

***IN THE MATTER OF THE ELLIOT LAKE INQUIRY
THE HONOURABLE PAUL R. BÉLANGER, COMMISSIONER***

***AND IN THE MATTER OF an Application by Eastwood Mall Inc. for Standing and Funding
AND IN THE MATTER OF an Application by Robert Nazarian for Standing and Funding
AND IN THE MATTER OF an Application by Levon Nazarian for Standing and Funding***

BETWEEN:

THE ELLIOT LAKE INQUIRY

- and -

EASTWOOD MALL INC.

- and -

ROBERT NAZARIAN

- and -

LEVON NAZARIAN

AFFIDAVIT OF OLIVER FONSECA

I, OLIVER FONSECA, of the City of Toronto, in the Province of Ontario, MAKE OATH AND SAY AS FOLLOWS:

1. I am a law clerk at Brauti Thorning Zibarras, who is counsel for the Applicant and as such have personal knowledge of the matters sworn to herein except where based on information and belief.
2. I have been advised that without funding the Applicants would be precluded from participating in the Inquiry as they do not have adequate financial resources to participate effectively.

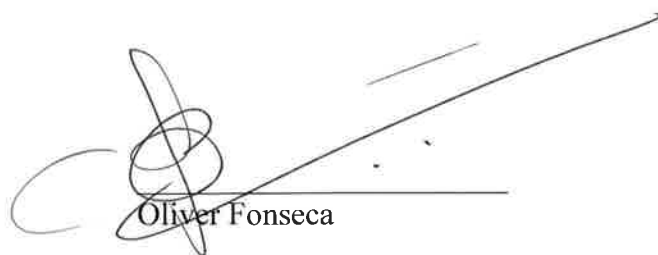
3. I have been advised that Eastwood Mall Inc.'s sole source of income ceased on the date of the collapse of the Algo Centre Mall, June 23rd, 2012.
4. I have been advised that Eastwood Mall Inc. was a significant source of both Robert and Levon Nazarian's income.
5. I have been advised that the Applicants have no sufficient source of income to support the funding for the Inquiry.
6. I have been advised that Eastwood Mall Inc. along with Robert Nazarian personally are the subject of civil lawsuits, two of which are claiming approximately \$2.25 million each, and a class action lawsuit is in the approximate amount \$30 million. These legal proceedings have exposed the Applicants to substantial financial consequences.
7. I have been advised that the Applicants recognize that the Inquiry will be a lengthy and expensive process.
8. I have been advised that the Applicants are potentially exposed to civil, administrative, regulatory and criminal consequences or remedies, and are concerned that these remedies may be impacted by their participation at the Inquiry.
9. I make this affidavit in support of the Applicants' application and for no other purpose.

SWORN BEFORE ME,
at the City of Toronto,
on this 17th day of October 2012



A Commissioner, etc.
RICHARD DINIZ

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Oliver Fonseca