

This is the 1st Affidavit
of Charmaine Magday in this case
and was made on July 29, 2026

No. S264225
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C.
1985, C. c-36, AS AMENDED

AND

SYMPHONY HOMES (MOONLIGHT SONATA) LIMITED,
1168386 B.C. LTD., 1197030 B.C. LTD., 1197062 B.C. LTD., SYMPHONY HOMES
(WAYBURN) LTD., and 663466 B.C. LTD.

PETITIONERS

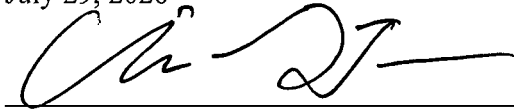
AFFIDAVIT

I, Charmaine Magday, legal assistant, of 3000-1055 Dunsmuir Street, Vancouver, B.C., AFFIRM
THAT:

1. I am a legal assistant at Osler, Hoskin & Harcourt LLP ("Osler"), counsel for the monitor, AlixPartners Restructuring, Inc. (the "Monitor") in these proceedings, and as such I have personal knowledge of the facts deposed to in this affidavit except where stated to be on information and belief, in which case I have stated the source of my information and believe them to be true.

2. Attached as **Exhibit A** to this affidavit is a true copy of email correspondence between Osler, the Monitor, and Tim Louman-Gardiner, counsel to TD Canada Trust in relation to these proceedings, dated July 15, 2026, to July 23, 2026.

AFFIRMED BEFORE ME at Vancouver, in)
the Province of British Columbia, on this)
July 29, 2026)



A Commissioner for taking affidavits for)
British Columbia)



CHARMAINE MAGDAY

CHRISTIAN GARTON
BARRISTER & SOLICITOR
Osler, Hoskin & Harcourt LLP
Suite 3000, Bentall Four
1055 Dunsmuir Street
Vancouver, BC V7X 1K8
TELEPHONE: 604.492.2719

This is Exhibit "A" referred to in the
Affidavit #1 of Charmaine Magday
affirmed before me at Vancouver,
BC, this 29th day of July 2026

A handwritten signature in black ink, appearing to be 'Chris J. F.', written over a horizontal line.

A Commissioner/Notary Public for the
Province of British Columbia

Garton, Christian

From: Tim Louman-Gardiner <tlouman-gardiner@farris.com>
Sent: Thursday, July 23, 2026 11:49 PM
To: Tallat, Murtaza; Goldstein, Noah; Buttery, Mary; Young, Andrew
Cc: Rosenblat, Dave; Garton, Christian
Subject: RE: [EXT] CCAA Proceedings of Symphony Moonlight Sonata et al.
Attachments: 236R35 - Statements.pdf; 64L7X2 - Statements.pdf

Hello,

With respect to the discrepancies, and with respect to the statement that was provided to you by the debtors. I can confirm that:

- 1) The statement that we provided was accurate; and
- 2) The statement provided by the debtor does not reflect how funds were in the account.

Put simply, the statement provided by the debtor does not appear to me or my client to be legitimate.

There is a comment that my client has not offered any explanation for the difference in the statements. You can appreciate that I cannot offer any explanation for the statement provided by the debtor, other than to advise you of what I've set out above, which is that I've forwarded you statements directly from my client and the statement from the debtor does not align with the flow of funds into and out of that account.

The 663466 LOC has been frozen. We're still considering the security position and our client's security generally, I expect to review that next week.

I have also received statements for the trading accounts. They're attached.

Finally, in a previous e-mail, I asked you to let us know if there are specific cancelled cheques you'd like us to request.

Best regards,
Tim Louman-Gardiner
Partner

T: (604) 661-1729
tlg@farris.com
Pronouns: he/him

From: Tallat, Murtaza <murtaza.tallat@alixpartners.com>
Sent: July 22, 2026 7:29 AM
To: Goldstein, Noah <noah.goldstein@alixpartners.com>; Tim Louman-Gardiner <tlouman-gardiner@farris.com>; Buttery, Mary <mbuttery@osler.com>; Young, Andrew <ayoung@alixpartners.com>

Cc: Rosenblat, Dave <drosenblat@osler.com>; Garton, Christian <cgarton@osler.com>

Subject: RE: [EXT] CCAA Proceedings of Symphony Moonlight Sonata et al.

Hi Tim,

As you may be aware, the Monitor filed a report last night that discussed the discrepancies in the accounts. Specifically, the Monitor's report discussed the discrepancies in the Symphony Wayburne TD accounts and the activity in the 663466 B.C. Ltd. line of credit account. I understand that the Symphony Waburne accounts are closed.

With respect to the 663466 B.C. Ltd. line of credit account, please confirm that it has been frozen from TD's side. You had also previously mentioned the frozen trading accounts and that TD would be seeking to apply the balance of the trading accounts against the line of credit account, subject to your review of their security. Could you kindly provide an update on that?

Thank you,

Murtaza Tallat
Partner

t: 416.932.6031
m: 647.640.4248

From: Goldstein, Noah <noah.goldstein@alixpartners.com>

Sent: July 15, 2026 5:28 PM

To: Tim Louman-Gardiner <tlouman-gardiner@farris.com>; Buttery, Mary <mbuttery@osler.com>; Tallat, Murtaza <murtaza.tallat@alixpartners.com>; Young, Andrew <ayoung@alixpartners.com>

Cc: Rosenblat, Dave <drosenblat@osler.com>; Garton, Christian <cgarton@osler.com>

Subject: Re: [EXT] CCAA Proceedings of Symphony Moonlight Sonata et al.

Thank you

Noah Goldstein
Partner & Managing Director

t: +1 (437) 453-8057
m: +1 (437) 453-8057

From: Tim Louman-Gardiner <tlouman-gardiner@farris.com>

Sent: Wednesday, 15 July 2026 17:26:47

To: Goldstein, Noah <noah.goldstein@alixpartners.com>; Buttery, Mary <mbuttery@osler.com>; Tallat, Murtaza <murtaza.tallat@alixpartners.com>; Young, Andrew <ayoung@alixpartners.com>

Cc: Rosenblat, Dave <drosenblat@osler.com>; Garton, Christian <cgarton@osler.com>

Subject: RE: [EXT] CCAA Proceedings of Symphony Moonlight Sonata et al.