

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**B E T W E E N:**

THE CATALYST CAPITAL GROUP INC. and CALLIDUS CAPITAL  
CORPORATION

Plaintiffs

and

WEST FACE CAPITAL INC., GREGORY BOLAND, M5V ADVISORS INC.  
C.O.B. ANSON GROUP CANADA, ADMIRALTY ADVISORS LLC,  
FRIGATE VENTURES LP, ANSON INVESTMENTS LP, ANSON CAPITAL  
LP, ANSON INVESTMENTS MASTER FUND LP, AIMF GP, ANSON  
CATALYST MASTER FUND LP, ACF GP, MOEZ KASSAM, ADAM  
SPEARS, SUNNY PURI, CLARITYSPRING INC., NATHAN ANDERSON,  
BRUCE LANGSTAFF, ROB COPELAND, KEVIN BAUMANN, JEFFREY  
MCFARLANE, DARRYL LEVITT, RICHARD MOLYNEUX, and JOHN  
DOES #1-10

Defendants

and

CANACCORD GENUITY CORP.

Third Party

**A N D B E T W E E N:**

WEST FACE CAPITAL INC. and GREGORY BOLAND

Plaintiffs by Counterclaim

and

THE CATALYST CAPITAL GROUP INC., CALLIDUS CAPITAL  
CORPORATION, NEWTON GLASSMAN, GABRIEL DE ALBA, JAMES  
RILEY, VIRGINIA JAMIESON, EMMANUEL ROSEN, B.C. STRATEGY  
LTD. D/B/A BLACK CUBE, B.C. STRATEGY UK LTD. D/B/A BLACK CUBE  
and INVOP LTD. D/B/A PSY GROUP

Defendants to the Counterclaim

**A N D B E T W E E N:**

BRUCE LANGSTAFF

Plaintiff by Counterclaim

and

THE CATALYST CAPITAL GROUP INC. and CALLIDUS CAPITAL CORPORATION,  
Defendants to the Counterclaim

**AFFIDAVIT OF CHRISTIE BLATCHFORD  
(SWORN MAY 21, 2019)**

I, Christie Blatchford, of the City of Toronto, in the Province of Ontario, MAKE  
OATH AND SAY:

1. I am a Canadian columnist, journalist, and author, currently writing for the *National Post*. In the Fall of 2017, a number of the Defendants to the Counterclaim of West Face Capital Inc. ("**West Face**") and Gregory Boland ("**Boland**"), attempted to induce me to write a news article about, among other things:

(a) Justice Newbould and his decision in the matter of *The Catalyst Capital Group Inc. v. Brandon Moyses and West Face Capital Inc.* (the "**Moyse Action**"), in which he dismissed the lawsuit of The Catalyst Capital Group Inc. ("**Catalyst**") against West Face and Brandon Moyses;

(b) a "Wolf Pack" of companies, including West Face, that was purportedly involved in an illegal conspiracy to profit from disseminating false information about public companies.

2. In the course of these events, which occurred between September 15 and December 2017, I communicated directly with a number of the Counterclaim Defendants and their representatives, including, among others, Emmanuel Rosen ("**Rosen**"), Virginia

Jamieson (“**Jamieson**”), Newton Glassman (Catalyst’s Chief Executive Officer) (“**Glassman**”), James Riley (Catalyst’s Chief Operating Officer) (“**Riley**”), Dan Zorella (one of the principals of B.C. Strategy Ltd. and B.C. Strategy UK Ltd. (collectively, “**Black Cube**”)) (“**Zorella**”) and Brian Greenspan (Catalyst’s lawyer) (“**Greenspan**”), as well as other individuals who I believe used false aliases. As a result of these events, I wrote an article titled: “*The Judge, The Sting, Black Cube and Me*” (the “**Sting Article**”), which was published by the *National Post* online on the evening of Friday, November 24, 2017 and in print on the morning of Saturday, November 25, 2017. A copy of the online version of the Sting Article is attached to my Affidavit as **Exhibit 1**.

3. As I continued to follow the story, I wrote additional news articles before the end of 2017. On November 29, 2017, the *National Post* published my article titled: “*The night two alleged spies were sent to dinner and two more spies showed up*”. A copy of the online version of this article is attached to my Affidavit as **Exhibit 2**. I wrote a third article on December 29, 2017, when West Face and Boland filed their Counterclaim, titled: “*West Face files countersuit against Catalyst Capital, accusing rival firm of conspiracy and defamation*”. A copy of the online version of this article is attached to my Affidavit as **Exhibit 3**.

4. Since then, I have continued to follow the various litigation proceedings between Catalyst and West Face, and have attended various public Court hearings.

5. Based on the foregoing, I have personal knowledge of the matters set out in this Affidavit, except where I have relied on information from others, in which case I have identified the source of my information and believe it to be true.

6. I swear this Affidavit in support of the motion by West Face and Boland for an order compelling the evidence of Rosen, who I understand resides in Israel.

**A. Personal Background**

7. I am a Canadian columnist, journalist, and author. I currently write for the *National Post*, although over the past 45 years I have written for all four major Toronto-based newspapers (the *Globe and Mail*, the *Toronto Star*, the *Toronto Sun*, and the *National Post*). In 1999, I won a National Newspaper Award for column writing, and in 2008 I won the Governor-General's Literary Award in non-fiction for my book *Fifteen Days: Stories of Bravery, Friendship, Life and Death from Inside the New Canadian Army*, which was based on my experiences during four trips to Afghanistan in the 2006-2007 time period. Before beginning my career in the early 1970s, I studied journalism at Ryerson University.

**B. The Events Leading to My Publication of the Sting Article**

**(i) September 15 to 17, 2017: Jamieson Offers Me an "Exclusive" Story About Justice Neubolt and a Wolf Pack of Companies**

8. On Friday, September 15, 2017, I received an unsolicited email from Jamieson. I did not know Jamieson and was not expecting her email. Jamieson's email had the subject line: "Exclusive – Neubolt [sic] allowed destruction of evidence in Catalyst/Westface [sic] case – appeal Sept 20<sup>th</sup> [sic]". In the email, Jamieson wrote:

Hi there. I see you have covered Judge Neubolt [sic] in Canada. I have a source that has contacted me that wants to talk with you. He states Neubolt [sic] allowed destruction of evidence in Catalyst/Westface [sic] case- appeal slated Sept 20<sup>th</sup> [sic]. Do you want to talk to him? I really don't know much more than that- just that he wants to speak with you.

Please let me know if you'd like to speak with him.

9. A copy of Jamieson's email to me of September 15 is attached to my Affidavit as **Exhibit 4.**

10. I do not believe that I responded to Jamieson's email of September 15.<sup>1</sup>

11. Two days later, on Sunday, September 17, 2017 at 11:23 PM, I received a second email from Jamieson, with the subject line: "Exclusive – Judge Frank Newbould's record might unravel September 20<sup>th</sup> [sic]". The email stated:

Hello Christie.

The Appellate Bench of Ontario will meet this Wednesday [sic] to review the ruling of Judge Frank Newbould in a case tied to the ownership of Wind Mobile. In advance of the appeal, I'd like to connect you with a spokesperson that can prove evidence was destructed [sic] in the case and that Newbould's ultimate ruling completely ignored it.

Here is some background:

In 2016, Newbould presided over a case of industrial espionage with billions of dollars hanging in the balance. Catalyst Group [sic] had sued West Face Capital and its junior analyst Brandon Moyse. Moyse left Catalyst abruptly, taking with him several hundred confidential documents about Catalyst strategy.

Despite a confirmed cascade of confidential documents having been passed by Moyse, Newbould's ultimate ruling ignored Moyse's destruction of evidence.

My source can show you that when Newbould took over the case, Moyse erased his company blackberry and computer, inhibiting the investigation and erasing the possible evidence that he passed along confidential Catalyst briefings about Wind on to West Face.

---

<sup>1</sup> In fact, based on the language of the Sting Article, which indicates that I believed at the time I wrote the Sting Article that the first email I had received from Jamieson was in fact her second email of September 17, 2017, it appears that I either did not notice Jamieson's first email of September 15, 2017 at the time I received it or, in any event, had forgotten about it by the time I published the Sting Article in November 2017.

Despite the overwhelming mountain of evidence against West Face, Judge Newbould deemed it meritless in August 2016. Newbould ruled there was no reason to think Moyse had brought confidential information about Wind to West Face.

In addition, Information is brewing about a wolf pack of companies that West Face is involved with as well- we can connect you with the investigators.

Please let me know if you'd like to speak with my source.

Regards,

Virginia Jamieson

12. A copy of Jamieson's email to me of September 17, 2017, together with our further email exchanges within this same thread (which are described further below) is attached to my Affidavit as **Exhibit 5**.

13. In the context of preparing this Affidavit, West Face's counsel at Davies Ward Phillips & Vineberg LLP ("**Davies**") provided me with a copy of an email sent by Rosen to Jamieson at 2:21 PM, nine hours earlier that same day (Sunday, September 17, 2017), with the subject line: "The story". Rosen's email attached a document containing an article titled: "Judge Frank Newbould's record might unravel September 20<sup>th</sup> [sic] – The Appellate Bench of Ontario will meet this Wednesday to review the bizarre and suspect ruling of famed Nortel arbiter Frank Newbould in a case tied to the ownership of Wind Mobile".

14. The article sent by Rosen to Jamieson contained virtually all of the substance of the email that Jamieson sent to me later that evening, as set out above. For example, the article stated, among other things, that:

Justice Newbould had “presided over a case of industrial espionage with billions of dollars hanging in the balance”;

...

Catalyst “had sued West Face Capital and its junior analyst Brandon Moyse. Moyse left Catalyst abruptly, taking with him several hundred confidential documents about Catalyst strategy. Despite a confirmed cascade of confidential documents having been passed by Moyse, Newbould’s ultimate ruling ignored Moyse’s destruction of evidence.”;

...

When Justice Newbould “took over the case, Moyse erased his company blackberry and computer, inhibiting the investigation and erasing the possible evidence [that] he passed confidential Catalyst briefings about Wind on to West Face”;

“Despite [the] overwhelming mountain of evidence against West Face”, Judge Newbould “deemed [it] meritless ... in August 2016”;

“Newbould ruled there was no reason to think Moyse had brought confidential information about Wind to West Face”;

...

“Catalyst Capital Group and their owner Newton Glassman allege West Face and a consortium of 8 other companies have tried to undermine Catalyst’s and other companies business interests for several years, by spreading fake news and coordinating steps against those companies on the Canadian Stock Exchange. Those suspicions recently prompted a secret investigation launched by JSOT against the The [sic] consortium, known as the "WOLF PACK" companies. Sources say if the suspicions will come true that turn to be a huge scandal that will shake the Canadian system.”

15. A copy of Rosen’s email to Jamieson of September 17, including the attachment, is attached to my Affidavit as **Exhibit 6**.

16. Of course, as of that date, the only person with whom I was communicating about this matter was Jamieson. I was not yet aware of Rosen or his apparent role in directing her.

**(ii) September 18, 2017: Jamieson Offers to Connect Me To Her Source, Rosen, and Justice Newbould is “Stung”**

17. On the morning of Monday, September 18, 2017 (at 8:25 AM), I responded to Jamieson’s email from the day before. I told Jamieson that I was interested in speaking with her and/or her “source”. I also noted that I could not find a reference to the Moyse Action on the Court of Appeal’s schedule for Wednesday, September 20, 2017 (which was the date that Jamieson had indicated the appeal was to be heard). Specifically, I wrote:

Hi Virginia.

Certainly interested in speaking to you and/or your source.

Can’t see the case on the Court of Appeal schedule; is it Wednesday for sure?

I’ve got a busy morning, but will be back at my home office by 11am. Will call you then.

Christie

18. This email is a part of the same thread of emails attached to my Affidavit as **Exhibit 5**.

19. Jamieson responded to me by email about an hour later, at 9:33 AM. In this email, she clarified that there were “two stories” (or perhaps two prongs to the same story) that she was pitching – one story about Justice Newbould’s “destruction of justice” in the Moyse Action, and a second story about the “wolf pack” of companies that West Face was

allegedly involved in. She also sought to schedule a phone call between me and her source at 7:00 PM that evening. Specifically, she wrote:

Thanks Christie. As I told you, there are two stories:

- 1) The destruction of justice and the investigation
- 2) The wolf back [*sic*]

Can we set up time around 7pm this evening to speak about the investigation? My source is on a cross Atlantic flight today and can speak right after landing.

Please let me know what number to reach you on - he will call you direct. If that time doesn't work then he can call you first thing tomorrow.

Virginia

20. A copy of Jamieson's email to me of September 18, 2017 is attached to my Affidavit as **Exhibit 7**.

21. After I did not respond to Jamieson by the time she had proposed for the phone call between me and her source (being 7:00 PM on the evening of Monday, September 18, 2017), Jamieson quickly sent me a follow up email (at 7:07 PM) asking whether I could discuss the matter the following morning. I wrote back a few minutes later (at 7:16 PM), apologizing for not responding, and asking her to confirm when Catalyst's appeal of the Moyse Action was scheduled to be heard by the Court of Appeal. I again noted that I could not "find any trace of it" on the Court of Appeal's schedule for Wednesday, September 20, 2017. I also asked Jamieson: "And who is your source (if not his name, what his deal is) and what's your role?". These emails are a part of the same thread of emails attached to my Affidavit as **Exhibit 5**.

22. Later that evening (Monday, September 18, 2017 at 9:38 PM), Jamieson responded, explaining her role and what information she had to offer:

Hi there. I am a Canadian living in Brooklyn, NYC. I do communications here and I was approached by my source, who has become close to this case and wanted the story told by a Canadian journalist. My parents are huge fans of yours (they discuss your articles at the dinner table- even at Thanksgiving) and so I recommended you. My source asked me to help them reach you so here I am!

The appeal is scheduled for the 20th. This is an appeal over a matter of law; whether the judge erred in allowing the destruction of evidence. There are a lot of layers to this –there is also evidence of a wolf pack that West Face is involved with, affecting about 8 Canadian companies.

The evidence he has to share with you tomorrow has not been made public yet.

Let me know if you are interested in the intro.

Thanks. Virginia.

23. This email is a part of the same thread of emails attached to my Affidavit as **Exhibit 5**.

24. As I later learned from events described below, on the same day that Jamieson was attempting to connect me with her “source” (Monday, September 18, 2017), Justice Newbould was targeted in a sting operation (the “**Newbould Sting**”) conducted by Black Cube, a private investigative firm. I was, of course, not present during the Newbould Sting and knew nothing about it at the time. However, I later learned about the Newbould Sting directly from Catalyst, Black Cube, and their principals and representatives, including Glassman, Greenspan and Zorella. My knowledge of the Newbould Sting is based on my information and belief from the principals and representatives of Catalyst and Black

Cube, is also described in the Sting Article, previously attached to my Affidavit as **Exhibit**

**1.**

**(iii) September 19, 2017: Jamieson Sends Me an Excerpted Version of Justice Newbould's Reasons for Judgment from the Moyse Action**

25. As the date for the hearing of Catalyst's appeal of the Moyse Action approached, I exchanged further emails with Jamieson.

26. Among the more relevant emails, on the morning of Tuesday, September 19 (at 9:16 AM), Jamieson told me that Catalyst's appeal of the Moyse Action was "moving to the beginning of next week" even though, according to her, it had been "originally slated for Wednesday [September 20]". In the same email, she told me that her source would "connect [me] with someone actually involved in the case", and that she would send me some documents. This email is a part of the same thread of emails attached to my Affidavit as **Exhibit 5**.

27. Later that morning (Tuesday, September 19 at 10:23 AM), Jamieson sent me a separate email with the subject line: "Here is the first document". The body of her email simply stated: "We would want to walk you through this". The email attached a Word document with the file name: "Moyse.docx" (the "**Moyse Document**"). A copy of this email together with its attachment is attached to my Affidavit as **Exhibit 8**.

28. In the context of preparing this Affidavit, Davies provided me with a copy of an email that appears to have been forwarded by Rosen to Jamieson from the email address arik@psy-group.com at 8:45 AM earlier that same day (Tuesday, September 19, 2017).

This email attached the very same Moyse Document that Jamieson later forwarded to me. A copy of this email is attached to my Affidavit as **Exhibit 9**.

29. While I did not know the precise nature of the Moyse Document at the time, I now understand that the Moyse Document contained excerpts from Justice Newbould's reasons for judgment (the "**Reasons**") from the trial of the Moyse Action dated August 18, 2016. In my email response to Jamieson late that evening, I referred to the Moyse Document as a "weird, pieced-together thing". A copy of this email is attached to my Affidavit as **Exhibit 10**.

30. Now that I have read Justice Newbould's Reasons in their entirety, I understand that the Moyse Document omitted much of the evidence underlying Justice Newbould's key findings regarding Mr. Moyse's actions. For ease of reference, a copy of Justice Newbould's complete Reasons is attached to my Affidavit as **Exhibit 11**. In his Reasons, Justice Newbould explained in detail why Moyse's deletion and/or alleged deletion of certain materials was either inconsequential and/or irrelevant to Catalyst's claims against West Face regarding Wind Mobile. The Moyse Document referred to little of this evidence.

**(iv) September 19 to 21, 2017: Jamieson Provides Me With a USB of the Newbould Sting Materials**

31. The same day that Jamieson sent me the Moyse Document (Tuesday, September 19, 2017), Jamieson continued to offer to connect me with persons who allegedly had direct knowledge of the stories that she was pitching to me about Justice Newbould and the "Wolf Pack" that included West Face.

32. For example, in one email (sent at 12:04 PM), Jamieson wrote:

The appeal is now going to be on the 26th of September. Please let me know if you have some time tomorrow. I have two people that could meet you in person tomorrow.

33. A copy of this email is attached to my Affidavit as **Exhibit 12**.

34. In a separate email (sent at 12:41 PM), she wrote:

Hi Christie. The appeal is on the 26th. **I have arranged for an exclusive background meeting btw yourself and the leading figure from Catalyst.** He is in Montreal today but will fly to Toronto- ideally tomorrow- to meet with you. I'll come back to you on times. Thanks, V (Emphasis added)

35. This email is a part of the same thread of emails attached to my Affidavit as **Exhibit 10**.

36. The foregoing emails were the first time that Jamieson unequivocally stated that Catalyst and/or its principals were the ultimate source(s) of the story I was being invited to write. She continued to refer to Catalyst and/or its principals as her sources over the next two months.

37. Despite these offers, however, Jamieson ultimately did not (at that time) arrange a meeting or call between me and any "leading figure from Catalyst" referenced in her above-quoted email from September 19.

38. Instead, Jamieson and I arranged to meet, and did in fact meet, at the Aroma café near the intersection of Yonge and Eglinton, at around 11:30 AM on the morning of Thursday, September 21, 2017. At this meeting, Jamieson gave me a USB storage device. I later determined that the USB device contained edited excerpts of two

surreptitiously recorded conversations that Justice Newbould had had with an undercover Black Cube operative at his office, and at the Scaramouche restaurant, as part of the Newbould Sting on September 18, 2017.

39. At that meeting, Jamieson refused to identify who had given her the USB device. However, for reasons explained in more detail below, I believe that the USB device had been given to her by Riley, Catalyst's Chief Operating Officer.

40. At the same meeting at the Aroma café on Thursday, September 21, Jamieson attempted to persuade me to write the article about Justice Newbould before the scheduled date of Catalyst's appeal of the Moyse Action (September 26, 2017). I had not made any decision or commitment to write an article at all, let alone within the next few days. I was also busy working on at least two other stories and did not understand there to be any urgency to the matter.

41. Later that day (Thursday, September 21, 2017 at 6:39 PM), Jamieson sent me a further email, stating:

If you would like to meet the person that pulled that info together (not the journalist- the person that sent the info to him), they are happy to jump on a plane and meet you in person in Toronto. They can explain the content to you and provide context. Let me know.

42. A copy of this email is attached to my Affidavit as **Exhibit 13**.

**(v) September 23, 2017: Rosen Reaches Out to Me**

43. In the context of preparing this Affidavit, Davies provided me with copies of emails sent by Jamieson to Rosen, in which Jamieson simply forwarded my email conversations

with her to Rosen. In short, Jamieson was keeping Rosen apprised of our communications. The first of these emails is a part of the same thread of emails attached to my Affidavit **Exhibit 5**, and a copy of the second email is attached to my Affidavit as **Exhibit 14**.

44. On Saturday, September 23, 2017, I received a phone call from Rosen. He indicated that he had received my phone number from Jamieson and stated that he was the journalist who had been providing her with information.

**(vi) October 12, 2017: I Met With Rosen**

45. On October 12, 2017, I met in person with Rosen at the Broadview Hotel in Toronto's east end. During this conversation, Rosen told me his real name, and explained a little bit about his background. He told me that he was a journalist and documentary filmmaker based in Israel. Like Jamieson, Rosen attempted to persuade me to publish an article (or articles) about Justice Newbould and West Face.

46. By that time, I had reviewed the Newbould Sting materials on the USB device that Jamieson had relayed to me from Riley. Rosen and I discussed these materials. Rosen contended that the Newbould Sting materials proved that Justice Newbould was a corrupt judge, and he wanted me to write an article saying so. I did not believe that the Newbould Sting materials, selectively edited as they were, proved the allegations that Rosen was making about Justice Newbould, which raised my concerns about Rosen's motives and good faith.

47. Even more troubling, however, was that where Jamieson had been unequivocal that Catalyst was the principal behind the Newbould Sting, Rosen told me that an

aboriginal group that had previously made a complaint to the Canadian Judicial Council about Justice Newbould was responsible for the Newbould Sting. I believed that this assertion was highly implausible.

48. I was unimpressed with Rosen and left the meeting convinced that Rosen, Jamieson, and the people for whom they were acting (who I understood from Jamieson to be Catalyst) were attempting to dupe me into writing a misleading article for their own ulterior motives.

49. The next day, October 13, 2017, I sent an email to Jamieson letting her know that I had met with Rosen, and asking her whether she could try to put me in touch with a representative of Catalyst:

Couple of things...I met the journalist this week but still no sign of the principal. He also seems to have a different idea of who the principal is.

You once mentioned that the Catalyst guy would meet me, and I wondered if you could try again.

Also, case is on delay again at appeal court...any idea why?

50. A copy of this email, and Jamieson's response (described in the following paragraph) is attached to my Affidavit as **Exhibit 15**.

51. Later that day, Jamieson responded to my email advising that I could expect more details soon, and encouraging me to write exclusively about the material that had been provided to me thus far:

Ah- the fab Christie.

So I asked them and was told "The principal source isn't ready to come forward but we are working on it. Appeal was

postponed and we should have clarity/more details [sic] soon and will walk you through it.”

You have the story exclusively and if you can report out what you heard on the tape independently then you can. Parties and just getting organized for the impact of this story.

**(vii) Late October 2017: Meeting with “Jessie from Operations”**

52. On October 26, 2017, I followed up with Rosen from our earlier meeting regarding meeting one of the principals from Catalyst. As I stated in the Sting Article, Rosen initially suggested that I could meet the “guy who is behind the project”, but then changed this to “Jessie from the operational team”. This meeting was arranged for October 31, 2017 at the Mercato in the Eaton’s Centre.

53. The meeting proceeded as planned. “Jessie” was a woman with dark hair who appeared to be in her early 40s. Davies has given me a photograph of a woman named Judith Helfgott Burstien, and has informed me that she is an employee of Psy Group and the spouse of Psy Group’s former CEO, Royi Burstien. The photograph is attached as **Exhibit 16**. I believe that “Jessie” is probably the person in this photograph.

54. I found the meeting with “Jessie” to be entirely unproductive. She was evasive about who she was, who she represented, and what information she could give me. I learned nothing of value from the meeting, which heightened my suspicion that someone was attempting to manipulate me.

**(viii) Mid-November 2017: Catalyst Reveals Itself**

55. On Friday, November 16, Barbara Schecter of the *National Post* published a story titled “Intelligence firm’s operatives targeted our employees, West Face says in response to ‘conspiracy’ lawsuit”. The story reported on a West Face court filing alleging that Black

Cube had conducted stings on various current and former West Face employees, including its former general counsel. A copy of this article is attached to my Affidavit as **Exhibit 17.**

56. The next day I called Jamieson and spoke with her on the phone. I asked her a number of direct questions on issues that she had been evasive about, or regarding matters for which I had been provided with misleading or inconsistent information. For example, I pointed out to her that in one of her earliest emails to me, she had offered to introduce me to the “leading figure from Catalyst”, yet Rosen had later described the principals behind his efforts as the aboriginal group that had previously made a complaint about Justice Newbould.

57. Jamieson became distressed by my direct questions. She reiterated to me that the party who wanted me to publish a story about Justice Newbould and the “wolf pack” of companies involving West Face was Catalyst. At the same time, she told me that I had no “proof” that Catalyst was behind the Newbould Sting and that that there was no need to mention Catalyst in an article.

58. She also emphasized to me that her involvement was extremely limited. At first she denied ever meeting anyone other than Rosen. She also said that she had been involved in the matter for free, and was just doing it as a favour for an acquaintance – “this girl Karen” – with whom she was trying to network. Jamieson referred to herself as a “mule”.

59. However, when I asked her who gave her the USB device containing the Newbould Sting materials, she told me that she met a person at or near the Rosedale subway station on the morning of Thursday, September 21, before she met with me at the

Aroma café near Yonge and Eglinton. She said that this person gave her the USB device that she had relayed to me. She described the person as an older man, in his 60s, and that his name was “James”. She told me she remembered this because it is her son’s middle name. From this and from what Jamieson had previously told me (including that Catalyst was the principal behind the Newbould Sting), I believed that she was likely referring to James Riley, Catalyst’s Chief Operating Officer.

**C. My Communications With Catalyst, Greenspan, and Black Cube**

60. On Friday, November 17, 2017, I emailed Brian Greenspan to ask if he had a few minutes to chat with me. I had seen Greenspan’s name in the Court of Appeal’s file in relation to Justice Rouleau’s adjournment of the hearing of Catalyst’s appeal of the Moyse Action that had originally been scheduled for September 26-27, 2017, and guessed that he was advising Catalyst in relation to ethical issues surrounding the events that Jamieson had approached me about. Greenspan asked what I wanted to talk about, and I told him “Need to talk about Catalyst and something you may know something about”, and proposed to call him on Sunday.

61. On Sunday, November 19, 2017, I called Greenspan as planned. Greenspan began the conversation by stating that Catalyst had originally retained him as a “security consultant”, and then later broadened that retainer to consider whether the stings on Justice Newbould and West Face’s former general counsel Alex Singh constituted “fresh evidence” that could be used at the appeal of the Moyse Action. Greenspan acknowledged that he was authorized to speak for Catalyst. On that note, Greenspan is the “source authorized to speak for Catalyst” that I refer to in my Sting Article.

62. As I stated in my Sting Article, according to Greenspan, Catalyst was weighing whether the Newbould Sting provided it with sufficient evidence (to use my own words from the Sting Article): “to dislodge the presumption of neutrality that cloaks judges as a matter of law to now argue at the appeal that Newbould was biased”. Greenspan told me that Catalyst’s former firm, Lax O’Sullivan, had demanded that Catalyst sign an undertaking that it would never attempt to use in any way the information it had covertly obtained about Justice Newbould in the Newbould Sting. However, Catalyst was not willing to do so at that time.

63. Greenspan also stated to me that Catalyst had not ordered the Newbould Sting, and in fact did not know about it until after it had occurred.

64. Greenspan stated that towards the end of August 2017, a number of “very very serious security concerns, some corporate and some personal” had arisen within Catalyst and its principals. Greenspan alleged that there had been invasions of Glassman’s Toronto home and his Muskoka cottage property. Greenspan also referred to “hacking”. Greenspan claimed that there had been threats to Glassman’s safety and security.

65. Greenspan told me that, as a result of these threats, Greenspan had retained on behalf of Glassman an international security firm called Tamara Global to provide a host of security services. He told me that this firm had been briefed on perceived threats to the security of Catalyst and Glassman, including West Face and the “wolfpack”, and the litigation with West Face. Tamara Global was given the authority to retain its own subcontractors, and one of these subcontractors was Black Cube.

66. Greenspan then indicated that Black Cube engaged in the Newbould Sting, as well as various stings of current and former West Face employees, including its former general counsel Alex Singh, on its own initiative and without any direction or instruction from Catalyst.

67. Greenspan stated that as soon as he became aware of the stings, he advised Black Cube to cease, stating words to the effect of “that’s not how we do things in Canada”. He said that Black Cube apparently misinterpreted this as a direction to continue its sting activities outside Canada.

68. Greenspan was aware of Jamieson’s role in contacting me, and I advised him that I was going to write what I had learned using Jamieson’s and Rosen’s names, unless Greenspan told me who had delivered the USB device to Jamieson.

69. In subsequent calls with Greenspan during this time period, I continued to press him to tell me who had given Jamieson the USB device. Greenspan told me that if I would forego that request, he would arrange a meeting with Glassman and a representative of Black Cube.

70. This meeting ultimately occurred on November 22 or 23, 2017, shortly before publication of the Sting Article. I first met Greenspan at his office, where he called Zorella. Zorella was described to me as one of the principals of Black Cube. I was told that this conversation was “off the record” and for background.

71. Following this lengthy call, Greenspan and I then drove to Glassman's home in Toronto where I had a further conversation with Greenspan and Glassman. I was also instructed that this conversation was "off the record" and for background.

**D. The Sting Article**

72. Ultimately, on Friday, November 24, 2017, I completed drafting the Sting Article about the events described above. A copy of this article was previously attached to my Affidavit as **Exhibit 1**.

73. I do not recall having further communications with Greenspan, Glassman, Jamieson, "Jessie", Rosen, or anyone else since publication of the Sting Article.

**SWORN BEFORE ME** at the City of Toronto, in the Province of Ontario this 21st day of May, 2019



Commissioner for Taking Affidavits  
(or as may be)

ANDREW CARLSON



CHRISTIE BLATCHFORD

THE CATALYST CAPITAL GROUP INC. et al. -and- WEST FACE CAPITAL INC. et al. -and- CANACCORD GENUITY CORP.  
Plaintiffs Defendants Third Party  
WEST FACE CAPITAL INC. et al. -and- THE CATALYST CAPITAL GROUP INC. et al.  
Plaintiffs by Counterclaim Defendants to the Counterclaim

Court File No. CV-17-587463-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

PROCEEDING COMMENCED AT TORONTO

**AFFIDAVIT OF CHRISTIE BLATCHFORD  
SWORN MAY 21, 2019**

**DAVIES WARD PHILLIPS & VINEBERG LLP**  
155 Wellington Street West  
Toronto ON M5V 3J7

**Kent E. Thomson (LSUC# 24264J)**  
Email: kentthomson@dwpv.com  
Tel: 416.863.5566

**Matthew Milne-Smith (LSUC# 44266P)**  
Email: mmilne-smith@dwpv.com  
Tel: 416.863.5595

**Andrew Carlson (LSUC# 58850N)**  
Email: acarlson@dwpv.com  
Tel: 416.367.7437

Tel: 416.863.0900  
Fax: 416.863.0871

Lawyers for the Defendants (Plaintiffs by Counterclaim),  
West Face Capital Inc. and Gregory Boland