

Litigation Update
Sentinel Hill 1998 Master Limited Partnership
July 25, 2013

The oral examinations for discovery were conducted in November and December of 2012. During oral examinations for discovery, several questions and requests by the respectively opposing counsel led to so-called undertakings. The Order of the Tax Court of Canada dated November 6, 2012 obligated the parties to satisfy any undertakings from the oral discoveries by April 1, 2013, and then to communicate with each other in order to report back to the Hearings Coordinator by April 15, 2013 regarding a possible settlement or trial scheduling.

However, in a letter dated April 15, 2013, Crown Counsel requested a delay to end of July, 2013, advising that in their view “extensive follow-up to the undertakings” would be necessary.

Despite Crown’s expressed need for follow-up, to date, Thorsteinssons LLP, counsel for the investors, has not heard from the Crown. Accordingly, they wrote to Crown Counsel on July 12, 2013, noting a few undertakings to which Crown had not (or not fully) responded, and requesting Respondent’s follow-up in advance of July 31, 2013.

At the present, no further information is available.