



Jonathan McGillivray
Associate

Bay Adelaide Centre
333 Bay Street, Suite 625
Toronto, ON M5H 2R2

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jonathan@demarcoallan.com

June 15, 2020

VIA RESS

Ms. Christine E. Long
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Attention: Registrar

Dear Ms. Long:

**Re: Red Rock Indian Band and Bingwi Neyaashi Anishinaabek First Nation
Motion to Review and Vary the Phase 1 Decision in EB-2018-0329
Board File No.: EB-2020-0107**

We are counsel to Anwaatin Inc. (**Anwaatin**). Please find enclosed Anwaatin's cost claim in the above-referenced proceeding, which is filed further to the Board's Decision and Order dated June 4, 2020.

Sincerely,

A handwritten signature in black ink, reading "Jonathan McGillivray", written in a cursive style.

Jonathan McGillivray

c. Larry Sault, Anwaatin Inc.
Don Richardson
Daryl Skworchinski, Town of Marathon
Helen Newland and Dennis Wong, Dentons Canada LLP

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

This form should be used by a party to a hearing before the Board to identify the fees and disbursements that form the party's cost claim. Paper and electronic copies of this form and itemized receipts must be filed with the Board and served on one or more other parties as directed by the Board in the applicable Board order. Please ensure all required (yellow-shaded) fields are filled in and the Affidavit portion is signed and sworn affirmed.

Instructions

- Required data input is indicated by yellow-shaded fields. Formulas are embedded in the form to assist with calculations.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.

Rate: _____

Country: _____

- A separate "Detail of Fees and Disbursements Being Claimed" (comprising a "Statement of Fees Being Claimed" and a "Statement of Disbursements Being Claimed") is required for each lawyer, analyst/consultant and articling student/paralegal. However, only one "Summary of Fees and Disbursements" covering the whole of the party's cost claim should be provided.
- The cost claim must be supported by a completed Affidavit signed by a representative of the party.
- A CV for each consultant/analyst must be attached unless provided to the Board as prescribed on the Cost Award Tariff.

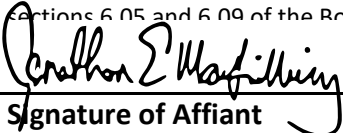
Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File #	EB-2020-0107	Process:	RRIB BNA Motion to Review and Vary
Party:	Anwaatin Inc.	Affiant's Name:	Jonathan McGillivray
HST Number:	794713495 RT0001	HST Rate Ontario:	13.00%
	Full Registrant <input checked="checked" type="checkbox"/>	Qualifying Non-Profit	<input type="checkbox"/>
	Unregistered <input type="checkbox"/>	Tax Exempt	<input type="checkbox"/>
	Other <input type="checkbox"/>		

Affidavit

I, **Jonathan McGillivray**, of the City/Town of **Toronto**
in the Province/State of **Ontario**, swear or affirm that:

1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
2. I have examined all of the documentation in support of this cost claim, including the attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed"
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in sections 6.05 and 6.09 of the Board's Practice Direction on Cost Awards.


Signature of Affiant

Sworn or affirmed before me at the City/Town of **Toronto**,
in the Province/State of **Ontario**, on **Monday, June 15, 2020**.
(date)


Lisa (Elisabeth) DeMarco
Commissioner for taking Affidavits

File # EB- **EB-2020-0107**

Process: **RRIB BNA Motion to Review and Vary**

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

Party: Anwaatin Inc.

Summary of Fees and Disbursements Being Claimed		
Legal/consultant/other fees	\$	2,051.00
Disbursements	\$	-
HST	\$	266.63
Total Cost Claim	\$	2,317.63

Payment Information	
Make cheque payable to:	DeMarco Allan LLP
Send payment to this address:	Bay Adelaide Centre
	333 Bay Street, Suite 625
	Toronto, ON M5R 2R2

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- EB-2020-0107

Process: RRIB BNA Motion to Review and Vary

Party: Anwaatin Inc.

Service Provider Name: Lisa DeMarco

SERVICE PROVIDER TYPE (check one)

- Legal Counsel ☒
- Articling Student/Paralegal ☐
- Consultant ☐
- Analyst ☐

Year Called to Bar

1997

Completed Years Practising/Years of Relevant Experience

23

Hourly Rate: \$330

For Consultant/Analyst:

☐ CV attached

☒ CV provided within previous 24 months

HST Rate Charged (enter %):

13.0%

Statement of Fees Being Claimed

	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	3.50	\$ 330.00	\$ 1,155.00	\$ 150.15	\$ 1,305.15
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 1,155.00	\$ 150.15	\$ 1,305.15

File # EB- EB-2020-0107

Process: RRIB BNA Motion to Review and Vary

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

Party: Anwaatin Inc.

Service Provider Name: Lisa DeMarco

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy		\$ -	\$ -
Printing		\$ -	\$ -
Courier		\$ -	\$ -
Telephone/Fax		\$ -	\$ -
Transcripts		\$ -	\$ -
Travel: Air		\$ -	\$ -
Travel: Car		\$ -	\$ -
Travel: Rail		\$ -	\$ -
Travel (Other):		\$ -	\$ -
Parking		\$ -	\$ -
Taxi		\$ -	\$ -
Accommodation		\$ -	\$ -
Meals		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ -

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>EB-2020-0107</u>	Process: <u>RRIB BNA Motion to Review and Vary</u>
Party: <u>Anwaatin Inc.</u>	Service Provider Name: <u>Jonathan McGillivray</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	2017	3
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		Hourly Rate: <u>\$170</u>
<input checked="" type="checkbox"/> CV provided within previous 24 months		HST Rate Charged (enter %): <u>13.0%</u>

Statement of Fees Being Claimed

	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Responses		\$ 170.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 170.00	\$ -	\$ -	\$ -
Argument					
Preparation	2.80	\$ 170.00	\$ 476.00	\$ 61.88	\$ 537.88
Oral Hearing					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 476.00	\$ 61.88	\$ 537.88

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

Party: Anwaatin Inc.

Service Provider Name: Jonathan McGillivray

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy		\$ -	\$ -
Printing		\$ -	\$ -
Courier		\$ -	\$ -
Telephone/Fax		\$ -	\$ -
Transcripts		\$ -	\$ -
Travel: Air		\$ -	\$ -
Travel: Car		\$ -	\$ -
Travel: Rail		\$ -	\$ -
Travel (Other):		\$ -	\$ -
Parking		\$ -	\$ -
Taxi		\$ -	\$ -
Accommodation		\$ -	\$ -
Meals		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ -

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>EB-2020-0107</u>	Process: <u>RRIB BNA Motion to Review and Vary</u>
Party: <u>Anwaatin Inc.</u>	Service Provider Name: <u>Daniel Vollmer</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input type="checkbox"/>	<input style="width: 100px; height: 20px;" type="text"/>	<input style="width: 100px; height: 20px;" type="text"/> 1
Articling Student/Paralegal <input checked="" type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input checked="" type="checkbox"/> CV attached		Hourly Rate: <input style="width: 100px; height: 20px;" type="text"/> \$100
<input type="checkbox"/> CV provided within previous 24 months		HST Rate Charged (enter %): <input style="width: 100px; height: 20px;" type="text"/> 13.0%

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 100.00	\$ -	\$ -	\$ -
Attendance		\$ 100.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 100.00	\$ -	\$ -	\$ -
Attendance		\$ 100.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 100.00	\$ -	\$ -	\$ -
Responses		\$ 100.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 100.00	\$ -	\$ -	\$ -
Attendance		\$ 100.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 100.00	\$ -	\$ -	\$ -
Attendance		\$ 100.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 100.00	\$ -	\$ -	\$ -
Argument					
Preparation	0.90	\$ 100.00	\$ 90.00	\$ 11.70	\$ 101.70
Oral Hearing					
Preparation		\$ 100.00	\$ -	\$ -	\$ -
Attendance		\$ 100.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 100.00	\$ -	\$ -	\$ -
Attendance		\$ 100.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 90.00	\$ 11.70	\$ 101.70

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees and Disbursements Being Claimed



File # EB- EB-2020-0107

Process: RRIB BNA Motion to Review and Vary

Party: Anwaatin Inc.

Service Provider Name: Daniel Vollmer

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy		\$ -	\$ -
Printing		\$ -	\$ -
Courier	\$ -	\$ -	\$ -
Telephone/Fax		\$ -	\$ -
Transcripts		\$ -	\$ -
Travel: Air		\$ -	\$ -
Travel: Car		\$ -	\$ -
Travel: Rail		\$ -	\$ -
Travel (Other):		\$ -	\$ -
Parking		\$ -	\$ -
Taxi		\$ -	\$ -
Accommodation		\$ -	\$ -
Meals		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ -

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- EB-2020-0107

Process: RRIB BNA Motion to Review and Vary

Party: Anwaatin Inc.

Service Provider Name: Don Richardson

SERVICE PROVIDER TYPE (check one)

- Legal Counsel ☐
- Articling Student/Paralegal ☐
- Consultant ☒
- Analyst ☐

Year Called to Bar

Completed Years Practising/Years of Relevant Experience

22

Hourly Rate: \$330

For Consultant/Analyst: ☐ CV attached

HST Rate Charged (enter %): 13.0%

☒ CV provided within previous 24 months

Statement of Fees Being Claimed

	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	1.00	\$ 330.00	\$ 330.00	\$ 42.90	\$ 372.90
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 330.00	\$ 42.90	\$ 372.90

File # EB- EB-2020-0107

Process: RRIB BNA Motion to Review and Vary

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

Party: Anwaatin Inc.

Service Provider Name: Don Richardson

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy		\$ -	\$ -
Printing		\$ -	\$ -
Courier		\$ -	\$ -
Telephone/Fax		\$ -	\$ -
Transcripts		\$ -	\$ -
Travel: Air		\$ -	\$ -
Travel: Car		\$ -	\$ -
Travel: Rail		\$ -	\$ -
Travel (Other):		\$ -	\$ -
Parking		\$ -	\$ -
Taxi		\$ -	\$ -
Accommodation		\$ -	\$ -
Meals		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ -



DEMARCO
ALLAN
LLP

INVOICE

Invoice # 20123
Date: 06/05/2020
Due On: 07/05/2020

333 Bay Street, Suite 625
Toronto, ON
M5H 2R2
Canada
Email: monika@demarcoallan.com
www.demarcoallan.com

Anwaatin Inc.
3034 Mississauga Road, , R.R.#6
Hagersville, ON N0A 1H0

20-00673-Anwaatin Inc.-EB-2020-0107 RRIB BNA Motion to Review and Vary

Date	Attorney	Description	Hours	Rate	Total
04/02/2020	LD	APR - Communications with D. Richardson re Motion to Review and Vary;	0.30	\$330.00	\$99.00
04/16/2020	LD	APR - Call with A. Smith re Red Rock Indian Band and BNA;	0.50	\$330.00	\$165.00
04/17/2020	DV	APR - Review law on legitimate expectations per J. McGillivray;	0.90	\$100.00	\$90.00
04/17/2020	JM	APR - Prepare submissions in support of RRIB/BNA motion per L. DeMarco;	2.80	\$170.00	\$476.00
04/17/2020	LD	APR - Detailed instructions to J. McGillivray and D. Vollmer on structure and case law to be included in submissions and logical flow of argument to address breach of procedural fairness constituting an error of law;	2.70	\$330.00	\$891.00

Quantity Subtotal 7.2

Time Keeper	Hours	Rate	Total
Lisa DeMarco	3.5	\$330.00	\$1,155.00
Jonathan McGillivray	2.8	\$170.00	\$476.00
Daniel Vollmer	0.9	\$100.00	\$90.00
Quantity Total			7.2

Subtotal	\$1,721.00
HST (ON) (13.0%)	\$223.73
Total	\$1,944.73

Please make all amounts payable to: DeMarco Allan LLP
HST #79471 3495 RT0001

If sending a wire, please ensure that you include sufficient funds to cover both sending and receiving wire fees charged by financial institutions. Receiving wire fees for our bank are currently \$17.50.

Please pay within 30 days.

INVOICE

Mr. Don Richardson

DATE: June 5, 2020

INVOICE # 103**BILL TO:**

DeMarco Allan LLP
333 Bay Street, Suite 625
Toronto, ON M5H 2R2
647.971.6771

EB-2020-0107 RRIB BNA Motion to Review and Vary

DESCRIPTION		AMOUNT
April 16, 2020 1 Hour APR - Review and revise submissins in support of RRIB/BNA motion;		\$ 330.00
SUBTOTAL		\$ 330.00
TAX RATE		13.00%
Make all checks payable to Mr. Don Richardson.	SALES TAX	\$ 42.90
	OTHER	\$ -
	TOTAL	\$ 372.90
THANK YOU FOR YOUR BUSINESS!		

DANIEL VOLLMER

+1.647.993.6338 DANIEL@DEMARCOALLAN.COM

EDUCATION	Stellenbosch University , Doctor of Laws, Public International Law	2017
	Stellenbosch University , Bachelor of Laws	2013
	• Advanced Public International Law Distinction	
	University of Denver , Bachelor of Arts, International Studies	2010
	• Hornbeck Scholar	

LEGAL WORK	DeMarco Allan LLP	Toronto, ON
	<i>Articling Student</i>	2020 – Present
	International Bar Association	London, UK
	<i>Independent Legal Expert</i>	2019 – 2020
	<ul style="list-style-type: none">Conducted research into criminalisation of sexual orientation in different national jurisdictions, review of laws most frequently used to target LGBTI+ individuals and review of national and international case law challenging such laws	
	International Bar Association's Human Rights Institute	London, UK
	<i>Legal Intern</i>	2019
	<ul style="list-style-type: none">Conducted legal research for senior programme lawyer and deputy director on extractive industries, human rights violations, and attacks against the legal profession with focus areas of Africa, Southern Africa, and the United NationsDrafted memos on relevant human rights cases and legal principles, assisted in the drafting and creation of capacity building programs for the protection and promotion of human rights and the legal profession in Southern AfricaUK Supreme Court trial observation of <i>Vedanta Resources Plc and Konkola Copper Mines Plc v Lungowe and Ors</i> on behalf of IBAHRIDrafted intervention letters, press releases, and open letters on behalf of the IBAHRI regarding human rights violations, state obligations under international and domestic law, and attacks against the legal profession in Zimbabwe, Sudan, Turkey, China, Nigeria, Iran, and the Democratic Republic of CongoConducted research and created database for lawyers at risk toolkit and training manualAttended events hosted by the Law Society of England and Wales regarding equality, diversity, and LGBTQ issues within the legal professionAwarded IBA Educational Trust grant	

DANIEL VOLLMER

+1.647.993.6338 DANIEL@DEMARCOALLAN.COM

Fasken Martineau DuMoulin LLP
Winter Law Student

Sandton, South Africa
2013

- Presented report on application of administrative law principles, jurisprudence, and statutes regarding mineral resource extraction legislation for Mining department
- Drafted documents and compiled research for Finance Project department on allocation of liability in international infrastructure projects
- Completed rotations in Mining Department and Finance Project Department

Stellenbosch University Law Clinic
Law Student

Stellenbosch, South Africa
2013

- Assisted Candidate Attorneys
- Drafted various legal documents including: testamentary documents; affidavits; and notice of opposition
- Assisted Candidate Attorney during consultations with clients and preparations for trial
- Drafted legal opinions and conducted research on various property law and family law issues

**SPEAKING
ENGAGEMENT**

Speaker, Centre for Trust, Peace and Social Relations Ph.D. Conference, "*Queer families: An analysis of non-heteronormative family rights under the African Human Rights System*", Coventry University, UK, May, 2017

AWARDS

LexisNexis and Stellenbosch University Faculty of Law – 3rd Place (individual), 2nd Place (Team), 2013 Mock Trial Competition
Bowman Gilfillan – 1st Place, 2012 Criminal Procedure Moot Court

LANGUAGES

French (moderate proficiency)
Afrikaans (moderate proficiency)
Spanish (elementary proficiency)
