

ONTARIO

Superior Court of Justice
 (Name of court)
 at 7755 Hurontario Street, Brampton ON L6W 4T6
 Court office address

Court File Number
 FS-20-000099021-000

Form 14A: Affidavit (general)
 dated July 15, 2025

Applicant(s)

<i>Full legal name & address for service - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>
HANIN AHMED BABI 5106 Fairwind Drive Mississauga, Ontario L5R 2N8, haninbab3@gmail.com	David Pomer Pomer & Boccia Professional Corporation 212 - 4000 Steeles Ave. W. Woodbridge, ON L4L 4V9 Tel: (416) 213-7450 ext. 2301 Fax: (905) 850-8086 david.pomer@pomerandboccia.com

Respondent(s)

<i>Full legal name & address for service - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>
MOHAMMED JAMAL ANWAR CHAYKHOUNI Villa #D86 Wadi Al-Safa - 64 5 Dubai, U.A.E., ceo@almarsat.com	Self Represented

My name is (full legal name) Beatriz Siguencia

I live in (municipality & province) Regional Municipality of Peel,

and I swear/affirm that the following is true:

Set out the statements of fact in consecutively numbered paragraphs. Where possible, each numbered paragraph should consist of one complete sentence and be limited to a particular statement of fact. If you learned a fact from someone else, you must give that person's name and state that you believe that fact to be true.

1. I am a law clerk at Pomer and Boccia Professional Corporation, the lawyers for the Applicant in Court File No.FS-20-000099021-0000 and as such have knowledge of the matters hereinafter deposed, except where stated to be on information, in which case I believe such information to be true.

2. Rule 24(13) of the *Family Law Rules*, O.Reg. 114/99 sets out the requirements for an order for security of costs, based on one or more of the following factors:
 - (a) A party resides outside Ontario.
 - (b) A party has an order against the other party for costs that remains unpaid, in the same case or another case.
 - (c) A party is a corporation and there is good reason to believe it does not have enough assets in Ontario to pay costs.
 - (d) A statute entitles the party to security for costs.

The Respondent's Habitual Place of Residence

3. On October 24, 2023, the Respondent swore an Affidavit, affirming that he has never stayed in Ontario more than 2 weeks per year in the previous 15 years, doing work as an "Engineering Expert", a copy of which is attached hereto as **Exhibit A**.
4. The Respondent swore a further Affidavit on March 26, 2025, attached hereto as **Exhibit B**, affirming in Paragraph 2 (c), that the Respondent had to leave a move out of a rented Villa in Dubai to reside in Sharjah, UAE.

Equalization of Net Family Property and The Applicant's s.5(6) Claim.

5. The Applicant holds a claim under s5(6) of the *Family Law Act*.
6. To date, the Respondent has not produced a proper, honest, sworn Financial Statement with proper backup for each item, as previously Ordered by this Honourable Court, as indicated in the Financial Statement produced by the Applicant that properly reflects the true assets of the Respondent as of the date of separation.
7. To date, the Net Family Property Statement provided at **Exhibit C** prepared by the Applicant, is the most probable date of separation which has been ordered by the courts to have a Net Family Property prepared by both parties.
8. The Respondent has failed to provide a Net Family Property Statement as required, and we believe there are not enough net assets in Ontario to satisfy this claim or any costs.

The Respondents failure to obey Court Orders.

9. The Respondent to date has two outstanding costs awards owing to the Applicant.
10. Attached hereto as **Exhibit D** is a Costs Endorsement of March 21, 2022 indicating in paragraph 11, that the Applicant is awarded a costs award in the amount of \$5,000.00 payable in 60 days, this has yet to be received from the Applicant and/or her lawyers.
11. In addition, attached as **Exhibit E** is an Order of the Honourable Justice Derstine dated May 15, 2025, in which paragraph 2 orders the Respondent to pay \$6,011.60 to the Applicant's lawyers, In Trust, within 30 days, this has yet to be received by the Applicant's lawyers.
12. There is a total of \$11,011.60 in costs awarded to the Applicant, that the Respondent has failed to obey.

The Respondent's Zero Ability to Pay Costs

The Respondent's Financial Statement of October 23, 2023, and the Affirming Affidavit of January 26, 2025

13. The Respondent swore a Financial Statement on October 23, 2023, and provided an Affidavit on January 26, 2025, attached hereto as **Exhibit F** stating that the only minor changes to the Financial Statement of October 23, 2023, were the following:
 - (a) An increase in debts to Jamal Family Law Corporation in the amount of \$21,768.92.
 - (b) Two Visa Debit transactions.
 - (c) A bank balance that shows \$ 7,478.39, or less than \$3,000.00 CAD.
14. The Respondent affirmed in his Affidavit of March 26, 2025, attached hereto as **Exhibit B**, that the Respondent has been suffering from insolvency due to covid-19 and has liquidated most of assets, entering insolvency in Dubai.
15. In the Respondent's Affidavit of January 26, 2025, attached hereto as **Exhibit F**, the Respondent affirmed that his current bank balance is \$7,478.39 AED, or less than \$3,000.00 CAD, and noted that he is receiving help from his brother.
16. It is the position of the Applicant that the Respondent is intentionally dissipating his assets in an attempt to avoid any payment to the Applicant pursuant to this Court Application.
17. The Respondent also affirmed in the Respondent's Affidavit of January 26, 2025, attached hereto as **Exhibit F** that he holds 7 open bank accounts in Canada, with only one account holding funds, being a TD Joint TFSA holding \$2,443.47 CAD.
18. The only other asset of value the Respondent holds in Ontario, is a 50% interest in 5106 Fairwind Dr., Mississauga, Ontario. In the Respondent's sworn Financial Statement of October 23, 2023, reaffirmed, January 26, 2025, attached as **Exhibit F**, the Respondent affirms that his interest in 5106 Fairwind Dr., Mississauga, Ontario, is \$900,000.00, however this amount does not account for any reasonable expenses.
19. The total value of the property is estimated to be approximately \$1,800,000.00; the Respondent's equitable interest is as follows: 50% interest being \$900,000.00, less the Respondent's share of the mortgage in the amount \$266,810.00, less real-estate commission of 5% plus HST, being \$50,850.00, less legal fees in the approximate amount of \$900.00, for a total equitable interest of \$581,440.00.

20. As such the Respondents current assets in Ontario as provided by the Respondent is \$581,440.00 in property, plus \$2,443.47 in bank accounts.
21. The Applicant, however, continues to hold a claim under s.5, being the equalization provisions of the *Family Law Act*, where if successful, the Respondent will be unable to completely satisfy, without even addressing the issue of costs. Attached hereto as **Exhibit G** is a Form 13.1 Financial Statement of the Respondent, prepared by the Applicant's lawyers, using the figures believed to be the most accurate. In addition, attached as **Exhibit C** is a Net Family Property Statement pertaining to the Financial Statement of the Respondent prepared by the Applicant's lawyers, indicating an equalization payment from the Respondent to the Applicant in the amount of \$1,639,944.00.
22. This Net Family Property Statement provided at **Exhibit C**, is the most probable date of separation, being August 15, 2019, which has been ordered by the courts to have a Net Family Property prepared by both parties.
23. Pursuant to the sworn material provided by the Respondent, and the figures provided by the Applicant, it is clear that the Respondent does not hold the necessary funds in Ontario to pay costs.

Lack of Child and Support Payments from the Respondent since March 8, 2021

24. The Respondent closed the TD Bank Account without the consent or knowledge of the Applicant in March 2021 after the initial attempts of service of legal documents came upon the Respondent.
25. The Respondent continued to pay approximately \$7,000.00 on account of supporting the family and putting the monies into the joint account until the Respondent was served with Divorce papers in March, 8 2021.
26. After receiving the divorce papers in March, the Respondent refused to put any further monies into the joint bank account.
27. Since being served with the Application, the Respondent has not paid a penny towards child support or spousal support.
28. There is a total of \$47, 249.92 owing from the Respondent to the Applicant in child support arrears; attached hereto as **Exhibit H** is a copy of the case summary provided by FRO.

Lack of any Mortgage Payments and Bill from the Respondent since March 8, 2021

29. The Respondent has not made any mortgage payments or bill payments towards that matrimonial home located at 5106 Fairwind Dr., Mississauga, Ontario.

Sum of Money to be Put into Court by the Respondent

30. The Applicant is seeking an Order that the Respondent, pay the amount of \$100,000.00 into court pending the outcome of the Application bearing Court File No. FS-20-000099021-000, pursuant to Rule 24(13) of the *Family Law Rules*, O. Reg. 114/99.

31. The Applicant's lawyer was called to the Bar in 1978 and has an hourly rate of \$650.00.

32. In addition, there is a junior lawyer for the Applicant, called 2024, with an hourly rate of \$300.00. Costs of the junior lawyer to date are over \$20,000.00, and coupled with the trial costs are expected to exceed \$35,000.00.

33. It is the position of the Applicant's lawyer that a minimum four (4) day trial will be required, and the legal costs of trial and preparation, and the costs to date will certainly exceed \$100,000.00.

34. The Application was initially served over 4 years ago on March 8, 2021, since then there have been 5 hearings in front of this Honourable Court in the form of Focused Hearings, Case Conferences, Settlement Conferences, and Motions, and as noted above, a further Motion for the renewal of the Mortgage on the Matrimonial Home as noted in paragraph 19 above.

35. As such, pursuant to Rule 24(13) of the *Family Law Rules* it is clear that the Respondent will not be able to pay any costs award as the Respondent does not have enough assets in Ontario to pay costs to the Applicant if unsuccessful.

36. I make this Affidavit in support of the Applicant's Motion returnable for August 22, 2025, and for no improper purpose.

Sworn/Affirmed before me at
Regional Municipality of York

municipality

in Province of Ontario

province, state or country

on July 15, 2025

Date

Signature

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Commissioner for taking affidavits (Type or print name
below if signature is illegible.)

David Pomer

Superior Court of Justice
 (Name of Court)
 at 7755 Hurontario Street, Brampton ON L6W 4T1
 Court office address

ONTARIO		A
This is to certify that I have read the affidavit of <u>Desiree Sjurock</u> sworn before me, this <u>19</u> day of <u>July</u> , 2023.		Court File Number FS-20-000099021-000
Form 14A: Affidavit (general) dated		

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

HANIN AHMED BABI
 5106 Fairwind Drive
 Mississauga, Ontario, L5R, 2N8
 haninbab13@gmail.com

A COMMISSIONER FOR TAKING AFFIDAVITS

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

David Pomer
 Pomer & Boccia Professional Corporation
 4000 Steels Avenue West Suite 212
 Woodbridge, Ontario L4L 4V9
 (416) 213 - 7450 (905) 850 - 8086
 david.pomer@pomerandboccia.com

24-Oct-2023

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

MOHAMMED JAMAL ANWAR CHAYKHOUNI
 RCH building next to Alhoda Tower, ALKHAN street
 APPARTMENT 706 SHARJAH, UAE
 ceo@almarsat.com

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Fadwa Yehia
 Jamal Family Law
 2030 Bristol Circle Suite 217
 fyequia@jamalaw.com

My name is (full legal name) MOHAMMED JAMAL ANWAR CHAYKHOUNI

I live in (municipality & province) RCH ALKHAN APPARTMENT 706, SHARJAH, UAE (never lived in Ontario Canada)

and I swear/affirm that the following is true:

Set out the statements of fact in consecutively numbered paragraphs. Where possible, each numbered paragraph should consist of one complete sentence and be limited to a particular statement of fact. If you learned a fact from someone else, you must give that person's name and state that you believe that fact to be true.

1- I am the Respondent in this matter and I make this Affidavit in response to the Applicant's request for information dated July 19,2023. Received July 23rd, 2023 (with 99 days duration to reply).

2- Relating to Paragraph NO.1 of the "Request for Information":

I confirm that I have never stayed in Ontario more than 2 weeks per year/visits past 15 years, my domicile was and still in the UAE since 1996 and my business was in UAE (as stated earlier), helping as an Engineering Expert when UAE Courts requires, today I am over 60 yrs. of age (Retiring date 7June 2023).

3- Relating to paragraph No.2 of the "Request for Information":

In addition to what I've stated in my answer to paragraph No.1, I confirm that the cancelation date of the Applicant's residency in the UAE started Sep.2014 ended in 2015 (the evidence in Applicants' Passport stamps Ref her visits to UAE ever since 2015 as a Tourist not a Resident of UAE).

4- Relating to Paragraph NO.3 of the "Request for Information":

Income TAX "as my TD Joint account" was jointly filed till COVID, It was done for the Inconvenience of supporting our children Child support status regardless to the decision of the separation made July 2014.

5- Relating to Paragraph NO.4 of the "Request for Information":

The valuation of the unfinished investment "5106 Fairwind Drive" worth today Min \$1.5M, this was only an investment by the Respondent (to save cost of the rental paid July-2014-June 2015 document remained with applicant, I never kept a copy), and the Applicant never paid anything related to this investment till April 2022 and I question every source of the support as of 1st April 2022 and which still not disclosed by the Applicant!

6- Relating to Paragraph NO.5 of the "Request for Information":

I confirm that the source of the money of the property (JBR) was from my father and I have served and filed every possible information related to this apartment and I have submitted the POA from my father which proves that I was only managing his assets since 1995, I live in the UAE while Syria was economically under sanctions. (TAB No.1) I also reaffirm that the requested appraisal is unnecessary as I have proof of the sale price of the property (JBR) on August 4, 2020 for AED1,700,000 approx. CSD 500,000 after paying service fees such price is an actual price for the market and any further and additional valuation requested from the Applicant should be done from their end since I have served all the possible documents I have related to my father's property.

7- Relating to Paragraph NO.6 of the "Request for Information":

I confirm that the source of the money of the property (Palm Jumeirah) was from my father and I have served and filed every possible information related to this apartment and I have submitted the POA from my father which proves that I was only managing his money since I live in the UAE while Syria was economically under sanctions. (TAB NO.1) I hereby also confirm that the appraisal is unnecessary as I have proof of the sale price of the property (Palm Jumeirah) on June 29, 2021 for AED 1,310,000 approx. CSD 400,000 after paying the fees) such price is an actual price for the market and any further and additional valuation requested from the Applicant should be done from their end since I have served all the possible documents I have related to my father's investment property.

8- Relating to Paragraph NO.7 of the "Request for Information":

I confirm that all purchased properties were given by my father (with the Applicant knowledge) transferred via phone (due to sanctions on Syria), since the laws in Syria prevented money transfer (between 1990 and 2018 in Syria to UAE). (TAB NO.2)

9- Relating to Paragraph NO.8 of the "Request for Information":

I confirm that all listed bank accounts are related to my activity with UAE courts and I'm obliged not to disclose any information related to any case that I was working on as an Expert Witness for UAE courts whether under signed NDAs or under the article 14 sub rule 3 of the Federal Decree Law No.21/2022 that states "An Expert Witness must not disclose any information related to the case". And breaching this legal obligation will make me subject to the penalty stated under article 35 "Any expert who violates any of the obligations referred to in Clauses Nos. (1), (2), (3) shall be punished with imprisonment and a fine of not less than (AED50,000) fifty thousand and not more than (AED100,000) one hundred thousand dirhams, or one of these two penalties". (TAB NO.3)

10- Relating to Paragraph NO.9 of the "Request for Information":

I confirm that I was a victim of a fraud (since I did not have the experience), a case was filed against the 3rd party dealer who is wanted to the UAE authorities because it turns out that he has history of fraud and my part was approx. C\$ 1,000,000 (withdrawn from Mother-Brother HSBC Investment since 15Jan 2015) from the overall AED 7,396,725 (my share on behalf of brother/mother Trust was only % 40.5 of the total amount) for the purpose of transferring the amount into number of 49.42 Bitcoin which no longer with me. (TAB NO.4)

11- Relating to Paragraph NO.10 of the "Request for Information":

Duplicate request, same answer that stated to paragraph NO.8 above.

12- Relating to Paragraph NO.11 of the "Request for Information":

Duplicate request, same answer that stated to paragraph NO.8 above.

13- Relating to Paragraph NO.12 of the "Request for Information":

A written witness from trades bureau in UAE Bank (in Arabic Translated into English) copy provided witness & Explains how money transferred from Syria to UAE, same route Applicant mother uses to transfer \$30,000 to Dubai in 2021 prior leaving to Canada, prior Applicant's date of marriage, being December 21, 1995, I had Real Estates worth value over \$165,000 - while Applicant failed to disclose having shares in 5 Real Estates in Syria until today, applicant Dimond ring I have paid worth today \$30,000 from Jeweler Stephane applicant never disclosed.

14- Relating to Paragraph NO.13 of the "Request for Information":

In addition to my answer stated to paragraph NO.9, I confirm that I was only an agent for \$1,000,000 to invest on a behalf of Ms. Salwa Nayal and Mr. Ahmad Basel Chaykhouni, such investment requires to deposit the \$1M in HSBC Bank in Canada, then as stated in the contract attached in (TAB NO.5 and the affidavit attached), I tried to invest this money through a share in Bitcoin investment which ended as a complete fraud and I have lost the whole amount without any remedies. (TAB NO.4)

15- Relating to Paragraph NO.14 of the "Request for Information":

In respect to providing proof of U\$165,000 prior date of Marriage , I confirm that we were not Canadians and we never kept in writing assets value was recorded among parents /brothers this we will be in my affidavit, this was also disclosed to applicant parents prior marriage.

16- Relating to Paragraph NO.15 of the "Request for Information":

I have already submitted as EMNBD Business account closed Dec 2021 (other proof is as per Filed Canada Revenue TAX file 2018-2022 provided). (TAB NO.6)

17- Relating to Paragraph NO.16 of the "Request for Information":

I confirm that I have served all information and statements related to TAX paid in the UAE.

18- Relating to Paragraph NO.17 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.8

19- Relating to Paragraph NO.18 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.8

20- Relating to Paragraph NO.19 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.8

21- Relating to Paragraph NO.20 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.8

22- Relating to Paragraph NO.21 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.9 - 13

23- Relating to Paragraph NO.22 of the "Request for Information":

In respect to Evaluation of personal properties financed by my father were provided earlier in paragraph 5 – 6 of the affidavit (applicant has zero rights to ask instead applicant must disclose 5 Properties shares in Syria).

24- Relating to Paragraph NO.23 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.8

25- Relating to Paragraph NO.24 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.8

26- Relating to Paragraph NO.25 of the "Request for Information":

Respondent's claim in his Answer of what the equalization of Net Family Property is being asked for by the Respondent.

27- Relating to Paragraph NO.26 of the "Request for Information":

In respect to source of income Canada revenue filed was taken from Dubai income to cover Canada support to children (I have never worked in Canada and there was zero income from any business in Canada but was returning to Revenue Canada Child support money received).

28- Relating to Paragraph NO.27 of the "Request for Information":

I filed 2018 income tax returns from Dubai income paying back Revenue Canada Child support (since we kept family residency for child support sake all money received by applicant).

29- Relating to Paragraph NO.28 of the "Request for Information":

In respect to 2019 Canada revenue Income same reply for 2018.

30- Relating to Paragraph NO.29 of the "Request for Information":

Tax return filed with the CRA as of 2019 was the way paying back Revenue Canada children supports.
"TAX returns" is never a proof of residency, but physical existence, as I stated earlier that I have never stayed in Ontario more than 15 days per year/visits past 15 years (I truly deserves to request a refund for all the money paid to Revenue Canada since the purpose was to cover the residency of the children benefiting from Canada Schools (Applicant is liable to refund this money to Revenue Canada since she received & spent))

31- Relating to Paragraph NO.30 of the "Request for Information":

The Arbitral Divorce Award was filed & Issued in Syria with a final verdict was taken through Syrian Civil Courts, such verdict was attested in the UAE (last Marriage habitual residence) and Canada Consulate in Dubai (TAB NO.7)

32- Relating to Paragraph NO.31 of the "Request for Information":

Regarding to provide reasons as to "why there was no divorce application commenced in the year 2014 and no steps taken in Ontario", I confirm that the Marriage agreement was in UAE & Syria Divorce followed same manner (Ontario was never an accepted jurisdiction for our divorce still is not since Respondent never lived in Ontario Canada).

33- Relating to Paragraph NO.32 of the "Request for Information":

Duplicate request, same Answer stated to paragraph NO.30.

34- Relating to Paragraph NO.33 of the "Request for Information":

Confirmation and explanation that the Respondent considers he has two homes (one to visit and my children in the Province of Ontario) pursuant to an email of May 4, 2021.

35- Relating to Paragraph NO.34 of the "Request for Information":

In respect to confirmation that the Respondent changed his status from "married" to "separated" in 2020, I confirm that what was earlier filed for Canada was in support of the Applicant and children (Applicant is accountable before Revenue Canada) Respondent will file "out of Canada" once home invested 5106 Fairwind Dr is liquidated and 50% received.

36- Relating to Paragraph NO.35 of the "Request for Information":

Date the Respondent came with his family in 2014 and conformation July 31st while Applicant had only a one-way air fare on Saudi Airlines she is liable to disclose (I don't keep her documents).

37- Relating to Paragraph NO.36 of the "Request for Information":

In respect to the association membership, it serves for obtaining good books I am ready to list them, with zero income zero business ready to share my library! (TAB NO.8).

38- Relating to Paragraph NO.37 of the "Request for Information":

I confirm that don't hold any professional insurance and I only have medical insurance due over 10 ten Chronic diseases reflected in my medical reports. (TAB NO.9)

39- Relating to Paragraph NO.38 of the "Request for Information":

Already given and served earlier in the financial statement dated June 26, 2023. (TAB NO.10)

40- Relating to Paragraph NO.39 of the "Request for Information":

Duplicate request. Same answer stated to paragraph NO.8

41- Applicant Marriage agreement Jurisdiction is out of Canada, I have filed a divorce against the Applicant and obtained the divorce certificate Sealed and Attested in UAE & Canada as per marriage agreement and I am entitled to receive back my investments in Ontario-Canada that the Applicant lives in it since March 2021 without paying her rent value worth \$ 2,500 per month I am eligible to receive (as I have no other income and facing insolvency).

42-Since Divorce completed as per agreement with Applicant, we have already been divorced from Syrian Sharia Courts with all the legal procedures that listed in sharia law (Islamic arbitration) and Syrian civil laws (TAB NO.7) "unfortunately my lawyers have failed to submit the reasonings" as described in 42-43 and should apply as Syrian Muslim family, and their lack of performance cost me more than \$100,000.(Tab No.11)

43-A final divorce judgement has been issued by Syrian Courts (our home birth country) and It is attested by both UAE (last joint country residence) and Canadian authorities. Changing to Ontario jurisdiction breach every precedent and laws in both Syria & UAE "every right has one claim that protects it". (Syrian supreme civil court – case No1910). Under article 3 of the Syrian Civil Procedure Code states that Syrian origin and agreements are subject to Syrian Jurisdiction whether they are living in Syria or living abroad, and as a matter of this article. This rises the matter of "res judicata" which means that "a matter already judged".

44-The Applicant and I used to live in UAE prior to 31st July 2014, then with all good faith I managed to give my kids & her mother (the applicant) the chance to live a good life with the best education systems available for our kids, therefore our last joint residence as a married couple was in the UAE.

45-Every business got affected by COVID-19, as what mentioned earlier that I am an Expert witness at UAE courts in construction disputes, and COVID-19 got a huge impact and directly affected negatively my income for the past years till now, this made all my income (if there are any) going to Rent and other fees related to the office and registration fees for the sole proprietorship L.L.C that was someday the reason that Applicant and my kids are living a good life in Canada, this led to insolvency (Tab NO.12), even though and with all good faith, this didn't prevent me from paying child support until my kids are over 18 years even that I'm an insolvent (today I need applicant & adults kids support! Not a boycott since early 2021 caused by Applicant).

46- Relating to the Insolvency: (Tab No.12)

- In 2020, I suffered from a financial crisis and I was and still unable to pay any debt or any investor's rights.
- This led to many disputes and claims issued against me and many judicial notices have been received due to the inability to pay back any dept.
- As what I have mentioned several times that I am a subject to the UAE laws since my residency is in the UAE and my business is based in the UAE and is governed by UAE laws only.
- Under the UAE Federal Decree Law No.19 (2019) On Insolvency, article (29) Sub-rule (1) :" The Debtor's creditor or a group of creditors with an amount of not less than two hundred thousand (200,000) dirhams may apply to the Court for the opening of the Insolvency and liquidation proceedings, in accordance with the provisions of this Book, if the creditor has previously served the Debtor with a notice to pay the due debt and the Debtor has failed to pay the same during fifty (50) consecutive working days from the notice date".
- Many creditors initiated and issued claims and notices before the UAE courts relating to the inability to pay their depts that exceeded AED 3,000,000.

- Under Article (46) Sub-rule (5):* If the proceeds of the Debtor's Funds are insufficient to pay the rights of the creditors, the Court shall issue a judgment declaring the Insolvency of the Debtor and the end of the Insolvency and liquidation proceedings".
- An Expert Witness Report drafted by "EDRAJ chartered Accountants" after reviewing all my Bank Accounts which end with (2601, 2107, 5191, 2301, 8001, 0001, 5101) and evaluating my income and assets, stated the following: (as per page.17 in TAB NO.12)

"According to the foregoing and to what we have concluded, the Applicant /Mr. Mohammed Jamal Chaykhouni is of the Canadian Nationality, bearer of Passport No.AD515093, and he has worked as an investor in AlMarsat Project Development company since 21/05/2013. The Applicant was exposed to a severe financial crisis in the year 2020 due to the bankruptcy and liquidation of Meer Businessmen Services Company which was responsible for opining the investment portfolios for the Investors, the thing that led to the inability of the Applicant to settle the rights of the Investors and their profits ; consequently, they lodged a lawsuit for the Applicant's insolvency and the liquidation of his properties, and laying seizure on Almarsat Project Development Company, the thing that led to the cessation of the company's activity and the cessation of the Applicant's source of income.

The applicant is currently under insolvency and his funds and his movable and immovable properties are under liquidation, in pursuance if the provisions of article no.28 of the Federal Decree-law No.19 of the year 2019".

47- Despite of all what I've done for my family as an entity, I found out that the Applicant is having an unexplained affair with a man "called Omar Shaath since 2019" and they planned jointly to file this case, since then I was subject to threats and abuses by this unknown individual by messaging me, trespassing my residence in the UAE Oct 2021 to threaten me and my mother (kindly check the testimony of the witness "Mary Ann" regarding the trespassing), such threats made my mother panic & lose 50% of her hearing none of these evidence where presented by my past lawyers(TAB NO.13)

48-I have also discovered today that Applicant who is claiming to have the child support and the custody of my children is traveling to UAE over and over (Oct 2021 , Nov and Dec 2022) for over 40 days each trip, using money that I was sending to support my child whether through the court or on my own consent. (TAB No.14)

49-The applicant failed to disclose 5 properties in Syria and over than 30,000\$ in her UAE bank account claiming to handover the money to a charity without any proof that states even the name of the charity.

50- "Mahr" that is stipulated in our marriage contract which signed with full consent, meets all contract requirements whether in Civil Law, Common Law or Islamic Laws, and it is considered as a prenuptial agreement. See Aziz v. Aziz 127 Misc. 2d 1013 (N.Y. Sup. Ct. 1985) "the parties entered into a Mahr, a type of antenuptial agreement which required a payment of \$5,032, with \$32 advanced, and \$5,000 deferred until divorce.

51-I confirm that I am retiring, and I moved to a smaller apartment because of the insolvency and the medical situation that prevents me from traveling and taking any flights as what the Doctors highly recommended, I hereby declare my inability to attend any hearings or physical conferences because it might affect my health directly. (TAB NO.15), and I hereby ask to refund all my travel expenses which exceeded \$7,000 since I'm an insolvent, retired and suffering from a serious medical situation (My Past law firm failed to recover).

52-I hereby declare that I had my Retirement Savings in my personal Investment TD account, and I managed to transfer an amount of \$58,000 to the TD Joint Account by two stages (1st was \$30,000, 2nd was \$28,000 between 2019 and 2020) (TAB NO.16) , and I confirm that this transaction was only for building a basement in the "5106 Fairwind Drive" investment (TAB NO.17) and I request to get the amount back, plus a rate of \$1000 per month as a compensation of damages due to not even commence any work related to Building the Basement. (from 2019 till the end of the trial).

53-In case this case not closed as per past attested divorce , and since I am not able to pay to neither the lawyers in Canada nor to any further court fees I hereby request ;

A-a rent of \$1,500 per month of the period between (Sep 2019 – Till today date end) since the Applicant was and still staying at my investment, failing to complete the Basement that would increase the investment value income in more than 20%.

B-I hereby request urgent sell of the "5106 Fairwind Drive" due to my insolvency issues appeared by failing to pay debts in the UAE and since all my assets, movable, immovable assets are under liquidation. (TAB NO.12)

C-I make this Affidavit for no improper purpose reserving my rights over the Jurisdictional defense over the law of our marriage & divorce agreement and based on the location of our last date of common residence July 2014 in the UAE .

Put a line through any blank space left on this page.

Sworn/Affirmed remotely in accordance with Ontario Regulation 431/20 under the commissioners for taking Affidavits Act, *located in U.A.E*

By: Mohamed Jamal Chaykhouni

in *Mississauga, ON N4Y 1B5*

province, state, or country

on *October 23, 2023*

Date

Commissioner for Taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Christina Ajodhia
Kingsbridge Law
401-30 Eglinton Avenue West
Mississauga, ON L5R 3E7
289-729-0220 notary@klawfinn.ca
LSO #737721

In accordance with O. Reg 431/20 by
video conference and secured file sharing.
The affiant(s) were located in

U.A.E, Sharjah

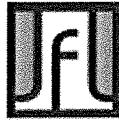
while the Notary was located in
Mississauga, Ontario

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Audit trail date format	MM / DD / YYYY
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Document history

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 VIEWED	10 / 23 / 2023 20:04:14 UTC	Viewed by Jamal Chaykhouni (adr@almarsat.com) IP: 91.75.122.221
 SIGNED	10 / 23 / 2023 20:05:42 UTC	Signed by Jamal Chaykhouni (adr@almarsat.com) IP: 91.75.122.221
 COMPLETED	10 / 23 / 2023 20:05:42 UTC	The document has been completed.

TAB 2



Jamal Family Law

Jamal Chaykhouni
D86 Living Lengends Wadi Safa 3
Dubai, UAE, 357620

December 1, 2023

File #: 22014
Invoice #: 995

RE: Chaykhouni - Matrimonial

Professional Fees

Date	Description	Hours	Amount	Staff
2023-11-07	Instructions from FY, review of Caselines and file, email to court re. endorsement	0.20	\$35.00	NH
2023-11-24	Zoom meeting with Fadwa and Jamal Chaykhouni re: status, next steps (Not charged: \$508.50)	1.00	\$0.00	FJ
2023-11-24	Meeting with client (and FJ)	1.20	\$594.00	FY
		2.40	\$629.00	

Fees:	\$629.00
Disbursements:	\$0.00
HST @13%:	\$81.77
Invoice Total (including Tax):	\$710.77
Transferred from Trust:	\$0.00
Outstanding Balance:	\$21,058.15
Amount Due:	\$21,768.92

THIS IS OUR ACCOUNT HEREIN
JAMAL FAMILY LAW PROFESSIONAL CORPORATION
Per

Fareen Jamal

E. & O.E.
Tax Number: 850998238RT0001

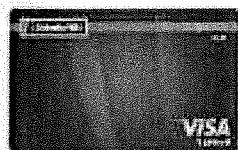
Trust Account Statement

Date	Transaction No.	Description	Withdrawal	Deposit	Balance
			\$0.00	\$0.00	\$0.00

TAB 3



ACCOUNTS



VISA
SIGNATURE
DEBIT

* 8673

Mohammed Jamal

OVERVIEW

SERVICES

DETAILS

TRANSAC...

VIEW ALL >

TRANSAC...

AMOUNT

BALANCE

PENDING

EXPAND

Temu.com

-14.76

-

Department...

AED

Temu.com

-198.57

-

Department...

AED

TODAY

DEWA Pa...



Open account

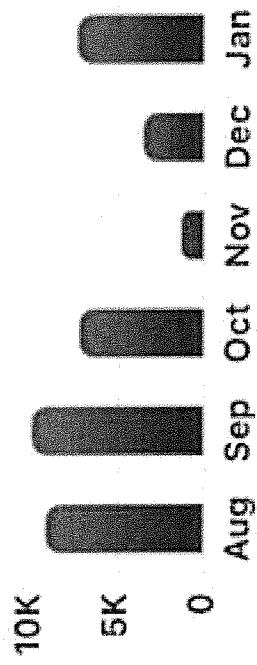
Doc ID: 797a5523a366b5e1aba058feec2433d770506399

TAB 4

CURRENT ACCOUNT

7,478.39 AED

AE85 0260 0010 1207 0032 601



Bill Local Between Statement
payment transfer my... nt

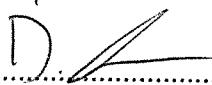
1 CARD LINKED

Title	Form 14A
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Audit trail date format	MM / DD / YYYY
Status	<input checked="" type="radio"/> Signed

Document history

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 VIEWED	01 / 27 / 2025 16:42:15 UTC	Viewed by Mohammed Jamal Anwar Chaykhouni (ceo@almarsat.com) IP: 5.30.215.130
 SIGNED	01 / 27 / 2025 16:43:29 UTC	Signed by Mohammed Jamal Anwar Chaykhouni (ceo@almarsat.com) IP: 5.30.215.130
 COMPLETED	01 / 27 / 2025 16:43:29 UTC	The document has been completed.

This is Exhibit B referred to in the affidavit of Rehan Sajid sworn before me, this 15th day of July, 2021. Page 1 of 5



ONTARIO
A COMMISSIONER FOR TAKING AFFIDAVITS

Superior Court of Justice

(Name of Court)

at 7755 Hurontario Street, Brampton ON L6W 4T1
Court office address

Court File Number
FS-20-000099021-000

Form 14A:
Affidavit(general)
dated

Applicant(s)

26-03-2025

Full legal name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

HANIN AHMED BABI
5106 Fairwind Drive
Mississauga, Ontario, L5R, 2N8
haninbab3@gmail.com

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

David Pomer
Pomer & Boccia Professional Corporation
4000 Steels Avenue West Suite 212
Woodbridge, Ontario L4L 4V9
(416) 213 - 7450 (905) 850 - 8086
david.pomer@pomerandboccia.com

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

MOHAMMED JAMAL ANWAR CHAYKHOUNI
RCH building next to Alhoda Tower, ALKHAN street
APPARTMENT 706 SHARJAH, UAE
ceo@almarsat.com

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Self-Represented

My name is (full legal name) MOHAMMED JAMAL ANWAR CHAYKHOUNI

I live in (municipality & province) RCH ALKHAN APPARTMENT 706, SHARJAH, UAE (never lived in Ontario Canada)
and I swear/affirm that the following is true:

Set out the statements of fact in consecutively numbered paragraphs. Where possible, each numbered paragraph should consist of one complete sentence and be limited to a particular statement of fact. If you learned a fact from someone else, you must give that person's name and state that you believe that fact to be true.

- 1- I am the Respondent in this matter and I make this Affidavit in response to the Notice of Motion and the Affidavit served to the Respondent on 25 March 2025 attached with the Affidavit dated 12 March 2025. [Exhibit A]
- 2- The Affidavit dated 12 March 2025 served by the Applicant's lawyer on 25 March 2025 is stating false financial information and contradicts with all pre-submitted financial Statements whether by the Applicant or the Respondent, hence the following paragraphs shall correct all false and misleading information provided by the Applicant's lawyer:
 - (a) It is evidenced that the Respondent entered into a Mortgage plan (The Invested Property) financed from his father given money and started financing the Mortgage by his good income prior April 1st, 2021.
 - (b) The Applicant income was as Zero, hence all of the installments had been paid by Respondent 100% contradicting the Applicant false statement of 2019!

- (c) The period between 2020 and the date of this Affidavit, the Respondent has been suffering from insolvency due to covid-19 and have liquidated most of assets entering insolvency status in Dubai, hence the Respondent had to close office and leave a rented Villa in Dubai to reside in a one-bedroom apartment in Sharjah. **[Exhibit B]**
- (d) It is evidenced through a call conducted by the Respondent on 22 March 2025 to CIBC (+18882646843) enquiring about 5106 Fairwind Dr (with respect to the Applicant Motion) confirmed that Applicant is in a short fall of paying more than \$ 6,500.00. In light of this, the Respondent requests the attendance of a witness from CIBC to provide testimony confirming the aforementioned information.
- (e) While since April 1 2021 both daughters (Dala and Noor Chaykhouni) have supported the Mortgage (the Investment Property) to the date of this Affidavit, hence both daughters supported in more than \$ 150,000.00 which made them a true shareholder of 5106 Fairwind Dr confirming that the Applicant is actually incapable to pursue the Mortgage. In light of this, the Respondent requests the attendance of Dala Chaykhouni to provide testimony confirming the aforementioned information.
- (f) All above-mentioned points lead to an important financial situation that the Applicant is not capable of financing her share in the invested property.
- (g) Given that neither the Applicant nor the Respondent possesses the financial capacity to service the Mortgage, it is hereby determined that the Invested Property shall be sold and the proceeds thereof liquidated accordingly. Moreover, renewing the Mortgage under the current financial conditions would result in an interest rate nearly double that of 2020, thereby imposing an undue financial burden. Accordingly, the sale of the Property appears to be the most equitable course of action.
- (h) However, in light of the need to assess the financial situation of all shareholders comprehensively, it is essential to appoint a qualified financial expert to evaluate the overall financial circumstances, assess the feasibility of mortgage renewal versus sale, and determine the fair market value of the Property. The expert's findings shall serve as the basis for making an informed and equitable decision in the best interests of all parties involved.
- (i) The refusal to appoint a financial expert shall serve as evidence that the Applicant has been, and continues to, exploit these separation proceedings for personal financial gain, to the detriment of all other rightful stakeholders, including the Respondent and the two children, by seeking to exclude them from their legitimate shares.
- (j) The Respondent reserves his right to claim the basement funds (\$ 59,000.00) as set forth in the Affidavit dated 24 October 2023 paragraph 52, together with the supporting exhibits attached thereto that the Respondent transferred the said amount to the Applicant for the construction of a basement intended for an Airbnb business. However, the Applicant failed to carry out the construction as agreed. **[Exhibit C]**

- (k) The Respondent reserves his right to claim \$ 4,000.00 as a compensation for the misleading Notice of Motion served to the Respondent on 12 March 2025, in which the Respondent filed a Complaint against the opposing lawyer related to professional misconduct and for serving a Notice of Motion which was never filed in the court. **[Exhibit D]**
- (l) The Respondent reserves his right to claim the amount of \$7,500.00 as reimbursement for all expenses incurred as a direct result of attending a court hearing in July 2023. These expenses arose due to the insistence of the opposing lawyer on proceeding with an in-person hearing rather than a virtual attendance, thereby causing the Respondent to bear unforeseen financial burdens.
- 3- With respect to and as a response to the Affidavit dated 12 March 2025:
- A- **Paragraph No.3:** As the mortgage was financed between the two parties and non-residing Daughters, it is evident that the Applicant has never contributed her share from her own funds. Instead, her portion of the mortgage was financed post April 1st 2021 by both Dala and Noor Chaykhouni.
- B- **Paragraph No.4:**
The said property has always been, and remains, an investment shared between the Respondent and the Applicant; it was never a matrimonial home as this investment was decided by the two parties to mitigate all loses related to renting a house.
- C- **Paragraph No. 6:**
(i) The Respondent has declared insolvency, as evidenced by all Financial Statements and Affidavits duly served since 2021 but only confirmed via certified audited account by professional account by Oct 2023.
(ii) The declaration of financial account insolvency shall not be construed as a refusal or failure to maintain the Respondent's remaining investment 5106 Fairwind dr investment home.
(iii) The Respondent financed the mortgage (until his insolvency) till 1st of April 2021.
- D- **Paragraph No.7:**
The Respondent has never refused to renew the Mortgage. However, it is evidenced that none of the investors (The Applicant, the Respondent and the two daughters) are capable of financing the Mortgage.
- E- **Paragraph No. 8:**
It is incorrect to assert that two resides with the Applicant. Evidence establishes that Dala Chaykhouni resides independently outside Canada since Sep 2024 and only one child "Abdelkareem age 20" lives in the same large 4 Bed room villa 2 stories with unfinished basement (due to applicant misusing Respondent money).

F- Paragraph No. 9:

- (i) Neither the Applicant nor the Applicant's legal representative is entitled to any compensation or costs, as the Respondent has not refused to renew the mortgage agreement (within valid and acceptable reason).
- (ii) The expenses related to the renewal of the mortgage agreement shall be borne only by the Applicant since it against the Respondent will, as this is an investment property jointly held by both parties.

G- Paragraph No.10:

- (i) The Respondent has clear logic reason not renew the mortgage (since Respondent paid 100% prior April 1st 2021 while Dala paid near 100% from April 2021 up to August 2024 during all past time the Applicant never paid a cent, the Applicant had almost no payment nor was capable to pay! But willing only to maximize her future share when capable to sale (wondering why not willing to exchange the villas into smaller units that accommodate one or two persons ?)
- (ii) The Applicant's lawyer has not served a "Mortgage Renewal Agreement" to the Respondent enabling the later to determine the interest rate and to agree on the same with past payers Dala & Respondent since it is an investment decision) [Exhibit E]
- (iii) The Respondent reply on the Applicant's lawyer email shall not be construed as a refusal or failure to renew the mortgage.
- (iv) The Respondent has been directly threatened by the Applicant's legal representative in an email. As a result of this inappropriate and coercive communication, the Respondent rightfully refuses to recognize emails as an official mode of correspondence in this matter. Accordingly, the Respondent shall only acknowledge & respond to communications that are accompanied by a duly executed official document explicitly setting out the applicable interest rate for the mortgage renewal agreement. [Exhibit F]

4- Conclusion

- 1- The Respondent reply on the Applicant's lawyer email shall not be construed as a refusal or failure to renew the mortgage.
- 2- The Respondent's has absolute right to review the "Mortgage Renewal Agreement" as this is a mutual agreement and a jointly held investment (it was paid mainly past years by Respondent and Dala Daughter).
- 3- The Applicant is not capable of financing the Mortgage, hence I request the attendance of Dala Chaykhouni to testify on financing more than \$ 120,000.00 since 2021 and the attendance of a witness for CIBC to testify on the Applicant financial situation regarding the Mortgage.

4-The Respondent is asking for appointing a qualified Financial Expert to evaluate the overall financial circumstances, assess the feasibility of mortgage renewal versus sale, and determine the fair market value of the Property. The expert's findings shall serve as the basis for making an informed and equitable decision in the best interests of all parties involved.

- 5- The Respondent has extended a settlement offer to sell the investment property and remit to Dala Chaykhouni the sum of CAD 120,000, representing her payments toward the Applicant's share of the mortgage installments.
- 6- The Respondent reserves his right to claim the amount stated in this Affidavit as follows:
 - (a) Refund of \$ 59,000.00 [basement funds];
 - (b) Compensation of \$ 4,000.00 [misleading Motion]; and
 - (c) Reimbursement of \$ 7,500.00 [travel and accommodation expenses due to hearing attendance on July 2023].
- 7- The Respondent is entitled for 50% of the invested property value as a rent value from the date of separation being Oct 2019 (hiding it till March 8 2021) as the date filling the separation up to the Affidavit date.
- 8- All above points were evidenced and needed to be agreed and resolved prior approaching any financial institution for mortgage or order to sell.
- 9- The Respondent has requested to postpone the hearing date from April 17 to post April 28th 2025 due to family event Easter/Eid holidays, besides seeking a legal aid Canada since March 21st 2025 (Ref CLT 2539653).
- 10- I hereby declare that I am seeking legal aid from Legal Aid Ontario, under request reference CLT-2539653. Accordingly, I request a stay of all legal proceedings, including but not limited to, any hearings related to pending motions, until the determination of my legal aid application.

"Put a line through any blank space left on this page.

Sworn/Affirmed remotely in accordance with Ontario Regulation 431/20 under the commissioners for taking Affidavits Act

By: Mohamed Jamal Chaykhouni

in Ontario, Canada
provinc, state, or country

on 26 March 2025
Date

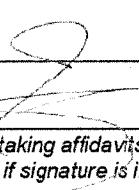
Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Christina Ajodhia
Kingsbridge Law
401-30 Eglinton Avenue West
Mississauga, ON L5R 3E7
289-729-0220 notary@klawfirm.ca
LSO #737721

In accordance with O. Reg 431/20 by
video conference and secured file sharing.
The affiant(s) were located in

Sharjah, UAE

while the Notary was located in
Mississauga, Ontario

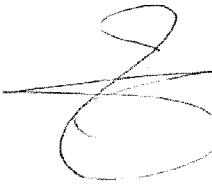

Signature

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Exhibit A

A
 This is Exhibit "....." referred to in the
 affidavit of Mohammed Jamal Anwar Chaykhouni
 sworn before me at Mississauga, Ontario
 this 26th day of March 2025.

Christina Ajodhia
 A Commissioner for taking Affidavits for Ontario



Christina Ajodhia
 Kingsbridge Law
 401-30 Eglinton Avenue West
 Mississauga, ON L5R 3E7
 289-729-0220 notary@klawfirm.ca
 LSO #737721

In accordance with O. Reg 431/20 by
 video conference and secured file sharing.
 The affiant(s) were located in

Sharjah, UAE

while the Notary was located in
 Mississauga, Ontario

ONTARIO	
Superior Court of Justice at 7755 Hurontario Street, Brampton ON L6W 4T6 <small>Court office address</small>	Court File Number FS-20-000099021-000
Form 14: Notice of Motion	
Applicant(s) <small>Full legal name & address for service - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</small> HANIN AHMED BABI 5106 Fairwind Drive Mississauga, Ontario L5R 2N8, haninbabib3@gmail.com	
<small>Lawyer's name & address - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</small> David Pomer Pomer & Boccia Professional Corporation 212 - 4000 Steeles Ave W. Woodbridge, ON L4L 4V9 Tel: (416) 213-7450 ext. 2301 Fax: (905) 850-8986 david.pomer@pomerandboccia.com	
Respondent(s) <small>Full legal name & address for service - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</small> MOHAMMED JAMAL ANWAR CHAYKHOUNI Villa #DB6 Wadi Al-Safa - 64 5 Dubai, U.A.E., ceo@almarsat.com	
<small>Lawyer's name & address - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</small> Self Represented	
TO THE PARTIES: THE COURT WILL HEAR A MOTION on <u>April 17, 2025</u> at time <u>10:00am</u> , or as soon as possible after that time at place or hearing: 7755 Hurontario Street, Brampton ON L6W 4T6	
This motion will be made by <u>name of person making motion</u> : HANIN AHMED BABI who will be asking the court for an order for the item(s) listed on page 2 of this notice.	
<input checked="" type="checkbox"/> A copy of the affidavit(s) in support of this motion are served with this notice. <input type="checkbox"/> A notice of a case conference is served with this notice to change an order. If this material is missing, you should talk to the court office immediately.	
The person making this motion is also relying on the following documents in the continuing record: <u>(or documents)</u> Affidavit of Tony Zingaro dated March 12, 2025	
If you want to oppose this motion or to give your own views, you should talk to your own lawyer and prepare your own affidavit, serve it on all other parties and file it at the court office not later than 4 days before the date above. Only written and affidavit evidence will be allowed at a motion unless the court gives permission for oral testimony. You may bring your lawyer to the motion.	
IF YOU DO NOT COME TO THE MOTION, THE COURT MAY MAKE AN ORDER WITHOUT YOU AND ENFORCE IT AGAINST YOU.	

ONTARIO	
Superior Court of Justice at 7755 Hurontario Street, Brampton ON L6W 4T6 <small>Court office address</small>	Court File Number FS-20-000099021-000
Form 14A: Affidavit (general) <small>dated March 12, 2025</small>	
Applicant(s) <small>Full legal name & address for service - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</small> HANIN AHMED BABI 5106 Fairwind Drive Mississauga, Ontario L5R 2N8, haninbabib3@gmail.com	
<small>Lawyer's name & address - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</small> David Pomer Pomer & Boccia Professional Corporation 212 - 4000 Steeles Ave W. Woodbridge, ON L4L 4V9 Tel: (416) 213-7450 ext. 2301 Fax: (905) 850-8986 david.pomer@pomerandboccia.com	
Respondent(s) <small>Full legal name & address - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</small> MOHAMMED JAMAL ANWAR CHAYKHOUNI Villa #DB6 Wadi Al-Safa - 64 5 Dubai, U.A.E., ceo@almarsat.com	
<small>Lawyer's name & address - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</small> Self Represented	
My name is <u>name of person making motion</u> : Tony Zingaro I live in <u>provinciate & province</u> : Regional Municipality of York in the Province of Ontario and I now affirm that the following is true: Set out the statement, if in two or more paragraphs, where possible, each numbered paragraph should consist of one complete sentence and be related to a particular statement of fact. If you know a fact but someone else, you must give that person's name and state that you believe that fact to be true.	
<ol style="list-style-type: none"> 1. I am a paralegal at Pomer & Boccia Professional Corporation, the lawyers for the Applicant in this court action and as such have knowledge of the matters hereinabove deposed, except where stated to be on information, in which case I believe such information to be true. 2. Attached hereto as Exhibit A is a Mortgage in the amount \$648,000.00 in favour of Canadian Imperial Bank of Commerce dated June 8, 2015, received as PR2724518. 3. Attached hereto as Exhibit B is a copy of the Mortgage Renewal Agreement dated May 4, 2020 for a 5 Year CIBC Variable Flex Mortgage closed, signed by both the Applicant and the Respondent. 4. The Applicant wishes to extend the mortgage for 5 years which is fair and reasonable. 5. This was an additional topic at the Settlement Conference of February 4, 2025. We are attaching a copy of the Settlement Conference Endorsement as Exhibit C indicating same. 	

Exhibit B

This is Exhibit "....." referred to in the affidavit of Mohammed Jamal Anwar Chaykhouni sworn before me at Mississauga, Ontario this 26th day of March 2025.

Christina Ajodhia
A Commissioner for taking Affidavits for Ontario

Christina Ajodhia
Kingsbridge Law
401-30 Eglinton Avenue West
Mississauga, ON L5R 3E7
289-729-0220 notary@klawfirm.ca
LSO #737721

Dynamic
Translation & Office Services



داینامیک
للترجمة والخدمات المكتوبة

In accordance with O. Reg 491/20 by video conference and secured file sharing.
The affiant(s) were located in

Sharjah, UAE

while the Notary was located in
Mississauga, Ontario

EDRAJ

Group Entities : EDRAJ Chartered Accountants

EDRAJ Tax Consultancy

P.O.Box : 122088 - Dubai - UAE

Date : 03/10/2023

Mr. Mohammed Jamal Chaykhouni ... Esq.

Good Greeting ...

Subject : Accounting Consultancy Report

((for showing the Financial Position and the Financial Liability of
Mr. Mohammed Jamal Chaykhouni))

With reference to your assignment to us to prepare an Accounting Consultancy Report for showing the financial position and the financial liability of Mr. Mohammed Jamal Chaykhouni based on your documents and financial statements, and accordingly we enclose herewith the Consultancy Report that includes the results concluded from examination and audit, supported by the documents that we perused and examined.

We are fully prepared to answer any inquiries related to the opinion we concluded to.

Please accept our highest respect and appreciation.

/Signed & stamped /



أشهد أن الموقع على هذا المستند، هو في الحقيقة هو مترجم مجاز من وزارة العدل ، بيان الترجمة المرفقة صحيحة ومتامة للنص الأصلي
I, the signatory to this document, as a legal translator duly licensed and sworn in by the Ministry of Justice, do hereby certify that the enclosed translation is correct and identical to the original text.

U.A.E. ABU DHABI Tel : 02-6424002 - Fax : 02-6424003 - P.O.Box : 8096
DUBAI Tel : 04-2809494 - Fax : 04-2809669 - P.O.Box : 33659

Website : www.d4t.ae

E-mail : info@d4t.ae

Doc ID: 40e929376368454d569923ed92c998dd4032d1b

Exhibit C

This is Exhibit "....." referred to in the
 affidavit of Mohammed Jamal Anwar Chaykhouni
 sworn before me at Mississauga, Ontario
 this 26th day of March 20.25.

Christina Ajodhia
 A Commissioner for taking Affidavits for Ontario



Christina Ajodhia
 Kingsbridge Law
 401-30 Eglinton Avenue West
 Mississauga, ON L5R 3E7
 289-729-0220 notary@klawfirm.ca
 LSO #737721

In accordance with O. Reg 431/20 by
 video conference and secured file sharing,
 the affiant(s) were located in

Sharjah, UAE

while the Notary was located in
 Mississauga, Ontario

ONTARIO

<p>Superior Court of Justice <small>(Name of Court)</small></p> <p>at <u>7755 Hurontario Street, Brampton ON L6W 4T1</u> <small>Court office address</small></p>	<p>Court File Number <u>FS-20-00009021-000</u></p> <p>Form 14A: Affidavit <small>(general) dated</small></p>
Applicant(s)	
<small>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</small> HANIN AHMED BABI 6106 Fairwind Drive Mississauga, Ontario, L5R 2N8 haninbab13@gmail.com	<small>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</small> David Pomer Pomer & Boccia Professional Corporation 4000 Steels Avenue West Suite 212 Woodbridge, Ontario L4L 4V9 (416) 213 - 7450 (905) 850 - 8086 david.pomer@pomerandboccia.com
Respondent(s)	
<small>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</small> MOHAMMED JAMAL ANWAR CHAYKHOUNI RCH building next to Alnode Tower, ALKHAN street APPARTMENT 706 SHARJAH, UAE reg@almarasal.com	<small>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</small> Fadwa Yehia Jamal Family Law 2030 Bristol Circle Suite 217 fyequia@jamalaw.com

My name is (full legal name) **MOHAMMED JAMAL ANWAR CHAYKHOUNI**

I live in (municipality & province) **RCH ALKHAN APPARTMENT 706, SHARJAH, UAE** (never lived in Ontario Canada)

and I swear/affirm that the following is true:

Set out the statements of fact in consecutively numbered paragraphs. Where possible, each numbered paragraph should consist of one complete sentence and be limited to a particular statement of fact. If you learned a fact from someone else, you must give that person's name and state that you believe that fact to be true.

1- **I am the Respondent in this matter and I make this Affidavit in response to the Applicant's request for Information** dated July 19.2023. Received July 23rd, 2023 (with 99 days duration to reply).

2- Relating to Paragraph NO.1 of the "Request for Information":

I confirm that I have never stayed in Ontario more than 2 weeks per year/visits past 15 years, my domicile was and still in the UAE since 1986 and my business was in UAE (as stated earlier), helping as an Engineering Expert when UAE Courts requires, today I am over 60 yrs. of age (Retiring date 7June 2023).

3- Relating to paragraph No.2 of the "Request for Information":

In addition to what I've stated in my answer to paragraph No.1, I confirm that the cancellation date of the Applicant's residency in the UAE started Sep.2014 ended in 2015 (the evidence in Applicants' Passport stamps Ref her visits to UAE ever since 2015 as a Tourist not a Resident of UAE).

4- Relating to Paragraph NO.3 of the "Request for Information":

Income TAX "as my TD Joint account" was jointly filed till COVID, it was done for the inconvenience of supporting our children Child support status regardless to the decision of the separation made July 2014.

5- Relating to Paragraph NO.4 of the "Request for Information":

The valuation of the unfinished investment "6106 Fairwind Drive" worth today Min \$1.5M, this was only an investment by the Respondent (to save cost of the rental paid July-2014-June 2015 document remained with applicant, I never kept a copy), and the Applicant never paid anything related to this investment till April 2022 and I question every source of the support as of 1st April 2022 and which still not disclosed by the Applicant!

Exhibit D

This is Exhibit "....." referred to in the affidavit of Mohammed Jamal Anwar Chaykhouni sworn before me at Mississauga, Ontario this 26th day of March 2025

Christina Ajodhia
A Commissioner for taking Affidavits for Ontario

Christina Ajodhia
Kingsbridge Law
401-30 Eglinton Avenue West
Mississauga, ON L5R 3E7
289-729-0220 notary@klawfirm.ca
LSO #737721

In accordance with O. Reg 431/20 by video conference and secured file sharing
The affiant(s) were located in

Sharjah, UAE

while the Notary was located in
Mississauga, Ontario



[Messages](#) [Home](#) [English](#) [Jamal Chaykhouni](#)

Thank you for your submission. Your unique reference number is CAS-163400-B8Y2X1. It has been received by the Law Society of Ontario.

Exhibit E

This is Exhibit "....." referred to in the
affidavit of Mohammed Jamal Anwar Chaykhouni
sworn before me at Mississauga, Ontario
this 26th day of March 2025

Christina Ajodhia
A Commissioner for taking Affidavits for Ontario

Christine Ajodinia
Kingsbridge Law
401-30 Eglinton Avenue West
Mississauga, ON L5R 3E7
289-729-0220, notary@kewfirm.ca
LSO #737721

In accordance with O. Reg 421/21 by video conference and secured file sharing
The defendant were located in

Shariah UAF

Chaitin-Ginzburg

Mississauga, Ontario

while the Notary was located in
Mississauga, Ontario

Exhibit F

This is Exhibit "F" referred to in the
affidavit of Mohammed Jamal Anwar Chaykhouni
sworn before me at Mississauga, Ontario
this 26th day of March 2025.

Christina Ajodhia
A Commissioner for taking Affidavits for Ontario

Christina Ajodhia
Kingsbridge Law
401-30 Eglinton Avenue West
Mississauga, ON L5R 3E7
289-729-5220 notary@kawfilm.ca
LSO #737721

In accordance with O. Reg 431/20 by
video conference and secured file sharing.
The affiant(s) were located in

Sharjah, UAE

while the Notary was located in
Mississauga, Ontario

From: David Sorbara <dsorbara@rogers.com>
Sent: Wednesday, 5 February 2025 12:53 AM
To: Jamal Chaykhouni <jchaykhouni@gmail.com>
Cc: law.pomer@rogers.com
Subject: Re: Settlement Conference - Chaykhouni & Bobi

Mr. Chaykhouni,

Please be advised, pursuant to the non-agreement at today's Settlement Conference, we will be taking all efforts to have your Canadian Passport and Ontario's Drivers Licence taken away.

Thank you,

David Sorbara, R.A., LL.B.
Barrister & Solicitor



ONTARIO

Superior Court of Justice
 (Name of court)
 at 7755 Hurontario Street, Brampton ON L6W 4T6
 Court office address

Court File Number
 FS-20-000099021-000

Form 13B: Net Family Property Statement

Applicant(s)

<i>Full legal name & address for service - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i> HANIN AHMED BABI 5106 Fairwind Drive Mississauga, Ontario L5R 2N8, haninbabbi3@gmail.com	<i>Lawyer's name & address - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i> David Pomer Pomer & Boccia Professional Corporation 212 - 4000 Steeles Ave. W. Woodbridge, ON L4L 4V9 Tel: (416) 213-7450 ext. 2301 Fax: (905) 850-8086 david.pomer@pomerandboccia.com
--	--

Respondent(s)

<i>Full legal name & address for service - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i> MOHAMMED JAMAL ANWAR CHAYKHOUNI Villa #D86 Wadi Al-Safa - 64 5 Dubai, U.A.E., ceo@almarsat.com	<i>Lawyer's name & address - street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i> Self-Represented
--	--

My name is (full legal name) **HANIN AHMED BABI**

The valuation date for the following material is (date) **15 Aug 2019**

The date of marriage is (date) **21 Dec 1995**

This is Exhibit C referred to in the affidavit of Plaintiff Signer(s) sworn before me, this 15 day of July 2021.

A COMMISSIONER FOR TAKING AFFIDAVITS

(Complete the tables by filling in the columns for both parties, showing your assets, debts, etc. and those of your spouse)

Table 1: Value Of Assets Owned on Valuation Date (List in the order of the categories in the financial statement)

PART 4(a): LAND			
Nature & Type of Ownership (State percentage interest)	Address of Property	Applicant	Respondent
Matrimonial Home: 50% interest	5106 Fairwind Dr. Mississauga (1/2 of \$950,000.00)	\$475,000.00	\$475,000.00
Palm Jumeirah, Apt 509, Dubai (purchased with inherited funds)	Sold July 29, 2021 for 1,310,000 AED converted @ .36 - \$471,600 Bought 2002		\$47,100.00
JBR Rimel 5 Apt. 205, Dubai (purchased with inherited funds)	Sold August 4, 2020 for 1,700,000 AED converted @36 - \$612,000 Bought property 2001 Father died		\$1,620,000.00
15. Totals: Value of Land		\$475,000.00	\$2,142,100.00

PART 4(b): GENERAL HOUSEHOLD ITEMS AND VEHICLES

Item	Description	Applicant	Respondent
Car	Leased - 2019 Jeep Cherokee		
	2010 Infinity	\$11,000.00	
	2016 Nissan Pathfinder (est.)		\$8,000.00

Household items		TBD	\$3,000.00
Jewellery & special items		\$15,000.00	TBD
16. Totals: Value of General Household Items and Vehicles		\$26,000.00	\$11,000.00

PART 4(c): BANK ACCOUNTS AND SAVINGS, SECURITIES AND PENSIONS				
Category (Savings, Checking, GIC, RRSP, Pensions, etc.)	Institution	Account Number	Applicant	Respondent
Chequing (Sole)	CIBC - Hurontario & City Centre Drive		\$1,000.00	
Joint	TD (1/2 of \$17,164.00 at Vdate. Husband took all the money and closed accounts in March, 2021)		\$8,582.00	
Sole	EMNBD Bank Account (Dubai) DOS: estimate - need 2014 stmt TODAY at November 27, 2022- 40,519.91 AED @36	****2601		\$166,576.00
All inclusive	TD joint account DOS: estimate - need 2014 \$18,000/2 TODAY: Closed	***5096		\$9,000.00
Sole	TD Chequing Account (opened April 2020) TODAY at June 26, 2023	****7027		\$7,984.45
Chequing	TD Sole US Account (opened April 2021) TODAY \$3.10 at June 26, 2023	***2623		Unknown
RESP	TD Sole RESP Account (for child's education) TODAY \$1,074.76 @ November 28, 2022	***4059		Unknown
TFSA	TD Joint TFSA Account (opened post-separation) TODAY \$4,886.94/2 at June 26, 2023	***8976		\$30,000.00
TFSA	TD Joint TFSA Account (opened post separation) TODAY: Closed Hanin withdraws \$58,000 of his account in 2020 - adjustment needed	***4090		\$58,000.00
Sole	HSBC Account (for daughter's education)	***0050		Unkown

Sole	HSBC Premier Account (other HSBC accounts held in trust for family member's investments so not included) DOS opened after separation TODAY Closed	***4272		\$747,800.00
	EMNBD 520,144.47 AED currency currently converted to Canada			\$193,510.37
	17. Totals: Value of Accounts And Savings	\$9,582.00	\$1,212,870.82	

PART 4(d): LIFE AND DISABILITY INSURANCE

Company, type & Policy No.	Owner	Beneficiary	Face Amount (\$)	Applicant	Respondent
Live insurance through work	Hanin Babi	children			
18. Totals: Cash Surrender Value Of Insurance Policies			\$0.00	\$0.00	

PART 4(e): BUSINESS INTERESTS

Name of Firm or Company	Interests	Applicant	Respondent
NIL			
19. Totals: Value Of Business Interests		\$0.00	\$0.00

PART 4(f): MONEY OWED TO YOU

Details	Applicant	Respondent
NIL		
20. Totals: Money Owed To You	\$0.00	\$0.00

PART 4(g): OTHER PROPERTY

Category	Details	Applicant	Respondent
NIL			
21. Totals: Value Of Other Property	\$0.00	\$0.00	

22. VALUE OF PROPERTY OWNED ON THE VALUATION DATE, (TOTAL 1) <i>(Add: items [15] to [21])</i>	\$510,582.00	\$3,365,970.82
---	---------------------	-----------------------

Table 2: Value Of Debts and Liabilities on Valuation Date (List in the order of the categories in the financial statement)

PART 5: DEBTS AND OTHER LIABILITIES

Category	Details	Applicant	Respondent
Matrimonial Home: Mortgage - 50% interest	CIBC (1/2 of \$600,000.00)	\$300,000.00	
Car Loan	Chrysler Financing (purchased in 12018)		
23. Totals: Debts And Other Liabilities, (TOTAL 2)	\$300,000.00	\$0.00	

Table 3: Net value on date of marriage of property (other than a matrimonial home) after deducting debts or other liabilities on date of marriage (other than those relating directly to the purchase or significant improvement of a matrimonial home)

PART 6: PROPERTY, DEBTS AND OTHER LIABILITIES ON DATE OF MARRIAGE

Category and Details	Applicant	Respondent
Land (exclude matrimonial home owned on the date of marriage, unless sold before date of separation).		
General household items and vehicles		
Bank accounts and savings		
Life and disability insurance		
Business interests		
Money owed to you		
Other property		
3(a) TOTAL OF PROPERTY ITEMS	\$0.00	\$0.00
Debts and other liabilities		
3(b) TOTAL OF DEBT ITEMS	\$0.00	\$0.00
24. NET VALUE OF PROPERTY OWNED ON DATE OF MARRIAGE, (NET TOTAL 3)	\$0.00	\$0.00

Table 4: PART 7: VALUE OF PROPERTY EXCLUDED UNDER SUBS. 4(2) OF "FAMILY LAW ACT"

Item	Applicant	Respondent
26. TOTALS: VALUE OF EXCLUDED PROPERTY, (TOTAL 4)	\$0.00	\$0.00

TOTAL 2: Debts and Other Liabilities (item 23)	\$300,000.00	\$0.00
TOTAL 3: Value of Property Owned on the Date of Marriage (item 24)	\$0.00	\$0.00
TOTAL 4: Value of Excluded Property (item 26)	\$0.00	\$0.00
TOTAL 5: (TOTAL 2 + TOTAL 3 + TOTAL 4)	\$300,000.00	\$0.00

	Applicant	Respondent
TOTAL 1: Value of Property Owned on Valuation Date (item 22)	\$510,582.00	\$3,365,970.82
TOTAL 5: (from above)	\$300,000.00	\$0.00
TOTAL 6: NET FAMILY PROPERTY (Subtract: TOTAL 1 minus TOTAL 5)	\$210,582.00	\$3,365,970.82

EQUALIZATION PAYMENTS

Applicant Pays Respondent	Respondent Pays Applicant
\$0.00	\$1,577,694.41

Date of Signature

Signature of HANIN AHMED BABI

COURT FILE NO.: FS-20-00000132-0000
DATE: 2022 03 31

SUPERIOR COURT OF JUSTICE - ONTARIO

RE: HANIN AHMED BABI, Applicant

AND:

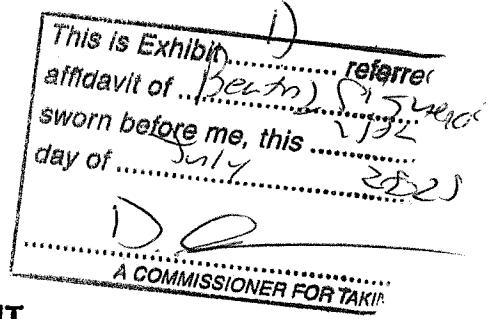
ANWAR CHAYKHOUNI, Respondent

BEFORE: Barnes J.

COUNSEL: David Pomer, for the Applicant

Hina Farooqi, for the Respondent

HEARD: In Chambers



COSTS ENDORSEMENT

Introduction

[1] The Applicant was completely successful in her motion. The Respondent did not attend. He filed material in support for the motion. I conclude that it is reasonable and proportionate for the Respondent to pay costs in the amount of \$5,000.00 including disbursements payable in 60 days. Pre and post judgment interest is set at 2% per annum.

[2] I have carefully considered the material filed, however, only refer to portions of the materials as necessary to provide context for and explain the conclusions I have reached.

Overview

[3] The Applicant's primary complaint was that the Respondent failed to provide financial disclosure to enable an accurate determination of the child support payable. The Respondent did not attend, and no one appeared on his behalf. In materials filed on costs, the Respondent explained that his failure to attend was due to a mix up over the zoom virtual link for the hearing.

[4] In material filed for the motion, the Respondent took the position that the Applicant's request for disclosure is unwarranted because sufficient financial disclosure has been provided; there remains outstanding disclosure from the Applicant, the Respondent has experienced a significant drop in income and the couple's eldest daughter is no longer a child of the marriage requiring child support, however, in his written submissions on costs he concedes that the Applicant was the successful party.

Analysis

[5] All reference to Rules is a reference to the Ontario Family Law Rules. The purpose of family cost rules are to: (1) to partially indemnify successful litigants; (2) to encourage settlement; (3) sanction inappropriate behaviour by litigants; and (4) ensure that cases are dealt with justly: *Mattina v Mattina*, 2018 ONCA 867, at para. 10.

[6] The Applicant is the successful party, and unless she has engaged in unreasonable behavior, she is entitled to recover her costs: Rule 24(1)(4). There

is no basis to conclude that she has engaged in unreasonable behavior. The Applicant is entitled to costs for the motion. She seeks full recovery of her costs of \$7125 and \$926.00 in disbursements.

[7] According to the Applicant, the Respondent's conduct is unreasonable and necessitated the need to bring the motion. He has failed to provide adequate financial disclosure and failed to honour child support payments. This unreasonable conduct has hindered the ability to assess the table child support payment amount.

[8] The Respondent submits that his conduct has always been settlement focused and reasonable. The Applicant has rebuffed his efforts to settle. In addition, any difficulties in the receipt of child support has been due to the Family Responsibility Office's inability to process his payments.

[9] Despite the Respondent's absence, it is reasonable to infer from the results at the motion, that the Respondent failed to provide adequate financial disclosure and thus sought to thwart efforts to accurately determine his income for the purpose of calculating child support. This conduct is unreasonable, it is the type of conduct a cost award is intended to sanction: Rule 24(5) and Martina supra.

[10] The Respondent submits that the costs the Applicant seeks is excessive. It is apparent, from the Applicant's cost submission that she had an opportunity to address each item of complaint the Respondent advanced in support of his

position that the costs sought are excessive, but the Applicant elected not to do so. In addition, an assessment of the appropriate cost award does not involve an unqualified acceptance of the mathematical computation of costs submitted by counsel: *Zesta Engineering Ltd. v. Cloutier*, [2002] O.J. No. 4495 (C.A.); and *Beaver v. Hill*, [2018] O.J. No. 5412 (C.A.)

Conclusion

[11] The issues were not complex and are of importance to the parties. Considering the issues, the items billed, the experience of the Applicant's counsel, the hours expended, the fees charged, and all the circumstances and factors previously discussed, it is reasonable and proportionate to award the Applicant costs of \$5,000.00 payable in 60 days. Post judgment interest is set at 2% per annum.



Barnes J.

Date: March 31, 2022

COURT FILE NO.: FS-20-00000132-0000
DATE: 2022 03 31

**SUPERIOR COURT OF JUSTICE -
ONTARIO**

RE: HANIN AHMED BABI
Applicant

AND:

ANWAR CHAYKHOUNI

Respondent

COUNSEL: David Pomer, for the Applicant

Hina Farooqi, for the Respondent

COSTS ENDORSEMENT

Barnes J.

Date: March 31, 2022



ONTARIO

Superior Court of Justice

(Name of Court)

at 7755 Hurontario Street, Brampton ON L6W 4T6
(Court Office Address)

Court File Number

FS-20-000099021-000

Form 25: Order (general)

 Temporary
Final

Applicant(s)

Full legal name & address for service: street, number, municipality, postal code telephone & fax numbers & e-mail address (if any).

HANIN AHMED BABI
5106 Fairwind Drive
Mississauga, Ontario
L5R 2N8,
haninbabi3@gmail.com

Lawyer's name & address: street, number, municipality, postal code, telephone & fax numbers & e-mail address (if any).

David Pomer
Pomer & Boccia Professional Corporation
212 - 4000 Steeles Ave. W.
Woodbridge, ON L4L 4V9
Tel: (416) 213-7450 ext. 2301
Fax: (905) 850-8086
david.pomer@pomerandboccia.com

JUSTICE DERSTINE

Judge (Print or type name)

MAY 15 2025

Date of order

This is Exhibit E referred to in the Respondent(s)

affidavit of BENJAMIN J. S. SWORN before me, this 15 day of July 2021

A COMMISSIONER FOR TAKING AFFIDAVITS

Full legal name & address for service: street, number, municipality, postal code telephone & fax numbers & e-mail address (if any).

MOHAMMED JAMAL ANWAR
CHAYKHOUNI
Villa #D86
Marsat Safa - 64 5
Dubai, U.A.E.,
ceo@almarsat.com

Lawyer's name & address: street, number, municipality, postal code, telephone & fax numbers & e-mail address (if any).

Self Represented

 This order is made pursuant to provincial legislation only.

The court heard an application/motion made by the Applicant Hanin Babi.

The following persons were in court: the Applicant, Hanin Babi & her lawyer, David Pomer and Mohammed Jamal Chaykhouni.

The court received evidence and heard submissions on behalf of the Applicant and the Respondent/.

PURSUANT TO THE DIVORCE ACT (CANADA), THIS COURT ORDERS THAT: (if not applicable, cross out this line)**PURSUANT TO THE CHILDREN'S LAW REFORM ACT, THIS COURT ORDERS THAT:** (if not applicable, cross out this line)**PURSUANT TO THE FAMILY LAW ACT, THIS COURT ORDERS THAT:** (if not applicable, cross out this line)**THIS COURT ORDERS THAT:** (specify legislation, where applicable)

1. The Applicant, Hanin Babi, be permitted to execute all documentation needed to renew the mortgage on the property located at 5106 Fairwind Drive Mississauga with CIBC for a further 5 years without the consent or signature of the Respondent, Mohammed Jamal Anwar Chaykhouni
2. The Respondent, Mohammed Jamal Anwar Chaykhouni pay the Applicant, Hanin Babi, costs in the amount of \$ 6,011.60 payable to Pomer and Boccia Professional Corporation, In Trust, within 30 days.

May 15, 2025

Date of signature

Signature of judge or clerk of the court



ONTARIO

Superior Court of Justice

(Name of Court)

at 7755 Hurontario Street, Brampton ON L6W 4T1

Court office address

Court File Number
FS-20-000099021-000Form 14A: Affidavit
(general) dated

Applicant(s)

26-01-2025

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

HANIN AHMED BABI
 5106 Fairwind Drive
 Mississauga, Ontario, L5R, 2N8
 haninbabib3@gmail.com

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

David Pomer
 Pomer & Boccia Professional Corporation
 4000 Steels Avenue West Suite 212
 Woodbridge, Ontario L4L 4V9
 (416) 213 - 7450 (905) 850 - 8086
 david.pomer@pomerandboccia.com

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

MOHAMMED JAMAL ANWAR CHAYKHOUNI
 RCH building next to Alhoda Tower, ALKHAN street
 APPARTMENT 706 SHARJAH, UAE
 ceo@almarsat.com

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Self Represented

REDACTED EXHIBIT
 affidavit of *RJ* referred to in the
 sworn before me, this *20* day of *July*,
2023

D *E*
 A COMMISSIONER FOR TAKING AFFIDAVITS

My name is (full legal name) MOHAMMED JAMAL ANWAR CHAYKHOUNI

I live in (municipality & province) RCH ALKHAN APPARTMENT 706, SHARJAH, UAE (never lived in Ontario Canada)

and I swear/affirm that the following is true:

Set out the statements of fact in consecutively numbered paragraphs. Where possible, each numbered paragraph should consist of one complete sentence and be limited to a particular statement of fact. If you learned a fact from someone else, you must give that person's name and state that you believe that fact to be true.

1- I am the Respondent in this matter and I make this Affidavit in response to the Conference Settlement dated 03 Feb, 2025.

2- I confirm that the last Financial Statement filled and served on 23 Oct. 2023 (TAB 1) has minor changes as follows:

- A- My Debts has increased **\$21,768.92**, such increase is subject of "Jamal Family Law Professional Corporation" retainer, as it evidenced in the attached invoice No. 995. (TAB 2).
- B- Attached is my VISA debit card showing the last two transactions. (TAB 3).
- C- Attached is my bank account balance that shows the balance as it's AED 7,478.39(less than C\$ 3000 helped from brother) after the above-mentioned transactions.

Put a line through any blank space left on this page.

Sworn/Affirmed remotely in accordance with Ontario Regulation 431/20 under the commissioners for taking Affidavits Act

By: Mohammed Jamal Anwar Chaykhouni

in Mississauga, Ontario

province, state, or country

on January 27, 2025

Date

Christina Ajodhia

In accordance with O. Reg 431/20 by video conference and secured file sharing.

The affiant(s) were located in

Sharjah, U.A.E.

while the Notary was located in Mississauga, Ontario

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)Christina Ajodhia
Kingsbridge Law401-30 Eglinton Avenue West
Mississauga, ON L5R 3E7
289-729-0220 notary@klawfirm.ca
LSO #737721

Signature

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

TAB 1

Superior Court of Justice

ONTARIO

Court File Number
FS-20-99021-00

at **7755 Hurontario Street, Suite 100, Brampton, ON L6W 4T6**

(Court office address)

2014 DATE OF SEPARATION

**Form 13.1: Financial Statement (Property and Support Claims)
sworn/affirmed
October 23, 2023**

Applicant(s)

Full legal name **Hanin Ahmed Babl**
 Address **5106 Fairwind Drive**
 Phone & fax
 Email **Mississauga, Ontario L5R 2N8**

Applicant(s) Lawyer

Name **David Pomer**
 Address **Pomer & Boccia Professional Corporation**
 Phone & fax **4000 Steeles Avenue West**
 Email **Suite 212**
Woodbridge, Ontario L4L 4V9
Tel: 416.213.7450 x. 2306
Fax: 905.850.8086
david.pomer@pomerandboccia.com

Respondent(s)

Full legal name **Jamal Chaykhouni**
 Address **c/o counsel**
 Phone & fax
 Email

Respondent(s) Lawyer

Name **Fadwa Yehia**
 Address **Jamal Family Law Professional Corporation**
 Phone & fax **2030 Bristol Circle**
 Email **Suite 217**
Oakville, Ontario L6H 0H2
Tel: 905.901.3746
Fax: 905.901.3743
fyequia@jamalfamilylaw.com

This form is filed by:

applicant respondent

INSTRUCTIONS**1. USE THIS FORM IF:**

- you are making or responding to a claim for property or exclusive possession of the matrimonial home and its contents; or
- you are making or responding to a claim for property or exclusive possession of the matrimonial home and its contents together with other claims for relief.

2. USE FORM 13 INSTEAD OF THIS FORM IF:

- you are making or responding to a claim for support but NOT making or responding to a claim for property or exclusive possession of the matrimonial home and its contents.
- 3. If you have income that is not shown in Part I of the financial statement (for example, partnership income, dividends, rental income, capital gains or RRSP income), you must also complete Schedule A.
- 4. If you or the other party has sought a contribution towards special or extraordinary expenses for the child(ren), you must also complete Schedule B.

NOTE: You must fully and truthfully complete this financial statement, including any applicable schedules. You must also provide the other party with documents relating to support and property and a Certificate of Financial Disclosure (Form 13A) as required by Rule 13 of the Family Law Rules.

1. My name is (full legal name)**Mohamed Jamal Chaykhouni**

I live in (municipality & province) SHARJAH, United Arab Emirates

and I swear/affirm that the following is true:

PART I: INCOME

2. I am currently

employed by (name and address of employer)

self-employed, carrying on business under the name of (name and address of business)

unemployed since (date when last employed)

January, 2023

3. I attach proof of my year-to-date income from all sources, including my most recent (attach all that are applicable):

pay cheque stub social assistance stub pension stub workers' compensation stub

employment insurance stub and last Record of Employment

statement of income and expenses/ professional activities (for self-employed individuals)

other (e.g. a letter from your employer confirming all income received to date this year)

4. Last year, my gross income from all sources was \$ 0.00 (do not subtract any taxes that have been deducted from this income).

5. I am attaching all of the following required documents to this financial statement as proof of my income over the past three years, if they have not already been provided:

- a copy of my personal income tax returns for each of the past three taxation years, including any materials that were filed with the returns. (Income tax returns must be served but should NOT be filed in the continuing record, unless they are filed with a motion to restrain a driver's license suspension.)
- a copy of my notices of assessment and any notices of reassessment for each of the past three taxation years;
- where my notices of assessment and reassessment are unavailable for any of the past three taxation years or where I have not filed a return for any of the past three taxation years, an Income and Deductions printout from the Canada Revenue Agency for each of those years, whether or not I filed an income tax return.

Note: An Income and Deductions printout is available from Canada Revenue Agency. Please call customer service at 1-800-959-8281.

OR

I am an Indian within the meaning of the Indian Act (Canada) and I have chosen not to file income tax returns for the past three years. I am attaching the following proof of income for the last three years (list documents you have provided):

(In this table you must show all of the income that you are currently receiving whether taxable or not.)

Income Source	Amount Received/Month
1. Employment income (before deductions)	
2. Commissions, tips and bonuses	

3. Self-employment income (Monthly amount before expenses: \$)	
4. Employment Insurance benefits	
5. Workers' compensation benefits	
6. Social assistance income (including ODSP payments)	
7. Interest and investment income	
8. Pension income (including CPP and OAS)	
9. Spousal support received from a former spouse/partner	
10. Child Tax Benefits or Tax Rebates (e.g. GST)	
11. Other sources of income (e.g. RRSP withdrawals, capital gains) (*attach Schedule A and divide annual amount by 12)	
12. Total monthly income from all sources:	\$0.00
13. Total monthly income X 12 = Total annual income:	\$0.00

14. Other Benefits

Provide details of any non-cash benefits that your employer provides to you or are paid for by your business such as medical insurance coverage, the use of a company car, or room and board.

PART 2: EXPENSES

EXPENSE	Monthly Amount
Automatic Deductions	
CPP contributions	
EI premiums	
Income taxes	
Employee pension contributions	
Union dues	
SUBTOTAL	\$0.00
Housing	
Rent or mortgage – rent commencing July, 2023 - \$8,000/annum, previously was \$35,000/annum	\$900.67
Property taxes	
Property insurance	
Condominium fees	
Repairs and maintenance	
SUBTOTAL	\$900.67
Utilities	
Water	\$400.00
Heat	
Electricity	\$400.00
Telephone	
Cell phone	\$150.00
Cable	
Internet	\$100.00
	SUBTOTAL
	\$1,050.00
Household Expenses	
Groceries	\$900.00
Household supplies	\$200.00
Meals outside the home	
Pet care	
Laundry and Dry Cleaning	
	SUBTOTAL
	\$1,100.00
Childcare Costs	
Daycare expense	
Babysitting costs	
	SUBTOTAL
	\$0.00
Transportation	
Public transit, taxis	\$100.00
Gas and oil	\$200.00

Car Insurance and license	\$150.00	Gifts	\$50.00	
Repairs and maintenance	\$100.00			
Parking	\$50.00			
Car Loan or Lease Payments				
	SUBTOTAL	\$1,100.00	SUBTOTAL	\$350.00
Health		Other expenses		
Health insurance premiums - \$24,000 annum	\$2,500.00	Life insurance premiums		
Dental expenses	\$200.00	RRSP/RESP withdrawals		
Medicine and drugs	\$300.00	Vacations		
Eye care	\$200.00	School fees and supplies		
	SUBTOTAL	\$3,200.00	Clothing for children	
Personal		Children's activities		
Clothing	\$100.00	Summer camp expenses		
Hair care and beauty		Debt payments		
Alcohol and tobacco		Support paid for other children		
Education (specify)		Other expenses not shown above (specify)		
Entertainment/recreation (including children)			SUBTOTAL	\$0.00
			Total Amount of Monthly Expenses	\$7,700.67
			Total Amount of Yearly Expenses	\$92,408.04

PART 3: OTHER INCOME EARNERS IN THE HOME

Complete this part only if you are making or responding to a claim for undue hardship or spousal support. Check and complete all sections that apply to your circumstances.

1. I live alone.
2. I am living with (full legal name of person you are married to or cohabiting with)
My mother, Salwa Nayal
3. We live with the following other adult(s): _____
4. We have (give number) _____ of child(ren) who live(s) in the home.
5. My spouse/partner works at (place of work or business)

 does not work outside the home.
6. My spouse/partner earns (give amount) \$ _____ per _____

 does not earn any income.
7. My spouse/partner or other adult residing in the home contributes about \$ _____ per _____ towards the household expenses.

PART 4: ASSETS IN AND OUT OF ONTARIO

If any sections of Parts 4 to 9 do not apply, do not leave blank, print "NONE" in the section.

The date of marriage is: (give date) December 21, 1995

The valuation date is: (give date) July 25, 2014

The date of commencement of cohabitation is (if different from date of marriage): (give date)

PART 4(a): LAND

Include any interest in land owned on the dates in each of the columns below, including household interests and mortgages. Show estimated market value of your interest, but do not deduct encumbrances or costs of disposition; these encumbrances and costs should be shown under Part 5 "Debts and Other Liabilities".

Nature & Type of Ownership (Give your percentage interest where relevant.)	Address of Property	Estimated Market value of YOUR interest		
		on date of marriage	on valuation date	today
Investment Home – 50%	5106 Fairwind Drive, Mississauga DOS: \$1,400,000 / 2 est. TODAY: \$1,800,000 / 2 est.	n/a	\$700,000.00	\$900,000.00
Palm Jumeirah, Apt 509, Dubai (purchased with inherited funds)	Sold July 29, 2021 for 1,310,000 AED converted @ .36 - \$471,600		TBD	Nil
JBR, Rimal 5, Apt 205, Dubai (purchased with inherited funds)	Sold August 4, 2020 for 1,700,000 AED converted @ .36 - \$612,000		TBD	Nil
15. TOTAL VALUE OF LAND		\$0.00	\$700,000.00	\$900,000.00

PART 4(b): GENERAL HOUSEHOLD ITEMS AND VEHICLES

Show estimated market value, not the cost of replacement for these items owned on the dates in each of the columns below. Do not deduct encumbrances or costs of disposition; these encumbrances and costs should be shown under Part 5 "Debts and Other Liabilities".

Item	Description	Indicate if NOT in your possession	Estimated Market value of YOUR interest		
			on date of marriage	on valuation date	today
Household goods & furniture	At matrimonial home with applicant – est. \$3,000	x		2000	
Cars, boats, vehicles	Lexus 2009				2000
Jewellery, art, electronics, tools.					0
Other special items					

16. TOTAL VALUE OF GENERAL HOUSEHOLD ITEMS AND VEHICLES	\$0.00	\$2,000.00	\$2,000.00
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PART 4(c): BANK ACCOUNTS, SAVINGS, SECURITIES AND PENSIONS

Show the items owned on the dates in each of the columns below by category, for example, cash, accounts in financial institutions, pensions, registered retirement or other savings plans, deposit receipts, any other savings, bonds, warrants, options, notes and other securities. Give your best estimate of the market value of the securities if the items were to be sold on the open market.

Category	INSTITUTION (including location)/ DESCRIPTION (including issuer and date)	Account number	Amount / Estimated Market Value		
			on date of marriage	on valuation date	today
Sole	EMNBD Bank Account (Dubai) DOS: estimate need 2014 stmt. TODAY: at November 27, 2022 - 40,519.91 AED @ .35	***2601	n/a	\$28,000.00	\$9,000
All Inclusive	TD Joint Account DOS: estimate need 2014 stmt. \$16,000 / 2 TODAY: Closed	***5096	n/a	\$9,000.00	N/A
Sole	TD Chequing Account (opened April 2020) TODAY: at June 26, 2023	***7027	n/a	n/a	\$N/A
Chequing	TD Sole US Account (opened April 2021) TODAY: -\$3.10 at June 26, 2023	***2623	n/a	n/a	(\$3.10)
RESP	TD Sole RESP Account (for child's education) TODAY: \$1,074.76 @ November 28, 2022	***4059	n/a	n/a	n/a
TFSA	TD Joint TFSA Account (opened post-separation) TODAY: \$4,886.94 / 2 at June 26, 2023	***8976	n/a	n/a	\$2,443.47
TFSA	TD Joint TFSA Account (opened post-separation) TODAY: Closed Hainin withdrew \$58,000 of this account in 2020 – adjustment needed	***4090	n/a	n/a	N/A
Sole	HSBC Account (for daughter's education)	**0050	n/a	n/a	Closed
Sole	HSBC Premier Account (other HSBC accounts held in trust for family member's investments so not included) DOS: opened after separation TODAY: Closed	***4272	n/a	n/a	N/A

17. TOTAL VALUE OF ACCOUNTS, SAVINGS, SECURITIES AND PENSIONS	\$0.00	\$37,000.00	\$11,446.57
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PART 4(d): LIFE & DISABILITY INSURANCE

List all policies in existence on the dates in each of the columns below.

Company, Type & Policy No.	Owner	Beneficiary	Face Amount	Cash Surrender Value		
				on date of marriage	on valuation date	today

18. TOTAL CASH SURRENDER VALUE OF INSURANCE POLICIES	\$0.00	\$0.00	\$0.00
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PART 4(e): BUSINESS INTERESTS

Show any interest in an unincorporated business owned on the dates in each of the columns below. An interest in an incorporated business may be shown here or under "BANK ACCOUNTS, SAVINGS, SECURITIES AND PENSIONS" in Part 4 (c). Give your best estimate of market value of your interest.

Name of Firm or Company	Interest	Estimated Market value of YOUR interest		
		on date of marriage	on valuation date	today
Almarsat Project Development	Sole Proprietor DOS: estimate TODAY: Nil – estimated \$5,000 business debt	n/a	\$20,000.00	(\$0,000.00)
Business bank account	EMNBD Business Bank Account (Dubai)***2301 DOS: 83,390.75 AED @ July 31, 2014 @ .36 TODAY: closed		\$2,999.07	Nil
19. TOTAL VALUE OF BUSINESS INTERESTS		\$0.00	\$22,999.07	(\$0,000.00)

PART 4(f): MONEY OWED TO YOU

Give details of all money that other persons owe to you on the dates in each of the columns below, whether because of business or from personal dealings. Include any court judgments in your favour, any estate money and any income tax refunds owed to you.

Details	Amount Owed to You		
	on date of marriage	on valuation date	today
20. TOTAL OF MONEY OWED TO YOU	\$0.00	\$0.00	\$0.00

PART 4(g): OTHER PROPERTY

Show other property or assets owned on the dates in each of the columns below. Include property of any kind not listed above. Give your best estimate of market value.

Category	Details	Estimated Market Value of YOUR interest		
		on date of marriage	on valuation date	today
21. TOTAL OF OTHER PROPERTY		\$0.00	\$0.00	\$0.00

22. VALUE OF ALL PROPERTY OWNED ON THE VALUATION DATE <i>(Add items [15] to [21].)</i>	\$0.00	\$524,999.07	\$926,011.99
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PART 5: DEBTS AND OTHER LIABILITIES

Show your debts and other liabilities on the dates in each of the columns below. List them by category such as mortgages, charges, liens, notes, credit cards, and accounts payable. Don't forget to include:

- any money owed to the Canada Revenue Agency;
- contingent liabilities such as guarantees or warranties given by you (but indicate that they are contingent); and
- any unpaid legal or professional bills as result of this case.

Category	Details	Amount owing		
		on date of marriage	on valuation date	today
Matrimonial Home – 50%	CIBC Joint Mortgage Account DOS: \$660,000 / 2 (est.) TODAY: \$533,620 / 2 at November, 2022	n/a	\$330,000.00	\$266,810.00
Line of Credit	TD Account ***8265 DOS: opened post-separation TODAY: Nil	n/a	n/a	Nil
Credit Card	TD Sole Visa Account ***3297 DOS: opened post-separation TODAY: at November 18, 2022	n/a	n/a	(\$19.69)
Credit Card	TD Joint Credit Card Account ***9948 DOS: opened post-separation TODAY: closed	n/a	n/a	Nil
Credit Card	Emirates Sole Credit Card Account ***9160 DOS: no 2014 stmt – balance paid off monthly TODAY: CLOSED	n/a	TBD	Nil
Costs of disposition	On matrimonial home Commission at 5% plus HST (\$50,850) plus legal fees incl. HST (\$1,695) = \$52,545 / 2		\$26,272.50	\$26,272.50
23. TOTAL OF DEBTS AND OTHER LIABILITIES		\$0.00	\$356,272.50	\$293,102.19

PART 6: PROPERTY, DEBTS AND OTHER LIABILITIES ON DATE OF MARRIAGE

Show by category the value of your property, debts and other liabilities, calculated as of the date of your marriage. (In this part, do not include the value of a matrimonial home or debts or other liabilities directly related to its purchase or significant improvement, if you and your spouse ordinarily occupied this property as your family residence at the time of separation.)

Category and details	Value on date of marriage	
	Assets	Liabilities
Land		\$0.00
General household items & vehicles		\$0.00
Bank accounts, savings, securities, pensions		\$0.00

Life & disability insurance		\$0.00
Business interests		\$0.00
Money owed to you		\$0.00
Other property (Specify.)		\$0.00
Date of marriage assets (affidavite)	\$165,000.00	
Debts and other liabilities (Specify.)		\$0.00
TOTALS	\$165,000.00	\$0.00
24. NET VALUE OF PROPERTY OWNED ON DATE OF MARRIAGE <i>(From the total of the "Assets" column, subtract the total of the "Liabilities" column.)</i>	\$165,000.00	
25. VALUE OF ALL DEDUCTIONS (Add items [23] and [24].)	\$521,272.50	

PART 7: EXCLUDED PROPERTY

Show by category the value of property owned on the valuation date that is excluded from the definition of "net family property" (such as gifts or inheritances received after marriage).

Category	Details	Value on valuation date
Gift or inheritance from third person		TBD
Income from property expressly excluded by donor/testator	UAE properties purchased with funds inherited from father	
Damages and settlements for personal injuries, etc.		
Life insurance proceeds		
Traced property		
Excluded property by spousal agreement		
Other Excluded Property		
26. TOTAL VALUE OF EXCLUDED PROPERTY		\$0.00

PART 8: DISPOSED-OF PROPERTY

Show by category the value of all property that you disposed of during the two years immediately preceding the making of this statement, or during the marriage, whichever period is shorter.

Category	Details	Value
27. TOTAL VALUE OF DISPOSED-OF PROPERTY		\$0.00

PART 9: CALCULATION OF NET FAMILY PROPERTY

	Deductions	BALANCE
Value of all property owned on valuation date (from item [22] above)		\$524,999.07
Subtract value of all deductions (from item [25] above)	\$521,272.50	\$3,726.57
Subtract total value of all excluded property (from item [26] above)	\$0.00	\$3,726.57
Subtract financial liability as the insolvency report (TAB 12 of the affidavit dated 23-10-2023) 4,935,000AED	(\$1,841,251.23)	
28. NET FAMILY PROPERTY		-(\$1,837,524.66)

NOTE: This financial statement must be updated before any court event if it is:

- * more than 60 days old by the time of the case conference;
- * more than 30 days old by the time of the motion is heard, or

- more than 40 days old by the start of the trial or the start of the trial sitting, whichever comes first.

You may update this financial statement by either completing and filing

- a new financial statement with updated information, or
- an affidavit in Form 14A setting out the details of any minor changes or confirming that the information contained in this statement remains correct.

Sworn/Affirmed before me at

Sworn/Affirmed remotely in
accordance with Ontario regulation 431/20 under the
Commissioners for Taking Affidavits Act at

Mississauga

(municipality)

In ONTARIO

on October 23, 2023

(province, state or country)

(date)

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form to be signed in front of a lawyer,
justice of the peace, notary public or
commissioner for taking affidavits.)

Christine Ajochia
Kingsbridge Law
401-30 Eglinton Avenue West
Mississauga, ON L5R 3E7
289-729-0220 notary@klawfirm.ca
LSO #73772

In accordance with O. Reg 431/20 by
video conference and secured file sharing.
The affiant(s) were located in

U.N.E. SHAREFAH

while the Notary was located in
Mississauga, Ontario

FINANCIAL STATEMENT SUMMARY PAGE

BUDGET

Income

	Monthly
Income From All Sources	\$0.00
Other Benefits	+
Total Monthly Income and Benefits	\$0.00

Expenses

	Actual	Proposed
Automatic Deductions	\$0.00	
Housing	\$900.67	
Utilities	\$1,050.00	
Household	\$1100.00	
Childcare Costs	\$0.00	
Transportation	\$350.00	
Health	\$3,200.00	
Personal	\$0.00	
Other	\$0.00	
Total Expenses	\$6,600.67	

Monthly Surplus / (Deficit) (\$6,600.67)

NET FAMILY PROPERTY

Assets

	Valuation Date
Land	\$450,000.00
General Household Items and Vehicles	[15] \$15,000.00
Bank Accounts, Savings, Securities and Pensions	[16] \$37,000.00
Life and Disability Insurance	[17] \$0.00
Business Interests	[18] \$22,999.07
Money Owed to You	[19] \$0.00
Other Property	[20] \$0.00
Total Assets [22]	\$524,999.07

Deductions

Debts and Other Liabilities on Valuation Date	[23] \$356,272.50
Net Value of Property Owned on Date of Marriage	[24] \$165,000.00
Total Deductions [25]	\$521,272.50

Exclusions

Excluded Property owned on Valuation Date	[26] \$0.00
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Net Family Property (Assets minus Deductions minus Exclusions)	Loss <u>-(\$1,837,524.66)</u>

Notes:

Christina Ajodhia
Kingbridge Law
401-30 Eglinton Avenue West
Mississauga, ON L5R 3E7
269-729-0220 notary@klawfirm.ca
LSO #737721

ONTARIO

Superior Court of Justice

(Name of Court)

Court File Number
FS-20-000099021-000

at 7755 Hurontario Street, Brampton ON L6W 4T1
Court office address

Form 14A; Affidavit
(general) dated

Applicant(s)

24-Oct-2023

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

HANIN AHMED BABI
5106 Fairwind Drive
Mississauga, Ontario, L5R, 2N8
haninbabib3@gmail.com

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

David Pomer
Pomer & Boccia Professional Corporation
4000 Steels Avenue West Suite 212
Woodbridge, Ontario L4L 4V9
(416) 213 - 7450 (905) 850 - 6086
david.pomer@pomerandboccia.com

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

MOHAMMED JAMAL ANWAR CHAYKHOUNI
RCH building next to Alhoda Tower, ALKHAN street
APPARTMENT 706 SHARJAH, UAE
geo@almarsat.com

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Fadwa Yehia
Jamal Family Law
2030 Bristol Circle Suite 217
fyehia@jamallaw.com

My name is (full legal name) MOHAMMED JAMAL ANWAR CHAYKHOUNI

I live in (municipality & province) RCH ALKHAN APPARTMENT 706, SHARJAH, UAE (never lived in Ontario Canada)

and I swear/affirm that the following is true:

- Set out the statements of fact in consecutively numbered paragraphs. Where possible, each numbered paragraph should consist of one complete sentence and be limited to a particular statement of fact. If you learned a fact from someone else, you must give that person's name and state that you believe that fact to be true.
- 1- I am the Respondent in this matter and I make this Affidavit in response to the Applicant's request for Information dated July 19, 2023. Received July 23rd, 2023 (with 99 days duration to reply).
 - 2- **Relating to Paragraph NO.1 of the "Request for Information":**
I confirm that I have never stayed in Ontario more than 2 weeks per year/visits past 15 years, my domicile was and still in the UAE since 1986 and my business was in UAE (as stated earlier), helping as an Engineering Expert when UAE Courts requires, today I am over 60 yrs. of age (Retiring date 7June 2023).
 - 3- **Relating to paragraph No.2 of the "Request for Information":**
In addition to what I've stated in my answer to paragraph No.1, I confirm that the cancelation date of the Applicant's residency in the UAE started Sep.2014 ended in 2015 (the evidence in Applicants' Passport stamps Ref her visits to UAE ever since 2015 as a Tourist not a Resident of UAE).
 - 4- **Relating to Paragraph NO.3 of the "Request for Information":**
Income TAX "as my TD Joint account" was jointly filed till COVID, It was done for the Inconvenience of supporting our children Child support status regardless to the decision of the separation made July 2014.
 - 5- **Relating to Paragraph NO.4 of the "Request for Information":**
The valuation of the unfinished investment "5106 Fairwind Drive" worth today Min \$1.5M, this was only an investment by the Respondent (to save cost of the rental paid July-2014-June 2015) document remained with applicant, I never kept a copy), and the Applicant never paid anything related to this investment till April 2022 and I question every source of the support as of 1st April 2022 and which still not disclosed by the Applicant!

6- Relating to Paragraph NO.5 of the "Request for Information":

I confirm that the source of the money of the property (JBR) was from my father and I have served, I every possible information related to this apartment and I have submitted the POA from my father which that I was only managing his assets since 1995, I live in the UAE while Syria was economically under Sanctions. (TAB No.1) I also reaffirm that the requested appraisal is unnecessary as I have proof of the sale price property (JBR) on August 4, 2020 for AED 1,700,000 approx. CSD 500,000 after paying service fees such Is an actual price for the market and any further and additional valuation requested from the Applicant shall be done from their end since I have served all the possible documents I have related to my father's property

7- Relating to Paragraph NO.6 of the "Request for Information":

I confirm that the source of the money of the property (Palm Jumeirah) was from my father and I have served, I and filed every possible information related to this apartment and I have submitted the POA from my father which proves that I was only managing his money since I live in the UAE while Syria was economically under Sanctions. (TAB NO.1) I hereby also confirm that the appraisal is unnecessary as I have proof of the sale price of the property (Palm Jumeirah) on June 29, 2021 for AED 1,310,000 approx. CSD 400,000 after paying the fees) such price is an actual price for the market and any further and additional valuation requested from the Applicant should be done from their end since I have served all the possible documents I have related to my father's investment property.

8- Relating to Paragraph NO.7 of the "Request for Information":

I confirm that all purchased properties were given by my father (with the Applicant knowledge) transferred via phone (due to sanctions on Syria), since the laws in Syria prevented money transfer (between 1990 and 2018 in Syria to UAE. (TAB NO.2)

9. Relating to Paragraph NO.8 of the "Request for Information":

I confirm that all listed bank accounts are related to my activity with UAE courts and I'm obliged not to disclose any information related to any case that I was working on as an Expert Witness for UAE courts whether under signed NDAs or under the article 14 sub rule 3 of the Federal Decree Law No.21/2022 that states "An Expert Witness must not disclose any information related to the case". And breaching this legal obligation will make me subject to the penalty stated under article 35 "Any expert who violates any of the obligations referred to in Clauses Nos. (1), (2), (3) shall be punished with imprisonment and a fine of not less than (AED50,000) fifty thousand and not more than (AED100,000) one hundred thousand dirhams, or one of these two penalties". (TAB NO.3)

10- Relating to Paragraph NO.9 of the "Request for Information":

I confirm that I was a victim of a fraud (since I did not have the experience), a case was filed against the 3rd party dealer who is wanted to the UAE authorities because it turns out that he has history of fraud and my part was approx. CSD 1,000,000 (withdrawn from Mother-Brother HSBC Investment was only % 40.5 of the total amount) for the overall AED 7,396,725 (my share on behalf of brother/mother Trust was only % 40.5 of the total amount) for the purpose of transferring the amount into number of 49.42 Bitcoin which no longer with me. (TAB NO.4)

11- Relating to Paragraph NO.10 of the "Request for Information":

Duplicate request, same answer that stated to paragraph NO.8 above.

12- Relating to Paragraph NO.11 of the "Request for Information":

Duplicate request, same answer that stated to paragraph NO.8 above.

13- Relating to Paragraph NO.12 of the "Request for Information":

A written witness from trades bureau in UAE Bank (in Arabic Translated into English) copy provided witness & Explains how money transferred from Syria to UAE, same route Applicant mother uses to transfer \$30,000 to Dubai in 2021 prior leaving to Canada, prior Applicant's date of marriage, being December 21, 1995, I had 5 Estates worth value over \$165,000- while Applicant failed to disclose having shares in 5 Real Estate until today, applicant Dimond ring I have paid worth today \$30,000 from Jewels disclosed.

14- Relating to Paragraph NO.13 of the "Request for Information":

In addition to my answer stated to paragraph NO.9, I confirm that I was only an agent for \$1,000,000 to do on a behalf of Ms. Salwa Nayal and Mr. Ahmad Basel Chaykhouni, such investment requires to do the \$1M in HSBC Bank in Canada, then as stated in the contract attached in (TAB NO.5 and the affidavit attached), I tried to invest this money through a share in Bitcoin investment which ended as a complete loss and I have lost the whole amount without any remedies. (TAB NO.4)

15- Relating to Paragraph NO.14 of the "Request for Information":

In respect to providing proof of US\$165,000 prior date of Marriage , I confirm that we were not Canadians and we never kept in writing assets value was recorded among parents /brothers this we will be in my affidavit, it was also disclosed to applicant parents prior marriage.

16- Relating to Paragraph NO.15 of the "Request for Information":

I have already submitted as EMNBD Business account closed Dec 2021 (other proof is as per Filed Canada Revenue TAX file 2018-2022 provided). (TAB NO.6)

17- Relating to Paragraph NO.16 of the "Request for Information":

I confirm that I have served all information and statements related to TAX paid in the UAE.

18- Relating to Paragraph NO.17 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.8

19- Relating to Paragraph NO.18 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.8

20- Relating to Paragraph NO.19 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.8

21- Relating to Paragraph NO.20 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.8

22- Relating to Paragraph NO.21 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.9 - 13

23- Relating to Paragraph NO.22 of the "Request for Information":

In respect to Evaluation of personal properties financed by my father were provided earlier in paragraph 5 – 6 of the affidavit (applicant has zero rights to ask instead applicant must disclose 5 Properties shares in Syria).

24- Relating to Paragraph NO.23 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.8

25- Relating to Paragraph NO.24 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.8

26- Relating to Paragraph NO.25 of the "Request for Information":

Respondent's claim in his Answer of what the equalization of Net Family Property is to Respondent.

27- Relating to Paragraph NO.26 of the "Request for Information":

In respect to source of income Canada revenue filed was taken from Dubai Income to children (I have never worked in Canada and there was zero Income from any business returning to Revenue Canada Child support money received).

being asked for by
over Canada support to
loss in Canada but was

28- Relating to Paragraph NO.27 of the "Request for Information":

I filed 2018 income tax returns from Dubai income paying back Revenue Canada Child support (since we kept family residency for child support sake all money received by applicant).

29- Relating to Paragraph NO.28 of the "Request for Information":

In respect to 2019 Canada revenue income same reply for 2018.

30- Relating to Paragraph NO.29 of the "Request for Information":

Tax return filed with the CRA as of 2019 was the way paying back Revenue Canada children supports.
"TAX returns" is never a proof of residency, but physical existence, as I stated earlier that I have never stayed in Ontario more than 15 days per year/visits past 15 years (I truly deserves to request a refund for all the money paid to Revenue Canada since the purpose was to cover the residency of the children benefiting from Canada Schools (Applicant is liable to refund this money to Revenue Canada since she received & spent)

31- Relating to Paragraph NO.30 of the "Request for Information":

The Arbitral Divorce Award was filed & issued in Syria with a final verdict was taken through Syrian Civil Courts, such verdict was attested in the UAE (last Marriage habitual residence) and Canada Consulate in Dubai (TAB NO.7)

32- Relating to Paragraph NO.31 of the "Request for Information":

Regarding to provide reasons as to "why there was no divorce application commenced in the year 2014 and no steps taken in Ontario", I confirm that the Marriage agreement was in UAE & Syria Divorce followed same manner (Ontario was never an accepted jurisdiction for our divorce still is not since Respondent never lived in Ontario Canada).

33- Relating to Paragraph NO.32 of the "Request for Information":

Duplicate request, same Answer stated to paragraph NO.30.

34- Relating to Paragraph NO.33 of the "Request for Information":

Confirmation and explanation that the Respondent considers he has two homes (one to visit and my children in the Province of Ontario) pursuant to an email of May 4, 2021.

35- Relating to Paragraph NO.34 of the "Request for Information":

In respect to confirmation that the Respondent changed his status from "married" to "separated" in 2020, I confirm that what was earlier filed for Canada was in support of the Applicant and children (Applicant is accountable before Revenue Canada) Respondent will file "out of Canada" once home invested 5106 Fairwind Dr is liquidated and 50% received.

36- Relating to Paragraph NO.35 of the "Request for Information":

Date the Respondent came with his family in 2014 and conformation July 31st while Applicant had only a one-way air fare on Saudi Airlines she is liable to disclose (I don't keep her documents).

37- Relating to Paragraph NO.36 of the "Request for Information":

In respect to the association membership, it serves for obtaining good books I am ready to list them, with zero income zero business ready to share my library! (TAB NO.8).

38- Relating to Paragraph NO.37 of the "Request for Information":

I confirm that don't hold any professional insurance and I only have medical insurance due over 10 ten Chronic diseases reflected in my medical reports. (TAB NO.9)

39- Relating to Paragraph NO.38 of the "Request for Information":

Already given and served earlier in the financial statement dated June 26, 2023. (TAB NO.10)

40- Relating to Paragraph NO.39 of the "Request for Information":

Duplicate request, Same answer stated to paragraph NO.8

41- Applicant Marriage agreement Jurisdiction is out of Canada, I have filed a divorce against the Applicant and obtained the divorce certificate Sealed and Attested in UAE & Canada as per marriage agreement and I am entitled to receive back my investments in Ontario-Canada that the Applicant lives in it since March 2021 without paying her rent value worth \$ 2,500 per month I am eligible to receive (as I have no other income and facing insolvency).

42-Since Divorce completed as per agreement with Applicant, we have already been divorced from Syrian Sharia Courts with all the legal procedures that listed in sharia law (Islamic arbitration) and Syrian civil laws (TAB NO.7) "unfortunately my lawyers have failed to submit the reasonings" as described in 42-43 and should apply as Syrian Muslim family, and their lack of performance cost me more than \$100,000.(Tab No.11)

43-A final divorce judgement has been issued by Syrian Courts (our home birth country) and It is attested by both UAE (last joint country residence) and Canadian authorities. Changing to Ontario jurisdiction breach every precedent and laws in both Syria & UAE "every right has one claim that protects It". (Syrian supreme civil court – case No1910). Under article 3 of the Syrian Civil Procedure Code states that Syrian origin and agreements are subject to Syrian Jurisdiction whether they are living in Syria or living abroad, and as a matter of this article, This rises the matter of "res Judicata" which means that "a matter already judged".

44-The Applicant and I used to live in UAE prior to 31st July 2014, then with all good faith I managed to give my kids & her mother (the applicant) the chance to live a good life with the best education systems available for our kids, therefore our last joint residence as a married couple was in the UAE.

45-Every business got affected by COVID-19, as what mentioned earlier that I am an Expert witness at UAE courts in construction disputes, and COVID-19 got a huge impact and directly affected negatively my income for the past years till now, this made all my income (if there are any) going to Rent and other fees related to the office and registration fees for the sole proprietorship L.L.C that was someday the reason that Applicant and my kids are living a good life in Canada, this led to insolvency (TAB NO.12), even though and with all good faith, this didn't prevent me from paying child support until my kids are over 18 years even that I'm an insolvent (today I need applicant & adults kids support! Not a boycott since early 2021 caused by Applicant).

46- Relating to the Insolvency: (Tab No.12)

- In 2020, I suffered from a financial crisis and I was and still unable to pay any debt or any investor's rights.
- This led to many disputes and claims issued against me and many judicial notices have been received due to the inability to pay back any dept.
- As what I have mentioned several times that I am a subject to the UAE laws since my residency is in the UAE and my business is based in the UAE and is governed by UAE laws only.
- Under the UAE Federal Decree Law No.19 (2019) On Insolvency, article (29) Sub-rule (1) :" The Debtor's creditor or a group of creditors with an amount of not less than two hundred thousand (200,000) dirhams may apply to the Court for the opening of the Insolvency and liquidation proceedings, in accordance with the provisions of this Book, if the creditor has previously served the Debtor with a notice to pay the due debt and the Debtor has failed to pay the same during fifty (50) consecutive working days from the notice date".
- Many creditors initiated and issued claims and notices before the UAE courts relating to the inability to pay their depts that exceeded AED 3,000,000.

- Under Article (46) Sub-rule (5):* If the proceeds of the Debtor's Funds are insufficient to pay the rights of the creditors, the Court shall issue a judgment declaring the Insolvency of the Debtor and the end of the Insolvency and liquidation proceedings".
- An Expert Witness Report drafted by "EDRAJ chartered Accountants" after reviewing all my Bank Accounts which end with (2601, 2107, 5191, 2301, 8001, 0001, 5101) and evaluating my income and assets, stated the following: (as per page.17 in TAB NO.12)

"According to the foregoing and to what we have concluded, the Applicant /Mr. Mohammed Jamal Chaykhouni is of the Canadian Nationality, bearer of Passport No. AD515093, and he has worked as an investor in AlMarsat Project Development company since 21/05/2013. The Applicant was exposed to a severe financial crisis in the year 2020 due to the bankruptcy and liquidation of Meer Businessmen Services Company which was responsible for opining the investment portfolios for the Investors, the thing that led to the inability of the Applicant to settle the rights of the Investors and their profits ; consequently, they lodged a lawsuit for the Applicant's insolvency and the liquidation of his properties, and laying seizure on Almarsat Project Development Company, the thing that led to the cessation of the company's activity and the cessation of the Applicant's source of income.

The applicant is currently under insolvency and his funds and his movable and immovable properties are under liquidation, In pursuance if the provisions of article no.28 of the Federal Decree-law No.19 of the year 2019".

47- Despite of all what I've done for my family as an entity, I found out that the Applicant is having an unexplained affair with a man "called Omar Shaath since 2019" and they planned jointly to file this case, since then I was subject to threats and abuses by this unknown individual by messaging me, trespassing my residence in the UAE Oct 2021 to threaten me and my mother (kindly check the testimony of the witness "Mary Ann" regarding the trespassing),such threats made my mother panic & lose 50% of her hearing none of these evidence where presented by my past lawyers(TAB NO.13)

48-I have also discovered today that Applicant who is claiming to have the child support and the custody of my children is traveling to UAE over and over (Oct 2021 , Nov and Dec 2022) for over 40 days each trip, using money that I was sending to support my child whether through the court or on my own consent. (TAB No.14)

49-The applicant failed to disclose 5 properties in Syria and over than 30,000\$ in her UAE bank account claiming to handover the money to a charity without any proof that states even the name of the charity.

50- "Mahr" that is stipulated in our marriage contract which signed with full consent, meets all contract requirements whether in Civil Law, Common Law or Islamic Laws, and it is considered as a prenuptial agreement. See Aziz v. Aziz 127 Misc. 2d 1013 (N.Y. Sup. Ct. 1985) "the parties entered into a Mahr, a type of antenuptial agreement which required a payment of \$5,032, with \$32 advanced, and \$5,000 deferred until divorce.

51-I confirm that I am retiring, and I moved to a smaller apartment because of the insolvency and the medical situation that prevents me from traveling and taking any flights as what the Doctors highly recommended, I hereby declare my inability to attend any hearings or physical conferences because it might affect my health directly. (TAB NO.15), and I hereby ask to refund all my travel expenses which exceeded \$7,000 since I'm an insolvent, retired and suffering from a serious medical situation (My Past law firm failed to recover).

52-I hereby declare that I had my Retirement Savings in my personal Investment TD account, and I managed to transfer an amount of \$58,000 to the TD Joint Account by two stages (1st was \$30,000, 2nd was \$28,000 between 2019 and 2020) (TAB NO.16) , and I confirm that this transaction was only for building a basement in the "5106 Fairwind Drive" investment (TAB NO.17) and I request to get the amount back, plus a rate of \$1000 per month as a compensation of damages due to not even commence any work related to Building the Basement. (from 2019 till the end of the trial).

53-In case this case not closed as per past attested divorce , and since I am not able to pay to neither the lawyers in Canada nor to any further court fees I hereby request :

A-a rent of \$1,500 per month of the period between (Sep 2019 – Till today date end) since the Applicant was and still staying at my investment, failing to complete the Basement that would increase the investment value income in more than 20%.

B-I hereby request urgent sell of the "5106 Fairwind Drive" due to my insolvency issues appeared by failing to pay debts in the UAE and since all my assets, movable, immovable assets are under liquidation. (TAB NO.12)

C-I make this Affidavit for no improper purpose reserving my rights over the Jurisdictional defense over the law of our marriage & divorce agreement and based on the location of our last date of common residence July 2014 in the UAE .

Put a line through any blank space left on this page.

Sworn/Affirmed remotely in accordance with Ontario Regulation 431/20 under the commissioners for taking Affidavits Act, located in U.A.E

By: Mohamed Jamal Chaykhouni

in Mississauga, ON N4X 1R0

province, state, or country

on October 23, 2023

Date

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Christina Ajodhis
Kingsbridge Law
401-30 Eglinton Avenue West
Mississauga, ON L5R 3E7
289-729-0220 notary@klawfirm.ca
LSO #737721

In accordance with O. Reg 431/20 by
video conference and secured file sharing.
The affiant(s) were located in

U.A.E, SHARJAH

while the Notary was located in
Mississauga, Ontario

Title	Jamal Chaykhouni
File name	Jamal Chaykhouni .pdf
Document ID	455629cf9c7d460127d0cd6ebdc6cba10e8920bf
Audit trail date format	MM / DD / YYYY
Status	<input checked="" type="radio"/> Signed

Document history

 SENT	10 / 23 / 2023 19:24:18 UTC	Sent for signature to Jamal Chaykhouni (adr@almarsat.com) from christina@klawfirm.ca IP: 99.246.114.96
 VIEWED	10 / 23 / 2023 20:04:14 UTC	Viewed by Jamal Chaykhouni (adr@almarsat.com) IP: 91.75.122.221
 SIGNED	10 / 23 / 2023 20:05:42 UTC	Signed by Jamal Chaykhouni (adr@almarsat.com) IP: 91.75.122.221
 COMPLETED	10 / 23 / 2023 20:05:42 UTC	The document has been completed.

TAB 2



Jamal Family Law

Jamal Chaykhouni
D86 Living Legends Wadi Safa 3
Dubai, UAE, 357620

December 1, 2023

File #: 22014
Invoice #: 995

RE: Chaykhouni - Matrimonial

Professional Fees

Date	Description	Hours	Amount	Staff
2023-11-07	Instructions from FY, review of Caselines and file, email to court re. endorsement	0.20	\$35.00	NH
2023-11-24	Zoom meeting with Fadwa and Jamal Chaykhouni re: status, next steps (Not charged: \$508.50)	1.00	\$0.00	FJ
2023-11-24	Meeting with client (and FJ)	1.20	\$594.00	FY
		2.40	\$629.00	

Fees:	\$629.00
Disbursements:	\$0.00
HST @13%:	\$81.77
Invoice Total (including Tax):	\$710.77
Transferred from Trust:	\$0.00
Outstanding Balance:	\$21,058.15
Amount Due:	\$21,768.92

THIS IS OUR ACCOUNT HEREIN
JAMAL FAMILY LAW PROFESSIONAL CORPORATION
Per

Fareen Jamal

E. & O.E.
Tax Number: 850998238RT0001

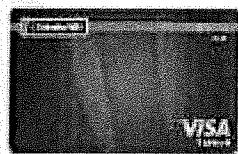
Trust Account Statement

Date	Transaction No.	Description	Withdrawal	Deposit	Balance
			\$0.00	\$0.00	\$0.00

TAB 3



ACCOUNTS



VISA
SIGNATURE * 8673
DEBIT

Mohammed Jamal

OVERVIEW

SERVICES

DETAILS

TRANSAC...



[VIEW ALL >>](#)

TRANSAC...

AMOUNT

BALANCE

PENDING

[EXPAND ▼](#)

Temu.com

-14.76

-

Department...

AED

Temu.com

-198.57

-

Department...

AED

TODAY

DEWA Pa...



[Open account](#)

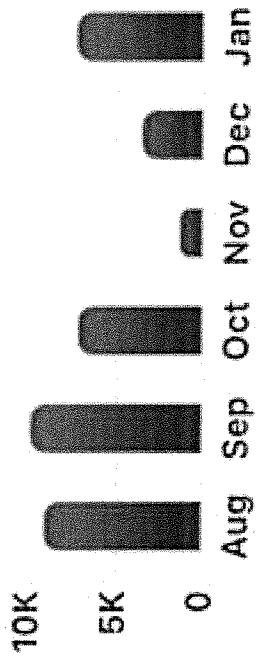
Doc ID: 797a5523a366b5e1aba058feec2433d770506399

TAB 4

CURRENT ACCOUNT

7,478.39 AED

AE85 0260 0010 1207 0032 601 ₦



Bill Local Between Statement
payment transfer my... nt

1 CARD LINKED

Title	Form 14A
File name	JAMAL_Form_14A_Affidavit.pdf
Document ID	797a5523a366b5e1aba058feec2433d770506399
Audit trail date format	MM / DD / YYYY
Status	<input checked="" type="radio"/> Signed

Document history

 SENT	01 / 27 / 2025 16:38:47 UTC	Sent for signature to Mohammed Jamal Anwar Chaykhouni (ceo@almarsat.com) from notary@canadanotary.ca IP: 103.146.207.95
 VIEWED	01 / 27 / 2025 16:42:15 UTC	Viewed by Mohammed Jamal Anwar Chaykhouni (ceo@almarsat.com) IP: 5.30.215.130
 SIGNED	01 / 27 / 2025 16:43:29 UTC	Signed by Mohammed Jamal Anwar Chaykhouni (ceo@almarsat.com) IP: 5.30.215.130
 COMPLETED	01 / 27 / 2025 16:43:29 UTC	The document has been completed.



July 8th, 2025

WESTMOUNT GUARANTEE

Purchasers of Units in Peel Standard Condominium Plan No. 1187

**Subject: Amacon Development (City Centre) Corp. sale of Units in Peel Standard Condominium Plan No. 1187,
municipally known as 4130 Parkside Village Drive, Mississauga, Ontario (the
“Property”);**

The undersigned is the holder of the following Charges/Mortgages (collectively the “Security”) on the Property:

**Instrument No. PR3660084 as amended by PR4257158 with associated Postponements as
Instrument Nos. PR3683740, PR3686485, PR3697602, PR3776196, PR4162440, PR4249249,
PR4313107, PR4313158 and PR4445810.**

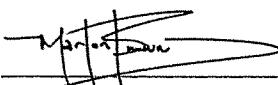
The undersigned undertakes that upon receipt of the balance due on closing payable to **Aird & Berlis LLP** on closing of any unit subject to the above Security (the “Unit”) in Peel Standard Condominium Plan No. 1187 it will, within thirty (30) days after Closing, provide a Partial Discharge of the Security (the “Discharge”) insofar as it applies to the Unit and its appurtenant common interest.

The undersigned hereby acknowledges that upon registration of the Discharge, the existing registrations under the Personal Property Security Act, if any, in favour of the undersigned, against the assets of **Amacon Development (City Centre) Corp.**, are discharged against the chattels included in the Purchase Price of the Unit.

The undersigned acknowledges that a photocopy of this letter can be provided to Purchasers of Units in Peel Standard Condominium Plan No. 1187 and such photocopy shall be binding upon the undersigned as if it were the original letter.

Yours truly,

WESTMOUNT GUARANTEE SERVICES INC.

PER: 
Name: Marlon Brown
Title: Authorized Signing Officer

PER: _____
Name: _____
Title: _____

I/We have the authority to bind the Bank.



July 8th, 2025

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Yours truly,

WESTMOUNT GUARANTEE SERVICES INC.

PER: Marlon Brown
Name: Marlon Brown
Title: Authorized Signing Officer

PER: _____
Name:
Title:

I/We have the authority to bind the Bank.

ONTARIO

Superior Court of Justice
 (Name of court)
 at 7755 Hurontario Street, Brampton ON L6W 4T6
 Court office address

Court File Number
 FS-20-000099021-000

**Form 13.1: Financial Statement
 (Property and Support Claims)**
sworn/affirmed
of Mohammed Jamal Anwar
Chaykhouni, prepared for by the
Applicant of January 22, 2025

Applicant(s)

Full legal name	HANIN AHMED BABI
Address	5106 Fairwind Drive Mississauga, Ontario L5R 2N8,
Phone & fax	
Email	haninbabbi3@gmail.com

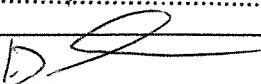
Applicant(s) Lawyer

Name	David Pomer Pomer & Boccia Professional Corporation
Address	212 - 4000 Steeles Ave. W. Woodbridge, ON L4L 4V9
Phone & fax	Tel: (416) 213-7450 ext. 2301 Fax: (905) 850-8086
Email	david.pomer@pomerandboccia.com

Respondent(s)

Full legal name	JAMAL CHAYKHOUNI
Address	
Phone & fax	
Email	

Respondent(s) Lawyer

Name	Self Represented
Address	
Phone & fax	
Email	
<i>This is Exhibit G referred to in the affidavit of Respondent [Signature] sworn before me, this 11 day of January 2025.</i>	
 A COMMISSIONER FOR TAKING AFFIDAVITS	

This form is filed by:

applicant respondent

INSTRUCTIONS**1. USE THIS FORM IF:**

- you are making or responding to a claim for property or exclusive possession of the matrimonial home and its contents; or
- you are making or responding to a claim for property or exclusive possession of the matrimonial home and its contents together with other claims for relief.

2. USE FORM 13 INSTEAD OF THIS FORM IF:

- you are making or responding to a claim for support but NOT making or responding to a claim for property or exclusive possession of the matrimonial home and its contents.

3. If you have income that is not shown in Part I of the financial statement (for example, partnership income, dividends, rental income, capital gains or RRSP income), you must also complete **Schedule A.****4. If you or the other party has sought a contribution towards special or extraordinary expenses for the child(ren), you must also complete **Schedule B**.**

NOTE: You must fully and truthfully complete this financial statement, including any applicable schedules. You must also provide the other party with documents relating to support and property and a Certificate of Financial Disclosure (Form 13A) as required by Rule 13 of the Family Law Rules.

1. My name is (full legal name) JAMAL CHAYKHOUNI

I live in (municipality & province) Regional Municipality of Peel,

and I swear/affirm that the following is true:

PART 1: INCOME

2. I am currently
- employed by (name and address of employer)
- self-employed, carrying on business under the name of (name and address of business)
- unemployed since (date when last employed)
3. I attach proof of my year-to-date income from all sources, including my most recent (attach all that are applicable):
- pay cheque stub social assistance stub pension stub workers' compensation stub
- employment insurance stub and last Record of Employment
- statement of income and expenses/ professional activities (for self-employed individuals)
- other (e.g. a letter from your employer confirming all income received to date this year)
4. Last year, my gross income from all sources was \$ 144,000.00, pursuant to The Honourable Justice Barnes Endorsement of March 4, 2022 (do not subtract any taxes that have been deducted from this income).
5. I am attaching all of the following required documents to this financial statement as proof of my income over the past three years, if they have not already been provided:
- a copy of my personal income tax returns for each of the past three taxation years, including any materials that were filed with the returns. (*Income tax returns must be served but should NOT be filed in the continuing record, unless they are filed with a motion to refrain a driver's license suspension.*)
 - a copy of my notices of assessment and any notices of reassessment for each of the past three taxation years;
 - where my notices of assessment and reassessment are unavailable for any of the past three taxation years or where I have not filed a return for any of the past three taxation years, an Income and Deductions printout from the Canada Revenue Agency for each of those years, whether or not I filed an income tax return.

Note: An Income and Deductions printout is available from Canada Revenue Agency. Please call customer service at 1-800-959-8281.

OR

- I am an Indian within the meaning of the *Indian Act* (Canada) and I have chosen not to file income tax returns for the past three years. I am attaching the following proof of income for the last three years (list documents you have provided):

(In this table you must show all of the income that you are currently receiving whether taxable or not.)

	Income Source	Amount Received/Month
1.	Employment income (before deductions) - pursuant to The Honourable Justice Barnes Endorsement of March 4, 2022	\$12,000.00
2.	Commissions, tips and bonuses	
3.	Self-employment income (Monthly amount before expenses:)	
4.	Employment Insurance benefits	
5.	Workers' compensation benefits	
6.	Social assistance income (including ODSP payments)	

7.	Interest and investment income	
8.	Pension income (including CPP and OAS)	
9.	Spousal support received from a former spouse/partner	
10.	Child Tax Benefits or Tax Rebates (e.g. GST)	
11.	Other sources of income (e.g. RRSP withdrawals, capital gains) (*attach Schedule A and divide annual amount by 12)	
12.	Total monthly income from all sources:	\$12,000.00
13.	Total monthly income X 12 = Total annual income:	\$144,000.00

14. Other Benefits

Provide details of any non-cash benefits that your employer provides to you or are paid for by your business such as medical insurance coverage, the use of a company car, or room and board.

Item	Details	Yearly Market Value
		Total \$0.00

PART 2: EXPENSES

EXPENSE	Monthly Amount	
Automatic Deductions		
CPP contributions		
EI Premiums		
Income taxes		
Employee pension contributions		
Union dues		
LTD		
	SUBTOTAL	\$0.00
Housing		
Rent or mortgage	\$666.67	
Property taxes		
Property insurance		
Condominium fees		
Repairs and maintenance		
	SUBTOTAL	\$666.67
Utilities		
Water	\$400.00	
Heat		
Electricity		
Telephone		
	SUBTOTAL	\$0.00
Transportation		
Public transit, taxis	\$100.00	
Gas and oil	\$200.00	
Car insurance and license	\$150.00	
Repairs and maintenance	\$100.00	

Parking	\$50.00		
Car Loan or Lease Payments			
SUBTOTAL	\$600.00		
Health			
Health insurance premiums	\$2,000.00		
Dental expenses	\$200.00		
Medicine and drugs	\$300.00		
Eye care	\$200.00		
SUBTOTAL	\$2,700.00		
Personal			
Clothing	\$100.00		
Hair care and beauty			
Alcohol and tobacco			
Education (specify)			
Entertainment/recreation (including children)			
		SUBTOTAL	\$0.00
		Total Amount of Monthly Expenses	\$5,616.67
		Total Amount of Yearly Expenses	\$67,400.04

PART 3: OTHER INCOME EARNERS IN THE HOME

Complete this part only if you are making or responding to a claim for undue hardship or spousal support. Check and complete all sections that apply to your circumstances.

- I live alone.
 - I am living with (*full legal name of person you are married to or cohabiting with*):
 - I/we live with the following other adult(s):
My Mother, Salwa Nayal
 - I/we have (*give number*) child(ren) who live(s) in the home.
 - My spouse/partner works at (*place of work or business*)
 does not work outside the home.
 - My spouse/partner earns (*give amount*) \$ per
 does not earn any income.
 - My spouse/partner or other adult residing in the home contributes about \$ per towards the household expenses.

PART 4: ASSETS IN AND OUT OF ONTARIO

If any sections of Parts 4 to 9 do not apply, do not leave blank, print "NONE" in the section.

The date of marriage is: (give date) 21 Dec 1995

The valuation date is: (give date) 15 Aug 2019

The date of commencement of cohabitation is (if different from date of marriage): (give date)

PART 4(a): LAND

Include any interest in land owned on the dates in each of the columns below, including leasehold interests and mortgages. Show estimated market value of your interest, but do not deduct encumbrances or costs of disposition; these encumbrances and costs should be shown under Part 5 "Debts and Other Liabilities".

Nature & Type of Ownership <i>(Give your percentage interest where relevant.)</i>	Address of Property	Matrimonial Home?	Estimated Market value of YOUR interest		
			on date of marriage	on valuation date	today
50% interest	5106 Fairwind Dr. Mississauga DOS \$900,000/ 2 est. TODAY \$1,800,000.00/2 est.	Yes		\$475,000.00	\$550,000.00
Palm Jumeirah, Apt 509, Dubai (purchased with inherited funds)	Sold July 29, 2021 for 1,310,000 AED converted @ .36 - \$471,600 Bought 2002	No		\$471,600.00	unknown
JBR Rimal 5 Apt. 205, Dubai (purchased with inherited funds)	Sold August 4, 2020 for 1,700,000 AED converted @36 - \$612,000 Bought property 2001 Father died	No		\$1,620,000.00	unknown
15. TOTAL VALUE OF LAND			\$0.00	\$2,566,600.00	\$550,000.00

PART 4(b): GENERAL HOUSEHOLD ITEMS AND VEHICLES

Show estimated market value, not the cost of replacement for these items owned on the dates in each of the columns below. Do not deduct encumbrances or costs of disposition; these encumbrances and costs should be shown under Part 5, "Debts and Other Liabilities".

Item	Description	Indicate if NOT in your possession	Estimated Market value of YOUR interest		
			on date of marriage	on valuation date	today
Household goods & furniture	At matrimonial home with applicant - est. \$3,000	X			
Cars, boats, vehicles	2016 Nissan Pathfinder (est.)			\$8,000.00	\$6,000.00
Jewelry, art, electronics, tools, sports & hobby equipment,					
Other special items					
16. TOTAL VALUE OF GENERAL HOUSEHOLD ITEMS AND VEHICLES			\$0.00	\$8,000.00	\$6,000.00

PART 4(c): BANK ACCOUNTS, SAVINGS, SECURITIES AND PENSIONS

Show the items owned on the dates in each of the columns below by category, for example, cash, accounts in financial institutions, pensions, registered retirement or other savings plans, deposit receipts, any other savings, bonds, warrants, options, notes and other securities. Give your best estimate of the market value of the securities if the items were to be sold on the open market.

Category	INSTITUTION (including location)/ DESCRIPTION (including issuer and date)	Account number	Estimated Market value of YOUR interest		
			on date of marriage	on valuation date	today
Sole	EMNBD Bank Account (Dubai) DOS: estimate - need 2014 stmt TODAY at November 27, 2022- 40,519.91 AED @36	****2601	n/a	\$166,576.00	unknown
All Inclusive	TD joint account DOS: estimare - need 2014 stm \$18,000/2 TODAY: Closed	***5096	n/a	\$9,000.00	N/A
Sole	TD Chequing Account (opened April 2020) TODAY at June 26, 2023	****7027	n/a	\$7,984.45	\$7,984.45
Chequing	TD Sole US Account (opened April 2021) TODAY \$3.10 at June 26, 2023q	***2623	n/a	unknown	(\$3.10)
RESP	TD Sole RESP Account (for child's education) TODAY \$1,074.76 @ November 28, 2022	***4059	n/a	unkown	n/a
TFSA	TD Joint TFSA Account (opened post-separation) TODAY \$4,886.94/2 at June 26, 2023	***8976	n/a	\$30,000.00	\$2,443.47
TFSA	TD Joint TFSA Account (opened post separation) TODAY: Closed Hanin withdraws \$58,000 of his account in 2020 - adjustment needed	***4090	n/a	\$58,000.00	Nil
Sole	HSBC Account (for daughter's education)	***0050	n/a	unknown	Closed
Sole	HSBC Premier Account (other HSBC accounts held in trust for family member's investments so not included) DOS opened after separation TODAY Closed	***4272	n/a	\$747,800.00	Nil
Business bank account	EMNBD Business Bank Account (Dubai) ***2031 DOS: 83,390.75 AED @ July 31, 2014) .36 TODAY: Closed			\$2,999.07	Nil

	EMNBD 520,144.47 AED currency currently converted to Canada				\$193,510.37
17. TOTAL VALUE OF ACCOUNTS, SAVINGS, SECURITIES AND PENSIONS		\$0.00	\$1,022,359.52	\$203,935.19	

PART 4(d): LIFE & DISABILITY INSURANCE*List all policies in existence on the dates in each of the columns below.*

Company, Type & Policy No.	Owner	Beneficiary	Face Amount	Estimated Market value of YOUR interest		
				on date of marriage	on valuation date	today
18. TOTAL CASH SURRENDER VALUE OF INSURANCE POLICIES			\$0.00	\$0.00	\$0.00	\$0.00

PART 4(e): BUSINESS INTERESTS*Show any interest in an unincorporated business owned on the dates in each of the columns below. An interest in an incorporated business may be shown here or under "BANK ACCOUNTS, SAVINGS, SECURITIES AND PENSIONS" in Part 4(c). Give your best estimate of market value of your interest.*

Name of Firm or Company ..	Interest	Estimated Market value of YOUR interest		
		on date of marriage	on valuation date	today
Almarsat Project Development	Sole Proprietor DOS: estimate TODAY: Nil- estimated \$5,000 business debt	n/a	\$20,000.00	(\$5,000.00)
Business in Dubai			\$200,000.00	\$200,000.00
19. TOTAL VALUE OF BUSINESS INTERESTS		\$0.00	\$220,000.00	\$195,000.00

PART 4(f): MONEY OWED TO YOU*Give details of all money that other persons owe to you on the dates in each of the columns below, whether because of business or from personal dealings. Include any court judgments in your favour, any estate money and any income tax refunds owed to you.*

Details	Estimated Market value of YOUR interest		
	on date of marriage	on valuation date	today
NIL			
20. TOTAL OF MONEY OWED TO YOU	\$0.00	\$0.00	\$0.00

PART 4(g): OTHER PROPERTY*Show other property or assets owned on the dates in each of the columns below. Include property of any kind not listed above. Give your best estimate of market value.*

Category	Details	Estimated Market value of YOUR interest		
		on date of marriage	on valuation date	today
NIL				
21. TOTAL OF OTHER PROPERTY		\$0.00	\$0.00	\$0.00

22. VALUE OF ALL PROPERTY OWNED ON THE VALUATION DATE (Add items [15] to [21].)	\$0.00	\$3,816,959.52	\$954,935.19
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PART 5: DEBTS AND OTHER LIABILITIES

Show your debts and other liabilities on the dates in each of the columns below. List them by category such as mortgages, charges, liens, notes, credit cards, and accounts payable. Don't forget to include:

- any money owed to the Canada Revenue Agency;
- contingent liabilities such as guarantees or warranties given by you (but indicate that they are contingent); and
- any unpaid legal or professional bills as result of this case.

Category (Give your percentage interest where relevant.)	Details	Re Matrimonial Home?	Amount owing		
			on date of marriage	on valuation date	today
Matrimonial Home	CIBC Joint Mortgage Account DOS: \$660,000/2 (est) TODAY \$533,620/2 at November, 2022	Yes	n/a	\$330,000.00	\$266,810.00
Line of Credit	TD Account ***8265 DOS: opened post-separation TODAY: Nil	No	n/a	n/a	Nil
Credit Card	TD Sole Visa Account ***3297 DOS: opened post-separation TODAY: at November 18, 2022	No	n/a	n/a	(\$19.69)
Credit Card	TD Joint Credit Card Account ***948 DOS: opened post-separation TODAY: closed	No	n/a	n/a	Nil
Credit Card	Emirates Sole Credit Card Account ***9160 DOS: no 2014 stmt - balance paid off monthly TODAY: Closed	No	n/a	TBD	Nil
Costs of Disposition	On Matrimonial home Commission at 5% plus HST (\$50,850) plus legal fees incl HST (1,695.00) = \$52,545/2	No		\$26,272.50	\$26,272.50
23. TOTAL OF DEBTS AND OTHER LIABILITIES			\$0.00	\$356,272.50	\$293,062.81

PART 6: PROPERTY, DEBTS AND OTHER LIABILITIES ON DATE OF MARRIAGE

Show by category the value of your property, debts and other liabilities, calculated as of the date of your marriage. (In this part, do not include the value of a matrimonial home or debts or other liabilities directly related to its purchase or significant improvement, if you and your spouse ordinarily occupied this property as your family residence at the time of separation.)

Category and details	Value on date of marriage	
	Assets	Liabilities
Land (Does not include matrimonial home value of \$0.00)	\$0.00	
General household items & vehicles	\$0.00	
Bank accounts, savings, securities, pensions	\$0.00	
Life & disability insurance	\$0.00	
Business interests	\$0.00	
Money owed to you	\$0.00	
Other property (Specify.)	\$0.00	

Date of Marriage Assets		
Debts and other liabilities (Specify.)		\$0.00
TOTALS	\$0.00	\$0.00
24. NET VALUE OF PROPERTY OWNED ON DATE OF MARRIAGE <i>(From the total of the "Assets" column, subtract the total of the "Liabilities" column.)</i>	\$0.00	
25. VALUE OF ALL DEDUCTIONS (Add items [23] and [24].)	\$356,272.50	

PART 7: EXCLUDED PROPERTY

Show by category the value of property owned on the valuation date that is excluded from the definition of "net family property" (such as gifts or inheritances received after marriage).

Category	Details	Value on valuation date
Gift or inheritance from third person	UAE properties purchased with funds inherited from father	TBD
Income from property expressly excluded by donor/testator		
Damages and settlements for personal injuries etc.		
Life Insurance proceeds		
Traced property		
Excluded property by spousal agreement		
Other Excluded Property		
26. TOTAL VALUE OF EXCLUDED PROPERTY		\$0.00

PART 8: DISPOSED-OF PROPERTY

Show by category the value of all property that you disposed of during the two years immediately preceding the making of this statement, or during the marriage, whichever period is shorter.

Category	Details	Value
27. TOTAL VALUE OF DISPOSED-OF PROPERTY		\$0.00

PART 9: CALCULATION OF NET FAMILY PROPERTY

	Deductions	BALANCE
Value of all property owned on valuation date (from item [22] above)		\$3,816,959.52
Subtract value of all deductions (from item [25] above)	\$356,272.50	\$3,460,687.02
Subtract total value of all excluded property (from item [26] above)	\$0.00	\$3,460,687.02
28. NET FAMILY PROPERTY		\$3,460,687.02

NOTE: This financial statement must be updated before any court event if it is:

- more than 60 days old by the time of the case conference,
- more than 30 days old by the time the motion is heard, or
- more than 40 days old by the start of the trial or the start of the trial sitting, whichever comes first.

You may update this financial statement by either completing and filing:

- a new financial statement with updated information, or
- an affidavit in Form 14A setting out the details of any minor changes or confirming that the information contained in this statement remains correct.

Sworn/Affirmed before me at

municipality

in _____
provinc, state or country

on _____
Date

Signature

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Commissioner for taking affidavits (Type or print name below if signature is illegible.)

Case number

1113225

Hello HANIN, welcome to FRO Online

Summary

Below is a summary of the current financial information for case **1113225**.

Payments**Statement of account**

Support obligations	\$76.50	October 19,	\$47,249.92
Enforcements	Most recent payment	2023	Total outstanding case balance
Requests and Documents		Most recent payment date	

Digital forms
[View less](#)

This is Exhibit referred to in my most recent support affidavit of (Bentley) I, [Signature] obligation amount sworn before me, this 15 day of July 2021.		\$1,255.00
 Most recent support obligation date		January 1, 2025
A COMMISSIONER FOR TAKING AFFIDAVITS		

Total owed to recipient **\$47,249.92**

Total owed to third party **\$0.00**

Total owed to another jurisdiction **\$0.00**

Monies owed to FRO **\$0.00**