

Subject: Coverage file A00465221 – counsel of record, disclosures, and insured direction

Hello Patrick,

Re: Policy CDO5201020, Claim A00465221 (EPS3084 / Scott Gilbert)

Could you please confirm or provide:

1) Counsel of record & client

- That Dolden Wallace Folick (Tom Newnham) is appointed defence counsel under the Policy, and who the client of record is for that appointment (Owners EPS3084 and/or FSR).
- Whether McCarthy Tétrault (Cael Hibbert) has any role recognized by the insurer in relation to the CRA CPP/EI matter.

2) Coverage position

- Your current coverage position and any updates since your Oct 3, 2022 letter noting defence-only coverage and exclusions for wages/contract amounts.

3) Disclosures provided to GAIC

- Whether the Aug 26, 2022 SGM direction (owners voting to treat the building manager as an employee) and the Dec 30, 2022 CRA ruling were provided to you before or during counsel appointment and strategy setting.
- Any materials submitted by management/counsel describing the dispute's facts and owner directions.

4) Conflict management

- Given the potential for divergent interests between FSR and the Owners, how GAIC ensures the appointed defence aligns with the Owners' interests and not solely FSR/management's interests.

I'm requesting this to maintain an accurate record and ensure the defence remains aligned with the insured Owners' direction and disclosed facts.

Thank you,
Scott Gilbert