

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

B E T W E E N:

**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
BZAM LTD., BZAM HOLDINGS INC., BZAM MANAGEMENT INC., BZAM
CANNABIS CORP., FOLIUM LIFE SCIENCE INC., 102172093 SASKATCHEWAN
LTD., THE GREEN ORGANIC DUTCHMAN LTD., MEDICAN ORGANIC INC., HIGH
ROAD HOLDING CORP. AND FINAL BELL CORP.**

Applicants

**COSTS OUTLINE OF FINAL BELL HOLDINGS INTERNATIONAL LTD.
(Cortland Motion for Partial Summary Judgment, returnable September 18, 2024)**

Final Bell Holdings International Ltd. provides the following outline of the submissions to be made in support of the costs the party will seek if successful:

	<u>Partial Indemnity</u>	<u>Substantial Indemnity</u>	<u>Actual Amount</u>
Fees (as detailed below)	\$54,840.03	\$82,260.05	\$91,400.05
Estimated lawyer's fee for appearance (3.00 hours)	\$3,152.70	\$4,729.05	\$5,254.50
Disbursements (as detailed in the attached appendix)	\$3,262.94	\$3,262.94	\$3,262.94
Total	\$61,255.67	\$90,252.04	\$99,917.49

The following points are made in support of the costs sought with reference to the factors set out in subrule 57.01(1):

- the amount claimed and the amount recovered in the proceeding / the complexity of the proceeding

Final Bell's claim is for at least \$8 million on account of its unsecured debt, possibly more.

- the importance of the issues

The issues are important to both Final Bell and Cortland.

- the conduct of any party that tended to shorten or to lengthen unnecessarily the duration of the proceeding

Cortland's refusal to produce documents and answers questions on the basis of relevance, without relying on rule 34.12(2), unnecessarily lengthened the hearing and deprived this Court of the ability to rule on the objection at the hearing.

- whether any step in the proceeding was improper, vexatious or unnecessary or taken through negligence, mistake or excessive caution

See above re refusals.

- a party's denial of or refusal to admit anything that should have been admitted

- the experience of the party's lawyer

<u>Lawyer</u>	<u>Year of Call</u>
Andrew Winton	2007
Brendan Bohn	2021
Joanna Vasiliou	2024

- the hours spent, the rates sought for costs and the rate actually charged by the party’s lawyer

Persons	Rate	Hours	Partial Indemnity Amount	Substantial Indemnity Amount	Actual Amount
Fee Item: Legal research and preparation of Final Bell’s aide memoire for the case conference; receipt and review of Bzam and Cortland’s aide memoire; attendance at the case conference, held August 7, 2024; receipt and review of the endorsement of Justice Osborne, dated August 12, 2024; attend to all necessary correspondence, meetings and telephone attendances.					
A. Winton	\$975.00	3.70	\$2,164.50	\$3,246.75	\$3,607.50
J. Vasiliou	\$500.00	0.80	\$240.00	\$360.00	\$400.00
Fee Item: Receipt and review of the Cortland’s motion materials, including notice of motion, motion record, and factum; legal research and preparation of the Final Bell’s responding motion materials, including responding motion record and factum; attend to all necessary correspondence, meetings and telephone attendances.					
A. Winton	\$975.00	26.90	\$15,736.50	\$23,604.75	\$26,227.50
B. Bohn	\$575.00	14.60	\$5,037.00	\$7,555.50	\$8,395.00
J. Vasiliou	\$500.00	12.10	\$3,630.00	\$5,445.00	\$6,050.00
A. McKnight (Law Clerk)	\$400.00	0.60	\$144.00	\$216.00	\$240.00
Fee Item: Preparation for and attendance at the cross-examination of D. Alappatt held September 4, 2024; preparation of undertakings, under advisements and refusals chart; receipt and review the answers to undertakings of D. Alappatt; attend to all necessary correspondence, meetings and telephone attendances.					
A. Winton	\$975.00	19.80	\$11,583.00	\$17,374.50	\$19,305.00
B. Bohn	\$575.00	9.30	\$3,208.50	\$4,812.75	\$5,347.50
J. Vasiliou	\$500.00	4.00	\$1,200.00	\$1,800.00	\$2,000.00
A. McKnight (Law Clerk)	\$400.00	4.00	\$960.00	\$1,440.00	\$1,600.00
Fee Item: Preparation for the partial summary judgment hearing scheduled for September 18, 2024.					
A. Winton	\$975.00	4.50	\$2,632.50	\$3,948.75	\$4,387.50
B. Bohn	\$575.00	4.50	\$1,552.50	\$2,328.75	\$2,587.50

Persons	Rate	Hours	Partial Indemnity Amount	Substantial Indemnity Amount	Actual Amount
Fee Item: Preparation of costs outline.					
A. Winton	\$975.00	0.10	\$58.50	\$87.75	\$97.50
A. McKnight (Law Clerk)	\$400.00	1.60	\$384.00	\$576.00	\$640.00
Subtotal			\$48,531.00	\$72,796.50	\$80,885.00
HST			\$6,309.03	\$9,463.55	\$10,515.05
TOTAL			\$54,840.03	\$82,260.05	\$91,400.05

- any other matter relevant to the question of costs

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LAWYER'S CERTIFICATE

I CERTIFY that the hours claimed have been spent, that the rates shown are correct and that each disbursement has been incurred as claimed.

Date: September 18, 2024



Andrew Winton

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Lawyers for Final Bell Holdings International Ltd.

TO: **SERVICE LIST**

APPENDIX - DISBURSEMENTS

<u>Non-taxable</u>	
<i>Nil</i>	\$0.00
<u>Taxable</u>	
Printing & Photocopying Expense	\$86.06
Transcripts – Victory Verbatim	\$2,801.50
SUBTOTAL – TAXABLE DISBURSEMENTS	\$2,887.56
HST	\$375.38
NON-TAXABLE AMOUNT	\$0.00
TOTAL DISBURSEMENTS AND HST	\$3,262.94

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Court File No. CV-24-00715773-00CL

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PROCEEDING COMMENCED AT TORONTO

**COSTS OUTLINE OF FINAL BELL HOLDINGS
INTERNATIONAL LTD.**

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