

Court File No.: 12-0545-SR

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**B E T W E E N:**

**SVETLANA DANILOVA AND PAVEL DANILOV**

Plaintiff

and

**ALLA NIKITYUK, VALENTIN NIKITYUK, YANA SKYBIN, YOUNG MENS CHRISTIAN  
ASSOCIATION operating as YMCA SIMCOE/MUSKOKA AND YMCA  
SIMCOE/MUSKOKA NEWCOMER SERVICES**

Defendants

**SUPPLEMENTAY AFFIDAVIT OF DOCUMENTS  
OF  
SVETLANA DANILOVA AND PAVEL DANILOV**

I, Svetlana Danilova, of the Town of Innisfil, in the Province of Ontario, a Plaintiff  
in this action, **MAKE OATH AND SAY:**

1. I have conducted a diligent search of my records and have made appropriate enquiries of others to inform myself in order to make this affidavit. This affidavit discloses, to the full extent of my knowledge, information and belief, all additional documents relating to any matter in issue in this action that are or have been in my possession, control or power.
2. I have listed in Schedule A those documents that are in my possession, control or power and that I do not object to producing for inspection.



**LAWYER'S CERTIFICATE**

I CERTIFY that I have explained to the deponent,

- (a) the necessity of making full disclosure of all documents relating to any matter in issue in the action;
- (b) what kinds of documents are likely to be relevant to the allegations made in the pleadings; and
- (c) if the action is brought under the simplified procedure, the necessity of providing the list required under rule 76.03.

, 2013\_\_\_\_\_

**SCHEDULE A**

Additional documents in my possession control or power that I do not object to producing for inspection.

| <b>Doc #</b>                               | <b>Tab</b> | <b>Date</b>                 | <b>Description</b>  |
|--|------------|-----------------------------|---|
| <b>VOL.4 - Additional documents part 1</b> |            |                             |   |
| 233.                                       | 1          | Mar 18, 2013                | Affidavit of Valentina Linkevich, Pavel's sister, with certified translation from Russian   |
| 234.                                       | 2          | Aug 12, 2010 – Nov 16, 2010 | Email correspondence between Alla & Valentin Nikityuk and Yana Skybin, with certified translation from Russian  |
| 235.                                       | 3          | May 25, 2011 – Aug 14, 2011 | Email correspondence between Valentin Nikityuk and his daughter Elena Nikityuk, regarding Lena's visit to Canada in July – August 2011, with certified translation from Russian   |
| 236.                                       | 4          | Jan 30, 2011                | Email correspondence between Svetlana Danilova and Russian Consulate in Toronto about appointment regarding Power of Attorney for Valentin's account in Russia                    |
| 237.                                       | 5          | Aug 11, 2011                | Email correspondence between Elena Nikityuk and Svetlana Danilova with follow-up after the visit  |
| 238.                                       | 6          | May 1, 2013                 | Affidavit of Anastasia Danilova, Pavel's and Svetlana's daughter  |
| 239.                                       | 7          | May 1, 2013                 | Affidavit of Jan Niklas Caspers, Pavel's and Svetlana's son-in-law  |
| 240.                                       | 8          | May 25, 2009                | Agreement of Purchase and Sale of condo with municipal address 141-7 Sydenham Wells, Barrie, between Pavel and Svetalana Danilovs and Pratt Hansen Group Inc., with Schedules A-H |
|  |            | May 24, 2009                | Pre-approval of mortgage by John Burch of TD Canada Trust   |
|  |            | May 27, 2009                | Confirmation of deposit \$500 to the trust account  |
|  |            | Jun 26, 2009                | Confirmation of deposit \$2000 to the trust account   |
|  |            | Jul 29, 2009                | Confirmation of deposit \$2500 to the trust account   |
|  |            | Oct 31, 2009                | Termination of purchase and sale agreement  |
|  |            |                             | (overall 6 documents)   |
| 241.                                       | 9          | May 2, 2013                 | Cover letter from HGR Graham Partners LLP with enclosed   |

|      |    |              |  |
|------|----|--------------|--|
|      |    | Apr 25, 2013 | documents:<br>Attendance history of Nikityuks on YMCA English classes 2009-2012 (2 documents)  |
|      |    | Jun 2012     | YMCA of Simcoe Muskoka – Job description of a settlement counselor   |
|      |    | Aug 19, 2009 | A-LINK Referral Form of Valentin Nikityuk  |
|      |    | Aug 19, 2009 | A-LINK Referral Form of Alla Nikityuk  |
|      |    |              | (overall 6 documents)  |
| 242. | 10 | Apr 8, 2013  | Form 51A – request to admin to Susan Green, Director of YMCA Simcoe/Muskoka Newcomer Services  |
|      |    | May 1, 2013  | Form 51B – Response to Request to Admit  |
|      |    |              | (overall 2 documents)  |
| 243. | 11 | Mar 2, 2003  | Reference Letter for Svetlana Danilova by Transport and Telecommunication Institute, Riga, Latvia  |
|      |    | July 2006    | Reference Letter for Svetlana Danilova by Newcomer Women’s Services Toronto  |
|      |    |              | (overall 2 documents)  |
| 244. | 12 | May 1, 2013  | Continuation of Auto Insurance Policy (Honda Civic 2009)   |
| 245. | 13 | Apr 22, 2013 | Invoice for document copy by Northern Printworx in the amount of 203.06  |
| 246. | 14 | 2011-2013    | Miscellaneous receipts and delivery certificates of Canada Post for registered mail deliveries related to this legislation in 2011-2013  |
| 247. | 15 | Mar-May 2013 | Miscellaneous printouts from Internet web sites regarding YMCA public offerta, purpose, mission, principles and Canada Role; and Susan Green as Director of YMCA Newcomer Services |
| 248. | 16 | Dec 14, 2009 | Job Posting Details of ISAP Settlement Counselor   |
| 249. | 17 | May 24, 2013 | Yana Skybin’s LinkedIn profile   |
| 250. | 18 | May 10, 2013 | “Immigrant moms hit service wall” – article from Internet, Yana Skybin interviewed   |
| 251. | 19 | Feb 19, 2013 | Certificate of Pending Litigation in respect of property municipally known as 1490 Rankin Way, Innisfil, Ontario   |
| 252. | 20 | Feb 9, 2013  | Documents for Nikityuks’ tax return 2012   |
|      |    | Mar 1, 2013  | Follow-up correspondence from Danilovs to Erik Bornmann  |
| 253. | 21 | Mar 15, 2013 | Notice of Breach of Contract (Loan Agreement) by   |

|      |            |                             |  |
|------|------------|-----------------------------|--|
|      |            |                             | Nikityuks  |
| 254. | 22         | Mar 26, 2013                | Letter from Svetlana Danilova to County of Simcoe Social Services about support amount for Alla and Valentin Nikityuk  |
| 255. | 23         | Apr 14, 2013                | Letter with questions about documents listed in the Affidavit of Documents of Nikityuks  |
|      |            | Apr 25, 2013                | Response of Erik Bornmann to the questions   |
| 256. | 24         | May 10, 2013                | Endorsement for motions of May 7, 2013 by Justice J.P.L. McDermot  |
| 257. | 25         | May 8, 2013                 | Follow-up correspondence after the motions between Erik Bornmann and Danilovs regarding the missing documentation  |
| 258. | 26         | May 14, 2013                | Email from Erik Bornmann about Nikityuyks unavailability on May 31, 2013 for discovery   |
|      |            | May 26, 2013                | Email from Erik Bornmann about the delay with Form 51B (overall 2 documents)   |
| 259. | 27         | Oct 18, 2012                | Affidavit of Valentin Nikityuks sworn for the CPL motion   |
| 260. | 28         | May 30, 2013                | Printouts from CRA web site: 2012 Assessment and authorized representatives (overall 2 documents)  |
| 261. | 29         | Mar 1, 2008 – Jun 30, 2008  | TD Deposit Account History with wire transfers made by Nikityuks in 2008 (subset of #226 of Affidavit of Documents of Pavel Danilov and Svetlana Danilova, ordered to move from Schedule B to Schedule A by Justice J.P.L. McDermot)   |
| 262. | 30         | May 26, 2009 – Mar 14, 2013 | CRA Notices of Assessment for 2008-2012 tax years for Svetlana and Pavel Danilovs (overall 10 documents, subset of #225 of Affidavit of Documents of Pavel Danilov and Svetlana Danilova, ordered to move from Schedule B to Schedule A by Justice J.P.L. McDermot)  |
| 263. | 31 and USB |                             | Statements of accounts “touched” by proceedings from the sold Russian property – on the USB drive in electronic format (subset of #226 of Affidavit of Documents of Pavel Danilov and Svetlana Danilova, ordered to be moved from Schedule B to Schedule A by Justice J.P.L. McDermot); attached on USB in "Accounting" directory. |
|      |            | 2008-2013                   | Summary printout on paper.   |
| 264. |            | Dec 31, 2008                | Interactive Brokers Activity Statement for January 01, 2008 - December 31, 2008 (electronic)   |
| 265. |            | Dec 31, 2009                | Interactive Brokers Activity Statement for January 01, 2009 - December 31, 2009 (electronic)   |
| 266. |            | Dec 31, 2010                | Interactive Brokers Activity Statement for January 01, 2010  |

|      |              |  |
|------|--------------|--|
|      |              | - December 31, 2010 (electronic)   |
| 267. | Dec 31, 2011 | Interactive Brokers Activity Statement for January 01, 2011 - December 31, 2011 (electronic)       |
| 268. | Dec 31, 2012 | Interactive Brokers Activity Statement for January 01, 2012 - December 31, 2012 (electronic)       |
| 269. | May 6, 2013  | Interactive Brokers Activity Statement for January 01, 2013 - May 6, 2013 (electronic)             |
| 270. | Mar 2, 2009  | TD Deposit Account #7145478 History Financial Inquiry from Mar 1, 2008 - Jun 30, 2008 (electronic) |
| 271. | 2008         | CIBC Investor Edge Statements Acc. #57528432 for 2008 (electronic)                                 |
| 272. | Oct 31, 2009 | TD Waterhouse acc. #81R108J (Alla Nikityuk's TFSA statement for Oct 2009 (electronic)              |
| 273. | Oct 31, 2009 | TD Waterhouse acc. #81R126J (Valentin Nikityuk's TFSA statement for Oct 2009 (electronic)          |
| 274. | Jan 31, 2010 | TD Waterhouse acc. #81R108J (Alla Nikityuk's TFSA statement for Jan 2010 (electronic)              |
| 275. | Mar 31, 2010 | TD Waterhouse acc. #81R126J (Valentin Nikityuk's TFSA statement for Mar 2010 (electronic)          |
| 276. | May 31, 2010 | TD Waterhouse acc. #81R126J (Valentin Nikityuk's TFSA statement for May 2010 (electronic)          |
| 277. | Feb 28, 2011 | TD Waterhouse acc. #81R126J (Valentin Nikityuk's TFSA statement for Feb 2011 (electronic)          |
| 278. | Mar 31, 2011 | TD Waterhouse acc. #81R126J (Valentin Nikityuk's TFSA statement for Mar 2011 (electronic)          |
| 279. | May 31, 2011 | TD Waterhouse acc. #81R126J (Valentin Nikityuk's TFSA statement for May 2011 (electronic)          |
| 280. | Oct 31, 2011 | TD Waterhouse acc. #81R108J (Alla Nikityuk's TFSA statement for Oct 2011 (electronic)              |
| 281. | Oct 31, 2011 | TD Waterhouse acc. #81R126J (Valentin Nikityuk's TFSA statement for Oct 2011 (electronic)          |
| 282. | Jan 31, 2010 | TD Waterhouse acc. #81R108J (Alla Nikityuk's TFSA statement for Jan 2010 (electronic)              |
| 283. | Jan 31, 2010 | TD Waterhouse acc. #81R126J (Valentin Nikityuk's TFSA statement for Jan 2010 (electronic)          |
| 284. | Jan 31, 2011 | TD Waterhouse acc. #81R108J (Alla Nikityuk's TFSA statement for Jan 2011 (electronic)              |
| 285. | Jan 31, 2011 | TD Waterhouse acc. #81R126J (Valentin Nikityuk's TFSA statement for Jan 2011 (electronic)          |
| 286. | Oct 31, 2011 | TD Waterhouse acc. #81R108J (Alla Nikityuk's TFSA statement for Oct 2011 (electronic)              |
| 287. | Oct 31, 2011 | TD Waterhouse acc. #81R126J (Valentin Nikityuk's TFSA statement for Oct 2011 (electronic)          |

| Doc #                                       | Tab | Date   | Description   |
|---|-----|--|---|
| <b>VOL.5 - Additional documents part 2.</b> |     |  |   |
| 288.  | 1   | Mar 17, 2011   | Copy of invitation for Elena Nikityuk, without supporting documentation, signed by Valentin Nikityuk  |
| 289.  | 2   | May 6, 2013<br><br>July 16, 2013   | Form 51A - Request to admit to defendant Valentin Nikityuk<br><br>Form 51B - Response to Request to Admit<br><br>(overall 2 documents)  |
| 290.  | 3   | July 24, 2013  | Form 51A - Request to admit to defendant Alla Nikityuk  |
| 291.  | 4   | Jul 9, 2013<br><br>Jul 1, 2013<br><br>Aug 1, 2013<br><br>Sep 1, 2013<br><br>Jul 15, 2013 | CIBC Bank Reconstruction Report for the period May 31, 2013 - June 30, 2013, for CIBC chequing account # 6314937<br><br>Cheque #002 for Alla Nikityuk, in the amount of \$150, investment interest paid for July 2013<br><br>Cheque #003 for Alla Nikityuk, in the amount of \$150, investment interest paid for August 2013<br><br>Cheque #004 for Alla Nikityuk, in the amount of \$150, investment interest paid for September 2013<br><br>Information letter from CIBC to County of Simcoe Social Services about account # 6022-6314937 opened on Nov 14, 2005 and closed by secondary account holder on June 24, 2013<br><br>(overall 4 documents) |
| 292.  | 5   | Dec 8, 2008  | Copy of Application to the Pension Fund of Russian Federation by Valentin Nikityuk about transfer of Russian Pension to account # 06022-6314937 (in Russian)<br><br>Copy of Application to the Pension Fund of Russian Federation by Alla Nikityuk about transfer of Russian Pension to account # 06022-6314937 (in Russian)<br><br>(overall 2 documents)   |
| 293.  | 6   | Mar 28, 2012   | Email correspondence between Lori Chilman, service supervisor of Johnson Inc., regarding removal of Valentin Nikityuk from auto insurance policy because he moved out   |



|      |    |              |   |
|------|----|--------------|---|
| 294. | 7  | Jul 2, 2013  | Invoice with the administration fee for Honda Civic lease takeover  |
| 295. | 8  | Jun 17, 2013 | Letter from Ministry of Community and Social Services Overpayment Recovery Unit to Svetlana Danilova regarding sponsor debt in the amount more than \$1200 and increasing   |
| 296. | 9  | Sep 9, 2013  | Letter from Citizenship and Immigration Canada Case Processing Center to Pavel Danilov regarding social assistance received by Nikityuiks   |
|      |    | Sep 9, 2013  | Letter from Citizenship and Immigration Canada Case Processing Center to Svetlana Danilova regarding social assistance received by Nikityuiks   |
|      |    | Sep 12, 2013 | Letter from Svetlana Danilova to Barrie Ontario Disability Support Program with the request for information about Nikityuiks' monthly amount of social assistance, with enclosed documents  |
|      |    |              | (overall 3 documents)   |
| 297. | 10 | 2011         | Centralized Waitlist Report of County of Simcoe Social Housing Department   |
| 298. | 11 | Oct 15, 2012 | Service Canada - printout from Canada Revenue Agency web site about Home Buyer's Plan program allowing to withdraw up to \$25,000 from RRSP for home purchase   |
| 299. | 12 | Sep 12, 2013 | Strategy Tester Report for automatic trading EUR / USD currency pair in the period Aug 15, 2013 - Sep 9, 2013   |
| 300. | 13 | Aug 30, 2013 | Article (in Russian) "End of Canadian Socialism" from Russian community newspaper "Canada and we" about corruption in Social Housing in Toronto   |
| 301. | 14 |              | Left blank on purpose   |
| 302. | 15 |              | Left blank on purpose   |
| 303. | 16 |              | Left blank on purpose   |
| 304. | 17 |              | Left blank on purpose   |
| 305. | 18 |              | Left blank on purpose   |
| 306. | 19 |              | Left blank on purpose   |
| 307. | 20 |              | Left blank on purpose   |
| 308. | 21 |              | Left blank on purpose   |
| 309. | 22 |              | Left blank on purpose   |
| 310. | 23 |              | Left blank on purpose   |
| 311. | 24 |              | Correspondence between Pavel Danilov, Svetlana Danilova, Erik Bornmann and Robert Bigioni during January 3, 2013 - Jul 24, 2013 (in electronic format on USB attached to Vol.4, "Emails to and from B&B" directory - overall 96 documents; the list on paper. |
| 312. | 25 | Aug 8, 2013  | Case Vanderkooy v. Vanderkooy et al, 2013 ONSC 4796   |

|  |  |  |   |
|--|--|--|---|
|  |  |  | about false accusations, decision \$125,000 in favor of falsely accused |
|--|--|--|---|

## **SCHEDULE B**

Documents that are or were in my possession control or power that I object to producing on the grounds of privilege:

(a) "solicitor-client privilege" means the privilege attaching to documents that constitute, contain, record or reflect confidential communications passing between a client, or an expert retained on behalf of a client, and the client's solicitors, where the communications were made in the course of the obtaining or providing of legal advice, and the solicitors were acting in a professional capacity as solicitors;

(b) "litigation privilege" means the privilege attaching to documents that were created or came into existence for the dominant purpose of assisting a party or its solicitors in the conduct of pending or reasonably anticipated litigation;

(c) "without prejudice privilege" means the privilege attached to documents constituting communications between the parties or their solicitors made for the purpose of attempting to compromise or settle the litigation or the issues between them, or expressing opinions or views on the merits of the litigation.

N/A

**SCHEDULE C**

Documents that were formerly in my possession, control or power but are no longer in my possession, control or power:

313. The originals of letters emanating from the Plaintiffs, copies of which are listed in Schedules "A" and "B"; such documents are believed to be in the possession of the addressees, who received possession of them from the Plaintiffs on or about their respective dates.

SVETLANA DANILOVA AND PAVEL DANILOV

and

ALLA NIKITYUK, VALENTIN NIKITYUK, YANA SKYBIN,  
YOUNG MENS CHRISTIAN ASSOCIATION operating as  
YMCA SIMCOE/MUSKOKA AND YMCA  
SIMCOE/MUSKOKA NEWCOMER SERVICES

Plaintiff

Defendants

Court File No.

**12-0545-SR**

---

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
Proceeding commenced at Barrie**

---

**SUPPLEMENTARY AFFIDAVIT OF  
DOCUMENTS OF SVETLANA  
DANILOVA AND PAVEL DANILOV**

---