

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE MR.
JUSTICE FARLEY

)
)

FRIDAY, THE 3rd DAY OF
DECEMBER, 2004

BETWEEN:

Claude Millard and Roger Grisé

Plaintiffs

– and –



North George Capital Management Limited, Triple A Financial Services Inc., North George Capital Limited Partnership, North George Capital II Limited Partnership, North George Capital III Limited Partnership, North George Capital IV Limited Partnership, North George Capital V Limited Partnership, Lionaird Capital Corp., Roderick Alton, Michael Magee, Robert McGillen, Kenneth Gill, Anne Gilmour, Michael Goselin, Goselin & Associates, Stewart and Associates, McColl Turner, Irv Dyck, M.R.S. Trust Company, Alan Lawson, Fisher Inc., the Trustee of the Estate of Roderick Alton, a Bankrupt, Richard Killen & Associates Ltd, the Trustee of the Estate of Michael Goselin, and KPMG Inc., the Trustee of the Estate of Michael Magee, a Bankrupt

Defendants

Proceeding Under the Class Proceedings Act, 1992

JUDGMENT

THIS MOTION, made by the plaintiffs for judgment against Michael Magee, was heard this day at 393 University Avenue, Toronto, Ontario.

ON READING the notice of motion dated September 7, 2004, the affidavit of Jeffrey D. Glatt sworn August 30, 2004, the reports of Lindquist Avey dated September 22, 1998, April 8, 1999 and July 13, 2000, the pleadings herein, and other materials filed, and on hearing the submissions of counsel for the plaintiffs, no one appearing for Michael Magee although properly served as appears from the affidavits of service of Dupinder Birak dated September 9, 2004 and November 2, 2004 as per the Court Endorsement dated November 1, 2004 regarding service upon Michael Magee,

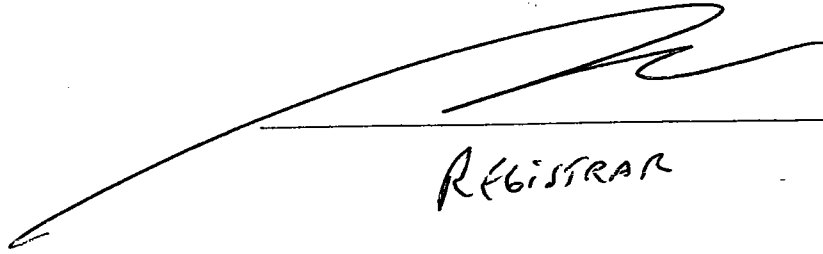
1. **THIS COURT ORDERS AND ADJUDGES** that Michael Magee pay the sum of \$5,654,420 to the plaintiffs.

2. **THIS COURT ORDERS AND DECLARES** that this judgment is in respect of a liability arising out of fraud while acting in a fiduciary capacity and for obtaining property by false pretences or fraudulent misrepresentation.

3. **THIS COURT ORDERS AND DECLARES** that an order of discharge discharging Michael Magee from bankruptcy shall not release Michael Magee from this judgment.

4. **THIS COURT ORDERS AND ADJUDGES** that Michael Magee pay the costs of this motion and costs of this action to the plaintiffs fixed in the amount of \$25,000.

THIS JUDGMENT BEARS INTEREST at the rate of 4 per cent per
year commencing on December 3, 2004.


RÉGISTRAR

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

DEC 08 2004

PER/PAR: 

Claude Millard and Roger Grisé
- Plaintiffs -

v.

North George Capital Management Limited et al
- Defendants -

ONTARIO
SUPERIOR COURT OF JUSTICE
Commercial List

(PROCEEDING COMMENCED AT TORONTO)

JUDGMENT

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