
EXHIBIT "34"

**To the Receiver's Seventh Report to Court
Dated January 14, 2019**

November 27, 2018

1/1

Via Hand Delivery

Court of Queens Bench of Alberta
601 - 5 St SW
Calgary, AB

Attention: The Honourable Madam Justice B E C Romaine

My Lady

Re: Easy Loan Corporation & Mike Terrigno v Base Finance Ltd,
Base Mortgage & Investments Ltd and Arnold Breitzkreutz et al

Court of Queens Bench Action #1501-11817

I am writing to you today as I am self-represented as of October 22, 2018.

Please find attached relevant information I was just made aware of on November 26, 2018, whereby the plaintiff Michael Terrigno alleges a conflict of interest by his lawyer Richard Billington who is also the lawyer for the receiver BDO.

It appears Michael Terrigno is running the receivership and payment of substantial fees and his new allegations of a conflict support this.

Knowing these facts how can any information the receiver and Mr. ^{2/2} Billington have alleged to be relied upon.

Please take into consideration the ongoing conflicts and the fact that Michael Terrigno continues to file lawsuits despite your 'stay order'.

I believe this conflict of interest has impacted my case for the past three years and is relevant to your pending decision regarding this matter.

Thank you for your consideration.

Regards



Arnold Breitkreutz

403-650-6604

Arnoldbase@shaw.ca

BJanman

From: Lewis, David <dlewis@bdo.ca>
Sent: November 6, 2018 11:09 AM
To: BJanman
Cc: Shellon, Jacqueline
Subject: RE: [EXT] Update to Investors
Attachments: doc20181103131207.pdf; Application to Remove Richard Billington.pdf

Bill,

On Sunday, Mr. Mike Terrigno, provided the Receiver and Mr. Billington, a draft application stating that Mr. Terrigno and Easy loan are making an application to remove Richard as counsel. Attached is the draft application and Mr. Terrigno's affidavit. Due to the potential independence issue, with Mr. Billington, we have engaged independent legal counsel to review the claim and help us determine if Richard is independent or not. Further, due to this situation, we have told Richard to cease all actions until this matter is closed. We hope to have a legal opinion by the end of the week.

I would assume I will receive the actual application material tomorrow.

The entire reason, I am making the application for the Titan calculation is because of Mr. Terrigno's suits against various investors. It is the only way I can think of dealing with his claims. We could recommend that a Titan calculation is not performed, but it is still up to the court. As you will note in paragraph 3 of Mr. Terrigno's affidavit, he does not want a calculation done.

I am hopeful that the T5 application will be before the end of the year and due to several conflicting issues with Terrigno the Titan calculation and his suits will now be done in the new year.

Regards,

David Lewis, CPA, CIRP, Licensed Insolvency Trustee
Vice President
BDO Canada Limited

dlewis@bdo.ca

616, 10216-124 Street
Edmonton, Alberta T5N 4A3
Canada
Tel: 780-441-2155
Fax: 780-424-3222

A referral is the biggest compliment someone can give and it will never be taken lightly. Please feel free to forward my contact information to anyone you know that may benefit from a free consultation. At BDO we know it is always important to seek financial advice early and we are here to help.

www.debtsolutions.bdo.ca

♻️ Before you print think about the environment

From: BJanman <BJanman@shaw.ca>
Sent: November 6, 2018 10:30 AM
To: Lewis, David <dlewis@bdo.ca>
Subject: [EXT] Update to Investors
Importance: High

Clerk's Stamp

COURT FILE NUMBER 1501-11817
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF/APPLICANT EASY LOAN CORPORATION and MIKE TERRIGNO
DEFENDANTS/RESPONDENTS BASE MORTGAGE & INVESTMENTS LTD., BASE FINANCE LTD. ARNOLD BREITKREUTZ, SUSAN BREITKREUTZ, SUSAN WAY, AND GP ENERGY INC.

DOCUMENT AFFIDAVIT
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT Mike Terrigno
212-10a ST NW
Calgary Alberta T2N 1W6
mike@terrigno.ca

AFFIDAVIT OF MIKE TERRIGNO
Sworn on November __, 2018

I, Mike Terrigno, of Calgary, Alberta, SWEAR AND SAY THAT:

1. I am a Plaintiff herein. As such, I have personal knowledge of all matters hereinafter deposed except where stated to be based upon information or belief and where so stated I verily believe the same to be true.
2. Richard Billington was my lawyer regarding the subject matter of this action prior to his appointment as the receiver's lawyer. Attached to this my affidavit and marked as Exhibit "A" is a true copy of the legal invoice regarding his legal services to me.
3. Although assured by Richard Billington that he would not be conflicted in his dealings as both the Receiver's lawyer and my prior lawyer, I am now very concerned about his dual legal capacity given a recent initiative of the receiver seeking to unwind various bank accounts used in the operation of the Base Finance Ponzi scheme. I am concerned because I disclosed confidential information to Richard Billington in his role as my lawyer that directly concerns the aforesaid initiative.
4. At no time did I waive my solicitor-client privilege.

5. I swear this affidavit to provide evidence herein and for no improper purpose.

SWORN BEFORE ME at Calgary Alberta,)
this ____ day of November, 2018.)

(Commissioner for Oaths in and for the)
Province)
of Alberta))

(Signature)

BILLINGTON
BARRISTERS
Experienced Litigation Counsel

1910, 717 - 7th Avenue SW
Calgary, AB T2P 0Z3
(403) 930-4100
www.BillingtonBarristers.com

Statement as of October 15, 2015
Statement No. 3673

Mike Terrigno
c/o Chris Souster
Riverside Law Office
4108 Montgomery View NW
Calgary, AB T3B 0L9

15047-001 RNB: Base Mortgage & Investments Ltd. and Base Finance Ltd.

Professional Fees	Hours	Amount
08/10/2015 RNB Receipt of material from client and review of same.	0.80	520.00
08/10/2015 RNB Telephone call to Client; telephone call to Chris Souster regarding result of mortgage disclosure.	1.30	845.00
09/10/2015 RNB Meeting with Mike Terrigno and Christopher Souster; e-mails to same and review of file materials.	2.50	1,625.00
09/10/2015 AN Review of Mike Terrigno file	2.00	300.00
10/10/2015 RNB E-mail correspondence with Sarah Hawco re: conflict check.	0.40	260.00
12/10/2015 RNB E-mail correspondence with Mike Terrigno and Chris Souster re: draft order and BDO.	2.80	1,820.00
12/10/2015 AN Title search on each of the properties and client follow-up	2.00	300.00
13/10/2015 RNB Drafting of receivership order; review of requested title searches; review of materials; review of correspondence from Phil Lalonde; reporting letter to Christopher Souster; conference call with Mike Terrigno and Christopher Souster; review of draft pleadings.	7.00	4,550.00
13/10/2015 AN Comparing our Order drafted vs. the template Order for the Justice to see	2.00	300.00

This is Exhibit "A" referred to
in the Affidavit of

Mike Terrigno

Sworn before me this

Day of Nov A.D. 2015

A Notary Public - Commissioner for Oaths
in and for the Province of Alberta

		the differences via highlight.		
14/10/2015	RNB	Telephone conference with Mike Terrigno and Christopher Souster.	0.50	325.00
14/10/2015	AN	Attend at 2pm telephone meeting	1.00	150.00
15/10/2015	RNB	Preparation for Court; revision of Order; attendance at Court to obtain Ex Parte receivership order; meetings, filing and service of same.	5.60	3,840.00
15/10/2015	AN	Review of cases and draft of Order	4.50	675.00
			Sub-total Fees:	<u>15,310.00</u>
			GST on Fees:	765.50

		Rate Summary	
Richard N. Billington, Q.C.	20.90 hours		13,585.00
Alyx Nanji	11.50 hours		1,725.00
Total hours:	<u>32.40</u>		

Disbursements		Amount
	Photocopies	6.50
13/10/2015	Searches	25.72
13/10/2015	Searches - Tax Exempt*	49.50
13/10/2015	Searches - Tax Exempt*	33.00
13/10/2015	Searches	12.86
13/10/2015	Searches - Tax Exempt*	16.50
13/10/2015	Searches	38.58
15/10/2015	Printing/Scanning Charges	160.80

Sub-total Disbursements:	<u>343.46</u>
GST on Disbursements:	12.22
Total Tax	777.72
Total Fees, Disbursements & GST	16,431.18
Previous Unpaid Balance	0.00
Total Payments:	5,000.00
Balance Due Now	<u>11,431.18</u>

Billington Barristers

tax-exempt

GST No. 859843740RT0001
E.&O.E.

Per:


Richard N. Billington Q.C.

TO PAY BY VISA/MASTERCARD
PLEASE CONTACT MONIQUE EFONOFF
Mefonoff@BillingtonBarristers.com
403-930-4108

Payments
15/10/2015

Payment

Trust Application

5,000.00

Sub-total Payments:

5,000.00

Trust Account

		Beginning Balance:	0.00
13/10/2015	Rcvd Chq #1795 from Jaroc Holdings Ltd.		5,000.00
15/10/2015	Trust Application		-5,000.00
		Ending Balance:	0.00