

CANADA  
PROVINCE OF QUÉBEC  
DISTRICT OF MONTRÉAL

SUPERIOR COURT  
(Class Actions)

No.: **500-06-001222-237**

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**GILBERT CREMISI**

Applicant

v.

**B2B BANQUE**

Defendant

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## AFFIDAVIT

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I, the undersigned, Ann Du, declare under oath that:

1. I am Vice President, Digital Operations (Banking) at B2B Banque (“**B2B**”) located at 199 Bay Street, Suite 600, Toronto, Province of Ontario, M5L 0A2.
2. As a result of my employment, I have personal knowledge of the matters hereinafter deposed to.
3. I have reviewed the information that was communicated by B2B as Exhibit B2B-1 in the context of its *Application for leave to adduce evidence*.
4. The information sent to Mr. Cremisi as part of Exhibit B2B-1 includes:
  - (a) A letter dated December 21, 2016 providing for the approval of Mr. Cremisi’s investment loan application;
  - (b) The Variable Rate Investment Loan Statement of disclosure;
  - (c) The Mutual Fund Dealers Association of Canada (MFDA) Client Complaint Information Form;
  - (d) Other information provided by B2B(together referred to as the “**Welcome package**”).

5. A welcome package is systematically generated by B2B once an account is set up and the loan is funded.
6. The welcome package is sent by B2B to the client's address appearing on file.
7. Mr. Cremisi's address appearing in B2B's file is the same as the address indicated in his loan application (Exhibit P-1), as well as in his *Application to Authorize the Bringing of a Class Action*.
8. B2B has never been instructed to change Mr. Cremisi's address on file.
9. As such, all correspondence sent by B2B to Mr. Cremisi since 2016, including the Welcome package and all statements and letters related to his loan, were sent to the same address, namely [REDACTED]
10. There is no indication in Mr. Cremisi's file that any correspondence was returned to B2B.
11. All facts herein are true and correct.

AND I HAVE SIGNED in Toronto, on September 8, 2023:

E-SIGNED by Ann Du  
on 2023-09-08 13:48:34 EDT  
\_\_\_\_\_  
**ANN DU**

Declared under oath remotely before me by  
technological means  
in Montréal, QC, on September 8, 2023

E-SIGNED by Nathalie Angers  
on 2023-09-08 13:49:23 EDT

\_\_\_\_\_  
Nathalie Angers  
Commissioner for Oaths for Québec and for  
outside of Québec #137908

**Angers, Nathalie**

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**De:** Angers, Nathalie  
**Envoyé:** September 8, 2023 2:06 PM  
**À:** jzukran@lpclex.com  
**Cc:** Chênevert, Karine; De Zordo, Alexander L.  
**Objet:** NOTIFICATION - 500-06-001222-237 // Gilbert Cremisi c. B2B Banque // Affidavit  
**Pièces jointes:** Affidavit B2B (Ann Du) - Leave to Adduce Evidence(139603825.1).pdf

**BORDEREAU DE NOTIFICATION  
PAR COURRIER ÉLECTRONIQUE**  
(ARTICLE 134 C.P.C.)

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**DATE :**

Montréal, le 8 septembre 2023

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**EXPÉDITEUR(S) :**

**Nom(s) :** Me Alexander L. De Zordo / Me Karine Chênevert  
**Étude :** **BORDEN LADNER GERVAIS S.E.N.C.R.L., S.R.L.**  
**Adresse :** 1000, rue De La Gauchetière Ouest, bureau 900  
Montréal QC H3B 5H4  
**Avocats l'intimée**  
**Téléphone :** 514.879.1212  
**Ligne directe :** 514.954.3191 (ADZ) / 514.954.3180 (KC)  
**Courriel :** adezordo@blg.com / [kchenevert@blg.com](mailto:kchenevert@blg.com) / [notification@blg.com](mailto:notification@blg.com)  
**Notre dossier :** 013177.000026

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**DESTINATAIRE(S) :**

**Nom(s) :** Me Joey Zukran  
**Étude :** **LPC AVOCAT INC.**  
**Adresse :** 276, rue Saint-Jacques, bureau 801  
Montréal, QC H2Y 1N3  
**Avocats du requérant**  
**Téléphone :** 514.379.1572  
**Courriel :** [jzukran@lpclex.com](mailto:jzukran@lpclex.com)  
**Votre dossier :** JZ-248

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**NUMÉRO DE DOSSIER DE COUR ET NATURE DU DOCUMENT NOTIFIÉ :**

**Numéro de dossier :** 500-06-001222-237  
**Parties :** Gilbert Cremisi c. B2B Banque  
**Nature du document :** Affidavit

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**Nombre de pages :**  
(pièces jointes seulement)



**Nathalie Angers**

**Adjointe à la pratique pour / Practice Assistant  
for Karine Chênevert, Ève Gaudet & Justine Kochenburger**

T 514.954.2555 #23206 | [NAngers@blg.com](mailto:NAngers@blg.com)

1000, rue De La Gauchetière Ouest, bureau / suite 900, Montréal, QC, Canada H3B 5H4  
[notification@blg.com](mailto:notification@blg.com)

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Defendant

**AFFIDAVIT**

ORIGINAL

**BLG**  
**Borden Ladner Gervais**  
B.M. 2545

1000, De La Gauchetière Street Ouest  
Bureau 900  
Montréal, QC, Canada H3B 5H4  
Tél.: 514.879.1212  
Télec.: 514.954.1905  
adezordo@blg.com  
kchenevert@blg.com

Me Alexander L. De Zordo, *Ad. E.*  
Me Karine Chênevert  
Dossier : 013177.000026