

COURT FILE NUMBER **2301-01408**

COURT COURT OF KING'S BENCH OF ALBERTA

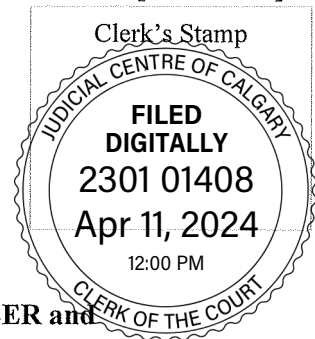
JUDICIAL CENTRE CALGARY

PLAINTIFF **ROYAL BANK OF CANADA**

DEFENDANTS **BRM CANADA GROUP INC., SAIMA QADEER and
CHOUDHRY QADEER AKRAM**

DOCUMENT **AFFIDAVIT**

ADDRESS FOR
SERVICE AND
CONTACT
INFORMATION
OF PARTY FILING
THIS DOCUMENT Jack R. Maslen
Borden Ladner Gervais LLP
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Calgary, AB T2P 0R3
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File No. 404600.000869



AFFIDAVIT OF JESSICA CHOHAN

SWORN ON APRIL 11, 2024

I, **JASDEEP (JESSICA) CHOHAN**, of the City of Calgary, in the Province of Alberta, MAKE OATH AND SAY THAT:

1. I am a Senior Manager in the Special Loans and Advisory Services group for the Plaintiff, Royal Bank of Canada (“**RBC**”). I am responsible for the administration of the within accounts. As such, I have personal knowledge of the matters and facts hereinafter sworn to, except where stated to be based on information and belief, and where so stated, I verily believe the same to be true.
2. I make this Affidavit in respect of an application (the “**BRM Application**”) by the Defendant, BRM Canada Group Inc. (“**BRM**”), filed on April 8, 2024, seeking an Order to, *inter alia*, ratify and approve secured indebtedness owed to RBC and discharge KPMG Inc. (“**KPMG**”) as court-appointed receiver and manager of certain property of BRM (the “**Receiver**”). KPMG was appointed as Receiver pursuant to a receivership order granted on December 19, 2023 (the “**Receivership Order**”).

3. I have previously sworn an affidavit in these proceedings, on November 8, 2023 (filed on November 9, 2023), which I swore in support of RBC's application to appoint KPMG as Receiver (my "Prior Affidavit").
4. I am authorized to make this Affidavit on behalf of RBC.

INDEBTEDNESS TO RBC

5. As is more fully set out in my Prior Affidavit, and in other materials filed in this Action, RBC advanced a mortgage loan to BRM in the principal amount of \$3,900,000 plus interest (the "Loan").
6. The Loan is secured by various security provided by BRM, including, among other things, a first-ranking mortgage (the "Mortgage") over the lands legally described as:


CONDOMINIUM PLAN 0814562
UNITS 23-29, 31-33 AND 36
AND ALL APPLICABLE ONE TEN THOUSANDTH SHARES IN THE COMMON
PROPERTY
EXCEPTING THEREOUT ALL MINES AND MINERALS

(the "Lands").

7. As of April 15, 2024, the amount due and owing under the Loan and the Mortgage comprises \$3,715,651.58 of principal borrowings, plus \$11,582.58 of accrued and unpaid interest, plus \$103,721.99 in legal fees incurred by RBC in connection with the Loan and Mortgage. Interest continues to accrue at the *per diem* rate of \$413.04 on the Loan and Mortgage. Attached hereto as **Exhibit "A"** is a Discharge Statement prepared by RBC in respect of the Loan and Mortgage, which outlines the principal and interest owing.
8. Additionally, RBC has advanced Receiver's Borrowings to the Receiver during these proceedings, pursuant to Section 21 of the Receivership Order. Those advances total \$76,955.34 inclusive of interest.
9. As a result of the foregoing, RBC is owed, as of April 15, 2024, a total of **\$3,907,911.49** which is secured against the Lands as priority indebtedness (the "**RBC Indebtedness**").
10. I do verily believe that additional legal expenses of up to \$5,000 may be incurred by RBC in respect of the BRM Application and/or ancillary steps associated therewith to complete these proceedings.

11. RBC supports the relief sought in the BRM Application, provided that the RBC Indebtedness is repaid in full, and that all costs of the receivership are also repaid in full.
12. I make this Affidavit in respect of the BRM Application and for no other purpose.


SWORN BEFORE ME at Calgary, Alberta, this)
11th day of April, 2024.)


_____)
A Commissioner for Oaths in and for Alberta)


_____)
JASDEEP (JESSICA) CHOHAN

GUSTAVO DA ROZA
A Commissioner for Oaths
in and for Alberta
Student-At-Law, Notary Public

This is Exhibit "A" referred to
in the Affidavit of Jessica Chohan
Sworn before me this 11th day of April 2024



A Commissioner for Oaths in and for Alberta

GUSTAVO DA ROZA
A Commissioner for Oaths
in and for Alberta
Student-At-Law, Notary Public



Business Service Centre
36 York Mills Rd. 4th Floor Tr#4679
Toronto, Ontario, M2P 0A4
Attention: Commercial Mortgage Department
Fax: (416) 955-2038 / 1-866 254-4406

Discharge Statement

MORTGAGE ACCOUNT NUMBER: 97365126-005 STATEMENT EFFECTIVE DATE: April 15, 2024

ISSUE TO:
BRM CANADA GROUP INC.

DATE ISSUED: April 10, 2024
MORTGAGOR(S) NAME:
BRM CANADA GROUP INC

PAYOUT STATEMENT

PROPERTY ADDRESS:
5150 47 STREET NE UNITS 23 TO 29, 31 TO 33 & 36
CALGARY, AB

PAYMENT INFORMATION

P & I PAYMENT:	\$20,748.02
TAX PAYMENT:	\$0.00
LIFE INSURANCE:	\$0.00
TOTAL PAYMENT:	\$20,748.02
PAYMENT FREQUENCY:	MONTHLY
LAST PAYMENT DATE:	11/18/2022

PAYOUT INFORMATION

PRINCIPAL BALANCE	AS OF: March 15, 2024	\$3,715,651.58
ACCRUED INTEREST	AS OF: April 15, 2024	\$11,582.58
LIFE INSURANCE:		\$0.00
ADMINISTRATION FEE:		\$0.00
TAX ACCOUNT BALANCE:		\$0.00
REPAYMENT COMPENSATION:		\$0.00
TOTAL BALANCE DUE:	AS OF: April 15, 2024	\$3,727,234.16

INTEREST RATE: 4.110%
PER DIEM RATE: \$413.04 E&OE

THIS STATEMENT IS ISSUED SUBJECT TO INSTALLMENTS DUE UP TO AND INCLUDING Nov 18, 2022 BEING PAID AND HONOURED BY THE BANK.
* AUTOMATIC WITHDRAWALS WILL BE CANCELLED AFTER THE FINAL PAYMENT IS MADE.

PAYMENT INSTRUCTIONS:

PLEASE REMIT THE BALANCE DUE VIA WIRE PAYMENT NO LATER THAN 12:00 P.M LOCAL TIME
BENEFICIARY: ROYAL BANK COMMERCIAL MORTGAGES
TRANSIT 09211, ACCOUNT NUMBER 9916560, 5TH FLOOR 180 WELLINGTON ST. W. TORONTO ON.
ATTN: _____ PHONE #1-866-300-0021

PAYMENT DETAILS: MORTGAGE #: 97365126-005 MORTGAGOR NAME: BRM CANADA GROUP INC

Statement Conditions: The above outlines the amount required to fully repay the mortgage.

1. This repayment statement is valid for 3 days only. If repayment is not completed on the date of this statement, Solicitors/Notaries must obtain a new repayment statement effective on the actual repayment date."

"RBC reserves the right to reject payment for discharge purposes if repayment funds are not disbursed to RBC on date of this statement."

2. If the amount of the payment received by the lender is less than the total balance due plus the per diem amount owing, the amount of the shortfall will still be owing and no registrable discharge document will be provided until that amount is received by the lender.

3. We will undertake to provide a registrable discharge within a reasonable period of time upon receipt of full payment, in certified funds.

NOTE: In the event the transaction does not close on the due date, please advise our office immediately

Prepared by: Michael Moreira