

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

B E T W E E N:

CANADIAN IMPERIAL BANK OF COMMERCE

Applicant

- and -

**1299746 ONTARIO INC. o/a COMPUQUEST2000 and
2252709 ONTARIO INC.**

Respondents

**SUPPLEMENTARY RESPONDING MOTION RECORD
OF THE APPLICANT
(returnable July 17th, 2017)**

July 14, 2017

AIRD & BERLIS LLP
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Lawyers for Canadian Imperial Bank of Commerce

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Lawyers for Aimee Lynn Bodimeade

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Lawyers for Dean Salem and Norris Technologies, LLC

AND TO: **DEPARTMENT OF JUSTICE**
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AND TO: **HER MAJESTY THE QUEEN IN RIGHT OF THE
PROVINCE OF ONTARIO AS REPRESENTED BY
THE MINISTER OF FINANCE**
(Income Tax, PST)
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Attention: Kevin J. O'Hara

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I N D E X

TAB NO. DOCUMENT

- | | |
|---|---|
| 1 | Affidavit of Diana McMillen sworn July 14, 2017 |
| A | Exhibit "A" – Copy of email dated April 26, 2017 |

TAB 1

DIANA MCMILLEN

TAB A

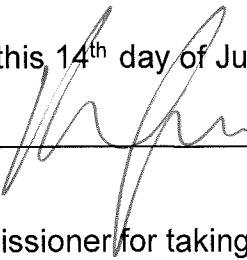
Attached is Exhibit "A"

Referred to in the

Affidavit of DIANA McMILLEN

Sworn before me

this, 14th day of July, 2017



Commissioner for taking Affidavits, etc

From: MacLaine, Doug
Sent: Wednesday, April 26, 2017 4:12 PM
To: Russo, Sonia; DeLauro, Stephen
Cc: Fraser, Isabel
Subject: RE: Bodimeade CMI mtg#003230607.1

Thanks.

It would also help if you could also reverse the \$1581.12 debited to her account yesterday for the mortgage.

Douglas MacLaine | Assistant General Manager – CIBC Special Loans | c/o Transit #4782, 244 Parkhill Main Street, Parkhill, ON N0M 2K0 | Tel: 519-294-6466 Fax: 519-294-0259 | E-Mail: doug.maclaine@cibc.com



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From: Russo, Sonia
Sent: Wednesday, April 26, 2017 2:36 PM
To: DeLauro, Stephen
Cc: MacLaine, Doug; Fraser, Isabel
Subject: FW: Bodimeade CMI mtg#003230607.1
Importance: High

Hi Stephen,
This mortgage has some background / and the situation is a little complex.

We require that RAS places all collection calls on hold for the time being - and that Right of Offsets are not conducted.

If you could please confirm back to us once this has been done.

Thank you,

Sonia Russo Manager Secured Recovery Operations| Strategy, Support & Analytics, Client Account Management |750 Lawrence Ave W. E-4| Toronto |ON | M6A 1B8 | Phone: (416)780-3953



Document Classification: Confidential

This message, including attachments, is confidential and may be privileged. If you received this in error, please notify me by reply email and delete this message.

From: MacLaine, Doug
Sent: Wednesday, April 26, 2017 1:19 PM
To: Fraser, Isabel; Russo, Sonia
Cc: Tamminga, Mark
Subject: FW: Bodimeade CMI mtg#003230607.1

See email below. Is there something that can be done to stop your collections officers from taking the payments? The client issued a Stop Payment against the mortgage payments. You can proceed with Demands, Notice of Sale etc. if you

want but taking funds from her account is not helpful. We had the cooperation of Aimee Bodimeade in our collection effort against her estranged spouse. The control of the property sale is now resting in the hands of the Receiver so you will get your mortgage paid in due course once the sale is finalized. I previously corresponded on this matter. See attached.

Douglas MacLaine | Assistant General Manager | c/o Transit #4782, 244 Parkhill Main Street, Parkhill, ON N0M 2K0 | Tel: 519-294-6466 Fax: 519-294-0259 | E-Mail: doug.maclaine@cibc.com



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From: Andrea Robertson [<mailto:andrearobertson27@yahoo.ca>]

Sent: April-26-17 11:22 AM

To: Miranda Spence <mspence@airdberlis.com>; Catherine Francis <cfrancis@mindengross.com>

Subject: Bodimeade

Miranda, Catherine,

I am writing to explore the possibility of finding solutions to some short term problems.

First, Aimee has not been paying the mortgage, as we previously discussed. She made arrangements with her personal banking officer so the funds wouldn't come out of her account automatically, and her bank knows what is going on. However, CIBC collections has been calling her relentlessly, and she continues to explain her situation to them. Today they have taken all her money from her bank account. She can't put gas in her car or buy groceries for her children. Miranda, is there someone who can put a hold on the mortgage payments so this doesn't continue to happen?

Second, Aimee is having difficulty carrying the home. The stress of the sale of the home, the bankruptcy and the separation, on Aimee and especially on the children, has become overwhelming

for her and for the kids. The middle child, Jenna, is suffering terribly. Her school marks are suffering and she is exhibiting very worrisome behaviour, including substance use and cutting. Aimee has nowhere else to go and can't see an end in sight. In her words, she is drowning. She has nothing except her equity in the home.

Is there anything that can be done to resolve either of these problems?

Andrea.

Andrea Robertson

Barrister and Solicitor

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Applicant

Respondents

Court File No. CV-16-11369-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceedings commenced at Toronto

AFFIDAVIT OF DIANA MCMILLEN
(Sworn July 14, 2017)

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