

COURT OF APPEAL OF ALBERTA

Form 49
[Rule 13.19]

COURT OF APPEAL FILE NUMBER: 1901-0255AC
TRIAL COURT FILE NUMBER: 1801-10960
REGISTRY OFFICE: CALGARY
APPLICANTS: PERPETUAL ENERGY INC.,
PERPETUAL OPERATING
CORP., PERPETUAL
OPERATING TRUST and SUSAN
RIDDELL ROSE



STATUS ON APPEAL: RESPONDENTS

RESPONDENT: PRICEWATERHOUSECOOPERS
INC., LIT, in its capacity as the
TRUSTEE IN BANKRUPTCY OF
SEQUOIA RESOURCES CORP.
and not in its personal capacity

STATUS ON APPEAL: APPELLANT

DOCUMENT: **AFFIDAVIT**

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT: Norton Rose Fulbright Canada LLP
3700, 400 Third Avenue SW
Calgary, Alberta T2P 4H2

Lawyer: Steven H. Leitzl / Gunnar Benediktsson
Phone: (403) 267-8140
Facsimile: (403) 264-5973
Email: steven.leitzl@nortonrosefulbright.com
File No.: 1001040549

AFFIDAVIT OF SUSAN RIDDELL ROSE

Sworn on May 1, 2020

I, Susan Riddell Rose, of the City of Calgary, of the Province of Alberta, SWEAR AND SAY
THAT:

SR

1. I am the President, Chief Executive Officer and a director of the Respondents Perpetual Energy Inc. (**Perpetual**) and Perpetual Operating Corp. I am also personally a Respondent in this appeal. I am authorized to swear this Affidavit on behalf of Perpetual.
2. I have personal information regarding the matters set out in this Affidavit.
3. I swear this Affidavit in support of the request by me and Perpetual for full indemnity or enhanced costs against PricewaterhouseCoopers Inc. (**PWC**) stemming from our successful application for security for costs. In so doing, I do not intend to waive any privilege.
4. Attached as Exhibit 'A' is a Bill of Costs prepared by NRF which sets out particulars of the work done by NRF on my behalf in this matter and the amounts billed and paid.
5. Attached as Exhibit 'B' is a Bill of Costs prepared by BDP on the same basis.
6. The Bills of Costs have been redacted to remove entries that would otherwise disclose privileged information. I would be pleased to provide unredacted copies to the Court if that would assist the Court.
7. Over the course of this proceeding, NRF and BDP endeavoured to allocate work between them so as to avoid duplication where there were common issues. This is evident, for example, from the Defendants' Briefs filed in November 2018. Substantially all of the work allocated to and done by BDP would otherwise have had to be done by NRF at additional expense to me.
8. Attached as Exhibit 'C' is an e-mail exchange among NRF, BDP, and counsel for PWC regarding arrangements for the questioning of Paul Darby on behalf of PWC and the inspection of PWC's records.
9. I was not physically present before the Commissioner of Oaths who commissioned my affidavit, but as linked with the Commissioner utilizing video technology. We adhered to the process for the remote commissioning of affidavits as prescribed by the Court on April 1, 2020.

SWORN BEFORE ME at the City of Calgary,)
in the Province of Alberta this 1st day of May,)
2020.)

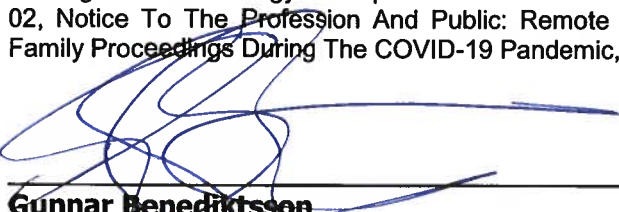
A Commissioner for Oaths in and for the)
Province of Alberta)

Gunnar Benediktsson
Barrister & Solicitor



Susan Riddell Rose

*The deponent, Susan Riddell Rose, was not physically present before me, but was linked with me utilizing video technology. The process for remote commissioning of Affidavits, as set out in NPP#2020-02, Notice To The Profession And Public: Remote Commissioning of Affidavits For Use In Civil And Family Proceedings During The COVID-19 Pandemic, dated March 25, 2020, was followed.



Gunnar Benediktsson
A Notary Public in and
for the Province of Alberta