# ONTARIO SUPERIOR COURT OF JUSTICE COMMERCIAL LIST

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF FIRSTONSITE G.P. INC.

**Applicant** 

# (Sworn May 18, 2016) (Re Assignment of Contracts)

I, C. Haddon Murray, of the City of Toronto, in the Province of Ontario, MAKE OATH AND SAY:

- 1. I am an associate at Stikeman Elliott LLP, counsel to FirstOnSite G.P. Inc. ("FirstOnSite GP") and FirstOnSite Restoration L.P. ("FirstOnSite LP" and together with FirstOnSite GP, "FirstOnSite"), a limited partnership formed under the laws of Ontario. Hereinafter, where reference is made to the FirstOnSite enterprise as a whole, the term FirstOnSite will be used. As such, I have knowledge of the matters to which I hereinafter depose, except where otherwise stated. I have spoken with certain of the directors, officers and/or employees of FirstOnSite, as necessary, and where I have relied upon such information do verily believe such information to be true.
- 2. This affidavit is sworn in support of the motion brought by FirstOnSite seeking an order (the "Assignment Order") assigning certain contracts from FirstOnSite to the Purchaser (as defined below).
- 3. This affidavit is supplemental to the affidavits of Kevin McElcheran sworn April 26, 2016, May 5, 2106 (the "May 5 Affidavit") and May 12, 2016 (the "May 12 Affidavit") and the affidavit of Adam Zalev sworn April 26, 2016.

4. Capitalized terms not defined herein have the meaning set out in the May 12 Affidavit.

### A. Status of the Assignment of Contracts

- 5. Details of FirstOnSite's process and efforts to obtain consents for the assignment of Consent Required Contracts are set out in the May 12 Affidavit at paragraphs 8 to 26.
- 6. As a result of discussions with the Purchaser and the Monitor, the total number of Consent Required Contracts, including Essential Contracts, has been reduced to approximately 76 contracts with 56 counterparties. Attached as **Exhibit "A"** is a list of the Consent Required Contracts (which is to be included as Appendix 6 to the Sale Agreement), not including the 14 Essential Contracts.
- 7. In the May 5 Affidavit at paragraph 15, Kevin McElcheran stated that:

FirstOnSite has sent letters to the counterparties of the Consent Required Contracts requesting their consent to an assignment to the Purchaser and advising the counterparties that, if they do not consent to the assignment, FirstOnSite will seek a court order in respect of the same.

Since that time the Purchaser has added additional contracts to the Consent Required Contracts list. Letters were sent to the counterparties of those additional contracts requesting their consent to the assignment of their contracts and advising that, absent their consent, FirstOnSite would seek a court order approving such assignment.

- 8. As at May 17, 2016, FirstOnSite has obtained consents for assignment from 35 counterparties to 40 of the Consent Required Contracts. Consents for assignment from 21 counterparties in respect of 36 Consent Required Contracts remain outstanding.
- 9. A schedule listing the Consent Required Contracts for which consents remain outstanding (the "Outstanding CR Contracts") is attached as Schedule "A" to the draft Assignment Order. FirstOnSite or its advisors have been in email or telephone contact with representatives of each of the counterparties to the Outstanding CR Contracts.

- 10. I am advised by Vlad Calina, associate at Stikeman, that all counterparties to the Outstanding CR Contracts have been served with these motion materials in respect of the Assignment Order.
- 11. I am further advised by Maria Konyukhova that none of the Outstanding CR Contracts are (a) agreements which have been entered into subsequent to the commencement of FirstOnSite's CCAA proceedings; (b) eligible financial contracts; or (c) collective agreements.

SWORN BEFORE ME at the Toronto, Province of Ontario, May 18, 2016.

Commissioner for Taking Affidavits

lee Nicholson

C. Haddon Murya

Exhibit "A" to the Affidavit of C. Haddon Murray Sworn

May 18, 2016

2 ni

### APPENDIX "6" - CONSENT REQUIRED CONTRACTS

<u>Ref</u> <u>#</u>	Name of Agreement	Counterparty	<u>Date of</u> <u>Agreement</u>	Notice Address	<u>Leased</u> <u>property</u>
1	Indenture	3027016 Nova Scotia Limited	9/23/2011	P.O. Box 2223 Woflville, Nova Scotia B4P 2N5	9128 Commercial Street, New Minas, NS, B4N 3E5
2	Indenture of Lease	NBT Properties Limited	September, 2013	NBT Properties Limited P.O. Box 906 Amherst, Nova Scotia B4H 4E1	46 Anson Avenue, Unit 8, Amherst, NS, B4H 4R3
3	Indenture	3051754 Nova Scotia Limited	7/1/2002	14 Lake Major Road Dartmouth, NS B2Z 1B1	17176 Highway 103, Hebb's Cross (Bridgewater), NS
4	Industrial Lease Agreement	Altra Investments Inc	12/13/2011	Altra Investments Inc. 9 Briar Wood Drive Caledon, ON L7K 0N1	60 Admiral Boulevard, Mississauga, Ontario
5	Lease Agreement	CWB Business Centre Limited	12/1/2008	56 Glenora Drive  Bath, ON  KOH 1G0  Attention: Robert Prescott	566 Cataraqui Woods Drive, Unit 2, Kingston, ON, K7P 2Y5
6	Lease Agreement	M-T Properties Inc.	1/2/2008	M-T Properties Inc. 2104 Jetstream Road London, ON N5V 3P6 Attention: Marc Lalonde Tel: 519-451-6789 x 223 mlalaonde@FirstOnSite.ca	2104 Jetstream Road, London, ON

<u>Ref</u> #	Name of Agreement	Counterparty	Date of Agreement	Notice Address	<u>Leased</u> property
7	Lease	170 University Avenue Investments Inc	5/14/2007	c/o Avison Young Property Management (Ontario) Inc. 150 York Street, Suite 900 Toronto, Ontario M5H 3S9 Attention: Property Manager, 170 University Avenue	170 University Avenue, Suite 403, Toronto, ON
8	Lease to Rent Commercial Properties	Woodhouse Investments Inc.	7/1/2012	Woodhouse Investments Inc. 2A-235 Ardelt Avenue Kitchener, Ontario N2C 2M3	235 Ardelt Avenue, Unit 1B-235, Kitchener, ON
9	Lease Agreement	Fournier Brothers Holdings Inc.	7/1/2007	2000 Jaguar Road Timmins, Ontario P4N 7C3 Attention: Shawn Fournier Mobile: 705-360-3673 shawnlfournier@gmail.com	524 Lakeshore Drive, Units 105, 106, 107 & 108, North Bay, ON, P1A 2E4
10	Lease Agreement	886247 Ontario Limited	3/1/2012	45 Frid Street, Suite 7 Hamilton, Ontario	180 Chatham Street, Hamilton, ON, 18P 4M3
11	Indenture	Melran Holdings Limited	12/1/2011	Melran Mall Management Office Unit 137, 355 Elmira Road North Guelph, Ontario N1K 1S5	355 Elmira Rd., Suite 108, Guelph, ON, N1K 1S5
12	Lease	Les Immeubles Roussin Ltee	4/5/2011	Les Immeubles Roussin Ltee 3500 Maricourt Avenue, apt. 1 Quebec, Quebec G1W 2M7 Phone: (418) 651-9443	3075 Hamel, Suite 105, Quebec, PQ, G1W 2M7
13	Sublease Agreement	The Data Group Limited Partnership	3/25/2009	9195 Torbram Road Brampton, ON L6S 6H2 Attention: Paul O'Shea	290 Guthrie Street, Dorval, PQ

<u>Ref</u> <u>#</u>	Name of Agreement	Counterparty	Date of Agreement	Notice Address	<u>Leased</u> <u>property</u>
14	Indenture	Pinebush Limited Partnership	2/27/2013	Pinebush Limited Partnership c/o Frastell Property Management Inc. 22 St. Clair Avenue East Suite 1500 Toronto, ON M4T 2S5	700-780 Gordon Baker Road, Unit 768, Toronto, ON, ON M2H
15	Indenture	Murray Black	11/27/2013	1609 Hillside Drive London, ON N6G 2P7	3051 Osler Street, Unit 3 & 4, London, ON
16	Indenture	48–50 CR Inc.	9/1/2015	48-50 CR. Inc., c/o Marklyn Management Ltd. 1435 Sandford Fleming Avenue Suite 205 Ottawa, Ontario	48-50 Colonnade Road, Ottawa, Ontario
17	Agreement of Lease	Artis WPG Industrial Ltd.	8/27/2015	300-360 Main Street Winnipeg, Manitoba R3C 3Z3 Attention: Jim Green, CFO	1832 King Edward Street, Winnipeg, MB, R2R 0N1
18	Lease	Rudy Redekop and Louise Redekop	10/27/1999	Rudy and Louise Redekop 4650-248th Street Aldergrove, BC V4W 1B6 Attention: Rudy Redekop	5-8465 Harvard Place, Unit #5, Chilliwack, BC, V2P 7Z5
19	Lease	7788 Holdings Ltd.	4/12/2012	7788 Holdings Ltd. d.b.a. Newton Omniplex Industrial Center Unit 321 - 13290 - 78th Avenue Surrey, BC V3W 0H6 Attention: DJ DeVries	13260-78th Ave Surrey and 7788-132 St Surrey, Units 23-27; Unit 104, Surrey, BC V3W 0H5;

<u>Ref</u> <u>#</u>	Name of Agreement	Counterparty	Date of Agreement	Notice Address	<u>Leased</u> property
20	Lease	Fred Naclerio of 1815513 Ontario Inc.	October 9, 2008 (as amended September 7, 2010 and July 27, 2012)	1815513 Ontario Inc. o/a Apollo Property Management 186 Chatham Street N. PO Box 1649 Blenheim, ON NOP 1A0 Attention: Fred Naclerio, President	995 Richmond Street, Chatham, Ontario
21	Motor Vehicle Lease Agreement	Howard Carter Lease Ltd.	1-Mar-2015 and 6-July- 2015	Howard Carter Lease Ltd. 4550 Lougheed Highway, Burnaby, BC V5C 3Z5	
22	MSDS Management Service Agreement	Canadian Centre for Occupational Health and Safety	2/28/2015	Manager, Finance Canadian Centre for Occupational Health and Safety 135 Hunter Street East Hamilton, Ontario L8N 1M5	·
23	Master Services Agreement	ADP Canada Co	6/9/2011	ADP Canada Co. 3250 Bloor Street West, 16th Floor Etobicoke, ON M8X 2X9	
24	Lease Contract	Fibernetics Corporation	12/15/2013	Fibernetics Corporation 605 Boxwood Drive Cambridge, ON N3E 1A5	

<u>Ref</u> #	Name of Agreement	Counterparty	Date of Agreement	Notice Address	<u>Leased</u> property
25	Service Agreement	Aecon Buildings, a Division of Aecon Construction Group Inc.	10/24/2013	Justin French, Director of Programs  Aecon Buildings, a Division of Aecon Construction Group Inc.  20 Carlson Court, Suite 800  Toronto, Ontario, Canada M8W 7K6  Tel: 416-297-2600  Fax: 416-754-8871  e-mail: cmorana@aecon.com  with a copy to:  Ken Yakimishyn, Contracts & Risk Manager e-mail: kyakimishyn@aecon.com	
26	Marketing Agreement for Services	Best Western International, Inc.	9/25/2015	Notice shall be sent by courier, certified, or registered mail to: Best Western Interational, Inc. 6201 North 24th Parkway, Phoenix, Arizona	
27	CMHC Services Purchase Agreement	Canada Mortgage and Housing Corporation	7/7/2014	Canada Mortgage and Housing Corporation Granville Island Administration Office 1661 Duranleau Street, 2nd Floor Vancouver, British Columbia, V6H 3S3	

<u>Ref</u> #	Name of Agreement	<u>Counterparty</u>	Date of Agreement	Notice Address	<u>Leased</u> property
	Agreement to		Initially: 10/1/2014	No notice provision. Greater Edmonton Foundation	
28	Provide Products	Greater Edmonton Foundation		14220 - 109 Avenue NW	
	and/or Services		Renewed	Edmonton, AB T5N 4B3	
L	:		10/1/2015		
29	Service Contractor Agreement	Jones Lang LaSalle Real Estate Services, Inc. for the benefit of Canada Post Corporation	4/1/2015	Notice shall be delivered by certified mail, a reputable messenger service or overnight courrier, or personal delivery to: Jones Lang LaSalle Real 199 BayStreet, Suit 4610, Box Toronto, ON M5L 1G3 Attn: Sourcing Manager	
30	Service Contractor Agreement	Jones Lang LaSalle Real Estate Services, Inc. for the benefit of HSBC Canada		Notice shall be delivered by Jones Lang LaSalle Real Estate Services, Inc. 199 BayStreet, Suit 4610, Box 407 Toronto, ON M5L 1G3 Attn: Sourcing Manager	
31	Professional Services Agreement	Staples Canada Inc.	12/1/2013	Notice shall be sent by courier, in person, by overnight courier or fax to: 6 Staples Avenue, Richmond Hill, ON, L4B 4W3	·
32	Profile Investigation Inc. Supplier Agreement (Services)	Profile Screening Services, a division of Profile Investigation Inc.	5/1/2014	110-5525 Eglinton Ave West, Toronto, Ontario, M9C 5K5 (416) 695-1260 ext 226	

### APPENDIX "6" - CONSENT REQUIRED CONTRACTS

<u>Ref</u> <u>#</u>	Name of Agreement	Counterparty	Date of Agreement	Notice Address	<u>Leased</u> <u>property</u>
1	Indenture	3027016 Nova Scotia Limited	23-Sep-11	P.O. Box 2223 Woflville, Nova Scotia B4P 2N5	9128 Commercial Street, New Minas, NS, B4N 3E5
2	Indenture of Lease	NBT Properties Limited	September, 2013	NBT Properties Limited P.O. Box 906 Amherst, Nova Scotia B4H 4E1	46 Anson Avenue, Unit 8, Amherst, NS, B4H 4R3
3	Indenture	3051754 Nova Scotia Limited	1-Jul-02	14 Lake Major Road Dartmouth, NS B2Z 1B1	17176 Highway 103, Hebb's Cross (Bridgewater), NS
4	Industrial Lease Agreement	Altra Investments Inc	13-Dec-11	Altra Investments Inc.  9 Briar Wood Drive Caledon, ON  L7K 0N1	60 Admiral Boulevard, Mississauga, Ontario
5	Lease Agreement	CWB Business Centre Limited	1-Dec-08	56 Glenora Drive  Bath, ON  KOH 1G0  Attention: Robert Prescott	566 Cataraqui Woods Drive, Unit 2, Kingston, ON, K7P 2Y5
6	Lease Agreement	M-T Properties Inc.	2-Jan-08	M-T Properties Inc. 2104 Jetstream Road London, ON N5V 3P6 Attention: Marc Lalonde Tel: 519-451-6789 x 223 mlalaonde@FirstOnSite.ca	2104 Jetstream Road, London, ON

<u>Ref</u> <u>#</u>	Name of Agreement	Counterparty	<u>Date of</u> <u>Agreement</u>	Notice Address	<u>Leased</u> property
7	Lease	170 University Avenue Investments Inc	14-May-07	c/o Avison Young Property Management (Ontario) Inc. 150 York Street, Suite 900 Toronto, Ontario M5H 3S9 Attention: Property Manager, 170 University Avenue	170 University Avenue, Suite 403, Toronto, ON
8	Lease to Rent Commercial Properties	Woodhouse Investments Inc.	1-Jul-12	Woodhouse Investments Inc. 2A-235 Ardelt Avenue Kitchener, Ontario N2C 2M3	235 Ardelt Avenue, Unit 1B-235, Kitchener, ON
9	Lease Agreement	Fournier Brothers Holdings Inc.	1-Jul-07	2000 Jaguar Road Timmins, Ontario P4N 7C3 Attention: Shawn Fournier Mobile: 705-360-3673 shawnlfournier@gmail.com	524 Lakeshore Drive, Units 105, 106, 107 & 108, North Bay, ON, P1A 2E4
10	Lease Agreement	886247 Ontario Limited	1-Mar-12	45 Frid Street, Suite 7 Hamilton, Ontario	180 Chatham Street, Hamilton, ON, I 8P 4M3
11	Indenture	Melran Holdings Limited	1-Dec-11	Melran Mall Management Office Unit 137, 355 Elmira Road North Guelph, Ontario N1K 1S5	355 Elmira Rd., Suite 108, Guelph, ON, N1K 1S5
12	Lease	Les Immeubles Roussin Ltee	5-Apr-11	Les Immeubles Roussin Ltee 3500 Maricourt Avenue, apt. 1 Quebec, Quebec G1W 2M7 Phone: (418) 651-9443	3075 Hamel, Suite 105, Quebec, PQ, G1W 2M7
13	Sublease Agreement	The Data Group Limited Partnership	25-Mar-09	9195 Torbram Road Brampton, ON L6S 6H2	290 Guthrie Street, Dorval, PQ

<u>Ref</u> #	Name of Agreement	Counterparty	Date of Agreement	Notice Address	<u>Leased</u> <u>property</u>
				Attention: Paul O'Shea	
				Pinebush Limited Partnership	700-780
14	Indenture	Pinebush Limited Partnership	27-Feb-13	c/o Frastell Property Management Inc. 22 St. Clair Avenue East Suite 1500 Toronto, ON M4T 2S5	Gordon Baker Road, Unit 768, Toronto, ON, ON M2H
15	Indenture	Murray Black	27-Nov-13	1609 Hillside Drive London, ON N6G 2P7	3051 Osler Street, Unit 3 & 4, London, ON
16	Indenture	ndenture 48–50 CR Inc.	1-Sep-15	48-50 CR. Inc., c/o Marklyn Management Ltd. 1435 Sandford Fleming	48-50 Colonnade Road, Ottawa, Ontario
				Avenue Suite 205 Ottawa, Ontario	
17	Agreement of Lease	Artis WPG Industrial Ltd.	27-Aug-15	300-360 Main Street Winnipeg, Manitoba R3C 3Z3 Attention: Jim Green, CFO	1832 King Edward Street, Winnipeg, MB, R2R 0N1
18	Lease	Rudy Redekop and Louise Redekop	27-Oct-99	Rudy and Louise Redekop 4650-248th Street Aldergrove, BC V4W 1B6 Attention: Rudy Redekop	5-8465 Harvard Place, Unit #5, Chilliwack, BC, V2P 7Z5
19	Lease	7788 Holdings Ltd.	12-Apr-12	7788 Holdings Ltd. d.b.a. Newton Omniplex Industrial Center Unit 321 - 13290 - 78th Avenue Surrey, BC V3W 0H6 Attention: DJ DeVries	13260-78th Ave Surrey and 7788-132 St Surrey, Units 23-27; Unit 104, Surrey, BC V3W 0H5;

<u>Ref</u> #	Name of Agreement	Counterparty	Date of Agreement	Notice Address	<u>Leased</u> property
20	Lease	Fred Naclerio of 1815513 Ontario Inc.	9-October-08 (as amended 7 Sep-10 and 27 July-12)	I PO Roy 16/19	995 Richmond Street, Chatham, Ontario
21	Motor Vehicle Lease Agreement	Howard Carter Lease Ltd.	1-Mar-2015 and 6-July- 2015	Howard Carter Lease Ltd. 4550 Lougheed Highway, Burnaby, BC V5C 3Z5	
22	MSDS Management Service Agreement	Canadian Centre for Occupational Health and Safety	28-Feb-15	Manager, Finance Canadian Centre for Occupational Health and Safety 135 Hunter Street East Hamilton, Ontario L8N 1M5	
23	Master Services Agreement	ADP Canada Co	9-Jun-11	ADP Canada Co. 3250 Bloor Street West, 16th Floor Etobicoke, ON M8X 2X9	
24	Lease Contract	Fibernetics Corporation	15-Dec-13	Fibernetics Corporation 605 Boxwood Drive Cambridge, ON N3E 1A5	

<u>Ref</u> <u>#</u>	Name of Agreement	Counterparty	Date of Agreement	Notice Address	<u>Leased</u> <u>property</u>
				Justin French, Director of Programs	
				Aecon Buildings, a Division of Aecon Construction Group Inc.	
				20 Carlson Court, Suite 800	
25	Service Agreement	Aecon Buildings, a Division of Aecon Construction Group Inc.	24-Oct-13	Toronto, Ontario, Canada M8W 7K6 Tel: 416-297-2600 Fax: 416-754-8871	
·				e-mail: cmorana@aecon.com	
				with a copy to:	
				Ken Yakimishyn, Contracts &	
				Risk Manager	1
				e-mail:	
				kyakimishyn@aecon.com  Notice shall be sent by	1
		Best Western		courier, certified, or	
26	Marketing Agreement for		25-Sep-15	registered mail to: Best Western Interational,	
	Services	International, Inc.	,	Inc. 6201 North 24th Parkway,	
				Phoenix, Arizona	
				85016	]
				Canada Mortgage and	
				Housing Corporation Granville Island	
	CMHC Services	Canada Mortgage and		Administration Office	
27	Purchase	Housing Corporation	7-Jul-14	1661 Duranleau Street, 2nd	
	Agreement	licusing corporation		Floor	
				Vancouver, British Columbia,	
		!		V6H 3S3	j

<u>Ref</u> <u>#</u>	Name of Agreement	Counterparty	Date of Agreement	Notice Address	<u>Leased</u> property
28	Agreement to Provide Products and/or Services	Greater Edmonton Foundation	Initially: 1-Oct-14 Renewed 1-Oct-15	No notice provision. Greater Edmonton Foundation  14220 - 109 Avenue NW Edmonton, AB T5N 4B3	
29	Service Contractor Agreement	Jones Lang LaSalle Real Estate Services, Inc. for the benefit of Canada Post Corporation		Notice shall be delivered by certified mail, a reputable messenger service or overnight courrier, or personal delivery to:  Jones Lang LaSalle Real 199 BayStreet, Suit 4610, Boy Toronto, ON M5L 1G3 Attn: Sourcing Manager	
30	Service Contractor Agreement	Jones Lang LaSalle Real Estate Services, Inc. for the benefit of HSBC Canada		Notice shall be delivered by Jones Lang LaSalle Real Estate Services, Inc. 199 BayStreet, Suit 4610, Boy 407 Toronto, ON M5L 1G3 Attn: Sourcing Manager	
31	Professional Services Agreement	Staples Canada Inc.	1-Dec-13	Notice shall be sent by courier, in person, by overnight courier or fax to: 6 Staples Avenue, Richmond Hill, ON, L4B 4W3	
32	Profile Investigation Inc. Supplier Agreement (Services)	Profile Screening Services, a division of Profile Investigation Inc.	1-May-14	110-5525 Eglinton Ave West Toronto, Ontario, M9C 5K5 (416) 695-1260 ext 226	

<u>Ref</u> <u>#</u>	Name of Agreement	Counterparty	Date of Agreement	Notice Address	<u>Leased</u> property
33	Order for LMI Services	LogMeln, Inc.	1-Oct-15	U.S. Customers: 320 Summer Street Boston, MA International Customers: Bloodstone Building Block C 70 Sir John Rogerson's Quay Dublin 2, Ireland	
34	Master Lease Agreement Number 300371, as amended and supplemented	CSI Leasing Canada Ltd.	29-May-15	Unit #4 - 2400 Winston Park Drive Oakville, Ontario L6H 0G7	
35	Lease Contract	National Leasing Group Inc.	1-May-11 16-Mar-15	National Leasing Group Inc. 1525 Buffalo Place Winnipeg, MB R3T 1L9	
36	Product License Summary	Xactware Solutions, Inc.	1-May-12	1100 W. Traverse Parkway Lehi, UT 84083 Rick Johnson	
37	Customer Agreement #ECB 207931, 229239, 233177, 237305	TELUS Corporation	14-Dec-09, 13-Jun-11, 21-Oct-11, 9-Mar-12	8-411, 1 St. SE Calgary, Alberta T2G 4Y5	

<u>Ref</u> #	Name of Agreement	Counterparty	Date of Agreement	Notice Address	<u>Leased</u> <u>property</u>
38	Rental & Moves Agreement	Big Steel Box		Email to: jamieb@bigsteelbox.com	
39	Convention Nettoyeur Apres Sinistre and Convention Entrepreneur	Desjardins Groupe D'Assurances Generales Inc.	Both: 14-Aug- 15		
40	Lease, with VIN numbers 1GTW7FCA6B11 03319, 1GTS7AFX9B110 2652, 1FTNE1EW0BDA 43680, 1FTNE1EW4BDA 43679, and 1FTNE2EL0BDA3 7535	The Driving Force	31-Mar-15	Email to: Skasad@drivingforce.ca	

<u>Ref</u> #	Name of Agreement	Counterparty	Date of Agreement	Notice Address	<u>Leased</u> property
41	Corporate Account Agreement, with addendums	Bell Mobility Inc.	1-Nov-13; Addendums: 17-Nov-14; 28- May-14	Bell Mobility Inc. 5025 Creekbank Road 3rd Floor Mississauga, Ontario L4W 0B6 Attention: Tara Trigiani, Regional Sales Manager – Corporate Business	
42	Master Supply Agreement; Service Schedule to Master Communications Agreement – Non-Tariffed (1-	Bell Canada	[Date of MSA unknown]; 13-Jun-12; 3-Jan-08	Bell Canada 1 Carrefour Alexander Graham Bell Building A, 4th Floor Verdun, Québec H3E 3B3 Attention: Tanya Horspool	·
43	Visa Merchant Agreement/Mast erCard Merchant Agreement/Disc over Merchant Agreement/Inter ac Merchant and Terminal Agreement	Moneris Solutions*			

<sup>\*</sup>Note: Moneris Solutions was added on May 17, 2016. FirstOnSite will continue to attempt to obtain consent to assign but will not include this contract in the Assignment Motion

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF FIRSTONSITE G.P. INC.

## ONTARIO SUPERIOR COURT OF JUSTICE COMMERCIAL LIST

Proceeding commenced at Toronto

### AFFIDAVIT OF C. HADDON MURRAY (SWORN MAY 18, 2016)

#### STIKEMAN ELLIOTT LLP

Barristers & Solicitors 5300 Commerce Court West 199 Bay Street Toronto, Canada M5L 1B9

### Maria Konyukhova LSUC#: 52880V

Tel: (416) 869-5230

Email: mkonyukhova@stikeman.com

### C. Haddon Murray LSUC#: 61640P

Tel: (416) 869-5239

Email: hmurray@stikeman.com

### Vlad Calina LSUC#: 69072W

Tel: (416) 869-5202

Email: vcalina@stikeman.com

Fax: (416) 947-0866

### Lawyers for the Applicant