

Commercial Court File No. CV-17-587463-00CL  
Court File No. CV-17-586096

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**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**

**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 INC.**

**Defendants by Counterclaim**

**STATEMENT OF DEFENCE TO COUNTERCLAIM  
OF VIRGINIA JAMIESON**

1. The Defendant, Virginia Jamieson (“**Jamieson**”), admits the allegations contained in the first two sentences of paragraph 40 of the Amended Amended Fresh as

Amended Statement of Defence and Counterclaim (“**Counterclaim**”) of West Face Capital Inc. and Gregory Boland.

2. Jamieson has no or insufficient knowledge in respect of the allegations contained in paragraphs 1-25, 26-32, 33(a), 35, 39, 41-99, 102, 107-109, 111-172, 177-181, and 187-200 of the Counterclaim. To the extent any of the allegations in these paragraphs referring generally to the “Counterclaim Defendants” are made against Jamieson, they are denied.

3. Except as hereinafter expressly admitted, Jamieson denies the balance of the allegations in the Counterclaim. Jamieson specifically denies the allegations contained in paragraphs 25, 33(b), 34, 40 (excluding the first two sentences, which are admitted), 100, 101, 103-106, 110, 173-176, and 182-186 of the Counterclaim.

4. For greater clarity and without limiting the generality of the foregoing, Jamieson specifically denies the allegations that:

- (a) Jamieson knowingly planted false or misleading media coverage concerning the Plaintiffs by Counterclaim or Justice Newbould, or engaged in conduct calculated to prejudice or harm the Plaintiffs by Counterclaim’s interests in any way;
- (b) Jamieson intended to induce Christie Blatchford or any other journalist to write and publish a false and defamatory article concerning the Plaintiffs by Counterclaim or Justice Newbould;
- (c) Jamieson used the alias or username “Samantha Beth”—or any other alias, username, or pseudonym—to write, publish, or disseminate false

and defamatory statements (or any statements whatsoever) about the Plaintiffs by Counterclaim or Justice Newbould or to do anything relating to the matters at issue in the Counterclaim;

- (d) Jamieson entered into an agreement or otherwise conspired with the Catalyst Defendants, other Counterclaim Defendants, or anyone to publish defamatory comments, carry out the “Black Cube Campaign” or “Defamation Campaign” alleged in the Counterclaim, or to harm the Plaintiffs by Counterclaim in any way whatsoever;
- (e) Jamieson authored, created, published, or administered any of the postings that formed part of the “Defamation Campaign” alleged in the Counterclaim, or retained, directed, or paid anyone to do so, directly or indirectly;
- (f) Any of the IP addresses used or involved in the “Defamation Campaign” alleged in the Counterclaim belong to or are in any way associated with Jamieson, directly or indirectly;

and puts the Plaintiffs by Counterclaim to the strict proof thereof.

5. Jamieson acted honestly and in good faith throughout. She did not agree or conspire with the Catalyst Defendants, Counterclaim Defendants, or anyone to publish or cause to be published any false, misleading, or defamatory stories about the Plaintiffs by Counterclaim. Jamieson did not intend for her conduct to harm or prejudice the Plaintiffs by Counterclaim’s interests in any way.

6. Jamieson further denies that the Plaintiffs by Counterclaim suffered the damages claimed or any compensable damages whatsoever as a result of her actions, and puts them to the strict proof thereof.

7. In the alternative, if the Plaintiffs by Counterclaim did suffer the damage alleged in the Counterclaim, any damage they may be found to have suffered were not caused in whole or in part by any actionable act or omission by Jamieson. In any event, the damages claimed are excessive and too remote to be recoverable at law, and the Plaintiffs by Counterclaim have failed to mitigate their damage.

8. Jamieson acted in good faith throughout and not in a reckless, highhanded, malicious, oppressive, or reprehensible manner that would offend common standards of decency or warrant an award of aggravated, exemplary, or punitive damages.

9. Jamieson asks that the counterclaim against her be dismissed with costs.

August 17, 2018

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The Catalyst Capital Group Inc., et al v. West Face Capital Inc., et al  
Plaintiffs (Defendants by Counterclaim) Defendants (Plaintiffs by Counterclaim)

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**ONTARIO  
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

**STATEMENT OF DEFENCE TO  
COUNTERCLAIM OF VIRGINIA  
JAMIESON**

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