

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N :

HOWARD GREEN and ANNE BELL

Plaintiffs

- and -

CANADIAN IMPERIAL BANK OF COMMERCE, GERALD McCAUGHEY, TOM WOODS,
BRIAN G SHAW, KEN KILGOUR

Defendants

Proceeding under the *Class Proceedings Act, 1992*

SUPPLEMENTAL AFFIDAVIT OF VINCENT GENOVA

(CLASS COUNSEL FEE APPROVAL)

(SWORN JANUARY 6, 2022)

I, VINCENT GENOVA, of the City of Toronto, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I have previously sworn two affidavits in this action: (i) an affidavit in support of the motion for an Order approving the settlement agreement and distribution protocol; and (ii) an affidavit in support of the motion for approval of Class Counsel Fees (“Fees Affidavit”), sworn on January 5, 2022.
2. In the Fees Affidavit, I provided the total amount of funding for disbursements provided by the Class Proceedings Fund (“CPF Funding Amount”), on the basis of Class Counsel’s internal records. On further review of internal records, and upon receiving confirmation from CPF, Class

Counsel's staff were able to correct the CPF Funding Amount. I swear this supplemental affidavit to provide the Court with the corrected CPF Funding Amount.

3. The correct CPF Funding Amount is: \$4,643,990.03. Accordingly, the correct amount of disbursements incurred by Class Counsel but not reimbursed by CPF or an adverse costs order is: \$2,624,535.12.

4. Accordingly, the corrected Rochon Genova's legal fee and disbursement request is as follows:

ITEM	TOTAL
Fee Request:	\$37,500,000.00
HST on Fee Request:	\$4,875,000.00
Disbursements:	\$6,964,160.62
Taxes on Disbursements:	\$362,221.96
Disbursements covered by interim cost award:	(\$1,099,559)
Disbursements covered by CPF:	(\$4,643,990.03)
Unfunded / outstanding disbursements incurred by Rochon Genova (inclusive of HST):	\$2,624,535.12
Total Fee/Disbursement Request (including applicable taxes):	\$44,999,533

SWORN OR AFFIRMED before me)
 at the City of Toronto, in the Province)
 of Ontario, this 6th day of January,)
 2022)

R Podolny

 A Commissioner, etc.)



 Vincent Genova

HOWARD GREEN AND ANNE BELL
Plaintiffs

v. CANADIAN IMPERIAL BANK OF COMMERCE *et al.*
Defendants

Court File No. CV-08-359335

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto
Proceeding under the *Class Proceedings Act*,
1992

**SUPPLEMENTAL AFFIDAVIT
VINCENT GENOVA**

**(Class Counsel Fee Approval)
(Sworn January 6, 2022)**

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