

Clayton Ruby Professional Corporation

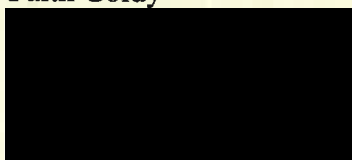
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Faith Goldy

October 17, 2018



File #: goldy
Inv #: 14475

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Oct-03-18	Meet with client and Stephanie	0.70	525.00	CR
	Preparation time: Intake meeting with potential client.	0.80	280.00	SD
	Preparation time: Review of background materials provided by David Milosovic. Some background research into potential client's candidacy for mayor.	0.50	175.00	SD
	Preparation time: Leave voicemail with LSO Practice Management hotline regarding crowdsourcing question.	0.10	35.00	SD
	Preparation time: circa. 3:30 pm, having not heard back from the LSO re: my 9 am voicemail, I tried to contact Phil Brown directly. I received a vacation notice directing urgent calls to Kelly Gerra with crowdsourcing inquiry.	0.10	35.00	SD
Oct-04-18	Call with S. DiGiuseppe re: injunction strategy; email to S. DiGiuseppe re: injunction facta	0.30	97.50	AE
	Compile materials from previous injunction applications and send to S. DiGiuseppe for meeting tomorrow	0.80	260.00	AE

	Preparation time: Speak with potential client briefly to answer her question about retainer. Check in with C. Ruby about issues raised in call with client. Receive return call from K. Gerra from the Law Society of Ontario regarding crowdsourcing inquiry. Circle back with client re: crowdsourcing rules, quantum of initial retainer, and timeline for filing the injunction. Speak with C. Ruby, B. Shiller, and A. Enenajor about timeline and dividing up tasks. Schedule firm meeting for tomorrow at 12 pm to discuss plan moving forward. Memos to file.	1.10	385.00	SD
	Preparation time: Detailed memo to file regarding client retainer conversations and conversations with Law Society re: crowdsourcing.	0.20	70.00	SD
	Preparation time: Initial research on statutory authority for equitable advertising rules. Email findings to C. Ruby, B. Shiller, and A. Enenajor. Some editing to my contemporaneous notes of our intake meeting with client (formatting, grammar, and filling in some details from memory to ensure that those who were not there can follow along with notes). Email notes of initial meeting to co-counsel.	0.60	210.00	SD
Oct-05-18	Preparation; meet with co-counsel B. Shiller, S. DiGiuseppe and A. Enenajor; strategize; draft small portion of factum	2.40	1,800.00	CR
	Research in relation to mandatory injunctions, including venue, relief sought and how relief is styled	2.60	845.00	AE
	Call with team to divide labour and discuss approach to injunction	0.90	292.50	AE
	Review documents; save to electronic file	0.20	32.00	CM
	Preparation time: Research into preliminary issues: nature of injunctive relief sought (confirm due to electoral context we must apply for a final injunction), research on requirements for final injunction. Meeting with C. Ruby, B. Shiller, A. Enenajor, and M. Machin re: strategy going forward, generating	3.00	1,050.00	SD

	list of tasks and creating division of labour. Call to Faith Goldy to tell her results of meeting. Begin work on factum. Pulling facts to send B. Shiller who will assist with client affidavit.			
Oct-06-18	Preparation; talk to staff; reading drafts	1.20	900.00	CR
	Conduct legal research and draft section on the jurisdiction of the Superior Court to determine the issue	4.20	1,365.00	AE
	Draft Notice of Application	2.40	780.00	AE
	Per instructions of C. Ruby, research question related to standing to sue under s.8 of the Television Broadcasting Regulations	0.40	130.00	AE
	Preparation time: Compiling information for affidavit to give to B. Shiller.	0.60	210.00	SD
	Preparation time: Finish affidavit material. Email to F. Goldy inquiring about additional information for affidavit. Drafting factum.	1.50	525.00	SD
	Preparation time: Drafting of factum: specifically: Review of the Broadcasting Act and various regulations under the Broadcasting Act and incorporate these into factum. Review of caselaw interpreting s. 8 of the Television Regulations (some OCJ, SCJ and Court of Appeal cases which have touched on the Regulations). Nothing in caselaw directly on point. Review law on declarations of legislative interpretation under Rule 14 RCP. Incorporate into factum. Review of textbook Sharpe on Injunctions and incorporate into factum.	6.90	2,415.00	SD
	Preparation time: Drafting of factum: Read portions of factum drafted by A. Eneajor on issue of jurisdiction and incorporate into factum.	0.30	105.00	SD
	Preparation time: Drafting of factum: Finish section on the application of the Charter to Bell Media Inc. Add additional caselaw about interpretation of s. 8 of the Regulations. Do a major substantive edit (not full proofread as additional sections still need to be added).	1.90	665.00	SD

Oct-07-18	Evening preparation; conversations with S. DiGiuseppe; drafting and editing	1.40	1,050.00	CR
	Edit material; conversation with S. DiGiuseppe	2.00	1,500.00	CR
	Telephone call with S DiGiuseppe; emails from S. DiGiuseppe and C. Ruby; calls and messages with client	0.50	80.00	CM
	Preparation time: Drafting of factum: Add facts from affidavit to factum. Add additional statutory interpretation argument regarding the differences in language between s. 8 and s. 6(1). Read full factum and edit for content and some spelling and grammar (further proofreading remains necessary).	0.90	315.00	SD
	Preparation time: Proofreading of factum: Read through B. Shiller's edits to factum. Accept changes. Make some additional changes (proofreading).	0.30	105.00	SD
	Preparation time: Editing of factum: Make changes to statutory interpretation section to prevent any argument that CP24 is governed by the Discretionary Services Regulations and not s. 8 of the Television Broadcasting Regulations. Track changes. Call C. Ruby to explain changes.	0.40	140.00	SD
	Preparation time: Editing of factum: Review of factum over the phone with C. Ruby. Edits to factum and discussion of issues. Same process with Goldy affidavit.	0.70	245.00	SD
	Preparation time: Discussion with C. McKinnon about tasks re: factum and re: press conference.	0.10	35.00	SD
	Preparation time: Continuation of call with C. McKinnon re: press conference. Communications with client, including email with questions to fill in blanks in affidavit. Assign task to V. Cichalewska (background dossier on client to prepare for press conference). Drafting of factum: Add C. Ruby's portion to the constitutional application section. Add section on remedy following C. Ruby's portion (some case law research	1.30	455.00	SD

	required). Conversation with B. Shiller regarding editing.			
	Preparation time: Call with C. Ruby regarding tasks to be ready for filing on Tuesday morning.	0.20	70.00	SD
	Preparation time: Email to B. Shiller and C. McKinnon dividing up list of tasks that must be completed prior to Tuesday AM filing.	0.20	70.00	SD
	Preparation time: Review documents sent by B. Shiller and add edits from C. Ruby.	0.60	210.00	SD
Oct-08-18	Review and amend factum; affidavit and notice of application; calls with B. Shiller and S. DiGiuseppe; create application record; meet with client and Shawn Goldman; meet with client to complete affidavit and commission; copy and bind all materials in preparation for early morning filing; discussions with C. Ruby; attend at C. Ruby's home and S. DiGiuseppe's home to deliver materials for preparation	13.40	2,144.00	CM
	Preparation time: Reply to various emails throughout the morning from B. Shiller and C. McKinnon as we work on polishing the material. Text to client re: missing information from affidavit.	0.30	105.00	SD
	Preparation time: Receive crop of new emails from client between client and Adam Turner. Add these new emails to the affidavit and update formatting as required by these additions. Send to C. McKinnon and B. Shiller.	0.70	245.00	SD
	Preparation time: Read over C. McKinnon's edits to affidavit. Make one or two substantive edits. Email final affidavit (subject to updating citations to the final Goldy affidavit) to C. McKinnon, B. Shiller, and C. Ruby.	0.20	70.00	SD
	Preparation time: Conversation with C. McKinnon with update on preparation of materials. Conversation with C. Ruby for update on his conversations with counsel for the Respondent.	0.20	70.00	SD

	Preparation time: Review facts section of factum and edit facts to harmonize the factum with changes that were made to the affidavit earlier today.	0.30	105.00	SD
Oct-09-18	Preparation; dictate memo to file	0.70	525.00	CR
	Deal with service of documents, Court, press conference (30 min); talk to client; prepare notes for press conference	1.70	1,275.00	CR
	Telephone calls with CNW Newswire re: getting press release sent across wire; messages with S. DiGiuseppe re: same; telephone call with A. Enenajor re: press release issue; calls with C. Ruby re: logistics; attend at Donaldson's process severs with materials to be issued and served; continue to work on book of authorities; create press packages and distribute	5.20	832.00	CM
	Preparation time: Discussion with C. McKinnon re: newswire legal objections to press release. Re-draft press release to address their concerns.	0.20	70.00	SD
	Court Time: Attend in Practice Court at 393 University before Justice Firestone. Matter addressed and held down a number of times to respond to dynamic factors. Return to office. Meet briefly with C. Ruby and client. Email materials and summary of court appearance today to H. Rubin at Bell Corp.	3.50	1,225.00	SD
	Preparation time: Speak with C. Ruby regarding issue with statutory interpretation. Begin legal research directed at issue. Speak with client about evidentiary issue (does CP 24 run electoral ads).	0.60	210.00	SD
Oct-10-18	Draft memo re: s. 6(1) and s. 8	0.80	600.00	CR
	Meet and talk to S. DiGiuseppe throughout the morning re: dates and issues to be argued; phone conference with Faith Goldy	0.60	450.00	CR
	Exchange messages with S. DiGiuseppe re: Notice of Constitutional Question; meet with C. Ruby and S. DiGiuseppe; conversations with process server; email to Michelle Chen at	5.40	864.00	CM

	Superior Court re: filing; create and assemble book of authorities; telephone call with James Adeney at AG Canada's office; Court Time: Practice Court appearance before Justice Firestone with opposing counsel Steven Mason. Lengthy submissions on scheduling, jurisdictional issue, urgency issue, timeline for filing materials, etc. Motion is bifurcated. First hearing date on preliminary issues set for Monday at 2:15 p.m. before Justice Cavanagh.	2.40	840.00	SD
	Preparation time: Meetings with C. Ruby, C. McKinnon, and M. Machin. Telephone meeting / update with client.	0.50	175.00	SD
	Preparation time: Draft notice of constitutional question. Email materials to counsel for Bell, along with request re: service by fax for tomorrow's materials.	1.30	455.00	SD
	Preparation time: Read email and materials provided by Greg Vezina (re: Vezina v. CBC - one of the few cases on the issue of elections reporting).	0.40	140.00	SD
	Preparation time: Begin research into jurisdictional issue. Read caselaw (Weber, Mahar). Read Broadcasting Act and CRTC rules of practice and procedure. Make notes on both.	1.60	560.00	SD
Oct-11-18	Telephone calls with CRTC re: urgent hearing dates; review Goldy affidavit and amend; meet with client briefly; calls with process server; draft affidavit of C. McKinnon re: efforts with CRTC; complete supplementary book of authorities, copy and bind; send out for service and filing; various discussions with S. DiGiuseppe	4.10	656.00	CM
	Preparation time: Draft affidavit and send to F. Goldy to "fill in blanks" and provide more information if possible.	0.30	105.00	SD
	Preparation time: Draft short supplementary factum on jurisdiction. Edits to affidavit. Calls to CRTC for information. Discussions with C. McKinnon, M. Machin, and C. Ruby. Discussion with client re: jurisdictional	4.20	1,470.00	SD

	arguments and instructions re: bringing an application at the CRTC.			
	Preparation time: Prepare memo for C. Ruby on cases cited by Sharpe J. in Mahar. Read through and analyze Whistler, Much Music, and most of Rogers. Work to be continued tomorrow.	1.20	420.00	SD
Oct-12-18	Discussion with S. DiGiuseppe	0.20	150.00	CR
	Emails with S. DiGiuseppe; telephone call with James Adeney, legal assistant - Department of Justice; receive fax from Department of Justice	0.20	32.00	CM
	Calls with Heather at McCarthy's re: Respondent's materials; emails with Heather and S. DiGiuseppe re: same; receive Respondent's materials	0.30	48.00	CM
	Preparation time: Finish memo for Clay on cases cited in Mahar case: Rogers and Firestone.	0.40	140.00	SD
	Preparation time: Note up Mahar. Read cases and make notes where necessary. Type brief memo on note up for C. Ruby.	1.80	630.00	SD
	Preparation time: Write outline for memorandum of argument.	0.40	140.00	SD
Oct-13-18	Preparation time: Research into analogous situations where the SCJ takes jurisdiction from another forum on the basis of urgency.	0.60	210.00	SD
Oct-14-18	Preparation and drafting of further factum	5.50	4,125.00	CR
	Preparation time: Combining my notes from Respondent's factum, caselaw research into other areas of law that may be more helpful, and my supplementary factum, complete memorandum of argument and provide to C. Ruby for review.	5.50	1,925.00	SD
	Preparation time: Read Respondent's factum, make margin note and list of areas to follow up on. Some caselaw research following up on action items.	1.20	420.00	SD
	Preparation time: Begin making changes to	1.30	455.00	SD

	memorandum as per instructions of C. Ruby and reformatting memorandum to be provided to the Judge tomorrow. Add in some substantial (and very helpful) sections. Will continue this work later this evening.			
	Preparation time: Finish adding edits from C. Ruby's review of materials. Add additional substantive portions as per our discussion. Tomorrow will need to proofread and fix formatting to provide memo to Judge as written submissions.	1.10	385.00	SD
	Preparation time: Add section on costs (public interest litigant) to written submissions. Begin formatting changes - get about halfway through.	0.40	140.00	SD
Oct-15-18	Preparation in the morning; afternoon arguments in court; decision reserved	Full Day	7,500.00	CR
	Discussions with S. DiGiuseppe; proof read factum re: jurisdictional issue; create book of authorities re: same; emails to S. Mason, counsel for the Respondent; copy and bind all materials; meet with C. Ruby; attend at court to assist counsel with set up	5.60	896.00	CM
	Preparation time: Finish editing memorandum of argument; substantial edits both to format and adding sections on decisions in St. Anne's and Okwuobi; call with client re: court today; prepare for oral argument with C. Ruby; half day attendance before Justice Cavanagh for motion on jurisdiction	Full Day	3,500.00	SD
Oct-16-18	Notified of decision; Telephone conference with client and S. DiGiuseppe; review Reasons for Decision after that	0.80	N/C	CR
	Read decision; call client and walk her through decision	0.50	N/C	SD
	Totals	137.90	<u>\$51,769.00</u>	
	Total HST on Fees		6,729.97	

DISBURSEMENTS

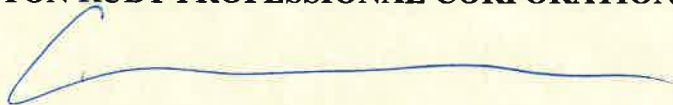
Oct-05-18	Oct. 5/18, meal*		75.12	
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Oct-09-18	Oct. 9/18, meal*	80.69
Oct-12-18	Parking, Oct.9/18*	2.90
	Oct.11/18, meal*	63.40
Oct-17-18	Photocopies, Oct. 8th, 9th, 10th, 11th and 15th 2018 - 9,966 @ .10 per copy	996.60
	Taxi from Court, Oct.15/18*	11.25
	Parking at Court, Oct.16/18*	2.50
	Taxi, Oct.15/18*	15.00
	Victoria Cichalewska, research, Oct. 7th, 12th and 14th*	250.00
	Taxi, Oct. 9/18 to 393 University Ave.*	16.02
	Taxi, Oct.9/18 from 393 University Ave. to 92 Isabella St.*	10.10
	Taxi, Oct.10/18 from 393 University Ave. to 92 Isabella St.*	12.98
	Taxi, Oct.10/18 from home to 393 University Ave.*	22.42
	Brian Shiller, Professional Services	4,235.00
	Totals	<u>\$5,793.98</u>
	Total HST on Disbursements	680.11
	Total Fee & Disbursements	<u>\$64,973.06</u>
	Trust Transferred at Billing	55,000.00
	Balance Now Due	<u>\$9,973.06</u>

TAX ID Number 83706 2355 RT0001

Total HST \$7,410.08

**THIS IS OUR ACCOUNT HEREIN:
CLAYTON RUBY PROFESSIONAL CORPORATION**



**Per: Clayton C. Ruby
E. & O. E.**

TRUST STATEMENT

		Disbursements	Receipts
Oct-05-18	Received From: Faith Goldy Retainer		25,000.00
Oct-09-18	Received From: Faith Goldy Retainer		5,000.00
Oct-16-18	Received From: Faith Goldy Retainer		25,000.00
Oct-17-18	Paid To: Clayton Ruby Professional Corporation Payment for invoice: 14475	55,000.00	
	Total Trust	<u>55,000.00</u>	<u>55,000.00</u>
	Trust Balance		\$0.00