported
22 Gina to management because she was promoting
23 someone else's product?

24 A. Reporting?

25 1637. Q. Yes, did you report her?

1 A. No, I never report her.

2 1638. Q. And who is Cherry?

3 A. It's not Cherry, it's Sherry.

4 1639. Q. Sherry, okay. Who is Sherry?

5 A. Sherry is my -- another like
6 coworker, salesperson. She's working for BPI.

7 1640. Q. And what's BPI?

8 A. BPI is the company. My company
9 name is Michel Germain. Her company name is BPI.

10 1641. Q. And did you ever ask your husband
11 to run over Sherry when you were upset at her?

12 A. No.

13 1642. Q. What about Wally at the Yorkdale
14 Mall Bay, are you familiar with him?

15 A. Yes, I am.

16 1643. Q. And what is your relationship with
17 him?

18 A. It's -- I know him for such a long
19 time and he is in Yorkdale. He used to work for
20 Michel Germain but he's not anymore. He's with
21 Givenchy.

22 1644. Q. Okay. And what was your
23 relationship like with him?

24 A. It was okay. He was a salesperson.

25 1645. Q. And if he were to testify that you

1 are a dangerous person responsible for many
2 dismissals at The Bay, would you agree or disagree
3 with him?

4 A. Disagree.

5 1646. Q. Okay. Did you ever ask your
6 husband to send in decoy customers to buy perfume
7 and then return them at a different store and file
8 customer dissatisfaction reports against Arash,
9 Akram, Gina and Sherry?

10 A. No.

11 1647. Q. Have you ever had any workplace
12 complaints made against you at The Bay?

13 A. No.

14 1648. Q. Now after you submitted your
15 timesheets to Michel Germain, you got paid by
16 cheque. Is that correct?

17 A. Yes.

18 1649. Q. Is there any reason you didn't move
19 to their direct deposit system?

20 A. They don't have that system for the
21 vendors.

22 1650. Q. So your evidence as of today, no
23 direct deposit possible with Michel Germain.

24 A. Oh, you mean instead of cheque,
25 they direct deposit it?

1 1651. Q. Right.

2 A. Oh, they do -- they do have it. I
3 believe, I don't know, for one or two years, but
4 because for years they were sending me cheque, they
5 never did direct deposit it. When they hire the
6 new demos, I believe they do direct deposit.

7 1652. Q. I'm assuming you're still working
8 for them. Are you still getting cheques or did you
9 switch to the system?

10 A. No, I'm getting cheque. No.

11 1653. Q. And why haven't you switched over
12 to the direct deposit system?

13 A. I didn't have time.

14 1654. Q. Now the cheques you receive are
15 they two-piece, three-piece cheques? What's the
16 format of the cheque? What does the cheque look
17 like for Michel Germain?

18 A. It's a cheque with the cheque slip.

19 1655. Q. So two piece?

20 A. Yeah.

21 1656. Q. Okay. And what bank did you
22 deposit these -- or continue to deposit these
23 cheques at?

24 A. RBC.

25 1657. Q. Okay. Is that the Oak Ridges one

1 we've heard about previously? Oak Ridges?

2 A. No, I don't go to Oak Ridges. I
3 just go -- it's southern than Oak Ridges. I
4 believe it's Yonge and something.

5 1658. Q. And is that where you deposit --
6 cash these cheques?

7 A. I don't cash. I deposit in my
8 account.

9 1659. Q. Okay. When did you start doing
10 that?

11 A. Doing what?

12 1660. Q. Depositing Michel Germain cheques
13 directly into your account?

14 A. After separation.

15 1661. Q. Okay. So prior to separation, you
16 just had these cheques cashed out?

17 A. Not cashed out, paying my credit
18 cards. Not cashed out.

19 1662. Q. So your evidence is you never had
20 these cheques cashed?

21 A. Never.

22 MS. VAN WEERT: Okay. Let's be more
23 clear about this. How did it -- let's
24 take it step by step. You got a
25 cheque, you went to the bank --

1 MR. BURY: Tell us what happened, yeah.

2 MS. VAN WEERT: Yeah. Because I think
3 there's a misunderstanding here. You
4 have told me that the cheques were
5 never deposited. Did you actually get
6 cash or did you just direct the cheque
7 to your --

8 THE DEPONENT: No. It's --

9 MS. VAN WEERT: -- credit card? How
10 does it work?

11 THE DEPONENT: I was giving teller like
12 cheque and they were paying my credit
13 cards.

14 MS. VAN WEERT: So they put it directly
15 against your -- like didn't you have to
16 sign it over to the bank? Or how does
17 that work?

18 THE DEPONENT: No. They didn't deposit
19 in my account. They just was paying
20 because it's always was my credit card
21 was more than --

22 MS. VAN WEERT: Right. But the cheque
23 is made out to you.

24 THE DEPONENT: Okay.

25 MS. VAN WEERT: So don't -- so they

1 just use it to pay it down -- I don't
2 know how this works.

3 MR. BURY: That's what I don't
4 understand.

5 THE DEPONENT: I don't know either. He
6 told me -- like I don't know either.

7 MS. VAN WEERT: Okay. So you go to the
8 teller. Do you have to sign the back
9 of the cheque to do this?

10 THE DEPONENT: Yes, yes.

11 MS. VAN WEERT: So they endorse it and
12 then use the money to pay down her
13 credit card.

14 MR. BURY: I don't know. That's what
15 I'm trying to figure out.

16 MS. VAN WEERT: Well, no, I mean we all
17 -- like she's told me repeatedly that
18 she didn't deposit the cheques, that
19 they were essentially cashed, like but
20 they -- but what she's saying is she
21 never got cash in her hand.

22 THE DEPONENT: No.

23 MS. VAN WEERT: It was used to pay her
24 credit card. So I don't know how that
25 works at the bank's side.

1 BY MR. BURY:

2 1663. Q. Sorry, just to be clear, so is it
3 your evidence of all these Michel Germain cheques
4 that you went to the bank to cash, you never
5 received any cash?

6 A. It's -- if sometimes I needed like
7 the \$20, \$50 for my wallet, I was asking for the
8 cash, but from my account, right? Because all
9 these, whatever I was making, it was my credit card
10 a month was more than my cheque so I was paying for
11 my credit cards.

12 1664. Q. And for how long -- so for how long
13 did you do this?

14 A. After maternity. Since after
15 maternity, I start working.

16 1665. Q. Okay. So since -- can you refresh
17 my memory with the year?

18 A. I believe I start working 2015.

19 MS. VAN WEERT: Well, she's only -- I
20 mean she's refiled for the years she
21 was working.

22 MR. BURY: No, no, I understand.

23 MS. VAN WEERT: Yeah.

24 MR. BURY: What I'm saying, so from --

25 MS. VAN WEERT: Do we have that list of

1 her income? We can check her income
2 from Michel Germain and that will say
3 when it restarted I guess.

4 MR. BURY: Yeah.

5 MS. VAN WEERT: She's looking. We can
6 keep going.

7 MR. BURY: I can keep going. Thanks.

8 BY MR. BURY:

9 1666. Q. So from approximately 2015, and
10 we'll get the year in a second.

11 A. Uh-huh.

12 1667. Q. So from 2015 till now, and correct
13 me if I'm wrong, so every time you get a Michel
14 Germain cheque --

15 A. Not till now.

16 1668. Q. Not till now, okay.

17 MS. VAN WEERT: Okay. So in 2014 she
18 indicated -- Michel Germain indicates
19 that -- this is Exhibit J of an
20 affidavit of July 30th, that is the
21 Michel Germain letter, income earned --

22 MR. BURY: Yes.

23 MS. VAN WEERT: -- from 2002 to 2017.

24 In 2014 it says she earned \$4,700 in
25 income, 4,755. So she started working

1 I'm assuming toward -- like maybe
2 that's Christmas, 4,755.

3 THE DEPONENT: Yeah.

4 MS. VAN WEERT: Like she probably
5 worked a Christmas season it sounds
6 like.

7 THE DEPONENT: Yeah, yeah.

8 MS. VAN WEERT: And she wouldn't have
9 refiled for 2014 because there wouldn't
10 be tax on it. Like that's below the
11 personal exemption.

12 MR. BURY: Oh, no, I understand.

13 MS. VAN WEERT: Yeah.

14 BY MR. BURY:

15 1669. Q. So for all those years until
16 recently I think and --

17 A. What all those years? Could you
18 please indicate what years?

19 1670. Q. Well, it starts at --

20 MS. VAN WEERT: From 2015 forward.

21 Well, 2014 until after separation, you
22 just cashed the cheques in the way --

23 THE DEPONENT: Not the cash. Like I
24 was just going and paying my credit
25 cards.

1 MS. VAN WEERT: Yeah.

2 BY MR. BURY:

3 1671. Q. Well, cash is -- cashing a cheque
4 is a term. It means you're presenting it to get
5 cash. I understand you're saying it was used to
6 pay things. But is it your evidence that from 2015
7 until -- you tell us when --

8 MS. VAN WEERT: She said until
9 separation.

10 THE DEPONENT: Exactly, yes.

11 BY MR. BURY:

12 1672. Q. From 2015 until separation, no
13 money went into a bank account, correct?

14 A. No.

15 MS. VAN WEERT: Well, obviously money
16 did but not from her cheques.

17 MR. BURY: I'm talking -- sorry, we're
18 talking in the context of the cheques.

19 MS. VAN WEERT: Yeah.

20 BY MR. BURY:

21 1673. Q. So the Michel Germain cheques --

22 A. Uh-huh.

23 1674. Q. -- no trace of them in the bank
24 accounts, correct, from 2015 until separation?

25 A. I don't understand your question.

1 MS. VAN WEERT: Was there any -- is
2 there any possibility that one of your
3 cheques actually went into your bank
4 account or three of your cheques over
5 that time period?

6 THE DEPONENT: I don't remember.
7 Probably. I don't remember. I don't
8 remember.

9 MS. VAN WEERT: The vast majority of
10 your cheques did not --

11 THE DEPONENT: No.

12 MS. VAN WEERT: -- end up in your bank
13 account, correct?

14 THE DEPONENT: No, I was just paying
15 like my credit cards.

16 MS. VAN WEERT: That's as good as
17 you're going to get.

18 THE DEPONENT: And then I have my
19 credit cards record, right?

20 MS. VAN WEERT: Right. Presumably that
21 could be cross-referenced.

22 MR. BURY: Presumably. I don't know
23 whether you've disclosed that to us for
24 that time period or not. I'll have
25 to --

1 MS. VAN WEERT: We have not.

2 MR. BURY: -- address that.

3 MS. VAN WEERT: Nor do we want to.

4 MR. BURY: That answers that question.

5 THE DEPONENT: (Inaudible)

6 MS. VAN WEERT: What?

7 THE DEPONENT: I did the 2017.

8 MS. VAN WEERT: We have 2017.

9 THE DEPONENT: Yeah.

10 MR. BURY: Yeah. I think you disclosed
11 that. That's what I'm just trying to
12 confirm.

13 MS. VAN WEERT: Yeah, but not from
14 2015.

15 MR. BURY: Right.

16 BY MR. BURY:

17 1675. Q. Prior to 2015, same situation,
18 Michel Germain cheque, went to the bank, cashed it
19 but --

20 A. I didn't work prior to 2015. I had
21 my kids. And before that, it was going to my bank
22 account.

23 1676. Q. So prior to 2015, you actually
24 deposited the cheque?

25 MS. VAN WEERT: She said it started

1 after her maternity leave.

2 BY MR. BURY:

3 1677. Q. Right. You've said recently you've
4 stopped doing that. Is that correct?

5 A. Yeah. I'm just --

6 1678. Q. So what are you doing with the
7 Michel Germain cheques now?

8 A. Depositing in my account and then
9 paying my bills.

10 1679. Q. So what has caused you to change?

11 A. Because he was the one asking me to
12 do that, teach me to do that. And he's not there
13 anymore, Mr. Radmehr, so I am doing the right way.

14 1680. Q. The right way. So your evidence is
15 that it's his fault that you were depositing these
16 -- not depositing them into your account?

17 A. He told me that.

18 1681. Q. What explanation did he provide you
19 with for doing that?

20 A. He was saying, don't deposit it in
21 your sole account, just go and pay your like bills
22 or like the credit cards. Because he is -- I don't
23 know what he was thinking but because he's -- he
24 was doing the tax -- the taxes, probably because of
25 that.

1 1682. Q. Well, this has nothing to do with
2 taxes. This is just you're banking procedures.

3 MS. VAN WEERT: No, it actually does
4 have to do with taxes.

5 BY MR. BURY:

6 1683. Q. Right. Because if CRA wanted to
7 see her income in terms of bank statements, your
8 bank statements would show nothing, correct?

9 A. It's -- like he told me because of
10 the taxes -- he was doing my taxes and he --

11 1684. Q. I'm talking about you.

12 A. Okay.

13 MS. VAN WEERT: What did you understand
14 was his reason for telling you to do
15 that?

16 THE DEPONENT: Because of the taxes.

17 MS. VAN WEERT: What about the taxes?

18 THE DEPONENT: The taxes, like because
19 he was putting me zero, but like but I
20 had the cheque, like he was saying
21 don't -- don't put it in your account.
22 Because he explained to me, for
23 example, when he had the company, like
24 warranty company, he didn't deposit the
25 cheque in his account. He was doing

1 like in the Money Mart, he was cashing
2 or doing that. As much as I remember,
3 this was his explanation.

4 BY MR. BURY:

5 1685. Q. That's his explanation. But why
6 did you feel it was okay to do?

7 A. I didn't feel okay. I was like
8 under pressure for 12 years, under threat. Do you
9 understand? I was afraid of him.

10 1686. Q. Okay. So he pressured you to not
11 cash your cheques and deposit them in the account?

12 A. He was controlling, Mr. Bury. He
13 was controlling absolutely 100 percent, especially
14 in the money situation.

15 1687. Q. Did you know Shadi Nouri, one of
16 the tellers at the RBC branch you dealt with?

17 A. Shadi, I remember Shadi.

18 1688. Q. Right. And did you know Atoosa,
19 one of the tellers at that branch?

20 A. I remember Atoosa too, yes.

21 1689. Q. And you've asked both of these
22 tellers to cash these cheques without depositing
23 them into your account, correct?

24 A. I know them, they were Persian.
25 Whoever teller was there, I was just going and

1 depositing to my account.

2 1690. Q. Well, I know that.

3 MS. VAN WEERT: Well, not to your
4 account.

5 THE DEPONENT: To my credit card.

6 BY MR. BURY:

7 1691. Q. But are these two tellers that you
8 would go to for that purpose?

9 A. Not -- not supposedly to go to them
10 for that purpose. If they were there, if it was my
11 turn to see them, yes. If it's not, it's somebody
12 else. I was dealing with somebody else. But for
13 years I was going to Oak Ridges.

14 MS. VAN WEERT: I mean, let's be clear,
15 Mr. Bury, actually cashing the cheques
16 in that manner is not illegal. What's
17 illegal is filing false tax returns.

18 MR. BURY: Well, that remains to be
19 seen. Our position is that that's not
20 the proper procedure, that you can't
21 just go and cash a cheque.

22 MS. VAN WEERT: Why not?

23 MR. BURY: Because it has to go through
24 their system somehow, otherwise there's
25 no record of it.

1 MS. VAN WEERT: Yeah, but it's not
2 illegal that it's not --

3 MR. BURY: I'm not saying illegal.

4 MS. VAN WEERT: If it was illegal, RBC
5 wouldn't do it. It's perfectly fine as
6 long as you declare the income for
7 Revenue Canada purposes. When that
8 doesn't happen, that's when problems
9 develop.

10 MR. BURY: Well, we're not saying it's
11 illegal. We're just saying it's an
12 improper banking procedure. That's for
13 another day.

14 MS. VAN WEERT: Uh-huh.

15 BY MR. BURY:

16 1692. Q. Now the tellers I'm going to
17 suggest, and you can agree or disagree with me, in
18 exchange for this service, and when I say service,
19 I mean cashing these cheques without running them
20 through their system through your account, you gave
21 them perfume testers as gifts.

22 A. I did. And I did to everybody in
23 the bank. As I mention in Christmas time, I was
24 giving gifts to the secretary of the doctors, to
25 the Michel Germain employees, to the bank

1 employees, to Ms. Olympia Gilmour, whomever like I
2 was dealing, that's my habit. In the Christmas
3 time, I was giving little gifts.

4 1693. Q. Apart from Christmas time, did you
5 give them these perfume gifts?

6 A. I don't remember.

7 1694. Q. Persian new year, for example?

8 A. I don't remember.

9 1695. Q. Okay. What was the value of these
10 perfume testers?

11 A. It wasn't testers. We have like
12 twice a year company sending us like the product
13 for ourselves. So I was giving as a gift. It
14 wasn't a testers.

15 1696. Q. So what -- how many of these
16 products would the company send you?

17 A. It depends. Sometimes they send me
18 six men, six ladies. Sometimes less, sometimes
19 more.

20 1697. Q. And your position is that these are
21 just gifts --

22 A. That's for me.

23 1698. Q. -- from Michel Germain to you?

24 A. It's a gift from Michel Germain for
25 me and for a few other vendors, like the top

1 sellers, yes.

2 1699. Q. Is it fair to say these bottles are
3 worth about \$120 plus each?

4 A. It is -- like, no, it's small 75
5 mil, so 75 mil is like \$80, \$82.

6 1700. Q. So you disagree with the suggestion
7 that these are actually testers you were giving
8 away?

9 A. I give that -- like whatever they
10 send me the gift, I send -- like I give as a gift.

11 1701. Q. Okay. Apart from these gifts they
12 sent you, they also sent you testers, correct?

13 A. Yes, they send me testers too.

14 1702. Q. And is there any reason they sent
15 the testers at your instruction to your residence
16 instead of directly to The Bay?

17 A. That is Michel Germain. They send
18 all the testers, letters, GBPs to all the vendors,
19 like the top -- like, you know, the full-timers or
20 the -- like all the year they working, they send it
21 to their house. That's their way. It's just
22 Michel Germain.

23 1703. Q. So what quantity of testers would
24 they ship to your house? How many?

25 A. I don't know. I don't count them.

1 1704. Q. Well, a box of 20, a box of five?

2 A. No. Probably like -- like two of
3 each sometimes, one of each.

4 1705. Q. And how often would that happen?

5 A. I have a shipment every month.

6 1706. Q. Okay. So once a month from Michel
7 Germain you would get at least two, probably more
8 bottles of these free testers?

9 A. Yes.

10 1707. Q. And if a suggestion were made that
11 you resold these testers at a flea market, would
12 you agree or disagree?

13 A. Disagree.

14 1708. Q. And if a suggestion was made that
15 you sold them on Kijiji as well, would you agree or
16 disagree?

17 A. Disagree.

18 1709. Q. Do you have -- Vanessa, do you have
19 her June 26 affidavit?

20 MS. APOSTOLI: I do. Sure.

21 MR. BURY: Sorry, again, I may have an
22 extra copy for her. I have a copy of
23 the exhibit I want to talk about.

24 MS. VAN WEERT: Do you want me to flip
25 to the exhibit?

1 MR. BURY: No. I think actually I have
2 a copy from last time so I think we're
3 good. So we're referring to -- sorry,
4 there may be two copies there. We're
5 referring to her affidavit sworn June
6 26, 2018, and then we're referring
7 specifically to I believe it's Exhibit
8 H -- sorry, yes, Exhibit H which is the
9 RBC home line statement.

10 MS. VAN WEERT: Right.

11 BY MR. BURY:

12 1710. Q. So let's talk about the RBC bank
13 statement. Is it fair to say that that's one of
14 the key documents that triggered your urgent
15 motion? You felt the need to bring an urgent
16 motion because of that document?

17 MS. VAN WEERT: It's one of the
18 documents, yes.

19 THE DEPONENT: It's one of them.

20 MR. BURY: I'm asking her.

21 MS. VAN WEERT: Well, her affidavit
22 speaks for itself, Mr. Bury.

23 BY MR. BURY:

24 1711. Q. And from your perspective, again,
25 have a look at the document, there appears to be a

1 depletion of \$561,000 on a home line of credit,
2 right?

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

5 THE DEPONENT: Yes.

6 MS. VAN WEERT: The amount that's owing
7 under outstanding balance --

8 THE DEPONENT: Yeah.

9 MS. VAN WEERT: -- appears to be 561.

10 BY MR. BURY:

11 1712. Q. Right. So where did you get this
12 document from?

13 A. From his documents at home from his
14 file.

15 1713. Q. Well, where specifically?

16 A. It's from his file cabinet, I
17 explained last time. His -- this one, I believe it
18 was in the tax returns.

19 1714. Q. It was in the what, sorry? You're
20 whispering.

21 A. I'm not sure but I believe a copy
22 was in the tax returns, his 2017 tax returns.

23 1715. Q. And you still have those?

24 A. I returned them back to him.

25 MS. VAN WEERT: To you.

1 MR. BURY: I'm just asking.

2 BY MR. BURY:

3 1716. Q. And where is the original statement
4 that you made copies from for your affidavit?

5 MS. VAN WEERT: I don't know that there
6 ever was an original statement, was
7 there?

8 THE DEPONENT: I believe there was like
9 the number was different.

10 MS. VAN WEERT: Mr. Bury, we're -- so
11 our position on this and it's something
12 -- we don't understand this document.
13 And the existence of this document
14 contradicts your client's own
15 testimony --

16 MR. BURY: Right.

17 MS. VAN WEERT: -- because as we found
18 out, subsequent to June 26, there's
19 apparently only at that time 102,000 or
20 something drawn down on the mortgage.
21 The document that created the urgency
22 was that my client found out there was
23 a mortgage of a million dollars. It
24 was not this statement per se, it was
25 the fact that the mortgage existed that

1 she was unaware of. She found, in
2 going through records, two separate
3 statements for lines of credit. We
4 didn't know which one was true and
5 which one was false. It turns out that
6 it appears -- and Lord knows we have no
7 idea why, but it appears that this was
8 the false one since what was drawn on
9 the line of credit was not -- does not
10 appear to have been this much money at
11 that time; however, I have questions
12 for your client about his income tax
13 returns and various interest charges he
14 claimed and where he paid that
15 interest. And I believe that that
16 document may have been created for
17 purposes of justifying false interest
18 charges on his tax return but we'll
19 have to see what he has to say about
20 that.

21 MR. BURY: So getting back to your
22 client now --

23 MS. VAN WEERT: Uh-huh. So this is --
24 like we think this is a false document
25 but we don't know.

1 THE DEPONENT: We know.

2 MR. BURY: Actually we do know, the
3 Royal --

4 THE DEPONENT: The bank -- Royal
5 Bank --

6 MS. VAN WEERT: The bank has said, has
7 subsequently said --

8 THE DEPONENT: Uh-huh.

9 MS. VAN WEERT: -- it's a false
10 document, correct. So the only
11 question is who created it.

12 BY MR. BURY:

13 1717. Q. Right. So you've shown us some of
14 your forensic skills with the other documents that
15 we've submitted to you, you have made comparisons.
16 I want you to look at the actual statement and I'll
17 let you have a look at it.

18 MS. VAN WEERT: Okay. Yes?

19 BY MR. BURY:

20 1718. Q. Do you see any differences?

21 MS. VAN WEERT: Yeah, of course.

22 MR. BURY: I'm asking her.

23 MS. VAN WEERT: Okay.

24 BY MR. BURY:

25 1719. Q. So what differences do you see in

1 this document? This is a test of your forensic
2 capabilities.

3 A. What do you mean by forensic
4 capability?

5 1720. Q. Well, you went through his
6 statement and you made several comparisons with
7 respect to fonts, with respect to lines.

8 A. About this?

9 1721. Q. No. About this. So are you able
10 to have a look at this and give us your opinion
11 about why --

12 A. Okay. About this --

13 1722. Q. -- it may or may not be fake?

14 A. -- I was just -- whatever I was
15 seeing, I didn't understand about like 500, this
16 100, that 100, I took it to my lawyer.

17 MS. VAN WEERT: Yeah, but he's asking
18 you right now --

19 MR. BURY: Right now.

20 MS. VAN WEERT: -- do you --

21 THE DEPONENT: Right now, I'm seeing so
22 many of the false documents. So over
23 here, it's just the way of -- if I put
24 these two together, the way of the
25 numbers is different.

1 BY MR. BURY:

2 1723. Q. Sorry, what do you mean -- I have
3 the same documents in front of me, what are you
4 referencing now?

5 A. I mean, like the -- what do you say
6 the format? Like the typing or --

7 MS. VAN WEERT: Well, no, the numbers
8 are different.

9 THE DEPONENT: Numbers is different,
10 yeah.

11 MS. VAN WEERT: I mean, that's pretty
12 obvious.

13 BY MR. BURY:

14 1724. Q. No, no, that's black and white.
15 That's the obvious one. But as I've said, you've
16 taken some time to examine his other RBC
17 statements. What, if anything, about these two
18 statements can you help us identify without the
19 help of your lawyer?

20 A. Okay. When I'm looking at them
21 here is bold, here is not bold.

22 1725. Q. Okay. That's an example. Go
23 ahead?

24 A. Yeah.

25 1726. Q. Keep going?

1 A. It is the way of the format is
2 different. The way of the writing is different.

3 1727. Q. Okay. Sorry, can you point to a
4 specific example so I understand what you're
5 saying?

6 A. It's -- like do you see here,
7 available credit?

8 1728. Q. Okay. Which document are you --
9 let's call this Exhibit H and let's call this --

10 A. Actual copy.

11 1729. Q. Actual copy, right. So help me out
12 then.

13 MS. VAN WEERT: This is -- so the
14 record's clear, this is Exhibit H to my
15 client's affidavit --

16 MR. BURY: Yes.

17 MS. VAN WEERT: -- sworn June 26th,
18 2018. And the document that she's
19 comparing it to is the original RBC
20 home line plan statement for the period
21 ending June 30th, 2017.

22 BY MR. BURY:

23 1730. Q. Right. Recently printed out I
24 believe. But go ahead.

25 A. Yeah. When you're looking at it,

1 it's -- the number is different and then here is
2 like -- do you call bold?

3 MS. VAN WEERT: Uh-huh.

4 THE DEPONENT: Like this is bold, this
5 is not bold.

6 BY MR. BURY:

7 1731. Q. Okay?

8 A. And this --

9 1732. Q. And take your time because you
10 haven't done this exercise with us before. Do you
11 want -- maybe do we want to break now briefly so
12 she can have a look at it?

13 MS. VAN WEERT: Well, what is the
14 relevance of this? Like if you want
15 her to identify everything she sees as
16 different between these two, then she
17 is going to need -- we'll do that by
18 way of undertaking. Like we're not
19 going to have her sit here under
20 pressure and --

21 MR. BURY: No, no.

22 MS. VAN WEERT: -- say this is
23 absolutely everything I see about this
24 document.

25 MR. BURY: Okay. So let's do it that

1 way to make it simpler.

2 MS. VAN WEERT: Okay.

3 MS. APOSTOLI: Are you marking that as
4 an exhibit?

5 MR. BURY: Yes, we should.

6 MS. VAN WEERT: This is I correct?

7

8 --- EXHIBIT I: RBC home line plan
9 statements.

10

11 BY MR. BURY:

12 1733. Q. So we'll give you the opportunity
13 to do that. However, I think you would agree with
14 me that already having taken a quick look, you see
15 some serious issues with respect to -- I believe
16 you said -- obviously the numbers, but the font?

17 A. Exactly.

18 1734. Q. So clearly someone, it would
19 appear, has created that document. Would you agree
20 or disagree with that?

21 MS. VAN WEERT: Yes, we agree.

22 MR. BURY: Well, can she answer?

23 THE DEPONENT: Hundred percent agree.

24 BY MR. BURY:

25 1735. Q. And if a suggestion was made that

1 it was you who did that, would you agree or
2 disagree with that?

3 A. Disagree.

4 1736. Q. And if a suggestion was made that
5 the work done here, the cutting and pasting, is
6 very similar to what you did with his employment
7 letter and the U of T diploma --

8 MS. VAN WEERT: Don't answer that.

9 BY MR. BURY:

10 1737. Q. -- would you agree or disagree?

11 MS. VAN WEERT: You're putting to her
12 facts that are not proven. Who says --
13 you say that she did --

14 MR. BURY: Right.

15 MS. VAN WEERT: -- those documents. We
16 say he did them.

17 MR. BURY: Right.

18 MS. VAN WEERT: So that's a -- we're
19 not answering the question framed in
20 that manner.

21 BY MR. BURY:

22 1738. Q. You agree you were the last person
23 to have care and control over these documents?

24 A. What he mean by care and control?

25 MS. VAN WEERT: They were in the house.

1 He's just saying --

2 MR. BURY: They were in the house.

3 MS. VAN WEERT: -- they were in the
4 house. So he's going to argue at trial
5 that you had plenty of opportunity to
6 manipulate these documents. Fine, yes,
7 they were in the house after your
8 client was removed.

9 BY MR. BURY:

10 1739. Q. And he's had no access to these
11 documents in your house, I guess, since June 9th,
12 correct?

13 MS. VAN WEERT: Does he really want us
14 to ask his employer for the letter that
15 he submitted to see whether or not he
16 submitted that letter?

17 MR. BURY: He has no problem with any
18 of this.

19 MS. VAN WEERT: Okay.

20 BY MR. BURY:

21 1740. Q. Now with respect to Ms. Gilmour --
22 you know what, I'm going to be moving to a
23 different area. Can we take a ten minute break
24 just so I get those exhibits cued up so we're a bit
25 more efficient.

1 MS. VAN WEERT: Sure.

2

3 --- SHORT RECESS

4

5 BY MR. BURY:

6 1741. Q. Thank you then, moving along. You
7 have returned many of our -- my client's documents
8 to us as a result of the prior request and order
9 made. You have other documents of my client's in
10 the family home still?

11 A. What kind of documents?

12 1742. Q. Any of his documents.

13 A. It's bills of the -- like the home
14 bills, water bills.

15 1743. Q. Banking records as well?

16 A. Did I return the banking records?
17 I don't remember. I don't know. If I returned, I
18 returned. I don't know. But ...

19 1744. Q. So how are his -- whatever
20 documents remain, and I understand you may not know
21 precisely which ones remain, where are they
22 currently being kept?

23 A. It's in the home.

24 1745. Q. And where in the home?

25 A. 29 Woodhaven Crescent.

1 MS. VAN WEERT: No. Where in the home;
2 in the bathroom, in the bathtub, in the
3 basement?

4 BY MR. BURY:

5 1746. Q. Like have you got some boxes like
6 this? Have you got a filing cabinet? Just what's
7 left that you have?

8 A. It's in the filing -- his filing
9 cabinet.

10 1747. Q. So is there any reason why we can't
11 get all of these documents back now from you now
12 that you've had an opportunity to vet them all and
13 go through them?

14 MS. VAN WEERT: I don't even know
15 what's there but ...

16 THE DEPONENT: Me too.

17 MR. BURY: Whatever's left, the
18 leftovers.

19 THE DEPONENT: Because the most part I
20 give it back, right?

21 MS. VAN WEERT: Sure, fine, we'll
22 return all of his documents.

23 MR. BURY: Okay. So we can get an
24 undertaking to return the --

25 MS. VAN WEERT: How much are we talking

1 about?

2 THE DEPONENT: I don't even know

3 because we --

4 MS. APOSTOLI: I thought we did that.

5 THE DEPONENT: Most of them I put in
6 the boxes for you.

7 MS. VAN WEERT: Whatever is left, we'll
8 return.

9 BY MR. BURY:

10 1748. Q. Okay. This is just a practical
11 one, I think he asked me that. There's a key fob
12 for a Toyota, an extra key fob for his car. Do you
13 have that key fob at the house?

14 A. I didn't see it. I have to look.
15 I didn't see it..

16 1749. Q. Just an indulgence. I may have a
17 specific location.

18 So he's indicating to me that it's
19 potentially in the filing cabinet. So if we could
20 get an undertaking just to return that together
21 with whatever left over documents remain?

22 MS. VAN WEERT: No. We have an
23 undertaking to look for the key fob and
24 return it if found.

25 MR. BURY: Yes, fair enough.

1 BY MR. BURY:

2 1750. Q. Now the next area I want to canvas
3 briefly is Ms. Gilmour. I believe it's in your
4 October 10th, 2018, affidavit that you indicate --
5 and, Counsel, will correct me again, I don't have
6 it handy, that you suggest Ms. Gilmour was lying,
7 that you never attended any of the meetings to
8 discuss the line of credit against the house.

9 MS. VAN WEERT: I believe we said that
10 right from the beginning.

11 BY MR. BURY:

12 1751. Q. Right. And I believe you indicated
13 you were not present for the meeting and that a
14 work schedule suggests otherwise, correct?

15 MS. VAN WEERT: Correct.

16 MR. BURY: Can she answer? I know
17 you're excited --

18 THE DEPONENT: Yes.

19 MR. BURY: -- about the case.

20 MS. VAN WEERT: She's already answered
21 that under oath in her affidavit.

22 BY MR. BURY:

23 1752. Q. And you go so far as to produce a
24 purported Bay receipt --

25 A. Uh-huh.

1 1753. Q. -- saying you were not at the
2 meeting because you went to The Bay, you were busy
3 returning something. I'll just show it to you.
4 This is Exhibit D of your October 10th affidavit.

5 A. Uh-huh.

6 1754. Q. Have you had a chance to look at
7 it?

8 A. Yeah, I know.

9 1755. Q. So you're someone who works at The
10 Bay, so I take it you're familiar with receipts, so
11 let's just go over that exhibit right now. First,
12 I'm going to suggest to you that that's not a
13 receipt. Do you agree or disagree with that
14 suggestion?

15 A. This is the receipt.

16 1756. Q. Okay. I take it you've purchased
17 items from The Bay yourself before?

18 A. Yes, I did. I purchase and I
19 returned items from The Bay.

20 1757. Q. And you have received receipts from
21 The Bay before?

22 A. Yes, I did receive the receipts
23 from The Bay before.

24 1758. Q. So you disagree with my suggestion
25 that that's not a receipt?

1 A. This is -- I paid with my Visa. I
2 have an explanation. So when I changed --

3 1759. Q. I haven't asked for one yet. I'm
4 just saying do you agree or disagree that that is a
5 receipt?

6 MS. VAN WEERT: She's already answered
7 that, Mr. Bury.

8 MR. BURY: Right.

9 THE DEPONENT: If you lose your
10 receipt, they can -- they have in their
11 system and they can print off your
12 receipt again and this looks like this.

13 BY MR. BURY:

14 1760. Q. So you're saying that's a Bay
15 receipt?

16 A. Exactly.

17 1761. Q. I'm going to show you a sample
18 receipt from The Bay of something that was
19 purchased and something that was then returned.

20 A. That's the actual receipt.

21 1762. Q. Right.

22 A. When you don't have the actual
23 receipt but you have the information and your Visa
24 that you purchased something from The Bay or
25 returned it, the head security of The Bay, they can

1 take it from their system with your Visa number,
2 with the date, with the time, with everything.

3 1763. Q. So you're saying that that's not a
4 receipt. That is some system-generated document by
5 security?

6 MS. VAN WEERT: This -- okay, let me --
7 I think what this is -- you're talking
8 about a receipt being like this.

9 MR. BURY: Well, yes.

10 MS. VAN WEERT: She's saying this is a
11 record of her having returned --

12 THE DEPONENT: At The Bay.

13 MS. VAN WEERT: Returned something she
14 purchased. I take it you asked for
15 this record in the context of this
16 litigation. Like you -- when did you
17 ask for this?

18 THE DEPONENT: When I -- like do you
19 remember, I was just -- I told you I
20 was working and I was looking at my
21 picture, my old bank statement.

22 MS. VAN WEERT: So after separation you
23 asked for this?

24 THE DEPONENT: Yeah.

25 MS. VAN WEERT: So I think she asked

1 for this --

2 THE DEPONENT: For the bank like --

3 MS. VAN WEERT: She knew that that day

4 she had returned something and she

5 asked for The Bay to verify that she

6 had been there returning something on

7 that date and this is what they gave

8 her. Am I correct?

9 THE DEPONENT: Exactly.

10 MS. VAN WEERT: That's my

11 understanding.

12 MR. BURY: Well, to be fair, it doesn't

13 indicate she returned it. It just

14 indicates that a return may have been

15 made.

16 MS. VAN WEERT: Fair enough. But she

17 knew that that happened and asked for

18 it and to have that information.

19 THE DEPONENT: It's under my credit

20 card number.

21 MR. BURY: Right.

22 MS. VAN WEERT: She had to have the

23 information to ask them for it. But

24 having said all of that, so is it a

25 receipt like the kind you've given her,

1 no.

2 MR. BURY: No.

3 MS. VAN WEERT: It's a record of a
4 return.

5 MR. BURY: That's what I'm trying to
6 clarify. So it's not a receipt, it's a
7 record. A business record --

8 MS. VAN WEERT: English is her --

9 MR. BURY: -- from The Bay.

10 MS. VAN WEERT: -- second language.

11 MR. BURY: She seems -- she works full
12 time in the English -- in an English
13 environment.

14 BY MR. BURY:

15 1764. Q. With respect to this document,
16 there was a purchase you're claiming. Was anyone
17 with you during the time of that purchase?

18 A. No.

19 1765. Q. Was anyone with you during the time
20 when you went to ask for the receipt?

21 A. When I was asking for receipt?

22 1766. Q. Right.

23 A. No. It was just I went and asked
24 from our head security. He's the only one has the
25 access to the -- like The Bay whole system. When

1 somebody's making return, purchasing, I gave my
2 credit card number and like the statement, the
3 time, the date and he look for it and he said, you
4 -- like, I had actually another purchase at five
5 o'clock so he gave me this.

6 1767. Q. But to be fair, anyone could have
7 made these purchases if they had your credit card,
8 correct?

9 A. Who's going to have my credit card
10 when I'm at work?

11 1768. Q. I don't know. I'm not at work.
12 I'm just saying anyone could have made these
13 purchases with your card, correct?

14 A. No, it's not correct.

15 1769. Q. I see. So if you gave someone the
16 credit card, if you gave your friend the credit
17 card, for example --

18 A. I never give my credit card or
19 cards to anybody.

20 1770. Q. That's not my question. My
21 question is someone else could have made the
22 purchase if you gave the card to them?

23 MS. VAN WEERT: You know, he's asking
24 the question that assumes that you gave
25 the card away.

1 MR. BURY: Right.

2 MS. VAN WEERT: So if you gave the card
3 to Mr. Bury, he could have used the
4 card, correct? Maybe Mr. Bury made
5 this purchase.

6 MR. BURY: Maybe, although I don't
7 think --

8 THE DEPONENT: This is the return.

9 MS. VAN WEERT: I understand it. But
10 anybody can use somebody else's credit
11 card is what he's saying, for whatever
12 reason he wants you to --

13 THE DEPONENT: But they need the
14 signature. How do you have the
15 signature --

16 MS. VAN WEERT: Well, not all --

17 MR. BURY: No.

18 MS. VAN WEERT: They need a PIN or
19 under \$100 they don't need anything.
20 They can tap, right?

21 THE DEPONENT: I don't know that.

22 MS. VAN WEERT: You've never tapped on
23 a credit card?

24 THE DEPONENT: No, no. I don't know if
25 somebody else can use your credit card.

1 MS. VAN WEERT: Well, if all it is is
2 tapping --

3 THE DEPONENT: The Bay doesn't have a
4 tap system.

5 MS. VAN WEERT: So someone would have
6 to fake her signature.

7 MR. BURY: Right.

8 MS. VAN WEERT: Well, we have people
9 who do that.

10 MR. BURY: On your side of the table.

11 THE DEPONENT: The Bay doesn't have it.

12 MS. VAN WEERT: She doesn't fake her
13 signature.

14 BY MR. BURY:

15 1771. Q. Anyone could have used that credit
16 card if you gave it to them to use?

17 A. Your question is if I gave my --

18 MS. VAN WEERT: It's a hypothetical
19 and --

20 MR. BURY: It's a hypothetical, anyone
21 could do it.

22 MS. VAN WEERT: Okay. You know what,
23 we're refusing to answer that because
24 it's a hypothetical. What does it have
25 to do with this?

1 BY MR. BURY:

2 1772. Q. Did you give --

3 MS. VAN WEERT: Do you have any
4 evidence that she gave the credit card
5 to someone?

6 MR. BURY: Well, that's my next
7 question.

8 MS. VAN WEERT: Okay. Well, then ask
9 that question.

10 BY MR. BURY:

11 1773. Q. Did you give it to anyone to use
12 for --

13 MS. VAN WEERT: She's already said no.

14 BY MR. BURY:

15 1774. Q. -- this purchase?

16 A. No.

17 1775. Q. You appear to have a relationship
18 with the head of security and that document was
19 generated for you. Do you have any security
20 footage of the purchase? Did you make any
21 inquiries?

22 A. I didn't understand your question.

23 1776. Q. Did you make any inquiries of
24 security footage of this purchase being made?

25 A. I had -- I find out from my Visa

1 statement, I did purchase and return from The Bay
2 in that day but there wasn't a time in my Visa
3 statement. So I took that statement and I said, is
4 there any way just I get my receipt and it shows
5 like what time I was here, what time I purchase,
6 what time I did return.

7 1777. Q. Okay. So there's no security --
8 you did not inquire about any security footage?

9 A. What is he --

10 1778. Q. Camera.

11 MS. VAN WEERT: He's asking if The Bay
12 has a camera that records you making
13 this purchase. You didn't ask them if
14 they have a camera?

15 THE DEPONENT: They do have the camera
16 but they don't have it --

17 MS. VAN WEERT: Did you ask if they
18 caught this purchase on camera? Yes or
19 no?

20 THE DEPONENT: No, I didn't ask that.

21 BY MR. BURY:

22 1779. Q. Okay. So what I'm going to suggest
23 next is the main reason this surfaces only on
24 October 10th in your affidavit is because you made
25 inquiries or you had Vanessa make inquiries as to

1 the availability of security footage. Would you
2 agree or disagree?

3 MS. VAN WEERT: We disagree. Nobody on
4 this side of the table asked for
5 security footage.

6 MR. BURY: Well, can she -- I'm asking
7 her.

8 MS. VAN WEERT: She's already said she
9 didn't ask for security footage and
10 Vanessa and I certainly didn't.

11 MR. BURY: Well, that was the next part
12 of my question, asking whether she
13 instructed anyone to attempt to obtain
14 it.

15 MS. VAN WEERT: She did not.

16 MR. BURY: Okay.

17 MS. VAN WEERT: And, furthermore, the
18 reason that this only surfaced on
19 October 10th was because we spent about
20 five months asking Olympia Gilmour to
21 tell us what time the appointment was.
22 She seemed extremely reluctant to do
23 that. And when she finally identified
24 the time of the appointment, Sheida had
25 already given me her work hours

1 previous to knowing the time of the
2 appointment. And it turned out that
3 her work hours covered the time of the
4 appointment so she was at The Bay at
5 the time of the appointment. But then
6 Sheida decided to add even additional
7 evidence by she looked at her Visa and
8 realized she could also get this
9 evidence. It made no sense for us to
10 ask for this until we knew when Olympia
11 Gilmour was actually alleging she was
12 there. Like and that didn't -- we
13 didn't get that from them until, I
14 don't know, like several months after
15 we'd been asking for it.

16 MR. BURY: Okay. Well, I wish she had
17 said that but thank you for your input.

18 MS. VAN WEERT: Well, no, that's
19 exactly what happened because I wrote
20 all the letters asking Olympia Gilmour
21 repeatedly to tell us when this alleged
22 meeting was. Like we asked repeatedly
23 and she -- and we finally got it
24 through the RBC -- we didn't even -- we
25 got her dockets for that day through

1 the RBC legal department.

2 MR. BURY: Right.

3 MS. VAN WEERT: Uh-huh. So that was me
4 doing that, so that's why I'm
5 answering. I know the timeline on
6 that.

7 BY MR. BURY:

8 1780. Q. Apart from your saying you were
9 working at The Bay, are there any other witnesses
10 to corroborate that?

11 A. About?

12 1781. Q. You working at The Bay during the
13 time of the Olympia Gilmour meeting?

14 A. I have a signature of Rita.

15 1782. Q. I'm not asking about signatures.
16 Are there any other --

17 A. She -- like for sure she saw me. I
18 was working with her. It's 2017. How I'm going to
19 remember which my -- which one of my coworkers --

20 1783. Q. I'm asking the question. If you
21 remember, you remember. If you don't, you don't.
22 Are there any other witnesses apart from Rita?

23 MS. VAN WEERT: There's lots of
24 witnesses. There would have been lots
25 of witnesses on that day. Whether or

1 not she knows who they are at this

2 point, who knows, like there's --

3 MR. BURY: Well, that's my question.

4 MS. VAN WEERT: Well, we presumably
5 could get timesheets from The Bay and

6 find out who worked and ask them if

7 they think they saw her, but they

8 probably don't have a clear

9 recollection of that specific day.

10 MR. BURY: Right. But you --

11 MS. VAN WEERT: But Rita wouldn't sign
12 off on the timesheet --

13 THE DEPONENT: Yeah.

14 MS. VAN WEERT: -- if you weren't there
15 presumably.

16 THE DEPONENT: Yeah.

17 MR. BURY: Presumably. Let's not
18 assume anything for these purposes.

19 MS. VAN WEERT: Uh-huh. Well, go ahead
20 and make that case.

21 MR. BURY: Let me just see if we're
22 done with that area. Okay.

23 BY MR. BURY:

24 1784. Q. Moving on then, so who is -- we may
25 have touched upon this but just to recap, who is

1 Dr. Wendy Williams?

2 A. It's our family doctor.

3 1785. Q. Okay. And did you see her for any
4 mental health issues?

5 A. I never had a mental health issue.

6 1786. Q. And did you disclose --

7 MS. VAN WEERT: You have our affidavit.

8 MR. BURY: Yes, I just returned it to
9 you.

10

11 --- DISCUSSION OFF THE RECORD

12

13 BY MR. BURY:

14 1787. Q. And did you disclose -- you've
15 indicated in a number of affidavits now of an
16 abusive relationship. Did you disclose any
17 injuries stemming from any of the allegations
18 you've made against my client to her? Did you talk
19 about it? Did you give any sort of photographs,
20 any information to her about this?

21 A. I talked to Dr. Williams like when
22 I was just very upset about him, like his
23 behaviour, yes, I went and talked to her.

24 1788. Q. No, I'm talking about specifically
25 any injuries that you claim may have occurred

1 during your relationship as you've described in
2 your affidavits today.

3 MS. VAN WEERT: Could you point her to
4 the exact allegation that you're
5 referring to?

6 MR. BURY: Well, she's described an
7 abusive --

8 MS. VAN WEERT: No, no. I want
9 actually -- because I think most of it
10 is verbal abuse. Can you just point
11 out the physical abuse that you want --

12 MR. BURY: Well, she's had him charged
13 for physical assault.

14 MS. VAN WEERT: Twice. And she was
15 hospitalized the first time.

16 MR. BURY: Right.

17 MS. VAN WEERT: So there's medical
18 records with respect to that.

19 MR. BURY: Right.

20 MS. VAN WEERT: And the second time is
21 still before the courts, as you well
22 know.

23 MR. BURY: Right.

24 MS. VAN WEERT: Are there other
25 allegations of physical abuse you're

1 asking about? Because I don't remember
2 them in the affidavits but that could
3 be my middle-aged memory, verging on
4 elderly.

5 MR. BURY: That's fine. All my
6 question is, we don't need to get into
7 the specifics -- just can I finish the
8 question?

9 MS. VAN WEERT: I actually want
10 specifics because you're suggesting
11 that there were all these allegations
12 of physical abuse. I actually think
13 there were two specific instances of
14 physical abuse.

15 BY MR. BURY:

16 1789. Q. Whatever number it is, just to make
17 it simpler, did you disclose any of these injuries
18 to the doctor or were you treated by the doctor to
19 help simplify it?

20 MS. VAN WEERT: She was hospitalized,
21 were you not, the first time?

22 THE DEPONENT: Yeah. It was -- they
23 took me by ambulance to the Major
24 Mackenzie hospital.

25 MR. BURY: That was as a result of the

1 overdose. I don't know if you're
2 familiar with all the information.
3 THE DEPONENT: No, it wasn't because of
4 that.

5 MR. BURY: When she fainted.

6 THE DEPONENT: It's not because of
7 that.

8 BY MR. BURY:

9 1790. Q. What is it because of then?

10 A. Overdose.

11 1791. Q. That you took --

12 A. With what, like taking the --

13 1792. Q. -- Benadryl.

14 A. -- the kids Benadryl in is
15 overdose?

16 1793. Q. Well, whatever, it caused you to
17 faint. Your friends --

18 A. Yeah.

19 1794. Q. -- had to come over.

20 A. And that is overdose?

21 1795. Q. Whatever you want to label it. It
22 resulted in you going to the hospital. You
23 fainted.

24 A. Yeah, I fainted.

25 1796. Q. Right, right.

1 A. I fainted.

2 1797. Q. And your counsel seems to suggest
3 you went to the hospital --

4 A. And that that's why the doctor said
5 it's these fingerprints is the -- the doctor said
6 it's the struggling -- like the -- what do you
7 call?

8 MS. VAN WEERT: She had marks of a hand
9 around her throat in the hospital that
10 were identified by the doctor.

11 MR. BURY: Well, I don't think
12 that's --

13 MS. VAN WEERT: So that isn't a side
14 effect of Benadryl typically.

15 MR. BURY: That's not my --

16 THE DEPONENT: And that's why they took
17 me and they would keep asking my
18 friend, what is this mark.

19 BY MR. BURY:

20 1798. Q. Regardless of that, I'm going back
21 to Dr. Wendy Williams. Did you disclose any
22 injuries caused by my client --

23 A. No.

24 1799. Q. -- to Dr. Williams?

25 A. No.

1 MR. BURY: Sorry, do you guys need a
2 moment?

3 MS. VAN WEERT: No. Carry on.

4 BY MR. BURY:

5 1800. Q. Did you receive any treatment from
6 Dr. Wendy Williams --

7 A. No.

8 1801. Q. -- regarding any of the
9 allegations?

10 A. No.

11 1802. Q. So your evidence is that at most
12 you talked to her about --

13 A. Yeah, the verbal abusements, like
14 the controlling stuff. I need to talk to someone.

15 1803. Q. She was simply a family doctor
16 though, correct?

17 A. Exactly.

18 1804. Q. Did she refer you either to a
19 psychiatrist or therapist or anyone to deal with
20 these issues?

21 A. After I have Melina, I have the
22 post -- postpartum depression. So I was seeing
23 Jason who he was -- I always make a mistake between
24 psychiatrist and psychologist, like just for --

25 MS. VAN WEERT: Was he a medical

1 doctor?

2 THE DEPONENT: No, no.

3 MS. VAN WEERT: Oh, so a psychologist.

4 THE DEPONENT: Psychologist.

5 MR. BURY: Or a therapist.

6 THE DEPONENT: Therapist, yeah.

7 MS. VAN WEERT: But he's not a
8 psychiatrist.

9 MR. BURY: Right.

10 MS. VAN WEERT: A psychiatrist is a
11 medical doctor.

12 THE DEPONENT: No, no, no. It's not
13 medical doctor, just therapist talk.

14 BY MR. BURY:

15 1805. Q. I'm sorry, and what was the time
16 period you saw him, just so we're clear?

17 A. After I had -- like I give birth to
18 Melina, I have the postpartum depression.

19 1806. Q. Okay. So I don't remember birth
20 dates very well.

21 A. It was Melina born in 2011. So
22 October 2011. And it was I believe around 2012. I
23 don't remember. Especially after that incident of
24 the -- like that incident of the first time like I
25 ended up in the hospital.

1 1807. Q. So how long did you -- do you not
2 know this Jason's last name?

3 A. No, I don't remember.

4 1808. Q. Can you find out his last name in
5 your records?

6 A. I can't find out because I want to
7 find out him, he's not in the same location
8 anymore.

9 1809. Q. Okay. Do you have any
10 correspondence, any --

11 A. The only thing I know it was Yonge
12 and north of Elgin Mills in the Loblaw's plaza and
13 he's not there anymore.

14 1810. Q. And what was the duration of time
15 that you saw him? I know you gave us a start
16 point.

17 A. It's -- I don't exactly remember
18 how many months.

19 1811. Q. Months, years? Let's try to cap
20 it.

21 A. I don't think it was a year. I
22 don't remember.

23 1812. Q. Okay. And because this was -- and
24 how did you pay for this service? I don't think
25 psychologists are covered, but you can help me.

1 Did you pay him or did you --

2 A. Yes, for sure we paid him. It's,
3 like, at that time I wasn't working and there is
4 something it's from the government when you are low
5 income, you pay like -- I don't remember how much,
6 like \$25 or something, per -- like per session.

7 MR. BURY: Can we get an undertaking to
8 attempt to locate this person's last
9 name?

10 MS. VAN WEERT: Why would we need that?
11 Because any records there are
12 confidential.

13 MR. BURY: Of course they're
14 confidential but they might be subject
15 of a motion if necessary.

16 THE DEPONENT: I couldn't find him.

17 MS. VAN WEERT: Relevant to what?

18 MR. BURY: To any allegations she's
19 making of abuse.

20 MS. VAN WEERT: We can try and find his
21 last name.

22 MR. BURY: Right. Or any records --

23 THE DEPONENT: How am I going to find?

24 BY MR. BURY:

25 1813. Q. Well, you may have a business card.

1 You may have --

2 A. I don't have anything.

3 1814. Q. You may have records. You have a
4 file cabinet that you've gone through, maybe it's
5 in there. I don't know.

6 MS. VAN WEERT: If you happen to come
7 across anything in the house, then
8 we'll give it to them.

9 THE DEPONENT: Okay.

10 BY MR. BURY:

11 1815. Q. With respect to Dr. Williams, just
12 backtracking a little bit, you said you discussed
13 your relationship and what you call abusive
14 relationship with her, correct, Dr. Williams?

15 A. Sometimes, yes, when we had a
16 fight, like I need to talk to somebody, I was going
17 and seeing her.

18 1816. Q. Okay. Did she prescribe you any
19 medications for that purpose --

20 A. No.

21 1817. Q. -- in terms of difficulties with
22 your marriage?

23 A. No.

24 1818. Q. Did you regularly give her gifts of
25 perfume?

1 A. Not regularly. I mentioned that
2 before, for her staff, for my bankers, for my --
3 that is my habit. For my co-workers. In Christmas
4 time, I give the gifts, even the little gifts, or
5 whatever, I give the gifts.

6 1819. Q. Okay. So what is your evidence
7 with respect to what you gave her? Only at
8 Christmas is your evidence?

9 A. It's Christmas or sometimes my
10 parents when they were coming to here, they were
11 bringing nuts to her from Iran.

12 1820. Q. Okay. Did you ever give her gifts
13 in exchange for favours?

14 A. No.

15 1821. Q. Did you, for example, get her to
16 write a doctor's note for your husband in support
17 of a shift change when he wasn't even here?

18 A. Sorry?

19 1822. Q. Did you get her to write a doctor's
20 note to support a shift change when he wasn't even
21 working in Toronto or physically present to deal
22 with this?

23 A. I never did that and Dr. Williams
24 is not like that.

25 MS. VAN WEERT: That was great.

1 MR. BURY: What?

2 MS. VAN WEERT: You just went through
3 five pages of questions.

4 MR. BURY: Because we went through
5 Costco previously. Be patient.

6 BY MR. BURY:

7 1823. Q. With respect to his online
8 accounts, meaning my client's online accounts, what
9 access did you have to his email?

10 A. I asked that question before. I
11 never had any access to his email or his computer
12 or his laptop.

13 1824. Q. So your evidence is no password
14 access to any of his electronic accounts?

15 A. No.

16 1825. Q. Any access to his banking accounts?

17 A. No.

18 1826. Q. With respect to his father's death
19 certificate, how did you obtain that?

20 A. His father's death certificate?

21 1827. Q. Yes.

22 A. The German one?

23 1828. Q. Yes.

24 A. It was in his documents.

25 1829. Q. In which documents?

1 A. It was in one of the folders.

2 1830. Q. Okay. And, again, are we talking
3 about the filing cabinet or --

4 A. Exactly.

5 1831. Q. -- somewhere else?

6 A. Everything was in the filing
7 cabinet.

8 1832. Q. Did you ask -- do you know someone
9 by the name of Mr. Aminirade?

10 A. Who's Aminirade?

11 1833. Q. I don't know. That's what I'm
12 asking you. A-m-i-n-i-r-a-d-e, something to that
13 effect.

14 MS. VAN WEERT: It does --

15 THE DEPONENT: I don't know.

16 MS. VAN WEERT: -- sound familiar but I
17 don't know why.

18 THE DEPONENT: I don't remember.

19 BY MR. BURY:

20 1834. Q. Did you ask Mr. Aminirade between
21 July 25th and 27th of last year to sign an
22 affidavit?

23 A. What affidavit?

24 1835. Q. Any affidavit?

25 A. I don't have any affidavit. I

1 don't even know who Aminirade is. It's familiar to
2 me but I don't even know who is it.

3 1836. Q. That's my question. If he's not,
4 he's not. I'm just asking the question. So your
5 answer is you don't know who Mr. Aminirade is.

6 A. It's -- it is familiar but I don't
7 even know --

8 1837. Q. The name's familiar but you don't
9 know --

10 A. No.

11 1838. Q. -- details of who that is. And
12 your evidence is that you did not ask him to sign
13 any affidavits?

14 A. No.

15 MS. VAN WEERT: Well, if we don't know
16 who it is, we can't ask.

17 MR. BURY: You never know.

18 BY MR. BURY:

19 1839. Q. Did you obtain your own copy of the
20 death certificate through your uncle living in
21 Germany?

22 A. Sorry, I didn't get your question?

23 1840. Q. Did you get a copy of the death
24 certificate from your uncle living in Germany?

25 A. I told you, I find that death

1 certificate in his documents.

2 1841. Q. I know you found it. I'm saying
3 did you also --

4 MS. VAN WEERT: We do not have a second
5 copy.

6 MR. BURY: Okay. So you didn't
7 obtain --

8 MS. VAN WEERT: Do you even have an
9 uncle living in Germany?

10 THE DEPONENT: I have uncle living in
11 Germany.

12 MS. VAN WEERT: Okay. Did you ask that
13 uncle to get a death certificate for --

14 THE DEPONENT: How I'm going to ask?
15 Like it's not relative to me. How I'm
16 going to ask him?

17 MS. VAN WEERT: Yeah, that's true. It
18 needs to be a relative, otherwise we
19 could get the divorce certificate --

20 MR. BURY: I don't know --

21 MS. VAN WEERT: -- but we can't.

22 MR. BURY: -- how it works.

23 MS. VAN WEERT: But she didn't ask
24 anyway.

25 MR. BURY: Well, yeah, that helps.

1 Just a brief indulgence.

2 BY MR. BURY:

3 1842. Q. Moving on to another batch. In
4 your July 30th, 2018, affidavit. I think we have
5 that one out. Thanks. Paragraph 8, if you can
6 just turn to I think it's page 2 at the bottom,
7 Paragraph 8.

8 A. Okay.

9 1843. Q. You mention there that you hired a
10 lawyer to conduct a deed search for you. Is that
11 correct? Have a look at it and let me know.

12 A. Yes.

13 1844. Q. Okay. And can you tell us the name
14 of that lawyer that you used?

15 A. Mrs. Moallen.

16 1845. Q. Can you spell that for us?

17 A. M-o-a-l-l-e-n.

18 1846. Q. Do you have a first name?

19 A. I don't remember her first name.

20 1847. Q. So it was a she?

21 A. Yeah.

22 1848. Q. So she's a lawyer back where?

23 Where is she located?

24 A. What do you mean?

25 MS. VAN WEERT: Tehran. Isn't she?

1 She's in Tehran.

2 THE DEPONENT: Uh-huh.

3 BY MR. BURY:

4 1849. Q. Okay. Do you have an address for
5 her?

6 A. No.

7 1850. Q. Sorry?

8 A. No.

9 1851. Q. Okay. So how did you contact --
10 how did you decide to use this person?

11 A. My brother find it in Iran.

12 1852. Q. And, sorry, what's your brother's
13 name? I don't know him.

14 A. Mehryar Aletratikhosroshahi.

15 MR. BURY: Do you need that spelled?

16 THE REPORTER: Yes.

17 MS. VAN WEERT: It's the same as her
18 last name.

19 MR. BURY: Same as her last name.

20 MS. VAN WEERT: And the first name is
21 the same as --

22 THE DEPONENT: No, no, it's not the
23 same. It's M-e-h-r-y-a-r.

24 MR. BURY: Okay. In the same affidavit
25 under Paragraph 11. Let me know when

1 you're done.

2 MS. VAN WEERT: Yes.

3 THE DEPONENT: Uh-huh.

4 BY MR. BURY:

5 1853. Q. And has that process taken place,
6 that verification process?

7 MS. VAN WEERT: No.

8 MR. BURY: Is there any reason it
9 hasn't taken place yet?

10 MS. VAN WEERT: Well, my client told me
11 that that was the effective way of
12 doing it, that was her understanding.
13 But I subsequently learned that I don't
14 believe that's the way of verifying
15 whether documents are true or not.

16 BY MR. BURY:

17 1854. Q. Have you since determined how to
18 verify these documents? I guess either of you can
19 answer.

20 MS. VAN WEERT: We will be leading
21 evidence with respect to their
22 voracity.

23 MR. BURY: Okay. Meaning an expert or?

24 MS. VAN WEERT: Uh-huh.

25

1 BY MR. BURY:

2 1855. Q. So just back to hiring this lawyer
3 in Iran. My understanding is that you can't hire
4 someone, that you need a power of attorney?

5 A. Uh-huh.

6 1856. Q. So is it your brother who was the
7 power of attorney --

8 A. Uh-huh.

9 1857. Q. -- to do this? And when did you
10 give him this power of attorney?

11 A. Oh, I gave him a long time ago. He
12 has the power of attorney. My parents has a power
13 of attorney from me and my brother has a power of
14 attorney from me.

15 MS. VAN WEERT: It wasn't specifically
16 for this litigation.

17 MR. BURY: That was my next question.

18 BY MR. BURY:

19 1858. Q. So how long has --

20 A. I don't remember.

21 1859. Q. -- that power of attorney existed?

22 A. I don't remember.

23 1860. Q. Do you have a copy of it?

24 A. I don't.

25 1861. Q. Can we obtain a copy?

1 MS. VAN WEERT: No. I don't see the
2 relevance.

3 BY MR. BURY:

4 1862. Q. Now you translated these documents
5 I believe using someone by the name of Sayid Azeez
6 Masooni (phonetic). Is that correct? Do you
7 remember that name?

8 A. Which documents you're talking
9 about? Can I see?

10 1863. Q. The documents in that affidavit.

11 A. Uh-huh.

12 1864. Q. I believe you used someone in Iran
13 to translate?

14 A. This is not the someone. This is
15 the court translation. Do you see the court sign?
16 The court does it.

17 1865. Q. Yes, I see that. But there is also
18 the name of Sayid Azeez Massoni.

19 A. I don't know who is that.

20 MS. VAN WEERT: She doesn't hire the
21 person. She goes to the court or the
22 documents are presented to the court,
23 they use their translator.

24 THE DEPONENT: But the actual paper,
25 the court has the translated, not the

1 regular translation.

2 MR. BURY: Assuming they're all
3 legitimate of course.

4 MS. VAN WEERT: Uh-huh.

5 THE DEPONENT: Uh-huh.

6 BY MR. BURY:

7 1866. Q. So you have no knowledge of Sayid
8 Azeez Massoni?

9 A. No.

10 1867. Q. Okay. What about Dorothy Korshed
11 (phonetic), another translator from this case? Are
12 you familiar with her?

13 A. I never seen her. It's my other --
14 the Persian translator, he introduce her to me and
15 I just talked to her on the phone and email it and
16 she send it by mail to me.

17 1868. Q. Okay, sorry, which other
18 translator?

19 A. For one of the inheritance paper I
20 did. His name is there. I don't remember his
21 name.

22 1869. Q. Okay.

23 A. There wasn't the translation so I
24 did the translation. Do you remember?

25 MS. VAN WEERT: No.

1 BY MR. BURY:

2 1870. Q. No. Do you know either of these
3 translators on a personal level --

4 A. No.

5 1871. Q. -- are they friends?

6 A. No, no. I don't know any of them.

7 MR. BURY: Sorry, I'm just going over
8 my questions to make sure we've covered
9 them.

10 MS. VAN WEERT: That's okay.

11 BY MR. BURY:

12 1872. Q. Regarding Mr. Afshin Ahani, the
13 accountant.

14 A. Uh-huh.

15 1873. Q. And you'll correct me if I'm wrong,
16 I believe you already testified that he was your
17 accountant during tax years 2004 to 2006? Is that
18 correct?

19 A. 2004 and 2006?

20 1874. Q. 2004, 2005, 2006. And correct
21 me --

22 A. Yes, probably.

23 1875. Q. -- if I'm wrong. Sorry, yes,
24 probably or do you remember or not remember using
25 him as an accountant?

1 A. 2000 -- not 2006, no.

2 1876. Q. So when do you best recall using
3 him?

4 A. It was I believe '3, '4, '5, not
5 '6. I don't remember.

6 1877. Q. Sorry, 2003, 2004 --

7 A. I don't remember.

8 1878. Q. -- 2005 possibly.

9 A. Yeah, probably.

10 1879. Q. Okay. And what services did he
11 provide you with?

12 A. He did the tax, my income tax.

13 1880. Q. Okay. And I don't know if you've
14 already consented to this, but are you prepared to
15 consent for us to obtain your accounting file from
16 him if you haven't already done so?

17 MS. VAN WEERT: From prior to marriage?

18 THE DEPONENT: No.

19 MR. BURY: Any -- any file that remains
20 in his possession, yes.

21 MS. VAN WEERT: How is that relevant?

22 MR. BURY: Well, his position will be
23 that he's never done any work for her,
24 period.

25 MS. VAN WEERT: He -- who is --

1 MR. BURY: The accountant, Mr. Afshin
2 Ahani.

3 MS. VAN WEERT: Well, if he's never
4 done any work, there's no file to
5 obtain.

6 MR. BURY: Well, that's what I don't
7 know. If she consents to us getting
8 whatever he may have in his possession,
9 that'll solve the issue. We have her
10 saying he was my accountant.

11 MS. VAN WEERT: Yeah.

12 MR. BURY: We have him saying never
13 done a piece of work for her so --

14 MS. VAN WEERT: Again, I don't know why
15 her taxes prior to marriage are even
16 relevant to anything.

17 MR. BURY: Well, it's more the issue of
18 credibility.

19 MS. VAN WEERT: You don't get to get
20 evidence just only for credibility.

21 MR. BURY: Well, it's one of the main
22 reasons.

23 MS. VAN WEERT: It has to be relevant
24 to something else.

25 MR. BURY: Well, it's relevant to her

1 credibility.

2 MS. VAN WEERT: You know what, you
3 already have what you need. You can
4 subpoena him and he can say I didn't
5 work for her. And she says he did.
6 Why do you need her file? Like that's
7 -- you go and subpoena him. You got
8 what you need.

9 MR. BURY: Okay.

10 MS. VAN WEERT: For credibility, I
11 don't know why her file is relevant.

12 MR. BURY: Just to see the contents of
13 it.

14 MS. VAN WEERT: Yeah, but that doesn't
15 go to credibility.

16 MR. BURY: If there's any other work
17 done on her behalf.

18 MS. VAN WEERT: He says there isn't.
19 You've clearly talked to him already.

20 MR. BURY: Okay.

21 THE DEPONENT: (Inaudible).

22 MR. BURY: What was that?

23 MS. VAN WEERT: I don't know. I didn't
24 understand actually.

25 MR. BURY: Is there something you want

1 to add regarding him?

2 THE DEPONENT: No.

3 BY MR. BURY:

4 1881. Q. Jumping back to -- and we'll be
5 doing a bit of jumping now because these questions
6 are just clean-up questions. Did you ever request
7 prescription refills from Dr. Williams on behalf of
8 my client?

9 A. What do you mean, like when he
10 needs the medication, I go to the Dr. Williams and
11 ask for his prescription?

12 1882. Q. I'm just asking have you ever asked
13 her, regardless of his need, have you ever asked
14 her to refill any of his prescriptions?

15 A. If he needs the -- his medication,
16 yeah, for sure I'm going to ask Dr. William. I
17 don't understand your question.

18 MS. VAN WEERT: It's easy.

19 MR. BURY: It's black and white.

20 MS. VAN WEERT: You just answered it.
21 If he needs a refill, did you ask Dr.
22 Williams --

23 THE DEPONENT: Yeah.

24 MS. VAN WEERT: -- for a refill?

25 THE DEPONENT: Just -- yes.

1 MS. VAN WEERT: Fine, yes.

2 BY MR. BURY:

3 1883. Q. But my question is irrespective of
4 his needs. Have you ever -- regardless of his
5 needs, have you ever asked for refills of his
6 prescriptions?

7 MS. VAN WEERT: She says she has, yes.

8 THE DEPONENT: If he needs it, I asked
9 it.

10 MR. BURY: Right.

11 THE DEPONENT: Because I --

12 MS. VAN WEERT: Do you want to ask did
13 you ever ask it if he didn't need it?

14 BY MR. BURY:

15 1884. Q. That's next. Did you ever -- and,
16 first of all, let me particularize the medications,
17 Sertraline I believe was one of them. Does that
18 ring a bell for you?

19 A. Sertraline is his anxiety and
20 depression medication he's taking for years.

21 1885. Q. Okay.

22 A. And sometimes he was taking three
23 together, sometimes he was taking not two weeks.
24 And that was very serious medication. That's why I
25 had to follow-up with him. And he was always three

1 or four to finish, he was asking like to get it
2 from Costco. If the refill was done, he was
3 telling me, I was calling like -- they do the
4 refill to the Costco.

5 1886. Q. Okay. Did you ever take any of his
6 medications?

7 A. No.

8 1887. Q. Sorry, you paused there.

9 A. No. Why I have to take his
10 medications?

11 1888. Q. I don't know. That's what I'm
12 asking the question.

13 MS. VAN WEERT: She didn't actually
14 pause, sorry.

15 BY MR. BURY:

16 1889. Q. There was a pause. Have you taken
17 any similar medications belonging to him?

18 A. No.

19 1890. Q. So your evidence is you've never
20 taken any of the medication prescribed to him?

21 A. I'm not a medication person. I
22 don't like to take the medication.

23 1891. Q. Have you taken any medication for
24 your other issues, specifically during the
25 postpartum period when you were with the therapist?

1 A. When I was going for the
2 postpartum, yes, I was taking medication. But like
3 I'm not -- like if I get cold, I prefer to have the
4 herbals and stuff than taking medication. I don't
5 like medication.

6 1892. Q. Okay. And when I say medication, I
7 want to specify particularly medication relating to
8 mental health issues. Did you take any of his
9 medications for your own mental health issues?

10 MS. VAN WEERT: She indicated she
11 didn't have mental health issues, that
12 was her answer. And then she said
13 subsequent to that that she had a
14 period of postpartum depression. So
15 let's not say your mental health issues
16 as if she's had numerous ones. Let's
17 be specific about this because we're
18 not -- I'm not going to sit here and
19 have you put to her that she has mental
20 health issues when she says she doesn't
21 except for postpartum.

22 BY MR. BURY:

23 1893. Q. All right. So except for
24 postpartum, have you taken any other medications
25 for mental health issues?

1 A. No.

2 1894. Q. Or related?

3 A. I don't have mental health issue.
4 Why he was taking the medication for his mental
5 health issue?

6 MS. VAN WEERT: Well, depression or
7 anxiety or whatever you just said.

8 THE DEPONENT: Oh okay.

9 BY MR. BURY:

10 1895. Q. I don't know. You lived with him.

11 A. No, because I don't know, like he
12 was mentioning his mental medication.

13 MS. VAN WEERT: No. He was asking
14 about your mental health.

15 THE DEPONENT: Uh-huh.

16 BY MR. BURY:

17 1896. Q. Are you able to assist us when he
18 started taking those medications?

19 MS. VAN WEERT: I'm not sure -- we've
20 only -- how many medications have we
21 talked about?

22 MR. BURY: Two.

23 MS. VAN WEERT: Two, okay.

24 MR. BURY: Or they may be the one
25 medication.

1 THE DEPONENT: No, it's just one
2 medication. He was taking Sertraline
3 100 milligram and the 50 milligram.
4 What two medication? It was both one,
5 but one capsule was 100 he was taking
6 and 50.

7 BY MR. BURY:

8 1897. Q. And when did he start taking them
9 based on your information?

10 A. As much as I remember, he was
11 taking. I don't remember.

12 MS. VAN WEERT: For a long time?

13 THE DEPONENT: Yeah.

14 BY MR. BURY:

15 1898. Q. For when, do you have a period of
16 time?

17 A. I don't remember, no.

18 MS. VAN WEERT: Was he taking them when
19 you met him?

20 MR. BURY: That was my next question.

21 THE DEPONENT: I don't remember.

22 BY MR. BURY:

23 1899. Q. Did you pick up these medications
24 at Costco as well?

25 A. Yeah.

1 1900. Q. And are you able to assist us
2 whether you had any medications at that Costco as
3 well?

4 A. I have a medication at Costco?

5 1901. Q. I'm asking if you had any?

6 A. If I was sick with antibiotics or
7 something, yes, but not regular-basis medication.

8 1902. Q. Did you ever get a doctor's note
9 for him from Dr. Williams in his absence, without
10 him being there?

11 A. No.

12 1903. Q. Did you ever get a doctor's note
13 with him present for him from Dr. Williams?

14 A. Why I have to get the doctor note
15 for him? He can talk.

16 1904. Q. I don't know. I'm just asking the
17 question.

18 A. No.

19 1905. Q. When you filed for divorce
20 initially, that would have been way back I believe
21 June 20th if I'm not mistaken.

22 MS. VAN WEERT: Yeah, around then, the
23 application.

24 BY MR. BURY:

25 1906. Q. Right. In your supporting

1 affidavit, I believe you reference a specific
2 property back in Iran, his father's property. Do
3 you remember that?

4 A. Excuse me?

5 MS. VAN WEERT: Let's look at the
6 affidavit.

7 MR. BURY: I believe it's in the
8 translation of the Iran documents.

9 MS. VAN WEERT: In the affidavits, the
10 very first affidavit?

11 MR. BURY: I think so.

12 MS. VAN WEERT: I don't see anything
13 referring to an Iranian property in
14 this affidavit.

15 MR. BURY: I think it might be the next
16 one with the attachments for the
17 Iranian property. Sorry, that's --

18 MS. VAN WEERT: June 21.

19 MR. BURY: -- the third one, sorry.

20 MS. VAN WEERT: So what date was that?

21 Probably July.

22 MR. BURY: Probably, sorry.

23 MS. APOSTOLI: Not June 26.

24 MS. VAN WEERT: No. July. That would
25 be the second one.

1 MR. BURY: Yes, sorry, July.

2 MS. APOSTOLI: Did you have it out?

3 MR. BURY: It's out in front, sorry. I
4 believe the search is dated June 20th
5 if I'm not mistaken.

6 MS. VAN WEERT: The search?

7 MR. BURY: Or the document with respect
8 to the land.

9 THE DEPONENT: He's talking about this.

10 MS. VAN WEERT: Exhibit C, yes, okay.

11 MR. BURY: Yes.

12 MS. VAN WEERT: Right?

13 BY MR. BURY:

14 1907. Q. So my question is how did you know
15 what parcel of land to look for?

16 MS. VAN WEERT: Oh boy. Go ahead.

17 THE DEPONENT: Was it in -- like what
18 do you call -- the bill of sale saying
19 in the north.

20 MS. VAN WEERT: Is says the property
21 listed in the contract of sale. So she
22 sent the contract of sale.

23 MR. BURY: Right. Well, that's --

24 MS. VAN WEERT: It has a physical
25 description.

1 MR. BURY: That's what I'm asking her.

2 MS. VAN WEERT: Yeah.

3 BY MR. BURY:

4 1908. Q. So is that how you determined the
5 property?

6 MS. VAN WEERT: Well, how are you
7 supposed to determine it? He's
8 claiming that that's what he owned.

9 MR. BURY: Right.

10 MS. VAN WEERT: So she said, did he own
11 it. Like it's not up to her to have
12 some other description of the
13 properties.

14 MR. BURY: Right. But that document is
15 dated June 20th I believe.

16 MS. VAN WEERT: What document? The
17 response?

18 MR. BURY: Right.

19 MS. VAN WEERT: Yeah. But that's in
20 response to having seen the contract of
21 sale.

22 MR. BURY: Right. But my position --
23 or my question is this is a document
24 dated June 20th. He subsequently
25 discloses the contract of sale once

1 things get rolling in court, do you
2 understand?

3 MS. VAN WEERT: Uh-huh.

4 BY MR. BURY:

5 1909. Q. So my question is, how is it that
6 you identified that piece of land before him
7 providing you any information?

8 MS. VAN WEERT: Do you understand that
9 question?

10 THE DEPONENT: Because he said the
11 first day of the court, he said this is
12 all inheritance, do you remember with
13 Mr. Sherman?

14 MS. VAN WEERT: Yeah, but this is dated
15 -- by letter dated June 20th, 2018.

16 THE DEPONENT: I understand it is June,
17 right?

18 BY MR. BURY:

19 1910. Q. Just so I can recap, before he
20 provides any documentation or responses or any --

21 MS. VAN WEERT: No, no, no, no, no, no.
22 Actually -- well, that's interesting.

23 THE DEPONENT: No.

24 MS. VAN WEERT: Go ahead.

25 MR. BURY: Sorry, who's going ahead?

1 MS. VAN WEERT: This letter is actually
2 dated July 16 --

3 MR. BURY: Right.

4 MS. VAN WEERT: -- the response. And
5 it's -- but it's referencing a letter
6 dated June 20th.

7 THE DEPONENT: Uh-huh.

8 MR. BURY: Right.

9 MS. VAN WEERT: And Mr. Bury's point is
10 that Mahyar had not yet produced the
11 contract of sale in the litigation.

12 THE DEPONENT: But it was in the home,
13 right, and he mentioned that like this
14 is inheritance the first day.

15 MS. VAN WEERT: Tell Mr. Bury.

16 THE DEPONENT: The first day with Mr.
17 Sherman, he mentioned, oh --

18 MS. VAN WEERT: The first date with
19 Mr. Sherman was after June 20th.

20 THE DEPONENT: It wasn't after June
21 20th I don't believe.

22 MS. VAN WEERT: Yeah, it was because we
23 started the litigation on June 20th.

24 MR. BURY: That's right.

25 THE DEPONENT: No. He was -- like he

1 said like it's about like all the
2 inheritance thing -- like all the stuff
3 is from his inheritance, right.

4 MR. BURY: That's not the point.

5 MS. VAN WEERT: Sheida, the
6 application, we were in court -- the
7 first day you and I were in court
8 before -- and we froze everything.

9 THE DEPONENT: Uh-huh.

10 MS. VAN WEERT: I believe the first
11 order is June 21st.

12 MS. APOSTOLI: Yes.

13 MS. VAN WEERT: Although let me just --

14 MR. BURY: I believe so.

15 MS. VAN WEERT: Yeah, I think that's
16 true.

17 MR. BURY: So do you understand my
18 question?

19 MS. VAN WEERT: Well, I understand it.

20 MR. BURY: You understand it, okay.

21 BY MR. BURY:

22 1911. Q. Do you understand my question?

23 A. Yes.

24 1912. Q. Before you had a chance to respond,
25 provide any documentation or contra bill of sale,

1 etcetera, etcetera, how is it that that land was
2 identified and referenced there in that document?

3 A. I remember what -- like he talked
4 about the inheritance.

5 MS. VAN WEERT: But I -- you came in to
6 see me like around June 20th -- like
7 June 20th is when this all started. I
8 have -- we have no explanation for
9 that. I don't understand this. Don't
10 know.

11 MR. BURY: Well, I'd prefer to hear it
12 from her but ...

13 MS. VAN WEERT: Well, do you -- I mean
14 she's -- do you have any explanation
15 for why this is June 20th?

16 THE DEPONENT: I don't understand.
17 Remember he said like we were there
18 about the inheritance, was it the June
19 21st? When was our first affidavit?

20 MS. VAN WEERT: June 21st. I think
21 that's the date of the first affidavit
22 is June 21st. And then we served it on
23 him that day.

24 THE DEPONENT: Okay.

25 MS. VAN WEERT: Do we have a copy of

1 the letter being referenced?

2 THE DEPONENT: No, I don't. That's the
3 problem.

4 MS. VAN WEERT: Whose letter is it?

5 THE DEPONENT: What do you mean whose
6 letter is it?

7 MS. VAN WEERT: Well, who prepared --
8 by letter number 159, whose letter is
9 that?

10 THE DEPONENT: It's that lawyer Moallen
11 follow up and then what do you call it
12 -- the court people who investigate all
13 that?

14 MS. VAN WEERT: When did you retain
15 that lawyer?

16 THE DEPONENT: I don't remember exact
17 date but I told to my brother.

18 MS. VAN WEERT: Before or after you
19 retained me?

20 THE DEPONENT: Probably -- I don't
21 remember. I don't remember.

22 MS. VAN WEERT: Okay. Well, we'll have
23 to find that out. We can't explain it
24 sitting here.

25 MR. BURY: So can we get an undertaking

1 for an explanation?

2 MS. VAN WEERT: Yes, you certainly can.

3 MR. BURY: Okay. Can I just have one
4 minute outside?

5

6 --- SHORT RECESS

7

8 MS. VAN WEERT: So we believe -- Sheida
9 has thought about this and she believes
10 that what likely happened was that her
11 brother -- she phoned her brother on
12 June 9th because Mr. Radmehr had
13 threatened to have her imprisoned for
14 tax fraud for having filed tax returns
15 that indicated no income. And she was
16 very, very upset about that and was
17 crying and she told her brother that he
18 filed her tax returns for her and that
19 in addition he had committed tax fraud
20 in 2005 alleging that this property in
21 Iran was an inheritance. And her
22 brother already had the documents
23 because she sent him a copy of all of
24 them in 2012 when they had the first
25 very serious matrimonial dispute. And

1 she believes that her brother would
2 have retained the Iranian lawyer at
3 that point but she doesn't know that.
4 She's speculating that that's why that
5 date is in there and therefore she's
6 going to ask him if that is the
7 situation.

8 MR. BURY: Okay. And along those
9 lines, if possible, can we get an
10 affidavit from your brother attesting
11 to that?

12 MS. VAN WEERT: I think so.

13 THE DEPONENT: My brother's in Iran.

14 MS. VAN WEERT: Yeah, well.

15 MR. BURY: Sure.

16 MS. VAN WEERT: I mean we can draft it.
17 Does he read English?

18 THE DEPONENT: Yeah.

19 MS. VAN WEERT: So, yeah, if that turns
20 out to be correct, which she's thinking
21 that must be the situation. She
22 doesn't understand it otherwise and she
23 does recall the June 9th phone call.

24 BY MR. BURY:

25 1913. Q. And do you have any telephone

1 records with respect to the June 9th phone call?

2 A. June 9th phone call?

3 1914. Q. To your brother.

4 MS. VAN WEERT: The one to your
5 brother.

6 THE DEPONENT: No. I'm talking to my
7 brother with the apps.

8 MS. VAN WEERT: What's App?

9 THE DEPONENT: What's App, Imo,
10 different apps, whatever, Telegram.

11 MR. BURY: Okay. Can we get an
12 undertaking for her to check her
13 records for any proof of that
14 conversation electronically if that's
15 how it took place?

16 MS. VAN WEERT: Yeah. I don't know. I
17 mean I don't know how long they keep
18 those records if they even have them.

19 MR. BURY: What's App history stays for
20 quite a long -- like your whole --

21 MS. VAN WEERT: If it was What's App,
22 but anyways.

23 MR. BURY: If it was.

24 MS. VAN WEERT: Yes, if you can find
25 any proof --

1 THE DEPONENT: It's the problem, like I
2 was talking with them since May 23rd,
3 like the June 9th, but it's -- because
4 he was keep threatening me, right, for
5 that two weeks. But then June 9 was I
6 was crying and I told him like ...

7 BY MR. BURY:

8 1915. Q. Okay. So how did you communicate
9 it with your brother? Is it What's App or you
10 don't know?

11 A. It is What's App, Imo, Telegram.

12 MR. BURY: Okay. So can we get an
13 undertaking to get copies of those
14 communications if still available?

15 MS. VAN WEERT: No. I mean what she
16 says to her brother like ...

17 MR. BURY: With respect to this issue.

18 MS. VAN WEERT: You mean just the
19 record of whether the calls took place?

20 MR. BURY: Well, that. And then if
21 there's any content if they're
22 discussing the issue.

23 MS. VAN WEERT: Did you ever text
24 with --

25 THE DEPONENT: No, no. I don't text.

1 It's just talking on the phone,
2 talking.

3 MS. VAN WEERT: Right, it's talking.

4 BY MR. BURY:

5 1916. Q. Okay. So was there any written --
6 yeah, that -- any written communications?

7 A. No.

8 1917. Q. Or this was all chatting?

9 A. Always like talk on the phone.

10 MR. BURY: So if we get an undertaking
11 for any records of those conversations.

12 MS. VAN WEERT: Is there anything other
13 than those three? Are there any apps
14 other than the three that you've
15 mentioned?

16 THE DEPONENT: There's lots of apps but
17 that's mostly we talk on that. I have
18 Line, Line and Viber, very little. I
19 don't remember that day what I used.
20 But mostly is Imo, What's App and
21 Telegram.

22 MS. VAN WEERT: We'll try to go back.

23 MR. BURY: Right. Based on my
24 experience, if you haven't deleted your
25 -- they should still be there but I'll

1 leave it --

2 MS. VAN WEERT: Yeah, I don't know.

3 MR. BURY: -- up to you to do.

4 MS. VAN WEERT: Okay.

5 MR. BURY: So that's that issue.

6 BY MR. BURY:

7 1918. Q. The other issue we haven't really
8 touched upon deals with access and specifically
9 your parents and their capability or ability to
10 assist with the caregiving. You indicated in your
11 35.1 affidavit, that's the affidavit that deals
12 with your plan for how the kids will be looked
13 after, that your parents will be assisting you?

14 A. Yes.

15 1919. Q. Okay. I just want to touch upon
16 their health issues and whether they in any way
17 impact on that. First of all, with respect to your
18 father, did your father have a stroke back home
19 prior to coming to Canada?

20 A. It wasn't a stroke. They -- what
21 do you call -- like they do the -- check the heart
22 in hospital.

23 1920. Q. I don't know.

24 A. It wasn't stroke, but they just --
25 they check the --

1 MS. VAN WEERT: ECG?

2 THE DEPONENT: No, not ECG. The --
3 just the blood is going rightly or not.

4 MS. VAN WEERT: Yeah, okay. And what
5 happened? What's the result?

6 THE DEPONENT: Nothing. He was
7 healthy.

8 MS. VAN WEERT: So he didn't have a
9 stroke?

10 THE DEPONENT: No.

11 MS. VAN WEERT: So your father's
12 healthy?

13 THE DEPONENT: My father is very
14 healthy. And always when I'm going to
15 doctor, they say --

16 BY MR. BURY:

17 1921. Q. And did he declare any medical
18 issues for the medical examination for immigration
19 purposes?

20 A. Yes, he did.

21 1922. Q. Okay. So what health issues did he
22 declare?

23 A. He didn't declare the health issue.
24 He did the health test and he passed both of them.

25 1923. Q. Okay. So --

1 A. What do you mean by declare?

2 MS. VAN WEERT: Did he list on the
3 immigration form any health issues?

4 Like did he say, I'm diabetic, I'm --
5 you know, did he say --

6 THE DEPONENT: Probably he did, yeah.

7 MS. VAN WEERT: What health issues?

8 THE DEPONENT: But he doesn't have the
9 health issue.

10 MS. VAN WEERT: So he listed none?

11 BY MR. BURY:

12 1924. Q. So what did he list?

13 A. I know like his blood pressure
14 sometimes goes up. Like -- but like that's not
15 just regular thing. He takes the pill.

16 1925. Q. Sorry, he takes the pill or
17 doesn't?

18 MS. VAN WEERT: A blood pressure pill?

19 THE DEPONENT: Yeah, yeah.

20 MS. VAN WEERT: So he has high blood
21 pressure.

22 BY MR. BURY:

23 1926. Q. So he has high blood pressure so
24 that's one issue. Are there any other issues?
25 Because you've originally said no but now you've

1 said there's high blood pressure. You can take a
2 moment --

3 A. My dad is 83 years old. Okay.

4 MS. VAN WEERT: Well, he either has
5 health issues or he doesn't.

6 MR. BURY: Yeah.

7 THE DEPONENT: He doesn't. He's a
8 very, very healthy person. Whichever
9 doctor when I'm taking, they're saying
10 for his age, he's very -- and he has
11 the prostate issue too, prostate.

12 BY MR. BURY:

13 1927. Q. Okay. Apart from those two issues,
14 any other issues that would impact on caregiving
15 abilities?

16 MS. VAN WEERT: Nobody has said those
17 two issues do.

18 MR. BURY: Right.

19 MS. VAN WEERT: I mean, the you way you
20 phrased that suggests that those two
21 issues do. Lots of people have high
22 blood pressure and raise children.

23 MR. BURY: Right. Sometimes higher.

24 MS. VAN WEERT: In fact, children are
25 the leading cause of high blood

1 pressure.

2 MR. BURY: Exactly. That's what I've
3 heard.

4 BY MR. BURY:

5 1928. Q. Apart from those two issues, any
6 other issues?

7 A. Any other -- not as much as I
8 remember, no.

9 1929. Q. Any current new issues since that
10 affidavit was filed in court when you applied for
11 divorce?

12 MS. VAN WEERT: No.

13 THE DEPONENT: No.

14 MS. VAN WEERT: She's saying he's
15 healthy.

16 THE DEPONENT: He's very healthy.

17 BY MR. BURY:

18 1930. Q. Did your mom have a knee problem
19 before she received her immigration approval?

20 A. She has a knee problem. She has
21 arthritis and like knee problem, yeah.

22 1931. Q. And she had some knee operations as
23 well?

24 A. Yes, she had, like I believe we
25 talked about it like last time too.

1 1932. Q. And when were those operations?

2 A. When?

3 1933. Q. Right.

4 A. It was I believe October 2017, I
5 don't want to be wrong with the dates, or
6 September. I don't ...

7 1934. Q. And she applied for disabled
8 parking, correct?

9 A. Yeah, because she had a surgery so
10 she had to apply, like it takes a few months. She
11 can -- she was walking with a cane to get healed.

12 1935. Q. Right. And she used that parking
13 pass for five -- sorry, that disabled parking pass
14 for five years while visiting here?

15 A. They give her like because before
16 surgery she -- like she had the pain and the
17 arthritis so I had that pass. And then like I
18 believe it was for five years, yeah.

19 1936. Q. Did you apply for a caregiver
20 credit for your parents?

21 A. I didn't apply. I explained last
22 time. Mr. Radmehr asked the -- I believe asked the
23 accountant and then asked the doctor if because my
24 mom had the surgery and I was taking care of her
25 like at the house after hospital, he wants to get

1 the benefit in his tax. That's why he asked for
2 the caregiver apply.

3 1937. Q. I'm not asking whether he did. Did
4 you apply yourself?

5 A. No, I didn't. I didn't apply for
6 any caregiver unless that letter it was from him
7 asking from the accountant and asking from the
8 doctor.

9 1938. Q. Do your parents speak any English?

10 A. Not really, no.

11 1939. Q. Do the children do their homework
12 with you or with them?

13 A. They do mostly with me.

14 1940. Q. Are you still in possession of the
15 children's travel documents, OHIP cards,
16 immunization cards?

17 A. You mean I have them?

18 1941. Q. Yes.

19 A. Yes, I do.

20 1942. Q. A brief indulgence. I know we've
21 talked about this forever now, the Willow's Centre.
22 Are you in agreement that the children attend at
23 the Willow Centre?

24 A. No.

25 1943. Q. And why is that?

1 A. There's lots of other organization.
2 There's no point like you and Mr. Radmehr just like
3 choosing that centre and you guys just want my kids
4 goes there. I don't feel comfortable.

5 1944. Q. Well, actually --

6 A. We can chose ten other one in the
7 town.

8 1945. Q. Actually we were the first ones to
9 propose any therapy for these children back in
10 September of 2018 when I became involved. Prior to
11 that, there was no proposal for therapy by you.

12 MS. VAN WEERT: There still isn't
13 because my client doesn't feel it is
14 necessary.

15 THE DEPONENT: Exactly.

16 MS. VAN WEERT: But if your client
17 feels it is necessary, she's prepared
18 to agree but just not to the Willow
19 Centre.

20 BY MR. BURY:

21 1946. Q. Hang on. So you don't feel therapy
22 is necessary --

23 A. I don't feel therapy is necessary
24 for my kids. My kids is okay. Unless like in that
25 time when the Children Aid involved and then the

1 abusement against the kids and stuff, yeah,
2 probably. But, no, I don't feel it. They are very
3 happy kids.

4 1947. Q. So your position is now they don't
5 need any supports with respect to therapy --

6 A. No.

7 1948. Q. -- with respect to the --

8 MS. VAN WEERT: But we're prepared to
9 send them, just not to the Willow
10 Centre. Like we're not saying no to
11 therapy.

12 MR. BURY: Well, she's just said she
13 doesn't feel they need it so --

14 MS. VAN WEERT: But if your client does
15 feel they need it, we're prepared to
16 cooperate with that.

17 MR. BURY: Separate issue.

18 THE DEPONENT: Yeah, I'm prepared to
19 cooperate but not Willow Centre.

20 BY MR. BURY:

21 1949. Q. Okay. And, again, why are you not
22 comfortable with the Willow Centre?

23 A. I explained once.

24 1950. Q. Not really. You just said you're
25 not comfortable.

1 MS. VAN WEERT: Because it was your
2 choice with Mr. Radmehr.

3 MR. BURY: Oh, because it was my
4 choice.

5 MS. VAN WEERT: And there are many
6 other choices that would be more
7 neutral.

8 MR. BURY: Right so ...

9 THE DEPONENT: And then when we called
10 them, they were -- you called them,
11 there was no --

12 MS. VAN WEERT: Space.

13 THE DEPONENT: -- space. And then when
14 you called them, it was empty space.

15 BY MR. BURY:

16 1951. Q. Actually there wasn't empty space.
17 I don't know what your information is. If it
18 assists you, I contacted them in September. I
19 contacted a specific therapist, Dr. -- Ms. Carol
20 Jane Parker who had the initial meeting just to
21 say, yes, I'll work with the family. And she's
22 kept that space open since September for us. So
23 it's not -- I have no magical powers at the Willow
24 Centre. The receptionist I'm going to suggest to
25 you probably said, yeah, we're booked. We're not

1 taking new patients. But this agreement to assist
2 your family goes back to September, okay? So I
3 have no magical powers, special relationships.

4 A. So that doctor just make up a space
5 for six months not seeing any client to making
6 money just for specifically Mr. Radmehr?

7 1952. Q. Because I've asked her to keep it
8 open indicating we're trying to negotiate this,
9 yes, she actually has.

10 MS. VAN WEERT: That's very kind of
11 her.

12 MR. BURY: It is.

13 MS. VAN WEERT: But it doesn't change
14 my client's opinion.

15 MR. BURY: That's fine. Understood. .

16 BY MR. BURY:

17 1953. Q. Now with respect to the CAS, and I
18 think we're almost done, when was the CAS involved
19 in the family history?

20 A. The CAS involved a few times in
21 2012. And June 9th and --

22 MS. VAN WEERT: June 9 of what year?

23 MR. BURY: What year, sorry?

24 THE DEPONENT: 2018. Like not June 9
25 but the incident after the incident of

1 June 9 -- after the incident from June
2 9, and also it was when Mr. Radmehr
3 start to like the kids stay overnight
4 over there, he's supposed to -- like
5 they're supposed to sleep there for two
6 nights and I -- so the next day like
7 -- like my older daughter Maana went to
8 the school. The incident happened in
9 their house. They were very upset.
10 They talked to the principal, to the
11 teacher -- to the teacher first. And
12 they didn't even notify me. They
13 called the CAS right away because it
14 was the -- like physical abusement too
15 not just --

16 BY MR. BURY:

17 1954. Q. Sorry, how many times have you
18 contacted CAS yourself?

19 A. I never contacted the CAS.

20 1955. Q. So you didn't initiate any phone
21 calls during the history you've just described?

22 A. I never called CAS to involve,
23 never.

24 1956. Q. Okay.

25 A. But like if CAS involved and they

1 left me a message, I contact them, yes.

2 1957. Q. Right. Of course. Do you have any
3 problem consenting to both sides getting a copy of
4 the CAS file?

5 MS. VAN WEERT: No. That's fine.

6 MR. BURY: Sorry, that's --

7 MS. VAN WEERT: We have no problem.

8 MR. BURY: No problem. So you're
9 prepared to sign any release --
10 normally I think both parents have to
11 sign the release.

12 MS. VAN WEERT: Yeah, that's fine.

13 MR. BURY: So you're fine with signing
14 that release?

15 MS. VAN WEERT: Yeah.

16 THE DEPONENT: That's fine.

17 MR. BURY: One minute outside and I'll
18 be right back just to make sure there's
19 anything else.

20 MS. VAN WEERT: I guess we'll make that
21 an undertaking.

22

23 --- SHORT RECESS

24

25 MS. VAN WEERT: I just wrote down that

1 I have to tell you this so I might as
2 well put it on the record. Apparently
3 the Toronto Court Reporters made an
4 error in the transcript -- in my
5 client's transcript where her husband's
6 -- her first husband's age is --
7 there's a 13 year difference and they
8 said it was a 30 year difference, just
9 an FYI.

10 MR. BURY: If it's relevant, I'm sure
11 you'll get it corrected.

12 MS. VAN WEERT: Well, no. I'm just
13 telling you so I don't have to go to
14 that effort.

15 MR. BURY: Right. Right.

16 MS. VAN WEERT: They made the error
17 twice.

18 MR. BURY: Right.

19 MS. VAN WEERT: Just so that there's no
20 misunderstanding, I'm not going to ask
21 them to reprint that page.

22 MR. BURY: So we're all on the same
23 page.

24 So I've spoken with my client, he
25 advises me there's no other questions

1 for me to ask at this time so we're
2 done.

3 MS. VAN WEERT: Perfect. Thank you.
4 Terrific.

5

6

7

8 I HEREBY CERTIFY the foregoing to be the
9 Continued Questioning of SHEIDA
10 ALETRATIKHOSROSHAHI, taken before me on the 23rd
11 day of May 2019.

12

13

14 _____
CARRIE-ANN GALLINGER

15 VERBATIM REPORTER

16

17 Undertakings are provided as a service to
18 counsel and are not purported to be legally binding
19 nor necessarily accurate.

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX OF PROCEEDINGS

SHEIDA ALETRATIKHOSROSHAHI, PREVIOUSLY SWORN
CONTINUED EXAMINATION BY MR. BURY 280 - 452

EXHIBITS

EXHIBIT F: 2015, 2016 and 2017
Notices of Assessment. 281

EXHIBIT G: Two Chesswood invoices. 303

EXHIBIT H: RBC documents with Sheida
Aletratikhosroshahi's annotations. 308

EXHIBIT I: RBC home line plan
statements. 372

UNDERTAKINGS

1. Page 301/Line 24.

- 1 2. Page 304/Line 2.
- 2 3. Page 305/Line 9.
- 3 4. Page 306/Line 1.
- 4 5. Page 316/Line 13.
- 5 6. Page 372/Line 2.
- 6 7. Page 376/Line 21.
- 7 8. Page 377/Line 22.
- 8 9. Page 401/Line 20.
- 9 10. Page 434/Line 18.
- 10 11. Page 435/Line 24.
- 11 12. Page 437/Line 22.
- 12 13. Page 450/Line 20.

13

14

15

16

REFUSALS

17

- 18 1. Page 331/Line 4.
- 19 2. Page 373/Line 8.
- 20 3. Page 386/Line 22.
- 21 4. Page 412/Line 1.
- 22 5. Page 417/Line 2.

23

24

25

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25