

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

IN THE MATTER OF AN APPLICATION pursuant to Section 9 of the
Airport Transfer (Miscellaneous Matters) Act, S.C. 1992, c. 5

BETWEEN:

GREATER TORONTO AIRPORTS AUTHORITY

Applicant

SUPPLEMENTARY APPLICATION RECORD

April 5, 2010

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TABLE OF CONTENTS

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IN THE MATTER OF AN APPLICATION pursuant to Section 9 of the
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GREATER TORONTO AIRPORTS AUTHORITY

Applicant

TABLE OF CONTENTS

Tab	Document	Page No.
1.	<u>Amended</u> Notice of Application returnable April 12, 2010	1-7
2.	Supplementary Affidavit of Jason V. Boyd sworn April 5, 2010	8-11
	Exhibit "A" – Revised Statement of Account	12-13
	Exhibit "B" – Copies of Invoices and Supporting Documents	14-33
	Exhibit "C" – Email from Mr. Smith to Mr. Craig Boyington dated April 1, 2010	34-36

TAB 1

Court File No. 10-8651-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

IN THE MATTER OF AN APPLICATION pursuant to Section 9 of the
Airport Transfer (Miscellaneous Matters) Act, S.C. 1992, c. 5

B E T W E E N :

GREATER TORONTO AIRPORTS AUTHORITY

Applicant

AMENDED NOTICE OF APPLICATION

A LEGAL PROCEEDING has been commenced by the Applicant. The claim made by the Applicant appears on the following pages.

THIS APPLICATION will come on for a hearing before a Judge at 10:00 a.m. on April 12, 2010, or as soon after that time as the application can be heard at the Court House, 330 University Avenue, Toronto, Ontario.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or an Ontario lawyer acting for you must forthwith prepare a notice of appearance in Form 38A prescribed by the rules of court, serve it on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant, and file it, with proof of service, in this court office, and you or your lawyer must appear at the hearing.

IF YOU WISH TO PRESENT AFFIDAVIT OR OTHER DOCUMENTARY EVIDENCE TO THE COURT OR TO EXAMINE OR CROSS-EXAMINE WITNESSES ON THE APPLICATION, you or your lawyer must, in addition to serving your notice of appearance, serve a copy of the evidence on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant, and file it, with proof of service, in the court office where the application is to be heard as soon as possible, but not later than 2 p.m. on the day before the hearing.

IF YOU FAIL TO APPEAR AT THE HEARING, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

If you wish to oppose this application but are unable to pay legal fees, legal aid may be available to you by contacting a local Legal Aid office.

Date: April 5, 2010

Issued by _____
Local registrar

Address of
Court office: 330 University Avenue
Toronto, ON M5G 1R7

APPLICATION

1. The Applicant, the Greater Toronto Airports Authority (the "GTAA"), makes application for an order:
 - (a) if necessary, abridging the time for service of this notice of application and all supporting materials, and dispensing with any further service thereof, such that the application is properly returnable on Monday, April 12, 2010;
 - (b) a declaration that the stay of proceedings imposed by the terms of the Order of the Ontario Superior Court of Justice dated March 31, 2010 (the "Receivership Order") appointing a receiver over the assets, undertakings and properties of Skyservice Airlines Inc. ("Skyservice Airlines") does not prevent the commencement of the application herein;
 - (c) authorizing the GTAA to seize and detain certain aircraft owned or operated by Skyservice Airlines Inc. (~~"Skyservice Airlines"~~), a Canadian airline, pending payment of the sum of ~~\$224,663.91~~ \$394,517.37 to the GTAA in respect of landing fees, general terminal fees, airport improvement fees and/or other charges related to the use of Toronto Pearson International Airport ("Pearson Airport"), and the payment of other similar charges to be incurred by the GTAA as a result of seizing and detaining the aircraft (including, without limitation, the cost of retaining a third party ground-handler to move and maintain the aircraft, insurance costs, parking charges, and security costs);
 - (d) in the alternative, if this Honourable Court declares that the relief sought in the application herein is stayed by operation of the terms of the Receivership Order, granting leave to commence the application herein; and
 - (e) ~~dispensing with service of this Notice of Application, upon such terms as this Honourable Court may allow; and~~
 - (f) such further and other relief as counsel may request and this Honourable Court permit.

2. **THE GROUNDS FOR THE APPLICATION ARE:**

- (a) the GTAA is a private, not-for-profit corporation created by Letters Patent issued under the *Canada Corporations Act*, R.S.C. 1970, c. C.32, as amended. The GTAA is the lessor and operator of Pearson Airport and a designated airport authority under the *Airport Transfer (Miscellaneous Matters) Act*, S.C. 1992, c. 5;
- (b) Skyservice Airlines owes the GTAA, in total, the amount of ~~\$224,663.91~~ \$394,517.37 in respect of landing fees, general terminal fees, airport improvement fees and/or other charges related to the use of the Pearson Airport;
- (c) there are currently ~~68~~ aircraft owned or operated by Skyservice Airlines located at the Pearson Airport (the "Aircraft");
- (d) the GTAA has reason to believe that, if the requested order is not granted, the Aircraft could be removed from the jurisdiction without payments of all amounts owing to the GTAA by Skyservice Airlines, thereby depriving the GTAA of its statutory rights under the *Airport Transfer (Miscellaneous Matters) Act*;
- (e) section 9 of the *Airport Transfer (Miscellaneous Matters) Act* provides that the GTAA is permitted to apply to the Superior Court of the Province in which any aircraft owned or operated by a person liable to pay fees or charges related to the use of Pearson Airport is situated, for an order, issued on such terms as the Court considers necessary, authorizing the GTAA to seize and detain any such aircraft. Section 9 of the *Airport Transfer (Miscellaneous Matters) Act* provides as follows:

SEIZURE AND DETENTION OF AIRCRAFT

9. (1) Where the amount of any landing fees, general terminal fees or other charges related to the use of an airport, and interest thereon, set by a designated airport authority in respect of an airport operated by the authority has not been paid, the authority may, in addition to any other remedy available for the collection of the amount and whether or not a judgment for the collection of the amount has been obtained, on application to the superior court of the province in which any aircraft owned or operated by the person liable to pay the amount is situated, obtain an order of the court, issued on such terms as the court considers necessary, authorizing the authority to seize and detain aircraft.

(2) Where the amount of any fees, charges and interest referred to in subsection (1) has not been paid and the designated airport authority has reason to believe

that the person liable to pay the amount is about to leave Canada or take from Canada any aircraft owned or operated by the person, the authority may, in addition to any other remedy available for the collection of the amount and whether or not a judgment for the collection of the amount has been obtained, on *ex parte* application to the superior court of the province in which any aircraft owned or operated by the person is situated, obtain an order of the court, issued on such terms as the court considers necessary, authorizing the authority to seize and detain aircraft.

(3) Subject to subsection (4), except where otherwise directed by an order of a court, a designated airport authority is not required to release from detention an aircraft seized under subsection (1) or (2) unless the amount in respect of which the seizure was made is paid.

(4) A designated airport authority shall release from detention an aircraft seized under subsection (1) or (2) if a bond, suretyship or other security in a form satisfactory to the authority for the amount in respect of which the aircraft was seized is deposited with the authority.

(5) Words and expressions used in this section and section 10 have the same meaning as in the *Aeronautics Act*.

- (f) rules 2.01, 3.02(1), 14.05(2) and 16.04(1) of the *Rules of Civil Procedure*; and
- (g) such further and other grounds as counsel may advise and this Honourable Court permit.

3. **THE FOLLOWING DOCUMENTARY EVIDENCE** will be used at the hearing of the application:

- (a) the affidavit of Jason Boyd sworn March 31, 2010;
- (b) the supplementary affidavit of Jason Boyd sworn April 5, 2010; and
- (c) such further and other materials as counsel may advise and this Honourable Court permit.

April 5, 2010

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Lawyers for International Lease
Finance Corp.

Ontario
**SUPERIOR COURT OF JUSTICE
(Commercial List)**

Proceeding commenced at Toronto

AMENDED NOTICE OF APPLICATION

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sirving@osler.com

Lawyer for the Applicant,
Greater Toronto Airports Authority

TAB 2

Court File No.: 10-8651-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

IN THE MATTER OF AN APPLICATION pursuant to Section 9 of the
Airport Transfer (Miscellaneous Matters) Act, S.C. 1992, c. 5

BETWEEN:

GREATER TORONTO AIRPORTS AUTHORITY

Applicant

SUPPLEMENTARY AFFIDAVIT OF JASON V. BOYD
(sworn April 5, 2010)

I, JASON V. BOYD of the City of Toronto, in the Municipality of Metropolitan Toronto, the Corporate Controller of the Greater Toronto Airports Authority ("GTAA"), MAKE OATH AND SAY:

1. This affidavit supplements my Affidavit sworn on March 31, 2010 (the "Initial Affidavit"). Capitalized terms in this Supplementary Affidavit not otherwise defined have the same meanings as in the Initial Affidavit.

Additional Amounts Owing to GTAA by Skyservice

2. In the Initial Affidavit, it was stated that, as of March 31, 2010, Skyservice owed the GTAA the sum of \$221,038.85 in respect of landing fees, general terminal fees, airport improvement fees, and/or other charges (collectively, the "Fees and Charges") relating to Skyservice's use of Pearson Airport. Attached as Exhibit "C" to the Initial Affidavit was a statement of account summarizing the total monies owing to GTAA by Skyservice.

3. Since the swearing of the Initial Affidavit, the GTAA took steps to obtain all of the underlying invoices and/or supporting documentation that made up the total amount owing to the GTAA by Skyservice. In the course of that review, the GTAA determined that certain additional amounts were owing to it by Skyservice in respect of the Fees and Charges.

4. In particular, the GTAA has determined that Skyservice owes the GTAA an additional \$173,478.52, for a total amount owing of \$394,517.37. The discrepancy between the amount that the GTAA now states is owing versus what was stated as owing in the Initial Affidavit relates primarily to (i) the airport improvement fees; and (ii) the rent payable. In the Initial Affidavit, the GTAA estimated that Skyservice collected \$1,465,478.19 in respect of airport improvement fees for the month of February 2010, against which a prepayment of \$1,635,606.00 by Skyservice was applied, resulting in a credit to Skyservice of \$170,127.81 which was applied against other amounts owing by Skyservice to the GTAA. In fact, the supporting documentation reveals that Skyservice actually collected the amount of \$1,600,376.40 in respect of airport improvement fees for the month of February 2010, meaning that the credit in favour of Skyservice is only \$35,230 not \$170,127.81. In addition, the amount calculated as owing in the Initial Affidavit failed to include certain rent payments totalling \$26,498.10 that became due and owing as of April 1, 2010 in respect of a lease agreement between the GTAA and Skyservice that has not been terminated. Attached as Exhibit "A" to this Affidavit is a revised statement of account in respect of the total monies owing to GTAA by Skyservice. Copies of the underlying invoices and supporting documents are attached as Exhibit "B" to this Affidavit.

Additional Skyservice Plane Located at Pearson Airport

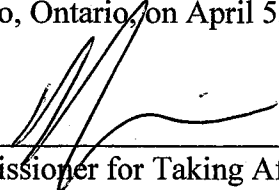
5. In the Initial Affidavit, I noted that the following six aircraft which are owned or operated by Skyservice were grounded at Pearson Airport:

- Airbus A320 bearing serial number 1605 (mark number C-GTDH);
- Airbus A320 bearing serial number 1571 (mark number C-GTDG);
- Airbus A320 bearing serial number 1411 (mark number C-FRAA);
- Boeing 757 bearing serial number 29941 (mark number C-FLEU);
- Boeing 757 bearing serial number 25053 (mark number C-GMYH); and
- Boeing 757 bearing serial number 32447 (mark number C-GTBB).

6. Since the swearing of my Initial Affidavit, the GTAA has determined that there are two additional Skyservice aircraft, an Airbus A320 bearing serial number 1780 (mark number C-GTDP) and a Boeing 757 bearing serial number 24772 (mark number C-GTSJ), that are also currently grounded at Pearson Airport. Counsel for the GTAA advised the court of the existence of the aircraft bearing serial number 1780 (mark number C-GTDP) at the initial return of the GTAA's application on March 31, 2010 and this aircraft is reflected in the order made by Justice Morawetz effective March 31, 2010. The GTAA did not learn of the location of the eighth aircraft (bearing serial number 24772 (mark number C-GTSJ)) until April 3, 2010.

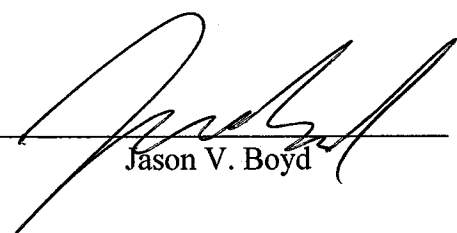
7. In addition, since the swearing of my Initial Affidavit, the GTAA has received notice from Mr. Munro C. Smith, President and Director, Slot Coordination of Airport Coordination Canada Ltd., concerning the return and re-allocation of "slots" at Pearson Airport allocated to Skyservice for the month of April 2010 because Skyservice does not intend to operate, transfer or exchange. It is my understanding that Skyservice was not allocated any slots for the month of May 2010. A copy of the email from Mr. Smith dated April 1, 2010 to Mr. Craig Boyington of the GTAA is attached as Exhibit "C" to this affidavit.

SWORN BEFORE ME at the City of
Toronto, Ontario, on April 5, 2010.



Commissioner for Taking Affidavits

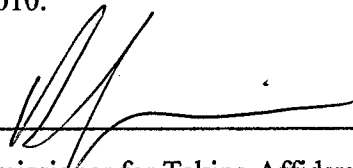
**Ryan Joel Therrien, a
Commissioner, etc., Province of
Ontario, while a Student-at-Law.
Expires April 3, 2011.**



Jason V. Boyd

TAB A

THIS IS EXHIBIT "A" TO THE SUPPLEMENTARY
AFFIDAVIT OF JASON V. BOYD SWORN BEFORE
ME APRIL 5, 2010.

A handwritten signature in black ink, appearing to read 'R. Therrien', is written over a horizontal line.

Commissioner for Taking Affidavits

**Ryan Joel Therrien, a
Commissioner, etc., Province of
Ontario, while a Student-at-Law.
Expires April 3, 2011.**

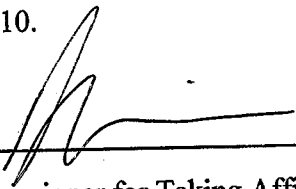
Greater Toronto Airports Authority
 Skyservice Receivables
 Prepared: April 1, 2010

	January	February	March	April	Shortfall
Employee Car Parking (Impark)					
Invoice #200912-094	(452.00)				(452.00) A1
Invoice #201001-093		(452.00)			A2
Invoice #201002-095			(452.00)		A3
Invoice #201003-097				(452.00)	(1,356.00) A4
Rent					
Lease YZ3636	49,721.22	5,524.58	5,524.58		60,770.38 B
Lease YZ3280			6,715.00		6,715.00 C
April 2010 Rent Lease YZ3095				(1,860.76)	C1
Invoice #10003637				(12,870.94)	C2
April 2010 Rent Lease YZ3280				(1,766.40)	(26,498.10) C3
Invoice #10003638					
April 2010 Rent Lease YZ3879					
Invoice #10003639					
Telecom			(281.94)		(281.94) D
Invoice # 10002730					
Cost Recovery June '08					(2,981.68) E
Invoice # 09008706					
Aeronautical					
Prepayment March 1-15			918,353.00		
Landing + GTC March 1-15			(1,001,848.94)		(83,116.68) F
Credit Note			379.26		
GTC Retroactive Adjustment			(14,699.76)		(14,699.76) G
Invoice #10003479					
Prepayments March 16-31			918,353.00		
Landing + GTC March 16-31			(879,029.37)		39,323.63 H
Estimated Aircraft Parking March 16-31			(1,136.00)		(1,136.00) J
AIF					
Prepayment Received	35,661.00				35,661.00
Actual /estimate					
January					
Difference					
Prepayment Received February		1,635,606.00			
Actual /estimate February		1,600,376.40			
Difference			35,229.60		35,229.60 K
Prepayment Received March			1,186,200.00		
Actual /estimate March			1,627,894.80		
Difference			(441,694.80)		(441,694.80) L
Total Amount Owing to GTAA					<u>(394,517.37)</u>

Note: - SSV owes GTAA;
 + GTAA owes SSV

TAB B

THIS IS EXHIBIT "B" TO THE SUPPLEMENTARY
AFFIDAVIT OF JASON V. BOYD SWORN BEFORE
ME APRIL 5, 2010.



Commissioner for Taking Affidavits

Ryan Joel Therrien, a
Commissioner, etc., Province of
Ontario, while a Student-at-Law.
Expires April 3, 2011.

A1 15

Invoice

Invoice Date	Invoice #
12/1/2009	200912-094

Bill To
SKYSERVICE AIRLINES INC. PO BOX 160 TORONTO AMF ON L5P 1B1

Due Date	GST #
12/1/2009	R139759708

Qty	Description	Rate	Amount
2	T3 GOLD AREA 1	200.00	400.00T
	Business Number: 13065		
		Subtotal	400.00
		GST	20.00
		PST	32.00
		Total	Can\$452.00
		Balance Due	Can\$452.00
Phone #	Fax #	E-mail	
(416)776-5930	(416)776-5842	wendy.goncalves@gtaa.com	

Please make cheque payable to GTAA Parking.
Write your account number on the front of the cheque.
Please remit payment to:
c/o Impark
Toronto Pearson International Airport
P.O Box 21
Toronto AMF, ON L5P 1A2

A 26

Invoice

Invoice Date	Invoice #
1/1/2010	201001-093

Bill To
SKYSERVICE AIRLINES INC. PO BOX 160 TORONTO AMF ON L5P 1B1

Due Date	GST #
1/1/2010	R139759708

Qty	Description	Rate	Amount
2	T3 GOLD AREA 1	200.00	400.00T
	Business Number: 13065		

		Subtotal	400.00
		GST	20.00
		PST	32.00
		Total	Can\$452.00
		Balance Due	Can\$452.00
Phone #	Fax #	E-mail	
(416)776-5930	(416)776-5842	wendy.goncalves@gtaa.com	

Please make cheque payable to GTAA Parking.
Write your account number on the front of the cheque.
Please remit payment to:
c/o Impark
Toronto Pearson International Airport
P.O Box 21
Toronto AMF, ON L5P 1A2

A37

Invoice

Invoice Date	Invoice #
2/1/2010	201002-095

Bill To
SKYSERVICE AIRLINES INC. PO BOX 160 TORONTO AMF ON LSP 1B1

Due Date	GST #
2/1/2010	R139759708

Qty	Description	Rate	Amount
2	T3 GOLD AREA 1	200.00	400.00T
	Business Number: 13065		
		Subtotal	400.00
		GST	20.00
		PST	32.00
		Total	Can\$452.00
		Balance Due	Can\$452.00
Phone #	Fax #	E-mail	
(416)776-5930	(416)776-5842	wendy.goncalves@gtaa.com	

Please make cheque payable to GTAA Parking.
Write your account number on the front of the cheque.
Please remit payment to:
c/o Impark
Toronto Pearson International Airport
P.O Box 21
Toronto AMF, ON LSP 1A2

A48

Invoice

Invoice Date	Invoice #
3/1/2010	201003-097

Bill To
SKYSERVICE AIRLINES INC. PO BOX 160 TORONTO AMF ON LSP 1B1

Due Date	GST #
3/1/2010	R139759708

Qty	Description	Rate	Amount
2	T3 GOLD AREA 1	200.00	400.00T
	Business Number: 13065		
		Subtotal	400.00
		GST	20.00
		PST	32.00
		Total	Can\$452.00
		Balance Due	Can\$452.00
Phone #	Fax #	E-mail	
(416)776-5930	(416)776-5842	wendy.goncalves@gtaa.com	

Please make cheque payable to GTAA Parking.
Write your account number on the front of the cheque.
Please remit payment to:
c/o Impark
Toronto Pearson International Airport
P.O Box 21
Toronto AMF, ON LSP 1A2

C1¹⁹

Invoice

Page: 1 of 1

REMIT TO:

Greater Toronto Airports Authority
Lester B. Pearson Int'l Airport
PO Box 6031, Toronto AMF
Mississauga, ON L5P 1B2



Skyservice Airlines Inc. *
31 Fasken Drive
Toronto, ON M9W 1K6
Canada

Accounts Payable

Invoice # 10003637
Invoice Date 04/01/2010
Activity Period Apr/2010
Agreement # 012977
Company # 00000737
Contract # YZ3095

Greater Toronto Airports Authority

Line	Description	Amount
1	Rent - Airport Maintenance Charge Land for hangar #6 and aircraft parking - Area 8 20,052.00 M2 @ (\$0.60/12.00)	\$1,002.60
2	Rent - Land Lease Land for hangar #6 and aircraft parking - Area 8 20,052.00 M2 @ (\$6.16/12.00)	\$10,293.36
3	Tax Payable - Goods and Services Tax 11,295.96 @ \$0.05 Percent	\$564.80
Total Amount Due		\$11,860.76

Payment due and receivable on invoice date

Payment to be remitted in CANADIAN Funds

A \$25 service Charge on NSF cheques

1.5% Interest per month charged on overdue accounts

Quote Invoice number on payment remittance

GTA A GST # R139759708

Invoice

Page: 1 of 3

REMIT TO:

Greater Toronto Airports Authority
 Lester B. Pearson Int'l Airport
 PO Box 6031, Toronto AMF
 Mississauga, ON L5P 1B2



Skyservice Airlines Inc. *
 31 Fasken Drive
 Toronto, ON M9W 1K6
 Canada

Accounts Payable

Invoice # 10003638
 Invoice Date 04/01/2010
 Activity Period Apr/2010
 Agreement # 010921
 Company # 00000737
 Contract # YZ3280

Greater Toronto Airports Authority

Line	Description	Amount
1	Rent - Terminal Base T3, Dep Lv, Counter C4 15.00 M2 @ (\$171.92/12.00)	\$214.90
2	Rent - Terminal Base T3, Dep Lv, Counter C1 12.83 M2 @ (\$171.92/12.00)	\$183.81
3	Rent - Terminal Base T3, ArrLv, Rm G311 70.00 M2 @ (\$128.95/12.00)	\$752.21
4	Rent - Terminal Base T3 Arr Lv, Rm BH102A 139.09 M2 @ (\$43.00/12.00)	\$498.41
5	Rent - Terminal Base T3 Arr Lv, Rm BH102B 11.93 M2 @ (\$128.95/12.00)	\$128.20
6	Rent - Terminal Base T3 Arr Lv, Rm BH102C 11.86 M2 @ (\$128.95/12.00)	\$127.45

Invoice

Page: 2 of 3

REMIT TO:

Greater Toronto Airports Authority
 Lester B. Pearson Int'l Airport
 PO Box 6031, Toronto AMF
 Mississauga, ON L5P 1B2



Skyservice Airlines Inc. *
 31 Fasken Drive
 Toronto, ON M9W 1K6
 Canada

Accounts Payable

Invoice # 10003638
 Invoice Date 04/01/2010
 Agreement # 010921
 Company # 00000737
 Contract # YZ3280

Greater Toronto Airports Authority

Line	Description	Amount
7	Rent - Terminal Base T3 Arr Lvl, Rm BH102D 15.80 M2 @ (\$128.95/12.00)	\$169.78
8	Rent - Terminal Base T3 Arr Lvl, Rm BH102F 23.81 M2 @ (\$128.95/12.00)	\$255.86
9	Rent - Terminal O and M T3, Dep Lvl, Counter C4 15.00 M2 @ (\$537.88/12.00)	\$672.35
10	Rent - Terminal O and M T3, Dep Lvl, Counter C1 12.83 M2 @ (\$537.88/12.00)	\$575.08
11	Rent - Terminal O and M T3, Arr Lvl, Rm G311 70.00 M2 @ (\$430.30/12.00)	\$2,510.08
12	Rent - Terminal O and M T3 Arr Lvl, Rm BH102A 139.09 M2 @ (\$336.17/12.00)	\$3,896.49

Invoice

Page: 3 of 3

REMIT TO:

Greater Toronto Airports Authority
Lester B. Pearson Int'l Airport
PO Box 6031, Toronto AMF
Mississauga, ON L5P 1B2



Skyservice Airlines Inc. *
31 Fasken Drive
Toronto, ON M9W 1K6
Canada

Invoice # 10003638
Invoice Date 04/01/2010
Agreement # 010921
Company # 00000737
Contract # YZ3280

Accounts Payable

Greater Toronto Airports Authority

Line	Description	Amount
13	Rent - Terminal O and M T3 Arr Lvl, Rm BH102B 11.93 M2 @ (\$430.30/12.00)	\$427.79
14	Rent - Terminal O and M T3 Arr Lvl, Rm BH102C 11.86 M2 @ (\$430.30/12.00)	\$425.28
15	Rent - Terminal O and M T3 Arr Lvl, Rm BH102D 15.80 M2 @ (\$430.30/12.00)	\$566.56
16	Rent - Terminal O and M T3 Arr Lvl, Rm BH102F 23.81 M2 @ (\$430.30/12.00)	\$853.79
17	Tax Payable - Goods and Services Tax 12,258.03661 @ \$0.05 Percent	\$612.90
Total Amount Due		\$12,870.94

Payment due and receivable on invoice date

Payment to be remitted in CANADIAN Funds

A \$25 service Charge on NSF cheques

1.5% Interest per month charged on overdue accounts

Quote invoice number on payment remittance

GTAA GST # R139759708

C3 23

Invoice

Page: 1 of 1

REMIT TO:

Greater Toronto Airports Authority
Lester B. Pearson Int'l Airport
PO Box 6031, Toronto AMF
Mississauga, ON L5P 1B2



Skyservice Airlines Inc. *
31 Fasken Drive
Toronto, ON M9W 1K6
Canada

Accounts Payable

Invoice # 10003639
Invoice Date 04/01/2010
Activity Period Apr/2010
Agreement # 013100
Company # 00000737
Contract # YZ3879

Greater Toronto Airports Authority

Line	Description	Amount
1	Rent (Monthly) - Land Leased Employee vehicle parking & snow storage 2,373.00 M2 @ (\$8.50716/12.00)	\$1,682.29
2	Tax Payable - Goods and Services Tax 1,682.29089 @ \$0.05 Percent	\$84.11
Total Amount Due		\$1,766.40

Payment due and receivable on invoice date

Payment to be remitted in CANADIAN Funds

A \$25 service Charge on NSF cheques

1.5% Interest per month charged on overdue accounts

Quote Invoice number on payment remittance

GTA GST # R139759708

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REMIT TO:

Greater Toronto Airports Authority
Lester B. Pearson Int'l Airport
PO Box 6031, Toronto AMF
Mississauga, ON L5P 1B2



Skyservice Airlines Inc. *
31 Fasken Drive
Etobicoke, ON M9W 1K6
Canada

Mr. Yuri Lazar

Invoice # 10002730
Invoice Date 03/15/2010
Activity Period Mar/2010
Agreement # 012061
Company # 00000737
Contract # 012028

Greater Toronto Airports Authority

Line	Description	Amount
1	Telecommunication Services Monthly Telecom Services \$249.50 @ \$1.00 (03/01/2010-03/31/2010)	\$249.50
2	Tax Payable - GST on Telecom Services 249.50 @ \$0.05	\$12.48
3	Tax Payable - PST on Telecom Services 249.50 @ \$0.08	\$19.96
Total Amount Due		\$281.94

Terms: Net 25 days For account inquiries call (416) 776-4537
A \$25 service Charge on NSF cheques
Please quote Invoice number on payment remittance

Payment to be remitted in CANADIAN Funds
1.5% Interest per month charged on overdue accounts
GTAA GST # R139759708

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Invoice

Page: 1 of 1

REMIT TO:

Greater Toronto Airports Authority
Lester B. Pearson Int'l Airport
PO Box 6031, Toronto AMF
Mississauga, ON L5P 1B2



Skyservice Airlines Inc. *
Accounts Payable
31 Fasken Drive
Toronto, ON M9W 1K6
Canada

Invoice # 09008706
Invoice Date 06/17/2009
Agreement # 012093
Company # 00000737
Contract #

Sean McVeigh

Greater Toronto Airports Authority

Line	Description	Amount
1	Repair & Replace M3 Directional Sign that was damaged due to aircraft power run Electrician & Utility Vehicle costs See details attached	\$1,149.00
2	Repair & Replace M3 Directional Sign that was damaged due to aircraft power run Material costs PST & GST applicable	\$1,571.00
3	Tax Payable - Goods and Services Tax 2,720.00 @ \$0.05 Percent	\$136.00
4	Tax Payable - Provincial Sales Tax 1,571.00 @ \$0.08 Percent	\$125.68
Total Amount Due		\$2,981.68

Terms: Net 30 days

Payment to be remitted in CANADIAN Funds

A \$25 service Charge on NSF cheques

1.5% Interest per month charged on overdue accounts

Quote Invoice number on payment remittance

GTA GST # R139759708

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REMIT TO:

Greater Toronto Airports Authority
Lester B. Pearson Int'l Airport
PO Box 6031, Toronto AMF
Mississauga, ON L5P 1B2



Skyservice Airlines Inc. *
Accounts Payable
31 Fasken Drive
Toronto, ON M9W 1K6
Canada

Invoice # 10003335
Invoice Date 03/23/2010
Agreement # 001953
Company # 00000737
Contract # SSV

Accounts Payable

Greater Toronto Airports Authority

Line	Description	Amount
1	CDF Operating Cost Recovery -Airline Commercial Aircraft 1 Flights Through 02/28/2010 - Charge Sequence # 15755	\$15.22
2	CDF Operating Cost Recovery -Airline Commercial Aircraft 203 Flights Through 03/15/2010 - Charge Sequence # 15755	\$3,089.66
3	Aircraft Parking Charges by MTOW (Kg) 2,002.50 @ \$1.00 (03/15/2010-03/15/2010)	\$2,002.50
4	Landing Fees- - Large Aircraft By MTOW (Kg) Transborder Arrival 10 Flights Through 03/15/2010 - Charge Sequence # 15755	\$32,491.68
5	Landing Fees- - Large Aircraft By MTOW (Kg) International Arrival 1 Flights Through 02/28/2010 - Charge Sequence # 15755	\$3,474.72
6	Landing Fees- - Large Aircraft By MTOW (Kg) International Arrival 190 Flights Through 03/15/2010 - Charge Sequence # 15755	\$563,209.44

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REMIT TO:

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Skyservice Airlines Inc. *
 Accounts Payable
 31 Fasken Drive
 Toronto, ON M9W 1K6
 Canada

Invoice # 10003335
 Invoice Date 03/23/2010
 Agreement # 001953
 Company # 00000737
 Contract # SSV

Accounts Payable

Greater Toronto Airports Authority

Line	Description	Amount
7	Landing Fees - - Large Aircraft By MTOW (Kg) Domestic Arrival 3 Flights Through 03/15/2010 - Charge Sequence # 15755	\$8,168.64
8	General Terminal Charges - - Per Passenger Seats T3 Transborder 10 Flights Through 03/15/2010 - Charge Sequence # 15755	\$17,493.15
9	General Terminal Charges - - Per Passenger Seats T3 International 1 Flights Through 02/28/2010 - Charge Sequence # 15755	\$1,820.63
10	General Terminal Charges - - Per Passenger Seats T3 International 190 Flights Through 03/15/2010 - Charge Sequence # 15755	\$318,517.96
11	General Terminal Charges - - Per Passenger Seats T3 Domestic 3 Flights Through 03/15/2010 - Charge Sequence # 15755	\$3,858.25
12	Tax Payable - Goods and Services Tax 951,036.97 @ \$0.05 Percent	\$47,551.85

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Page: 3 of 3

REMIT TO:

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Skyservice Airlines Inc. *
 Accounts Payable
 31 Fasken Drive
 Toronto, ON M9W 1K6
 Canada

Invoice # 10003335
 Invoice Date 03/23/2010
 Agreement # 001953
 Company # 00000737
 Contract # SSV

Accounts Payable**Greater Toronto Airports Authority**

Line	Description	Amount
13	Tax Payable - GST on CDF cost recovery 3,104.88 @ \$0.05 Percent	\$155.24

Total Amount Due**\$1,001,848.94**

Feb 24/10 Pd \$918,353.00 & cr note 10003481 for \$379.26 balance \$83,116.68

Terms: Net 30 days

For account inquiries call (416) 776-3116
 A \$25 service Charge on NSF cheques
 Please quote Invoice number on payment remittance

Payment to be remitted in CANADIAN Funds
 1.5% Interest per month charged on overdue accounts
 GTAA GST # R139759708

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Page: 1 of 1

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Mississauga, ON L5P 1B2



Skyservice Airlines Inc. *
Accounts Payable
31 Fasken Drive
Toronto, ON M9W 1K6
Canada

Invoice # 10003479
Invoice Date 03/29/2010
Agreement # 001953
Company # 00000737
Contract # SSV

Accounts Payable

Greater Toronto Airports Authority

Line	Description	Amount
1	General Terminal Charges - Per Passenger Seats Additional terminal charges for the invoice #09016435,09017737,09018137,10000634 Inv#10000745, 10001364,10001932 see attached details	\$13,999.79
2	Tax Payable - Goods and Services Tax 13,999.79 @ \$0.05 Percent	\$699.99
Total Amount Due		\$14,699.78

Terms: Net 30 days

For account inquiries call (416) 776-3116
A \$25 service Charge on NSF cheques
Please quote invoice number on payment remittance

Payment to be remitted in CANADIAN Funds
1.5% Interest per month charged on overdue accounts
GTAA GST # R139759708

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REMIT TO:

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PO Box 6031, Toronto AMF
Mississauga, ON L5P 1B2



Skyservice Airlines Inc. *
Accounts Payable
31 Fasken Drive
Toronto, ON M9W 1K6
Canada

Invoice # 10003699
Invoice Date 03/31/2010
Agreement # 001953
Company # 00000737
Contract # SSV

Accounts Payable

Greater Toronto Airports Authority

Line	Description	Amount
1	CDF Operating Cost Recovery --Airline Commercial Aircraft 179 Flights Through 03/31/2010 - Charge Sequence # 15774	\$2,724.38
2	Aircraft Parking Charges by MTOW (Kg) 1,001.25 @ \$1.00 (03/31/2010-03/31/2010)	\$1,001.25
3	Landing Fees- - Large Aircraft By MTOW (Kg) International Arrival 171 Flights Through 03/31/2010 - Charge Sequence # 15774	\$507,339.60
4	Landing Fees- - Large Aircraft By MTOW (Kg) Transborder Arrival 8 Flights Through 03/31/2010 - Charge Sequence # 15774	\$25,542.24
5	General Terminal Charges-- Per Passenger Seats T3 International 171 Flights Through 03/31/2010 - Charge Sequence # 15774	\$286,669.52
6	General Terminal Charges-- Per Passenger Seats T3 Transborder 8 Flights Through 03/31/2010 - Charge Sequence # 15774	\$13,893.84

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Page: 2 of 2

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Skyservice Airlines Inc. *
 Accounts Payable
 31 Fasken Drive
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 Canada

Invoice # 10003699
 Invoice Date 03/31/2010
 Agreement # 001953
 Company # 00000737
 Contract # SSV

Accounts Payable

Greater Toronto Airports Authority

Line	Description	Amount
7	Tax Payable - Goods and Services Tax 834,446.45 @ \$0.05 Percent	\$41,722.32
8	Tax Payable - GST on CDF cost recovery 2,724.38 @ \$0.05 Percent	\$136.22

Total Amount Due	\$879,029.37
-------------------------	---------------------

Mar 10/10 Paid \$879,029.37 balance zero

Terms: Net 30 days

For account inquiries call (416) 776-3116
 A \$25 service Charge on NSF cheques
 Please quote Invoice number on payment remittance

Payment to be remitted in CANADIAN Funds
 1.5% Interest per month charged on overdue accounts
 GTAA GST # R139759708

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Invoice

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Skyservice Airlines Inc. *
31 Fasken Drive
Toronto, ON M9W 1K6
Canada

Invoice # 10003712
Invoice Date 04/01/2010
Agreement # 011745
Company # 00000737
Contract # AIF

Accounts Payable

Greater Toronto Airports Authority

Line	Description	Amount
1	Departing Passengers Per Passenger 63,507 @ \$25.00 (02/28/2010-02/28/2010)	\$1,587,675.00
2	Airline Administration Fee Airline Administration Fee 1,587,675.00 @ (\$0.04/-1.00) Sales	-\$63,507.00
3	Tax Payable - GST - Collected from AIF 1,587,675.00 @ \$0.05 Percent	\$79,383.75
4	Tax Payable - GST- Paid for Admin Fee -63,507.00 @ \$0.05 Percent	-\$3,175.35
Total Amount Due		\$1,600,376.40

AIF - FEBRUARY 2010 BASED ON PLANNING DEPARTMENT'S ENPLANED PAX FIGURES

Payment due and receivable end of month following
Payment to be remitted in CANADIAN Funds

A \$25 service Charge on NSF cheques

1.5% Interest per month charged on overdue accounts

Quote Invoice number on payment remittance

GTA A GST # R139759708

Invoice

REMIT TO:

Greater Toronto Airports Authority
Lester B. Pearson Int'l Airport
PO Box 8031, Toronto AMF
Mississauga, ON L5P 1B2



Skyservice Airlines Inc. *
31 Fasken Drive
Toronto, ON M9W 1K6
Canada

Accounts Payable

Invoice # 10003713
Invoice Date 04/01/2010
Agreement # 011745
Company # 00000737
Contract # AIF

Greater Toronto Airports Authority

Line	Description	Amount
1	Departing Passengers Per Passenger 64,599 @ \$25.00 (03/31/2010-03/31/2010)	\$1,614,975.00
2	Airline Administration Fee Airline Administration Fee 1,614,975.00 @ (\$0.04/-1.00) Sales	-\$64,599.00
3	Tax Payable - GST - Collected from AIF 1,614,975.00 @ \$0.05 Percent	\$80,748.75
4	Tax Payable - GST- Paid for Admin Fee -64,599.00 @ \$0.05 Percent	-\$3,229.95
Total Amount Due		\$1,627,894.80

AIF - MARCH 2010 - ESTIMATED ENPLANED PAX FIGURES

Payment due and receivable end of month following
Payment to be remitted in CANADIAN Funds

A \$25 service Charge on NSF cheques

1.5% Interest per month charged on overdue accounts

Quote Invoice number on payment remittance

GTAA GST # R139759708

TAB C

THIS IS EXHIBIT "C" TO THE SUPPLEMENTARY
AFFIDAVIT OF JASON V. BOYD SWORN BEFORE
ME APRIL 5, 2010.



Commissioner for Taking Affidavits

Ryan Joel Therrien, a
Commissioner, etc., Province of
Ontario, while a Student-at-Law.
Expires April 3, 2011.

From: Munro C. Smith [MunroSmith@accl.aero]
Sent: April 1, 2010 12:00 PM
To: Boyington, Craig
Cc: cyyzslots@accl.aero
Subject: Cessation of Skyservice and re-allocation of flights
 Hi Craig

Here is the necessary WSG information that your lawyer will require. As you can see as the Coordinator I can set a date so that we can eliminate this schedule from the system allowing us to re-allocate those resources to the recovery flights.

The following is from the latest editions (19th) of the IATA Worldwide Scheduling Guidelines.

6.10.3 Holding and Returning of Slots

Airlines must not hold slots which they do not intend to operate, transfer or exchange, as this could prevent other airlines from obtaining slots. In this context "operate" includes participation in a shared operation.

If an airline becomes aware that for whatever reason it may not be able to use a slot, or series of slots, the airline must immediately advise the coordinator, and return any slots it knows it will not use. Even at very short notice returned slots can often be reallocated for ad-hoc use. Airlines should maintain a dialogue with the coordinator in such circumstances.

6.10.6 Intentional Misuse of Allocated Slots

....

The following actions also constitute slot abuse:

1. The holding of slots, which an airline does not intend to operate, transfer or exchange;
2. The holding of a slot for an operation other than that planned which has the intention of denying capacity to another aircraft operator;
3. The requesting of new slots which an airline does not intend to operate;
4. The requesting of a slot for an operation other than that planned, with the intention of gaining improved priority. This includes, but is not limited to, applying for full season when only part season is planned; applying to use a large aircraft when a small aircraft is planned; applying to extend an existing operation to a year round service when year round service is not planned; the requesting of slots as a new entrant when new entrant status is not applicable.

6.10.8 Slots of an Airline Which Ceases to Operate at an Airport

Any airline which ceases operations at an airport must immediately return all the allocated slots for the rest of the scheduling period and for the next scheduling period (if already allocated), or advise the coordinator that it will ensure use of those slots.

Unless advised otherwise by the airline, the coordinator should not assume that cessation of operations in one scheduling period will mean slots allocated or requested in the next scheduling period will not be used. Furthermore, the airline should advise the coordinator whether it intends to seek the use of the slots in the future.

If an airline fails to provide the necessary advice by a deadline date agreed between the parties, then the coordinator should withdraw and reallocate the slots involved to avoid wasting scarce airport capacity.

With regards to 6.10.8 it is clear that Skyservice had a well oiled plan for moving into receivership. As such they were responsible to advise us prior to cessation of service to eliminate all of the schedules that they would not be using. Since they did not do this it now that responsibility of the Receiver for Skyservice to provide us with a formal notice of cessation.

Article 6.10.8 further provides the Coordinator with the responsibility of establishing a deadline date for the return of the unused slots. Because of the necessity to get these slots back in the slot pool to allow the other carriers to operate the necessary repatriation flights to return the Skyservice customers to Canada I am recommending that notice of cessation be provided to us by 15:00 today so that we can accommodate the necessary flights over the Easter weekend.

Best regards, Munro



Munro C Smith
President and Director, Slot Coordination
Airport Coordination Canada Ltd.
Phone: +1 (905) 673-6380
Fax: +1 (416) 673-9892
Mobile: +1 (905) 767-0646
Email: MunroSmith@accl.aero



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GREATERTORONTOAIRPORTSAUTHORITY
Applicant

Court File No: 10-8651-00CL

Ontario
**SUPERIOR COURT OF JUSTICE
(Commercial List)**

Proceeding commenced at Toronto

**SUPPLEMENTARY
APPLICATION RECORD**

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Box 50, 1 First Canadian Place
Toronto, Ontario, Canada M5X 1B8

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Lawyers for the Applicant,
Greater Toronto Airports Authority