

APPENDIX F – Results from Judicial Authorizations

The following is a list of results that have been received from the execution of judicial authorizations. Only the results that are relevant to this application and are required to support my grounds have been included and outlined. Any results that detract from my grounds are also included.

1. RELEVANT RESULTS FROM THE EXECUTION OF SEARCH WARRANTS

(a) SEARCH WARRANT ON ELECTRONIC DEVICES RESULTS

On March 19th, 2018 I reviewed a Supplementary Report by DC DEVINE completed on March 6th, 2018 for the review of the download of data from the white Iphone belonging to Honey SHERMAN.

Also on April 19th, 2018 I was advised by DC DEVINE that the download of all the electronic devices found at 50 Old Colony Road and the download of the computer in Bernard SHERMAN's office at Apotex had been received and she was working on reviewing the files from the devices and will be preparing a supplementary report on the contents of the devices.

The devices seized from 50 Old Colony Road and Bernard SHERMAN's office, at Apotex, are as follows:

- Toshiba laptop, designated Exhibit #1.
- iPad, designated Exhibit #2.
- HP desktop computer, designated Exhibit #3.
- Blackberry phone, designated Exhibit #4.
- iPad, designated Exhibit #5.
- HP Computer, designated Exhibit #6.

On May 31st, 2018 I reviewed the Supplementary Report completed by DC DEVINE in regards to the analysis of the 6 devices and learned the following:

- i. Collectively there were 605 files that were identified as being privileged and are being retained by Goodmans. The privileged files were located on Exhibit #4, Bernard SHERMAN's Blackberry cellular phone and Exhibit #6, Bernard

SHERMAN's HP Computer from his office at Apotex. There were 1387 files that were identified as not being privileged and were provided to police for review.

- ii. On Exhibit #4 there were 19 items that were provided by Goodmans that were deemed to be non-privileged and one item that was deemed to be privileged.
- iii. DC DEVINE reviewed the individual downloaded files and noted entries that were of interest. I have reviewed DC DEVINE's Supplementary Report on the downloaded files for the 6 devices. In several instances I have reviewed the actual document that had been downloaded and supplemented DC DEVINE's entries with further details.

The details of some of the downloaded documents, from the electronic devices, that I believe are relevant to this application, have been summarized as follows:

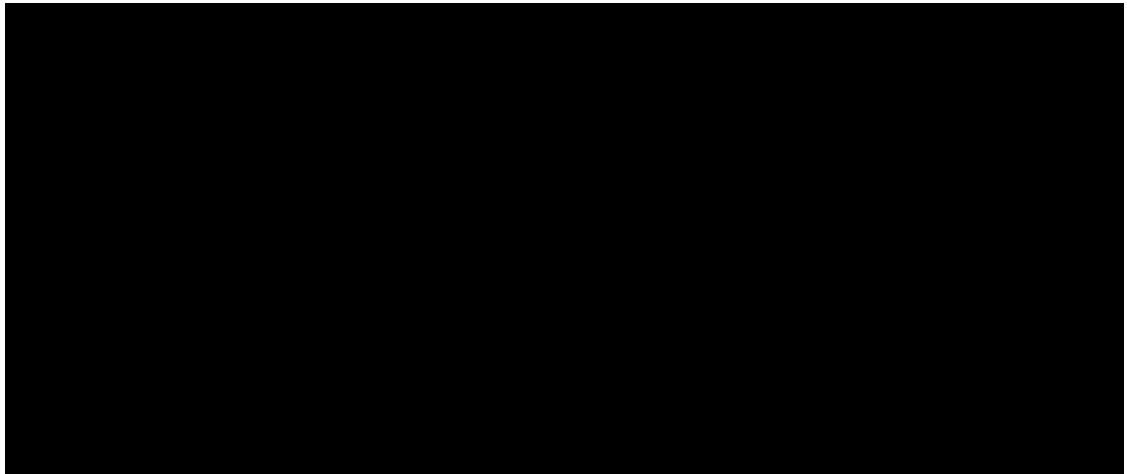
i. White iphone belonging to Honey SHERMAN

- I. The following messages were deemed privileged and were not reviewed:
 - mes-548.eml, sent from Barry SHERMAN to several people with the email address of @goodmans.ca;
 - mes-150.eml, sent from Honey SHERMAN to several people with the email address of @blaney.com;
 - mes-180.eml, sent from Honey SHERMAN to several people with the email address of @blaney.com;
 - mes-429.eml forwarded from @torkinmanes.com to Honey SHERMAN and several other people;

II.

III.

IV.



ii. Toshiba Computer, Exhibit #1

File number REL0000000012 was a Yahoo Webmail. Contained within the emails were the following items:

- On December 8th, 2017 at 6:13 AM, Honey SHERMAN sent an email to Susan STERN planning to meet for coffee on December 14th in the afternoon.
- The last email sent from Honey SHERMAN was to Hilda COHEN on December 12th, 2017 at 4:24 PM.
- The last email received from Honey SHERMAN was and email from "Carol" at December 12th, 2017 at 4:57 PM.

In file number REL0000001653 there was an Excel document outlining future travel plans are as follows:

- Florida- December 18th to January 12th
- Lake Louise – February 16th to February 18th for "Loeb Wedding"
- Japan – March 14th to March 28th
- Houston – April 12th to April 13th, (there were question marks written beside this entry)
- Mexico – May 4th to May 11th for Mexico wedding

iii. iPad, Exhibit #2

- I. File number REL0000000067 contained the list of Honey SHERMAN's email contacts.
- II. **File number REL0000000069 contained Honey SHERMAN's website history. The last entry was on December 13th, 2017 at 12:36 AM. The URL¹ that was visited was <https://outlook.office.com/owa/?realm=ironwarriors.ca> and the title of Web History was "Mail – [REDACTED]"**

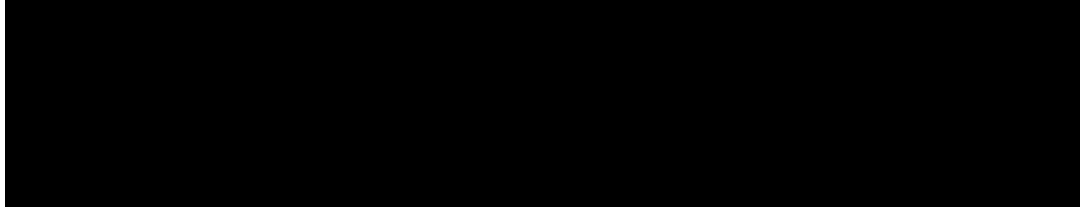
iv. HP Computer, Exhibit #3

¹ **URL** - is the abbreviation of **Uniform Resource Locator** and is defined as the *global address of documents and other resources on the World Wide Web*. Source: <https://www.webopedia.com/TERM/U/URL.html>

- I. File number REL0000001880 contained an Interior Design Meeting Schedule update document. The document was a schedule of all the design meetings scheduled between Bernard SHERMAN, Honey SHERMAN, Joe BRENNAN, Daniel GLASSMAN, Roman BUKOVYNSKY, Brian GLUCKSTEIN and Ardith DYCHE.

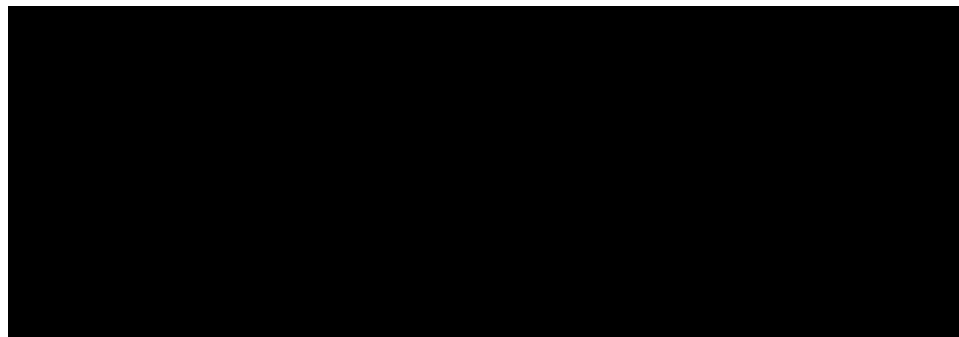
There was an entry for December 13th to meet a Apotex with Brennan Custom Homes to meet with Bernard SHERMAN and Honey SHERMAN to finalize details for the windows.

- II.



Bernard SHERMAN's Blackberry, Exhibit #4

- I.



- II. File number REL0000000082 is a form for personal information for the Order of Canada. Bernard SHERMAN had filled out the form.

- III. File number REL0000000086 contained two incoming text messages.

One message was from a Mark WINTER from phone number [REDACTED] on December 15th, 2017 at 8:27 PM.

The message stated, "Barry it's Mark Winter. Are you and your family okay, I just saw on the news something scary."

The other message was from phone number [REDACTED] which is listed as belonging to Lauren SHERMAN and Bernard's phone contact list.

The message was sent on December 15th, 2017 at 4:34 PM and stated, "Hi dad. My car was broken into and I'm not sure how to deal with it from here. Can you help me wrap my mind around what to do?"

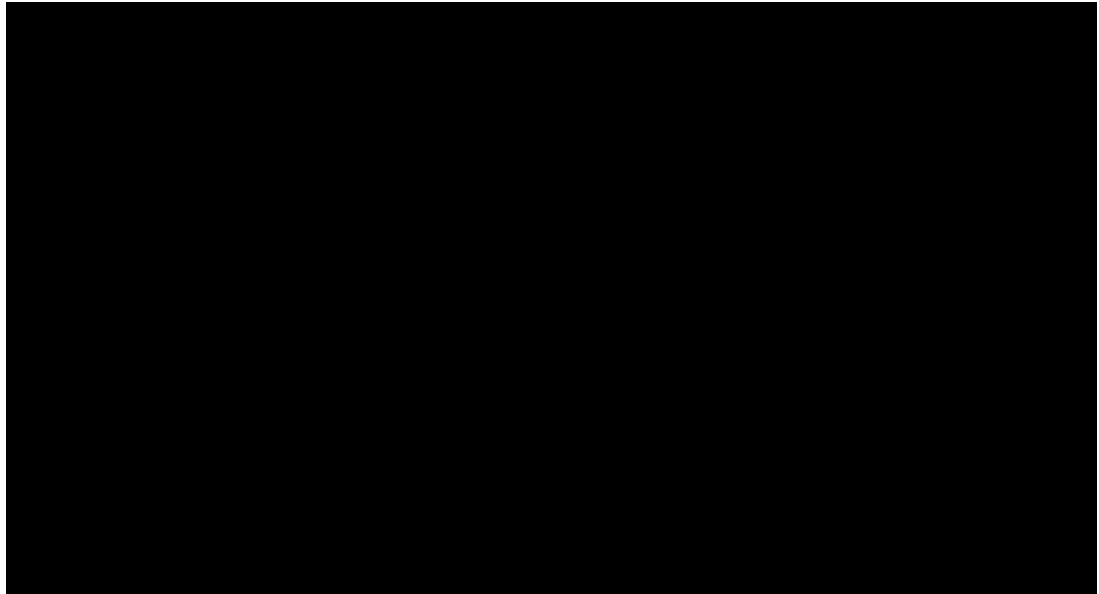
vi. Ipad, Exhibit #5

- I. File number REL0000000088 contained Honey SHERMAN's calendar entries.
- II. File number REL0000000089 contained Honey SHERMAN's call log list.
- III. File number REL0000000092 contained Honey SHERMAN's contact list.

vii. HP Computer (at Apotex), Exhibit #6

- I. File number REL0000000047 contained Bernard SHERMAN's Outlook Contacts with email addresses, titles and phone numbers.

II.





III. File number REL0000003149 is an email from Jonathon SHERMAN to Bernard SHERMAN inviting him to the Green Storage Christmas Party dinner planned to be on December 18th, 2017 at 5:00 PM. The email was sent on December 14th, 2017 at 5:34 PM.

IV. File number REL0000003256 is an email from [REDACTED] to Bernard SHERMAN, Honey SHERMAN and Brad KRAWCZYK on December 15th, 2017 at 10:06 AM. The email stated:

“We are looking forward to celebrating Channukah with Gramma and Grandpa tonight!! Please come early as usual to spend more time with the kiddos. I will be home with Derek by around 5 pm ?????”.

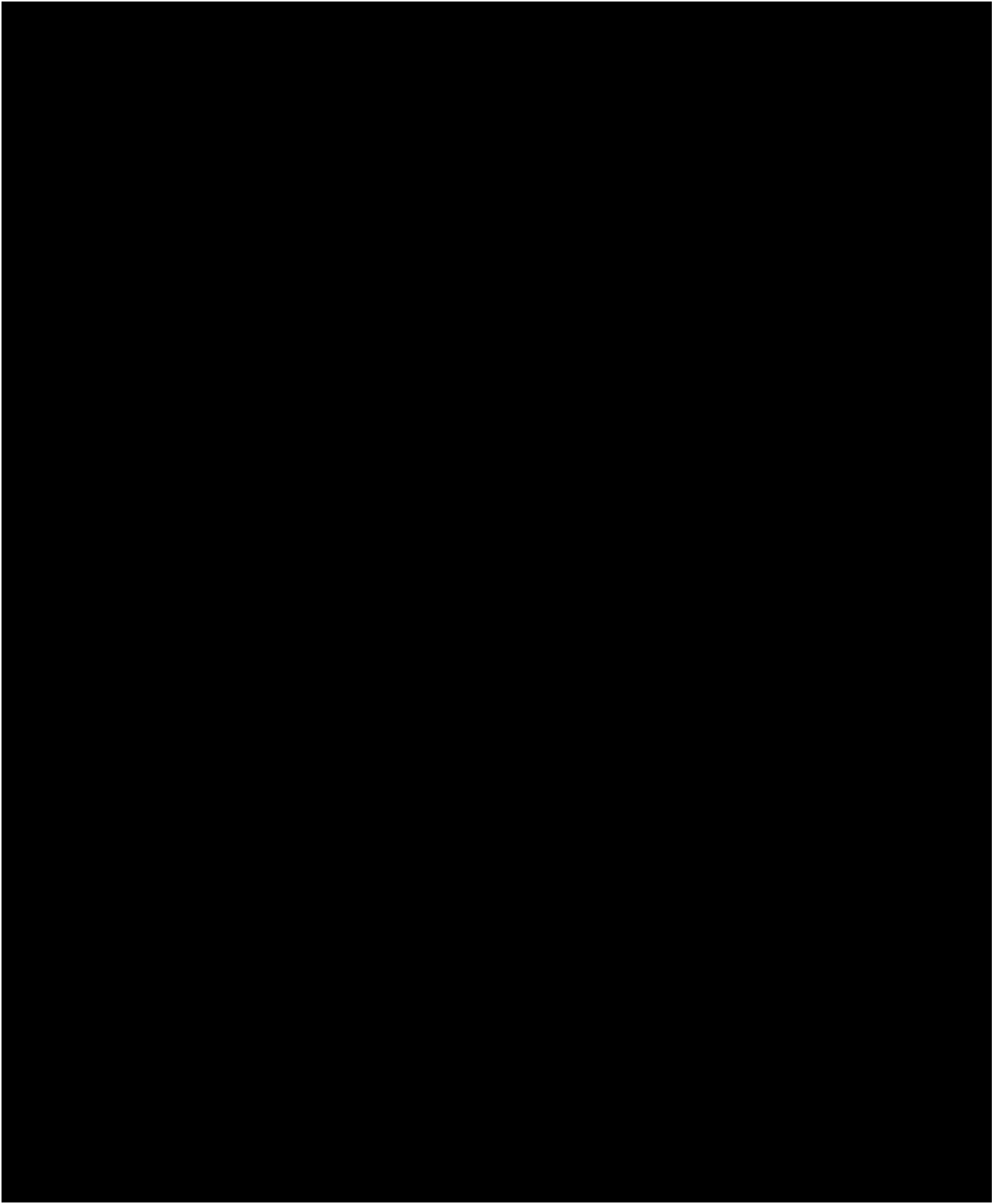
V. File numbers REL0000003261 and REL0000003263 are logged missed call from K SHERMAN from phone number [REDACTED]. The times of the missed calls were 10:16 AM and 10:18 AM on December 15th, 2017 respectively.

VI. File number REL0000003289 is a logged missed call from L SHERMAN from phone number [REDACTED]. The time of the missed call was 10:18 AM on December 15th, 2017.

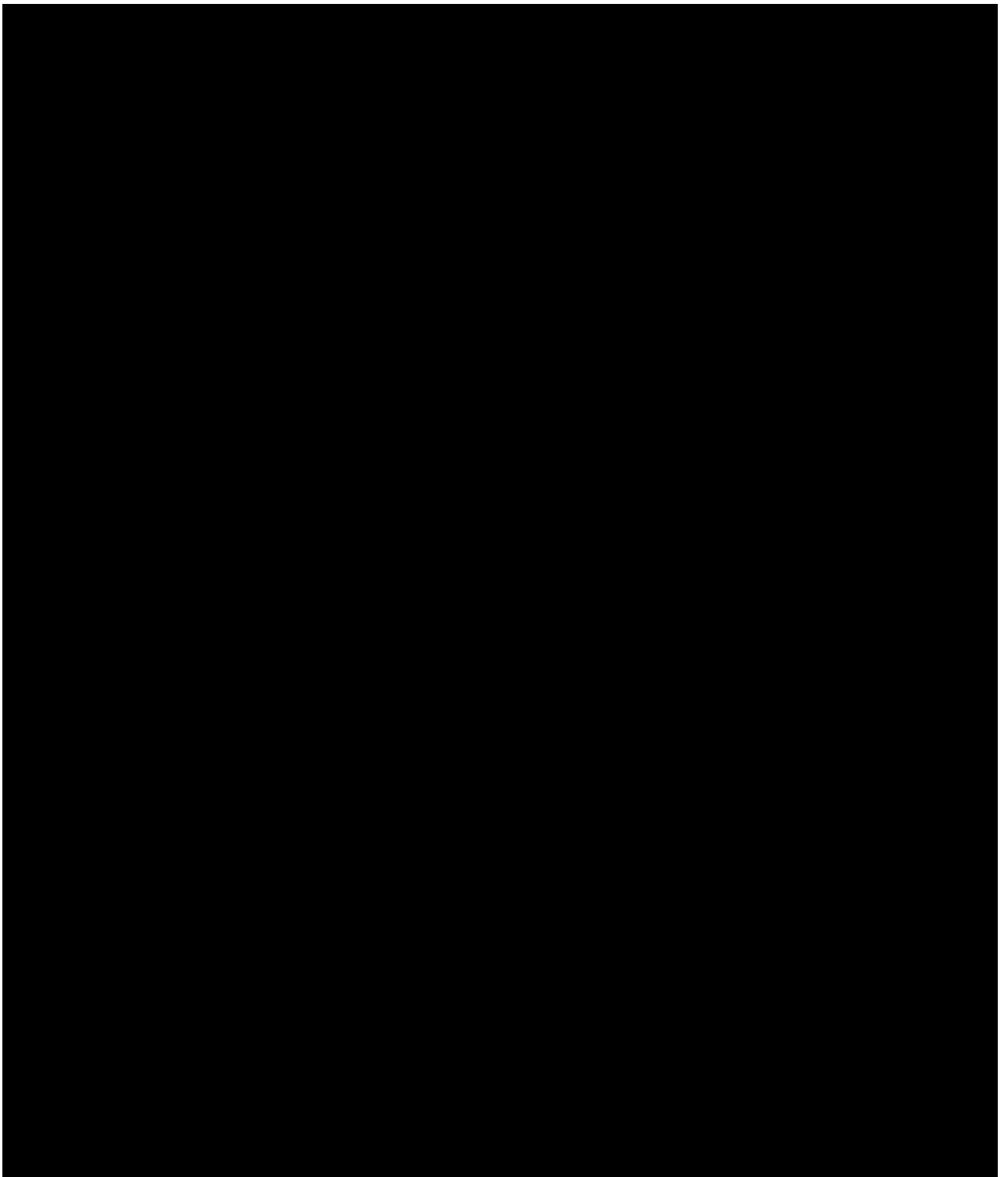
viii. Additional review of HP Computer At Apotex, Exhibit #6

On June 25th, 2020 I reviewed a supplementary report completed by DC DEVINE on April 17th, 2018. The report served as a summary of files that were downloaded from all of the electronic devices that were seized and searched on the authorization of search warrants.

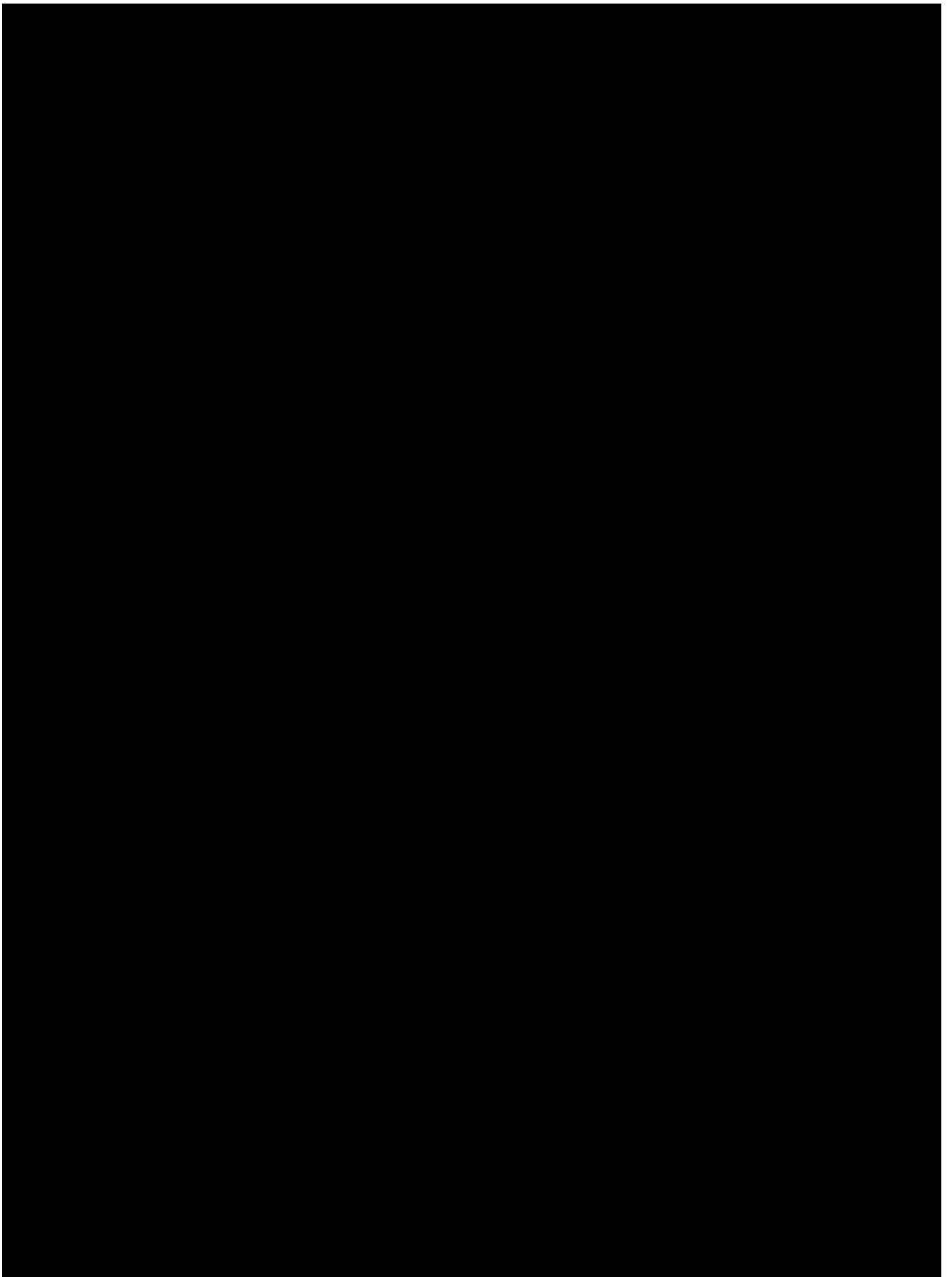
I have included the results and summary of device #6 which is the computer located in Bernard SHERMAN’s office at Apotex Inc. This serves as a comprehensive review of all the items located in the computer with a brief summary.

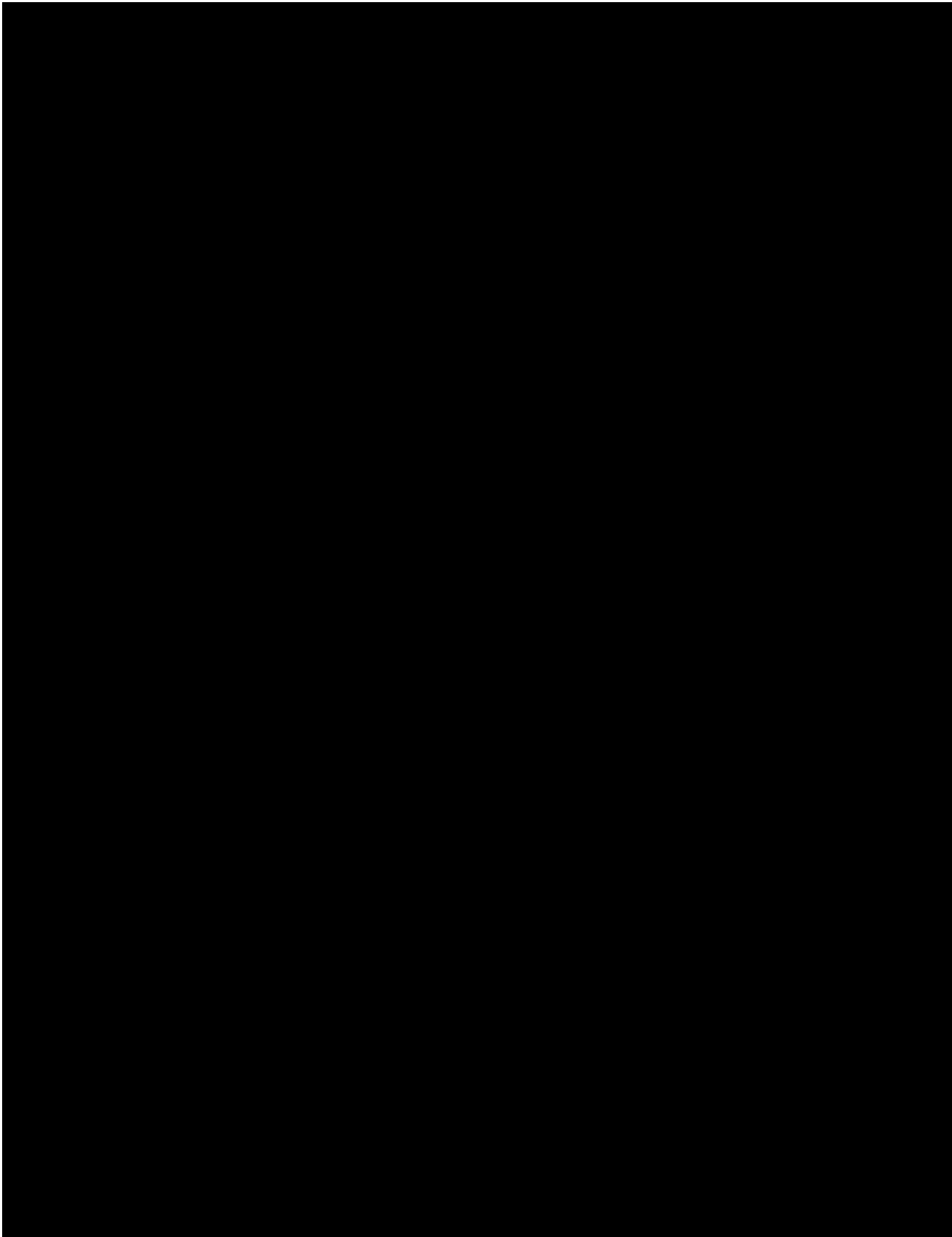


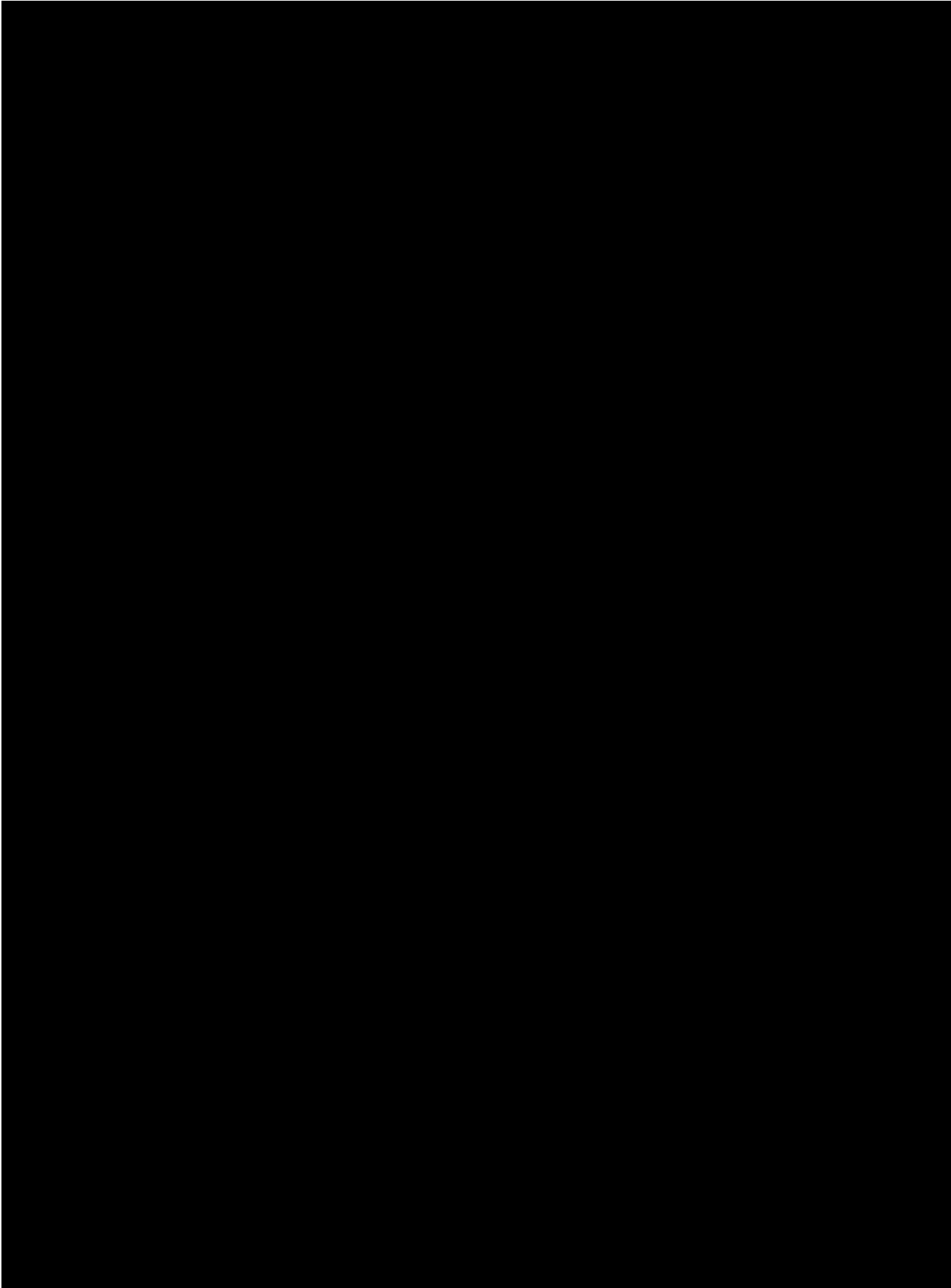
█

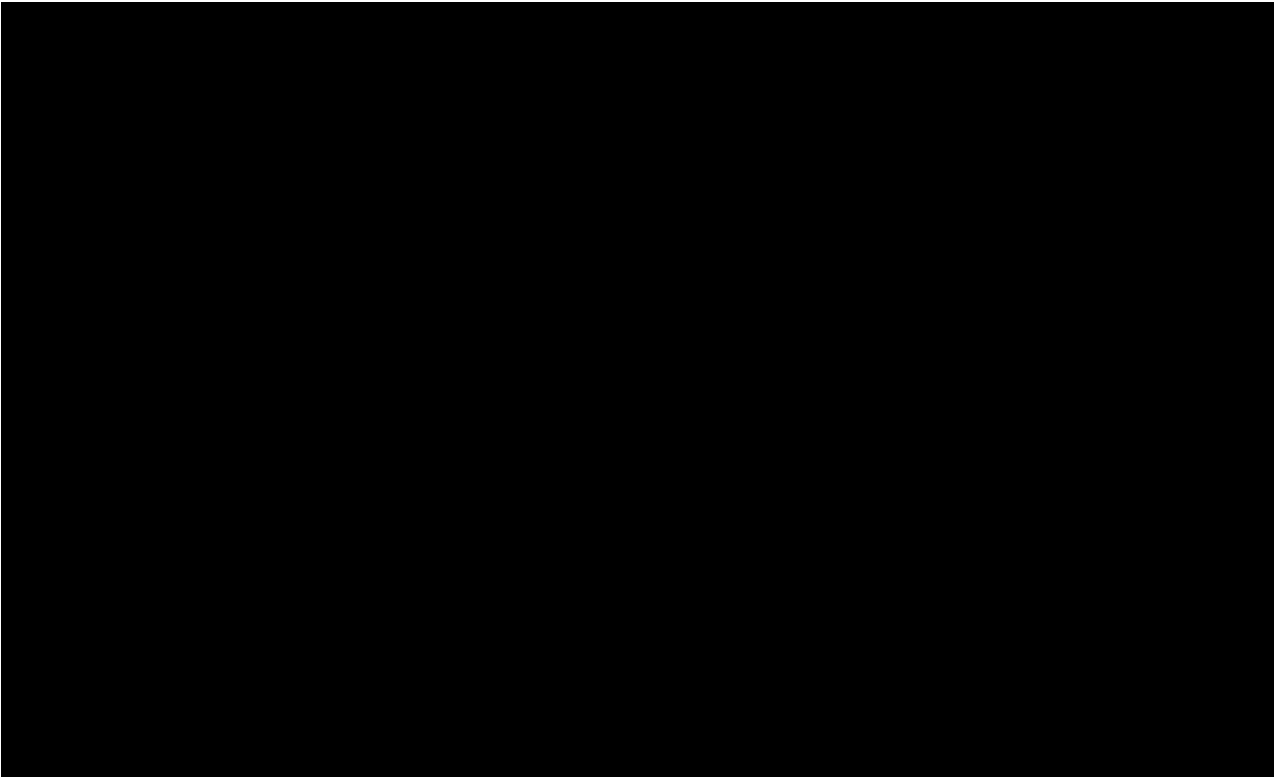


| _____









(b) APOTEX OFFICE AND ADJOINING LAB SEARCH WARRANT RESULTS

On January 15th, 2018 the search warrant to search the office and adjoining lab occupied by Bernard SHERMAN was executed by Det. PRICE and DC DEVINE in the presence of representatives of Goodmans LLP.

i. Office Documents

On February 1st, 2018 I reviewed the Scenes of Crime photographs of [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On May 2nd, 2018, I reviewed a Supplementary Report completed by DC DEVINE and dated April 5th, 2018. The report was for DC DEVINE's review of documents that were from Bernard SHERMAN's Apotex office, located at 150 Signet Drive. I reviewed the Supplementary Report and have summarized the information as follows:

- I. 57 documents were identified as privileged and are being retained by Goodmans LLP. The privileged holders were identified as Apotex Inc., Shefam Estates.
- II. The following documents are not classified as privileged and are listed as follows:

a.

b.

c.

d.

e.

f.

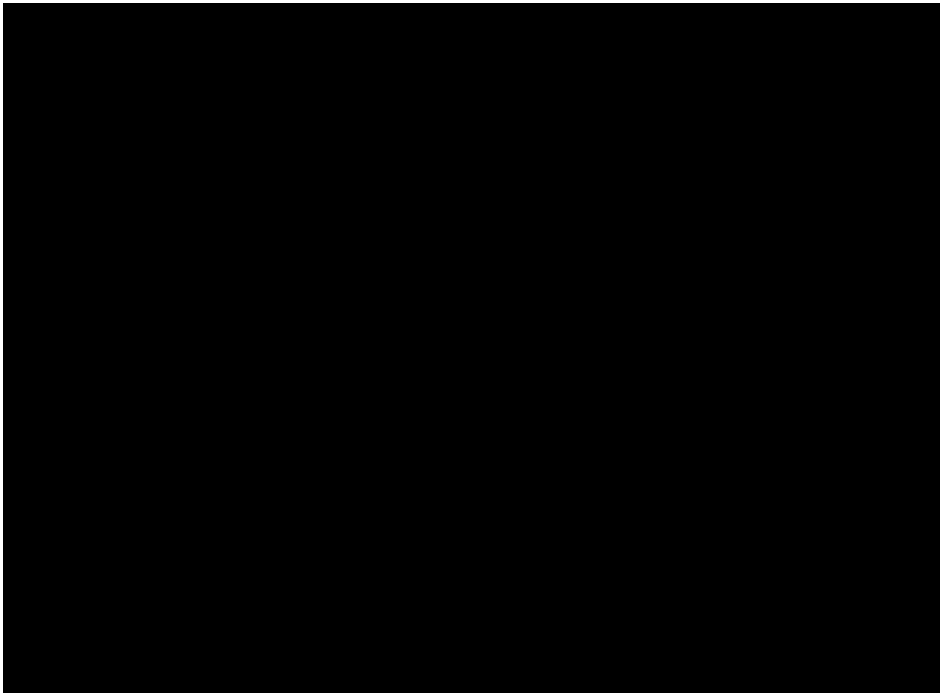
g.

h.

i.

j.

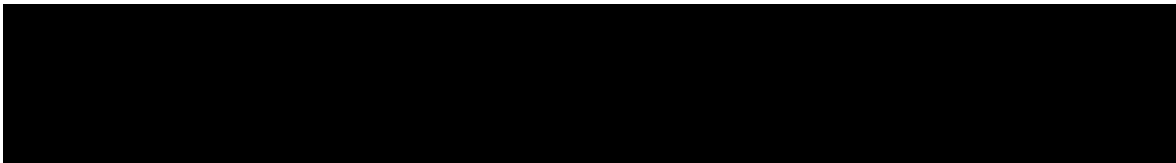
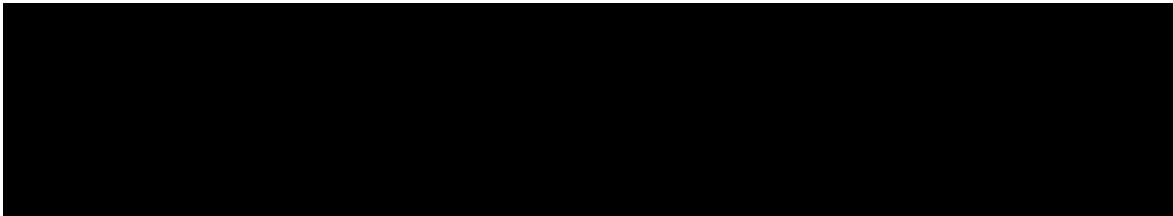
k.

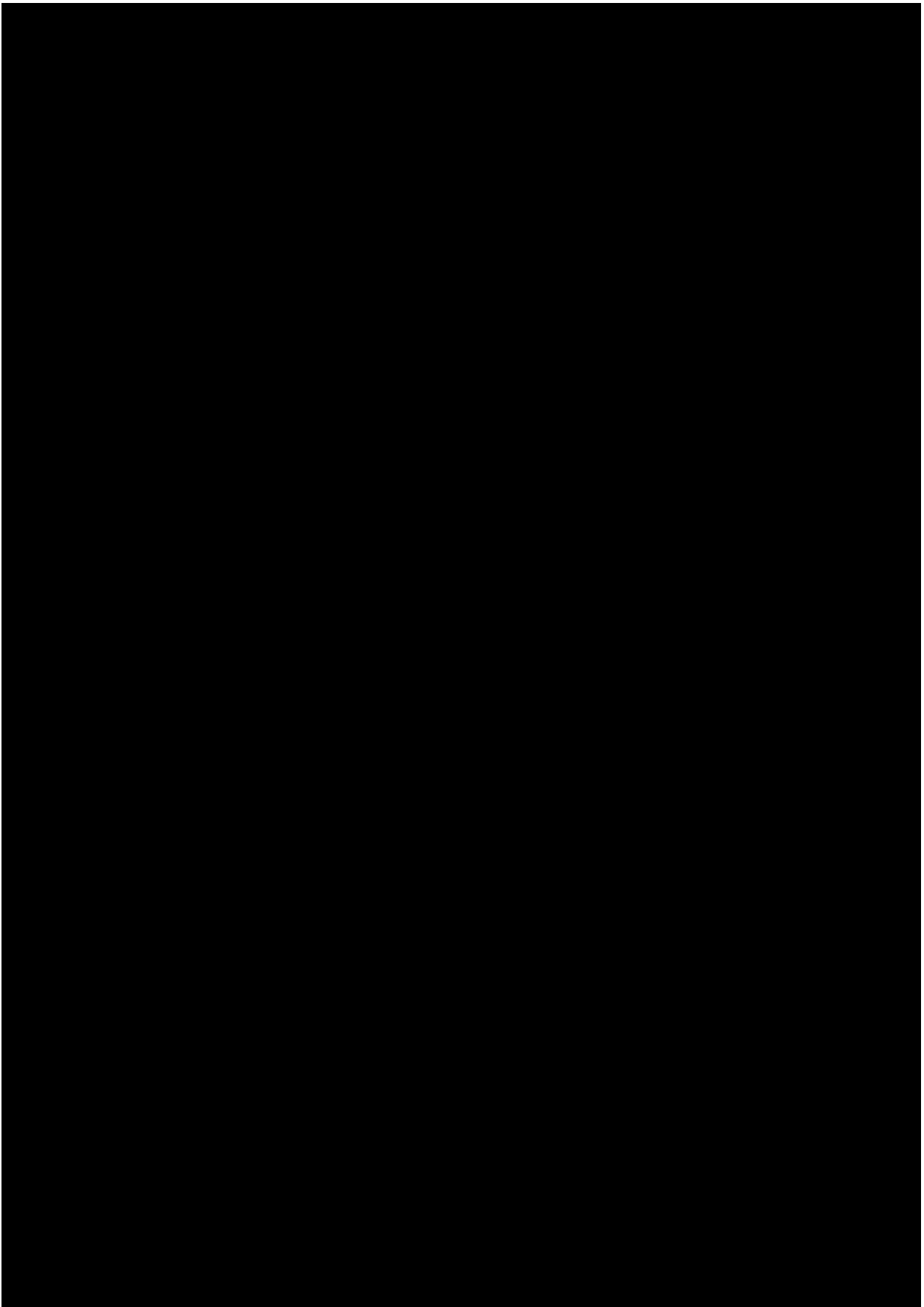


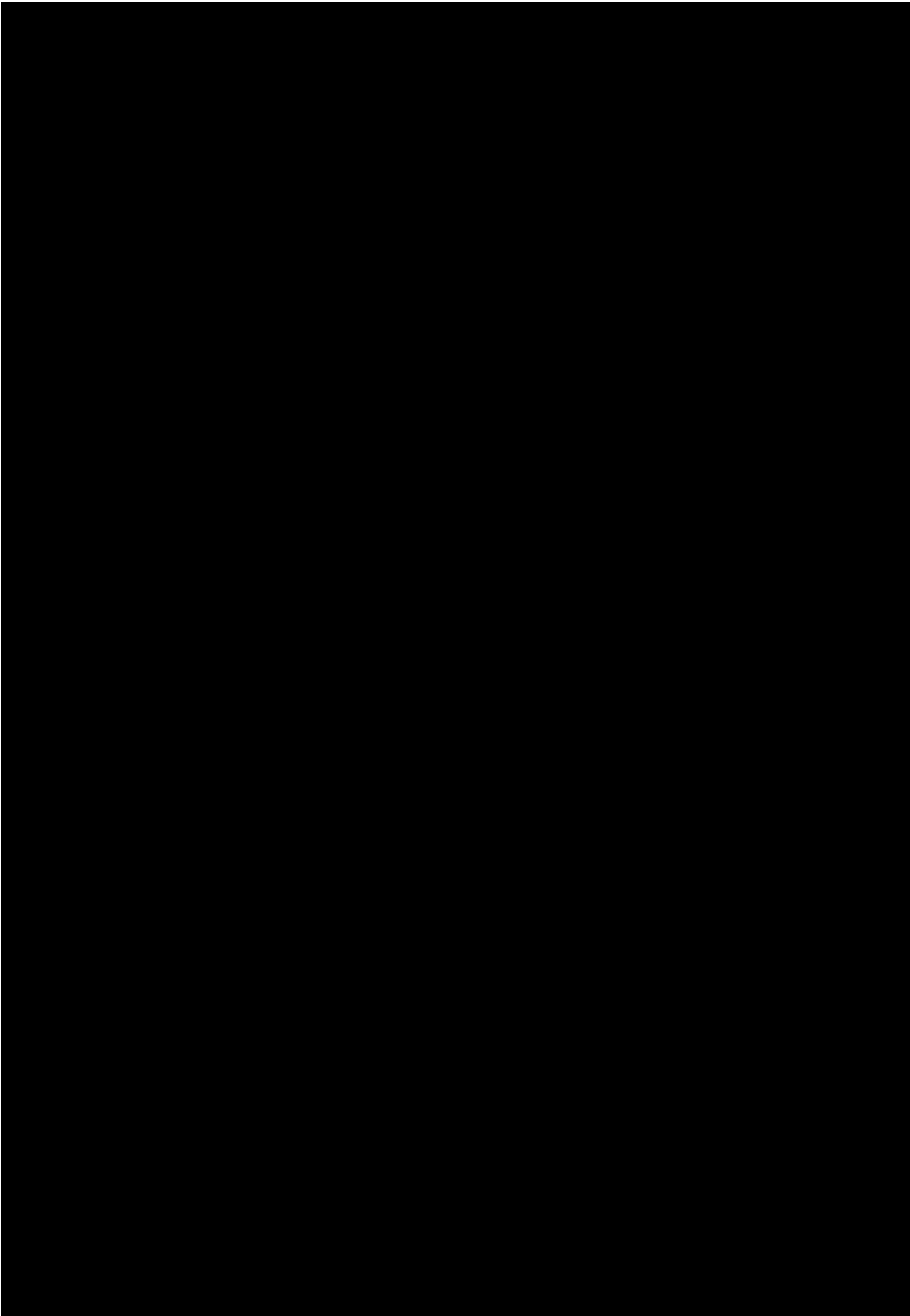
ii. Office Phone

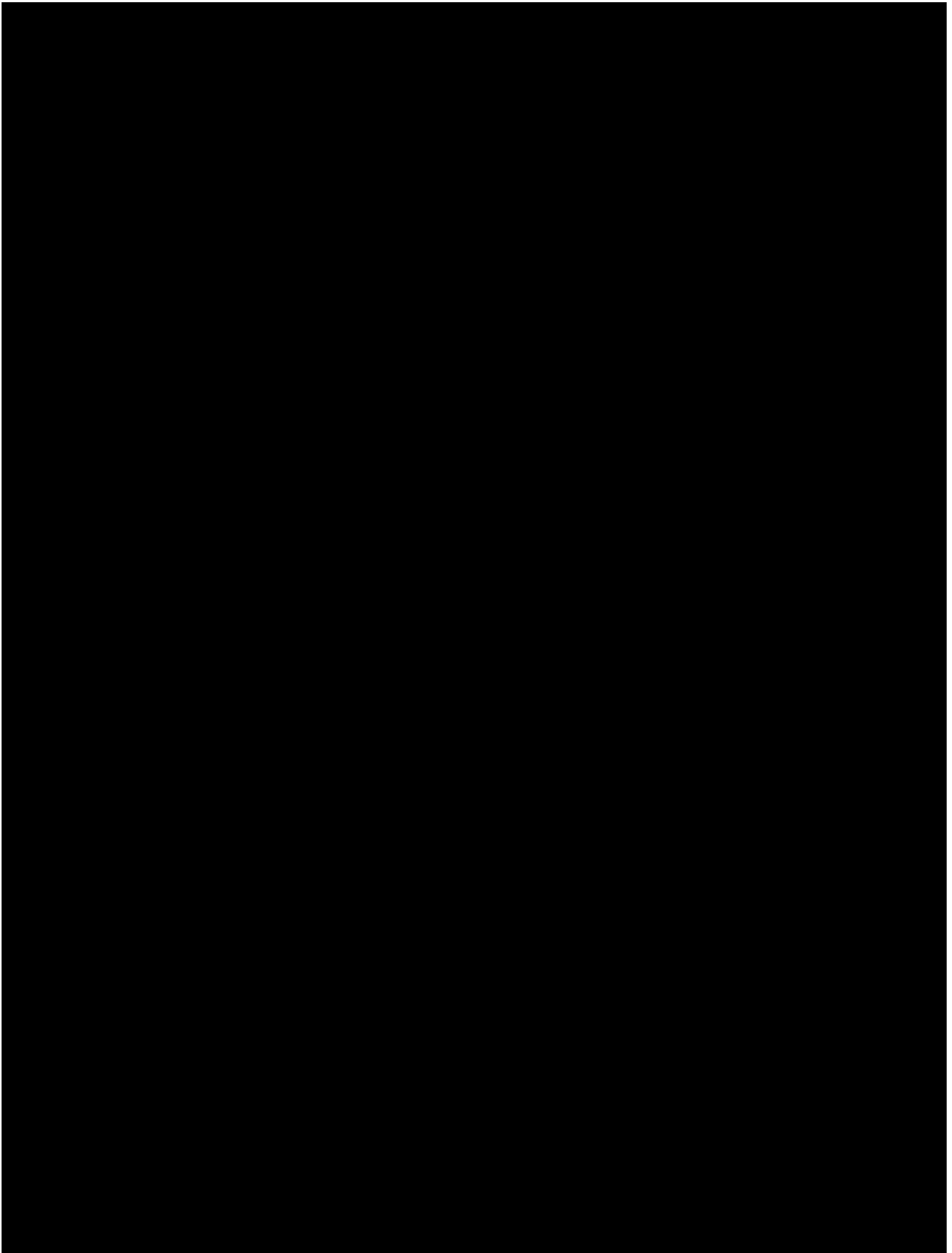
On March 26th, 2018 I reviewed a Supplementary Report #466 completed by DC DEVINE which compared photos of the call logs from the phone, located in Bernard SHERMAN's office at Apotex Inc. at 150 Signet Drive, to the contacts that were returned from the Production Order results of Bernard SHERMAN's and Honey SHERMAN's cellular phones, the contact list from Bernard's and Honey's phones, the white pages and witnesses that have already been identified in this investigation.

In her Supplementary Report, DC DEVINE created a chart, shown below, that identified any new witnesses and unidentified phone numbers. Each item on the chart pertained to a Cumulus photo showing either an incoming or outgoing call to Bernard SHERMAN's office phone located at 150 Signet Drive. The phone numbers and persons associated to a particular phone number were listed. The duration of the calls were unknown.









2. RELEVANT RESULTS FROM THE EXECUTION OF PRODUCTION ORDERS

The following is a list of all the Production Order results that investigators have received thus far. I have summarized the information received that I believe is relevant to this application. The results that I believe are not relevant to this application have not been summarized.

(a) Honey SHERMAN's cellular phone number, [REDACTED]

On February 1st, 2018 I reviewed an analysis of the Production Order results from Honey SHERMAN's cellular phone number [REDACTED] completed by DC DEVINE. The analysis revealed that Honey SHERMAN's last completed call was from her phone number, [REDACTED] This call occurred on [REDACTED]

(b) Bernard SHERMAN's cellular phone number, [REDACTED]

On February 1st, 2018 I reviewed an analysis of the Production Order results from Bernard SHERMAN's cellular phone number [REDACTED] completed by DC DEVINE. The analysis revealed that Bernard SHERMAN's last completed call was a call from phone number [REDACTED] with a subscriber of [REDACTED] to Bernard SHERMAN's phone number, [REDACTED] on [REDACTED]

(c) Honey SHERMAN's email, [REDACTED]

On March 20th, 2018, I reviewed a Supplementary Report completed by DC DEVINE in regards to her review of Honey SHERMAN's emails obtained by Production Order.

The last email Honey SHERMAN sent was an email to mydrap.com asking if they ship to Canada and the US. This email was sent at [REDACTED] [REDACTED] After this email several emails are received but not responded to.

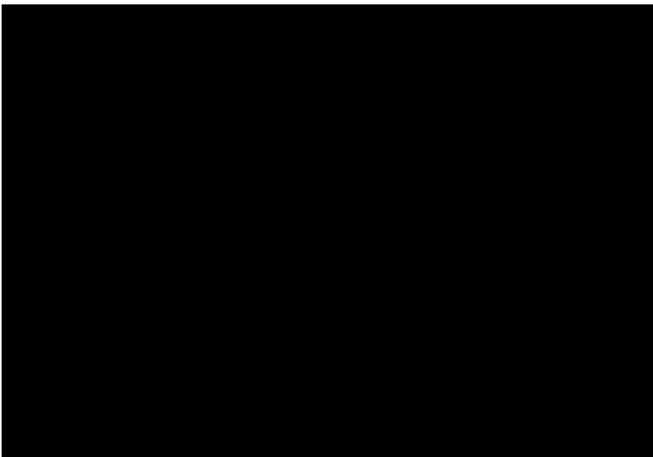
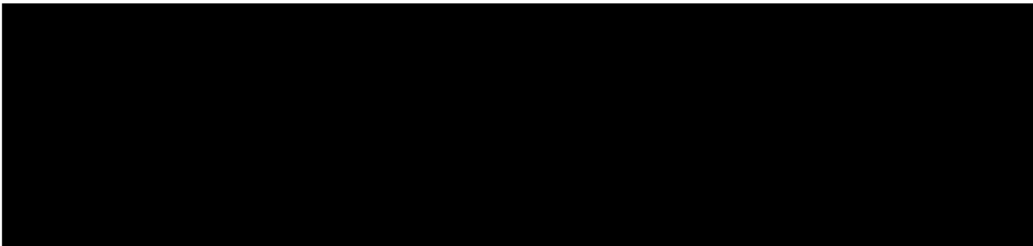
(d) Apotex Inc. surveillance video and swipe card logs at 150 Signet Drive

i. Apotex Inc. video surveillance

¹⁰ Greenwich Mean Time is 4 hours ahead of Eastern Time.

On March 19th, 2018 I reviewed a Video Chronology for the video surveillance from Apotex Inc. for the premises located at 150 Signet Drive for December 13th, 2017. The chronology was created by DC THAYALAN. Upon review of the chronology I learned the following:

I.



II.



III.



IV.



V. The three men attended the reception area and spoke with the receptionist. The men have been identified as Daniel GREENGLASS, Joe BRENNAN and Roman BUKOVASKY. The three men exit the reception area and enter the building.

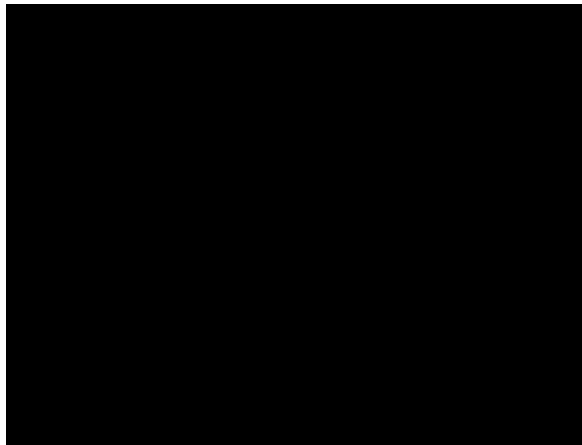


VI.





VII.



VIII.



[Redacted]

- a.
- b.
- c.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

IX.

[Redacted]

X.

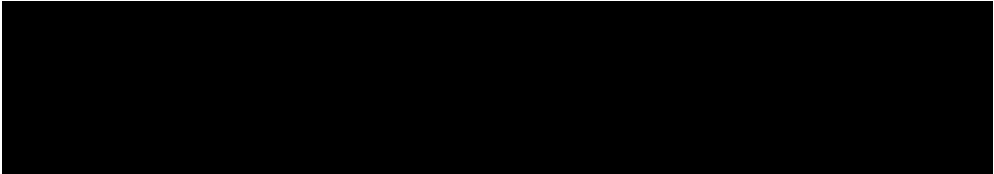
[Redacted]

XI.

[Redacted]



XII.



The video surveillance corroborates the statement of Joe BRENNAN who advised that he had a meeting with Honey SHERMAN at Apotex with Danny GREENGLASS and another person from the office at 5:01 PM.

ii. Apotex Inc. security card logs

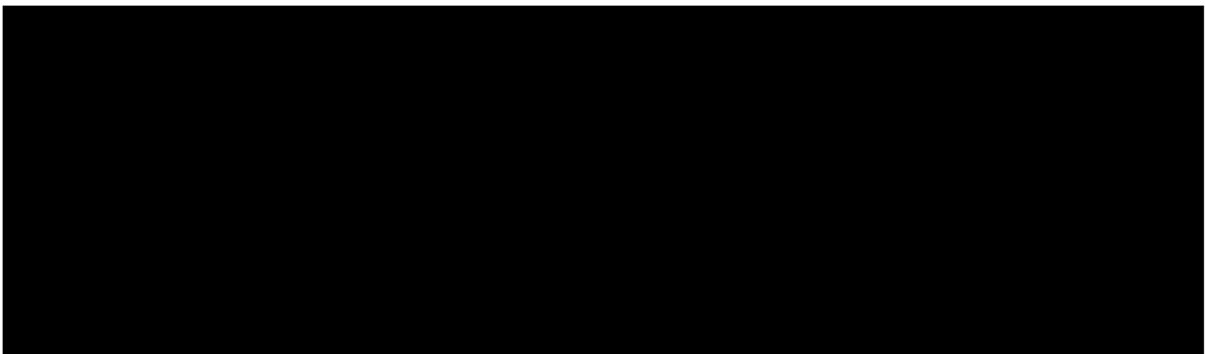
On March 19th, 2018 I reviewed the security card log for Barry SHERMAN's card with card number [REDACTED] for Apotex Inc. at 150 Signet Drive. The log [REDACTED] I noted the following entries on December 13th, 2017:

I. The first entry for December 13th, 2017 is at [REDACTED] for device [REDACTED] [REDACTED] The panel was designated [REDACTED] [REDACTED]

II. The last entry for December 13th, 2017 is at [REDACTED] for device [REDACTED] [REDACTED] The panel was designated [REDACTED] [REDACTED]

The two security card log entries are consistent with the times that Bernard SHERMAN is seen, on Apotex surveillance video, arriving and leaving Apotex Inc. on December 13th, 2017.

- (e) OHIP Records of Bernard SHERMAN and Honey SHERMAN
- (f) BMO Financial Group credit cards in the name of Bernard SHERMAN and Personal accounts for Bernard SHERMAN and Honey SHERMAN.
- (g) TD Bank credit cards and personal and commercial accounts in the name of Bernard SHERMAN.
- (h) CIBC Aerogold Visa Cards belonging to Bernard SHERMAN and Honey SHERMAN
- (i) CIBC Aerogold Visa Infinite Card [REDACTED] in the name of Dr. Bernard SHERMAN.
- (j) CIBC Aerogold Visa in the name of Honey SHERMAN.



- (k) BMO Financial Group commercial accounts in the name of Bernard SHERMAN
- (l) Aimia Inc. for Aeroplan card in the name of Dr. Bernard SHERMAN
- (m) Loyalty One for Air Miles card in the name of [REDACTED]

On March 20th, 2018 I reviewed the Production Order results for the Air Miles card with card number [REDACTED] in the name of [REDACTED] along with a Supplementary Report completed by DC DEVINE on March 1st, 2018, for her review of the Production Order results and follow up actions. There were two transactions on December 13th, 2017 and they occurred at the following locations:

- i. [REDACTED] DC DEVINE contacted the manager to obtain the video footage for this transaction and was advised that the video had already been overwritten.

- ii. [REDACTED] DC DEVINE spoke to the loss prevention officer at this location and was advised that the video from the store was already overwritten.

(n) Office of Chief Coroner's for medical records of Bernard SHERMAN

On March 23rd, 2018 I reviewed a Supplementary Report completed by Det. CAMPBELL for her review of the medical records of Bernard SHERMAN that were obtained from the Office of the Chief Coroner. From the report I have learned the following:

- i.
- ii.
- iii.
- iv.
- v.

[REDACTED]

- I.
- II.
- III.

[REDACTED]

11 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

IV.

V.

VI.

VII.

VIII.

IX.

X.

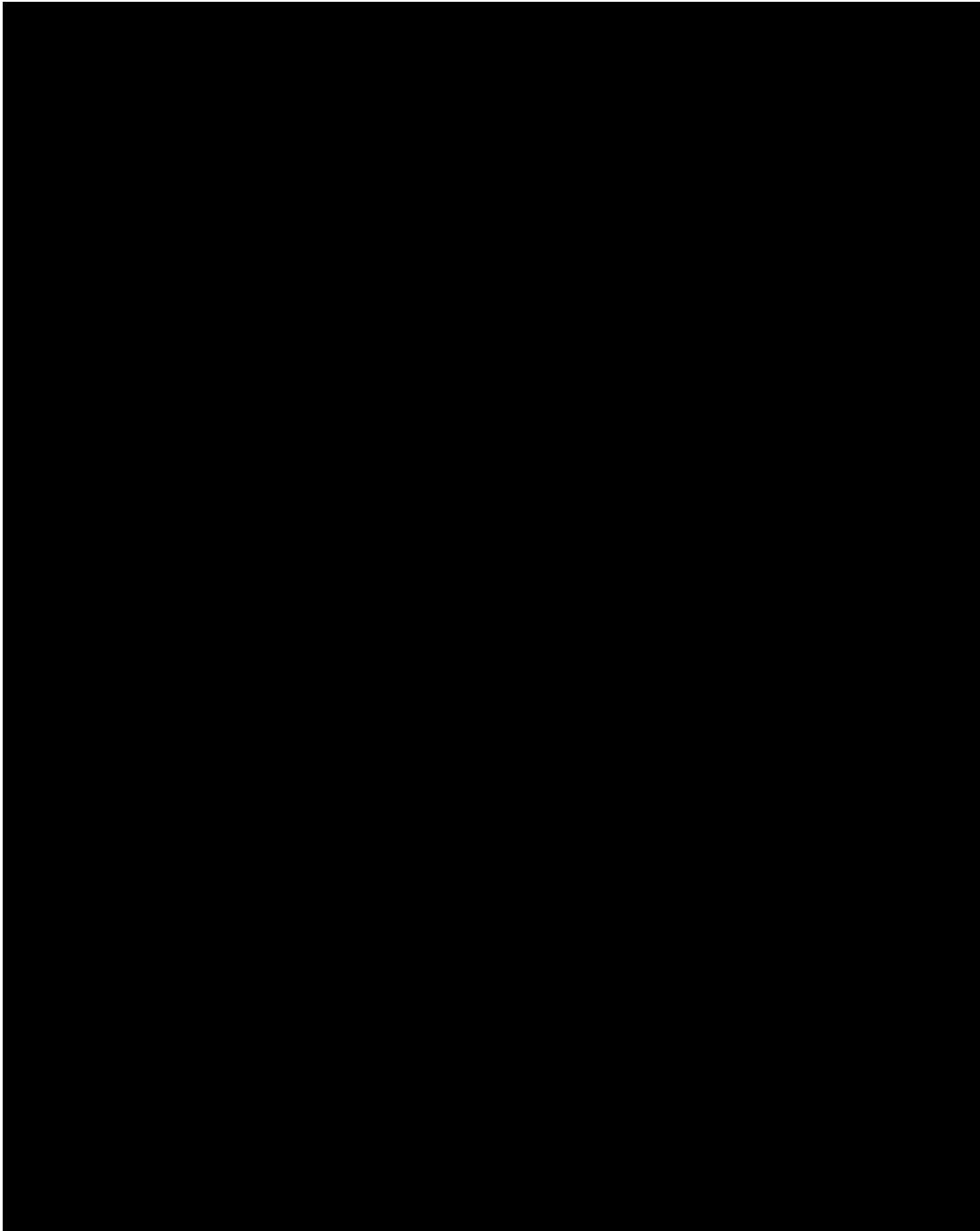
XI.

XII.

XIII.

XIV.

XV.



¹²

[Redacted footnote text]

¹³

[Redacted footnote text]

XVI.

XVII.

XVIII.

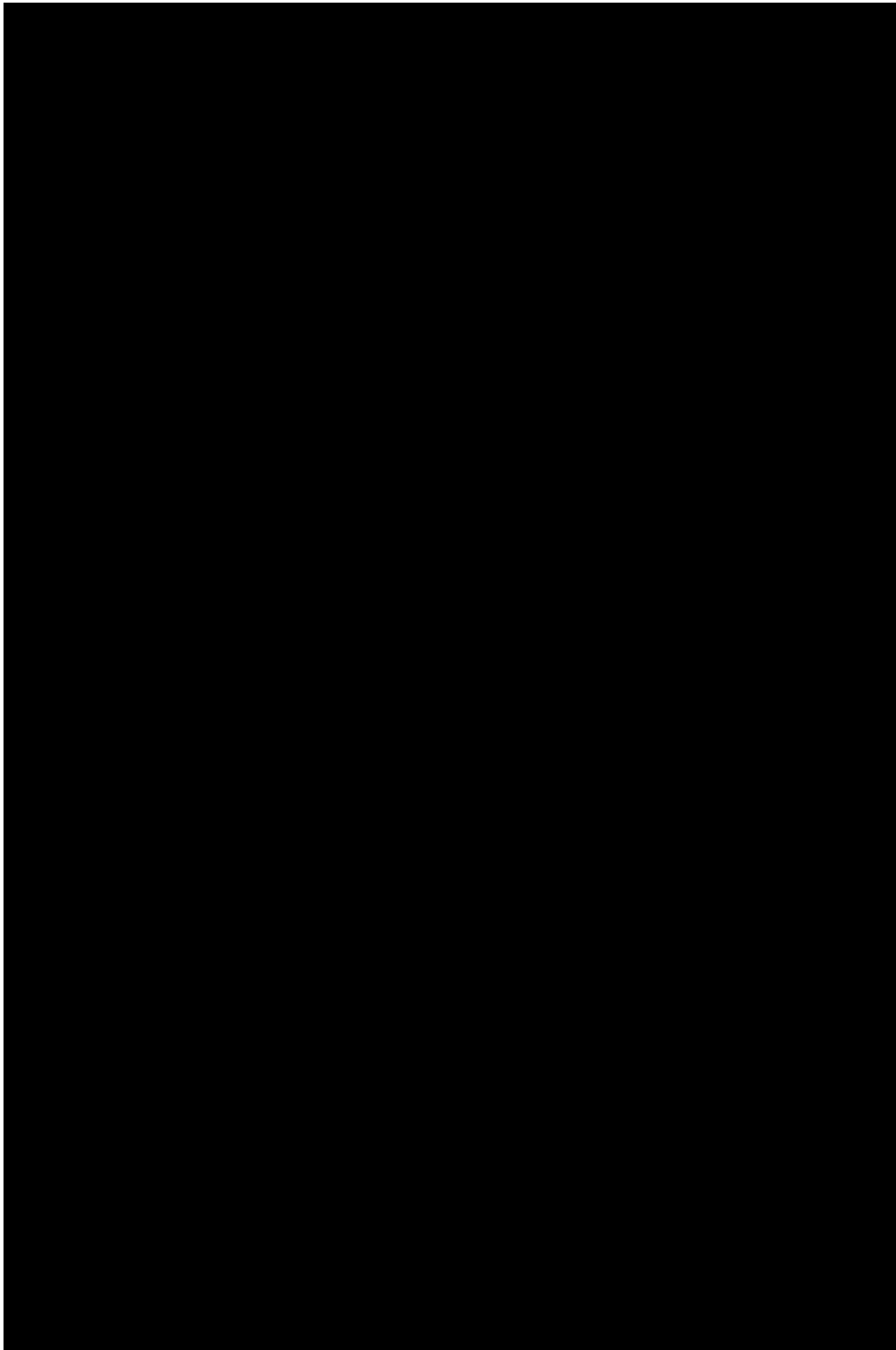
XIX.

XX.

XXI.

XXII.

XXIII.



XXIV.

XXV.

XXVI.

XXVII.

vi.

vii.

i.

a.

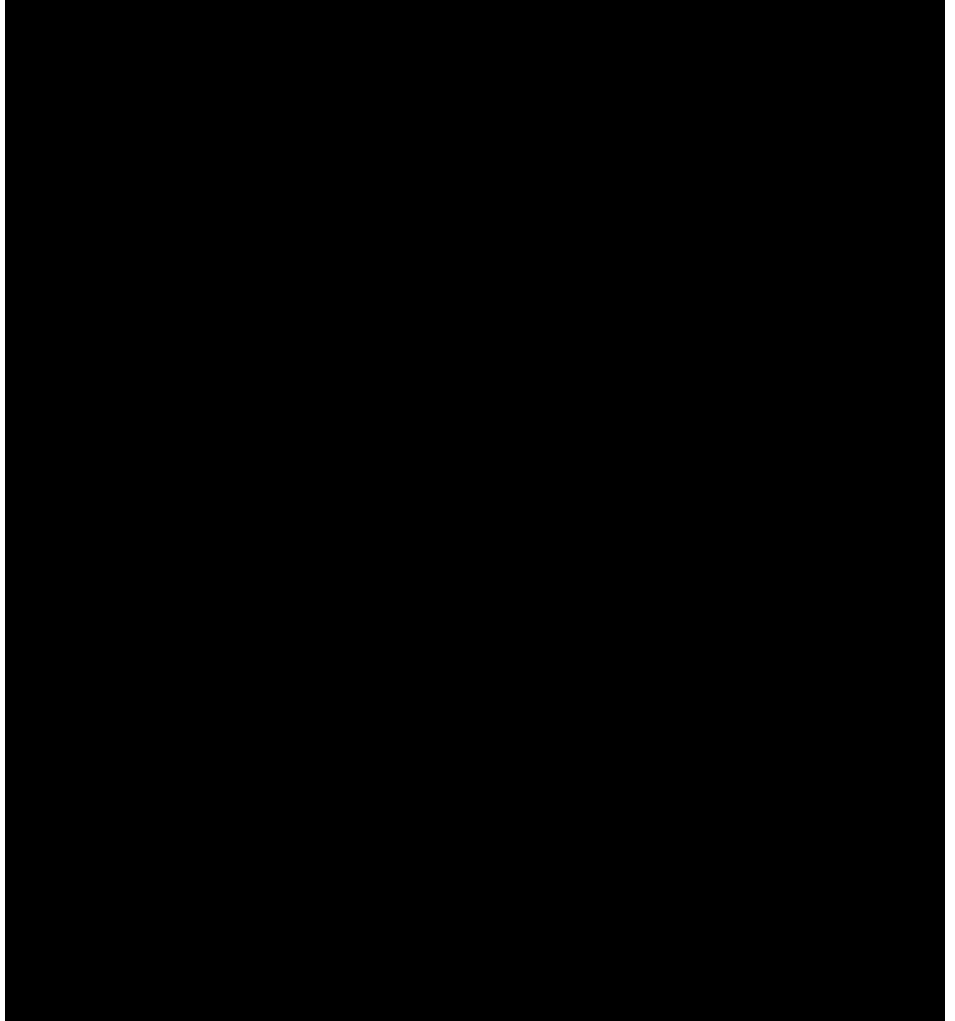
b.

c.

II.

a.

b.



(o) Office of Chief Coroner's for medical records of Honey SHERMAN

On March 23rd, 2018 I reviewed a Supplementary Report completed by Det. CAMPBELL for her review of the medical records of Honey SHERMAN that were obtained from the Office of the Chief Coroner. From the report I have learned the following:

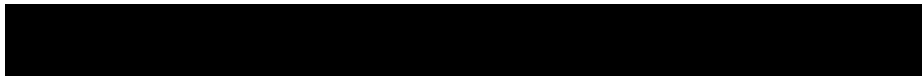
i.



ii.



l.



II.

III.

IV.

V.

VI.

VII.

VIII.

IX.

X.

iii.

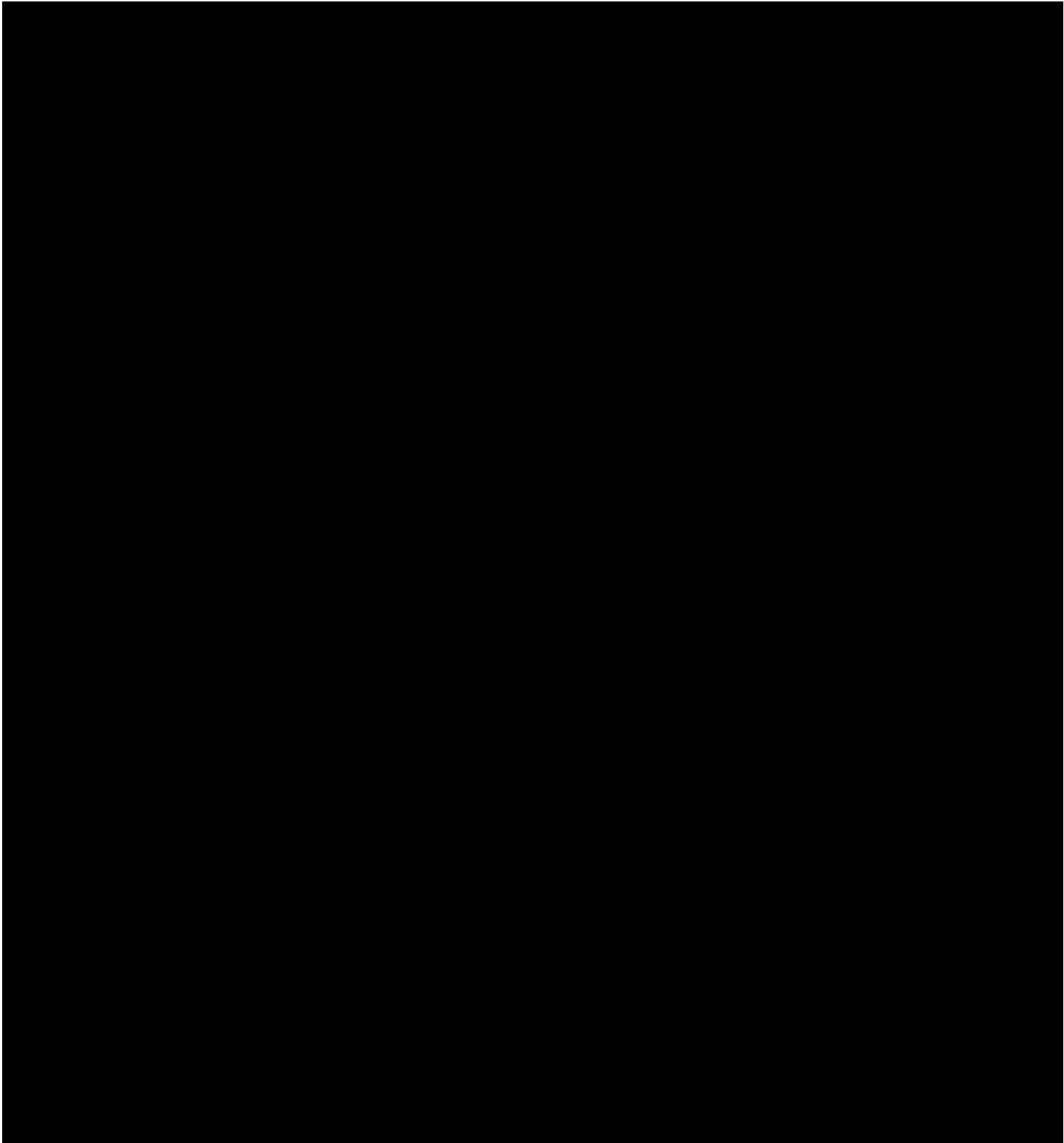
iv.

v.

vi.

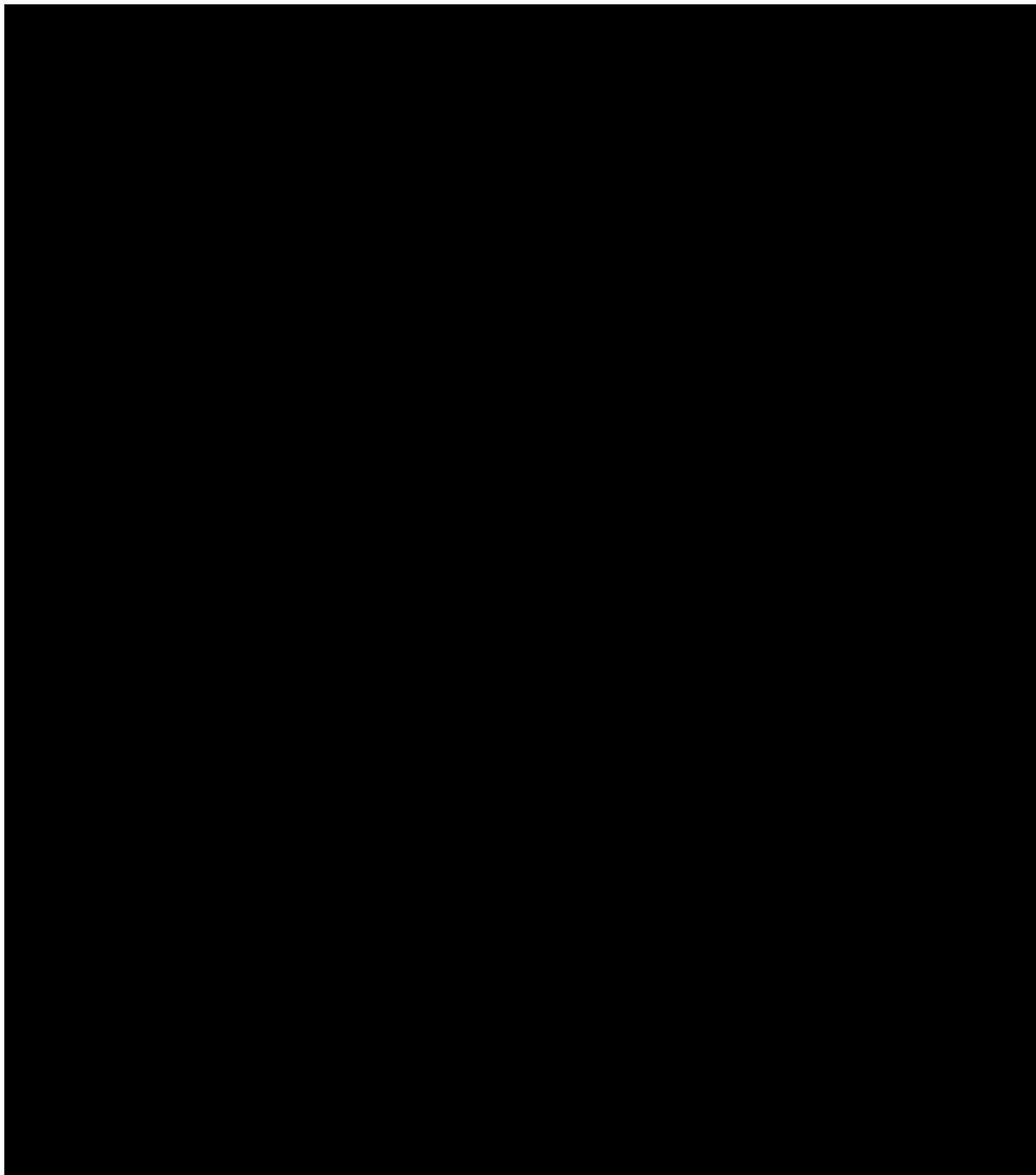
vii.

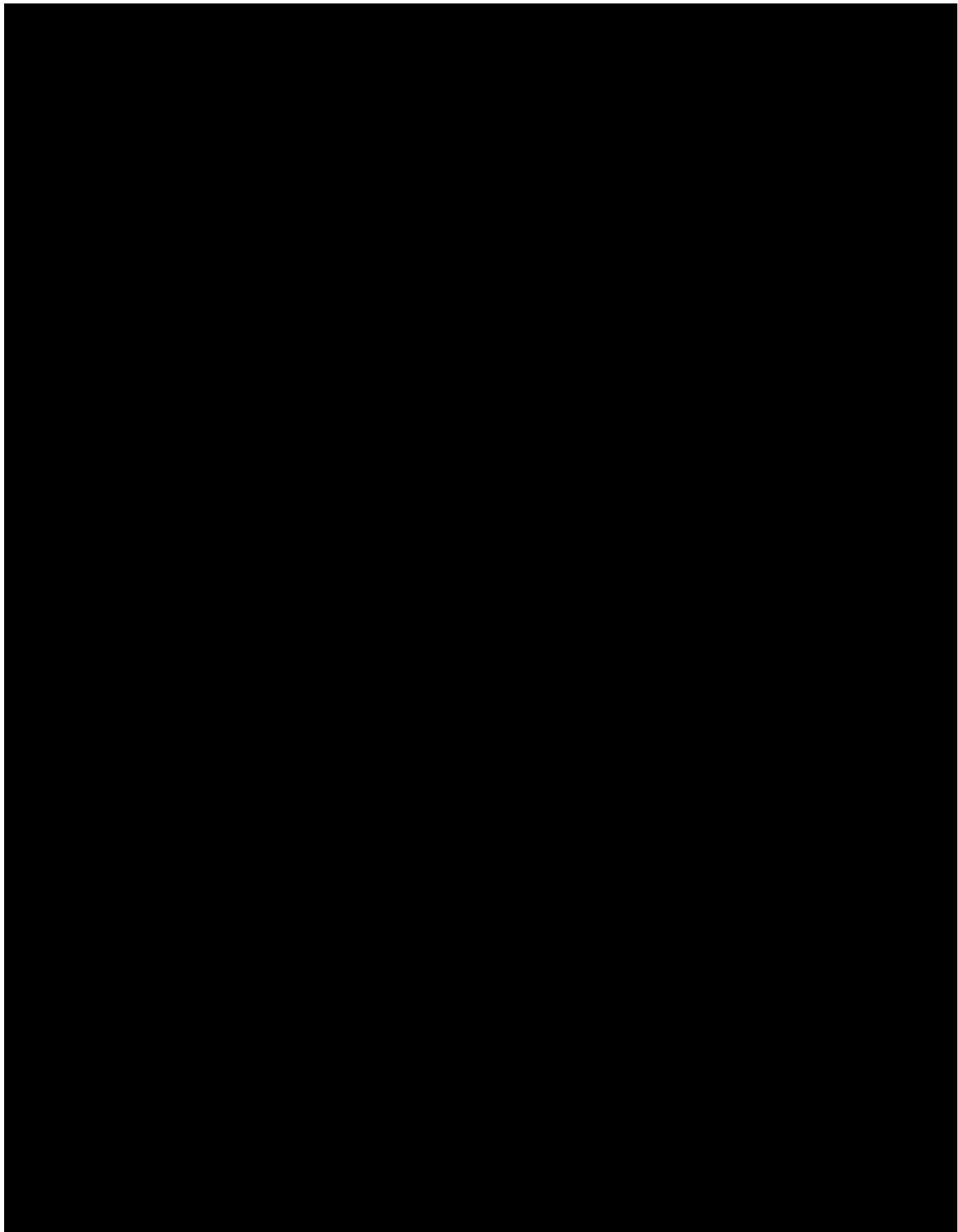
(p) Phone records from cellular phone numbers used by

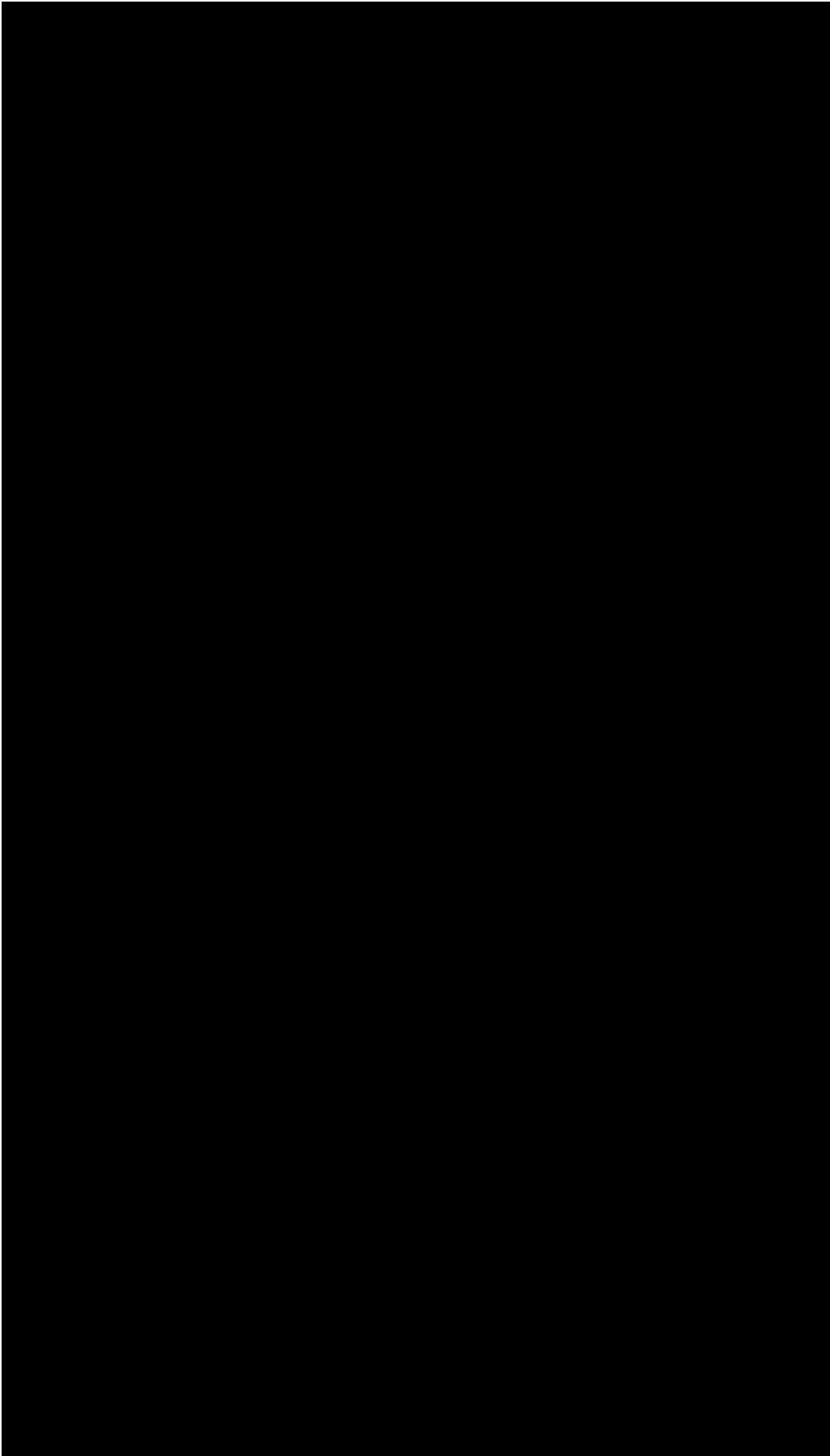


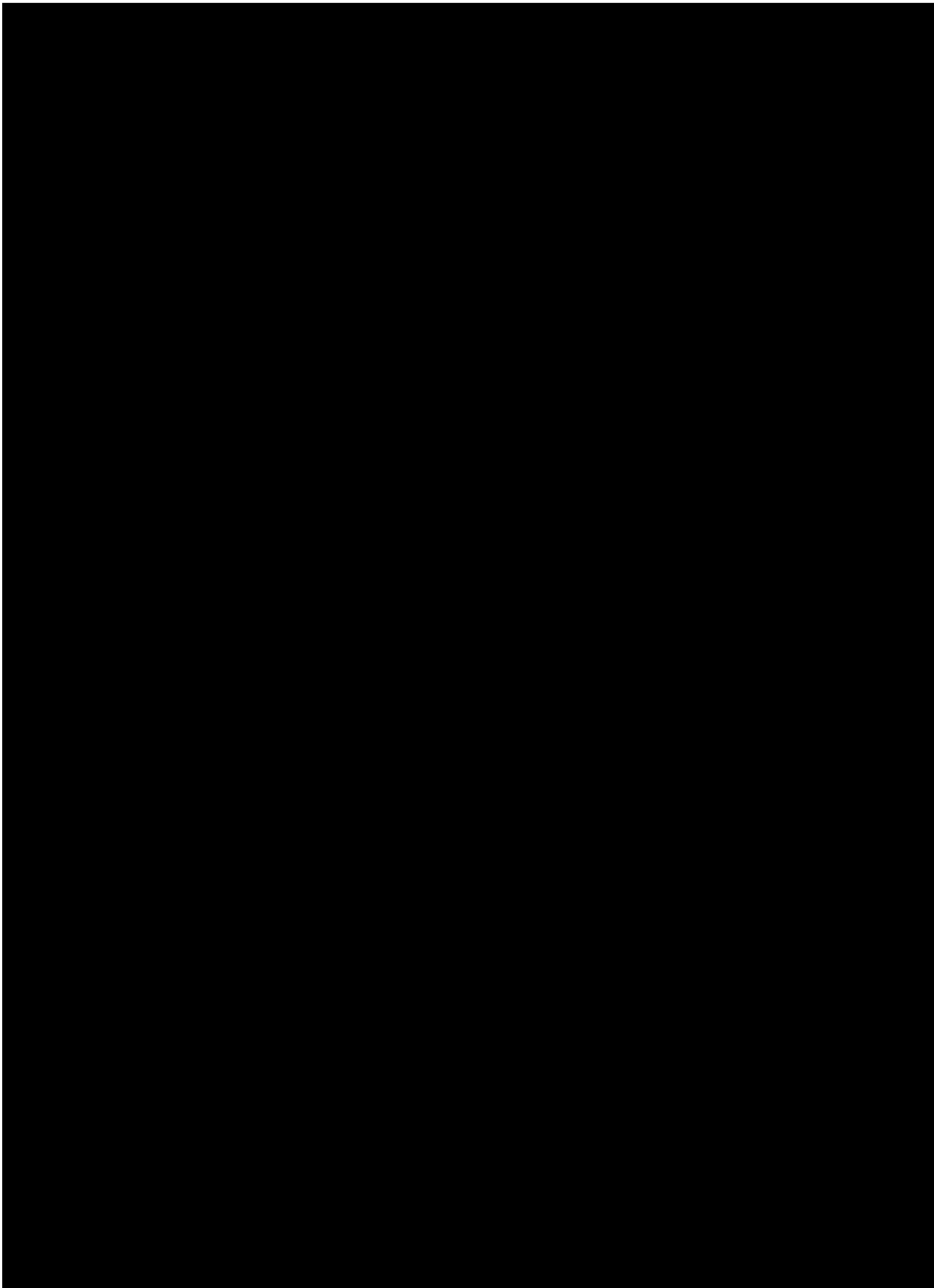
¹⁴ An international mobile subscriber identity (IMSI) is a unique number, usually fifteen digits, associated with Global System for Mobile Communications (GSM) and Universal Mobile Telecommunications System (UMTS) network mobile phone users. The IMSI is a unique number identifying a GSM subscriber.

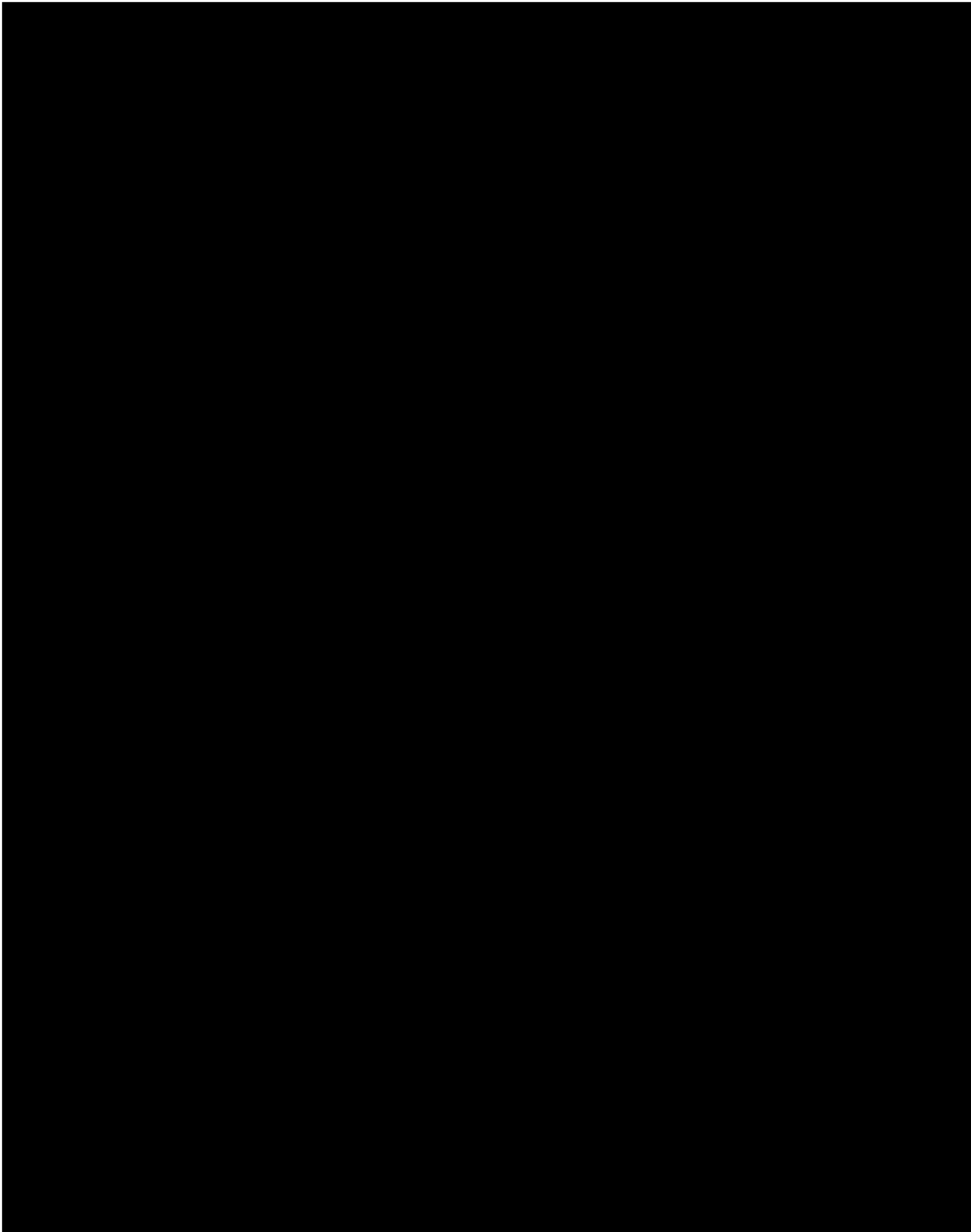
Source: <https://www.techopedia.com/definition/5067/international-mobile-subscriber-identity-imsi>

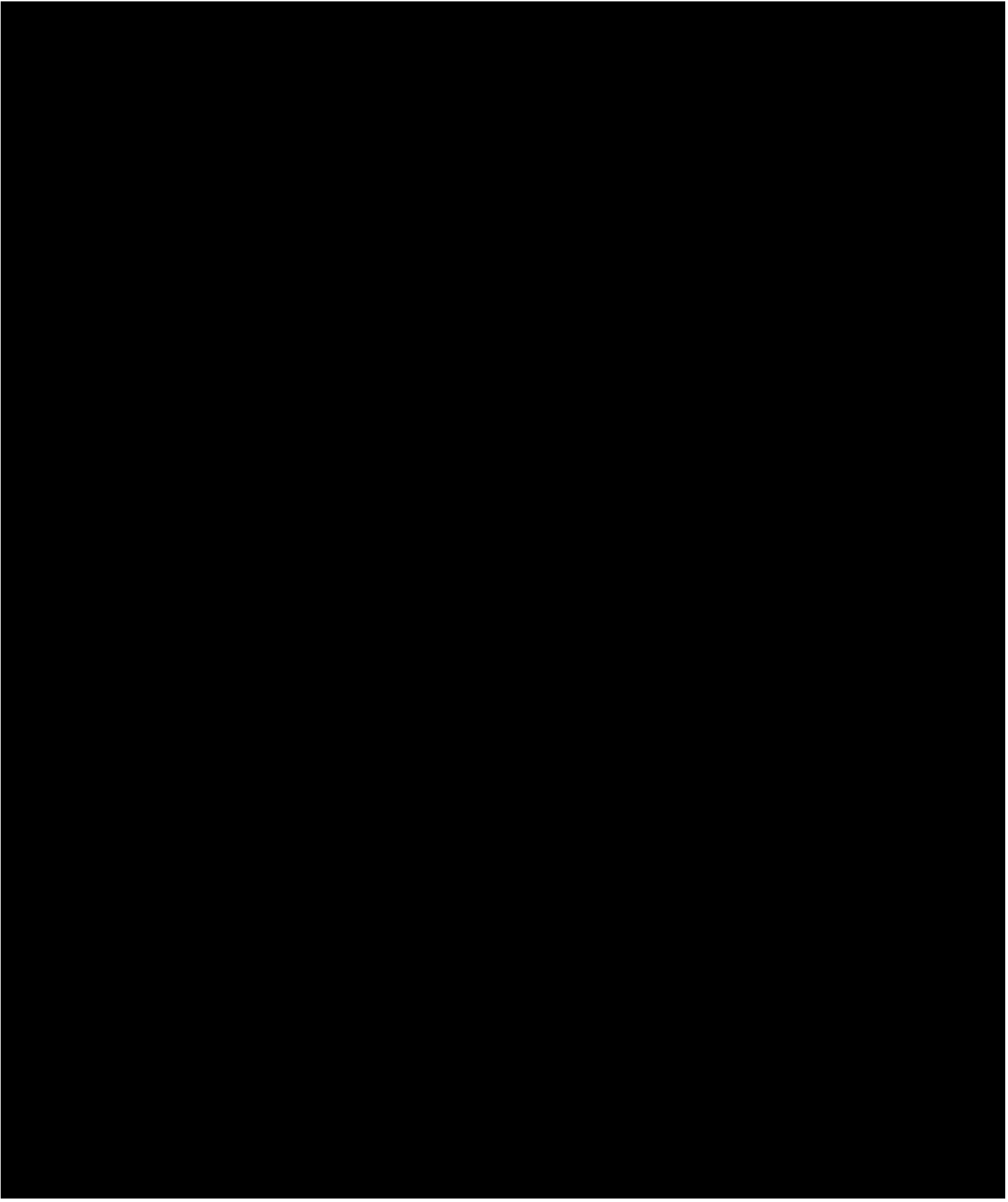


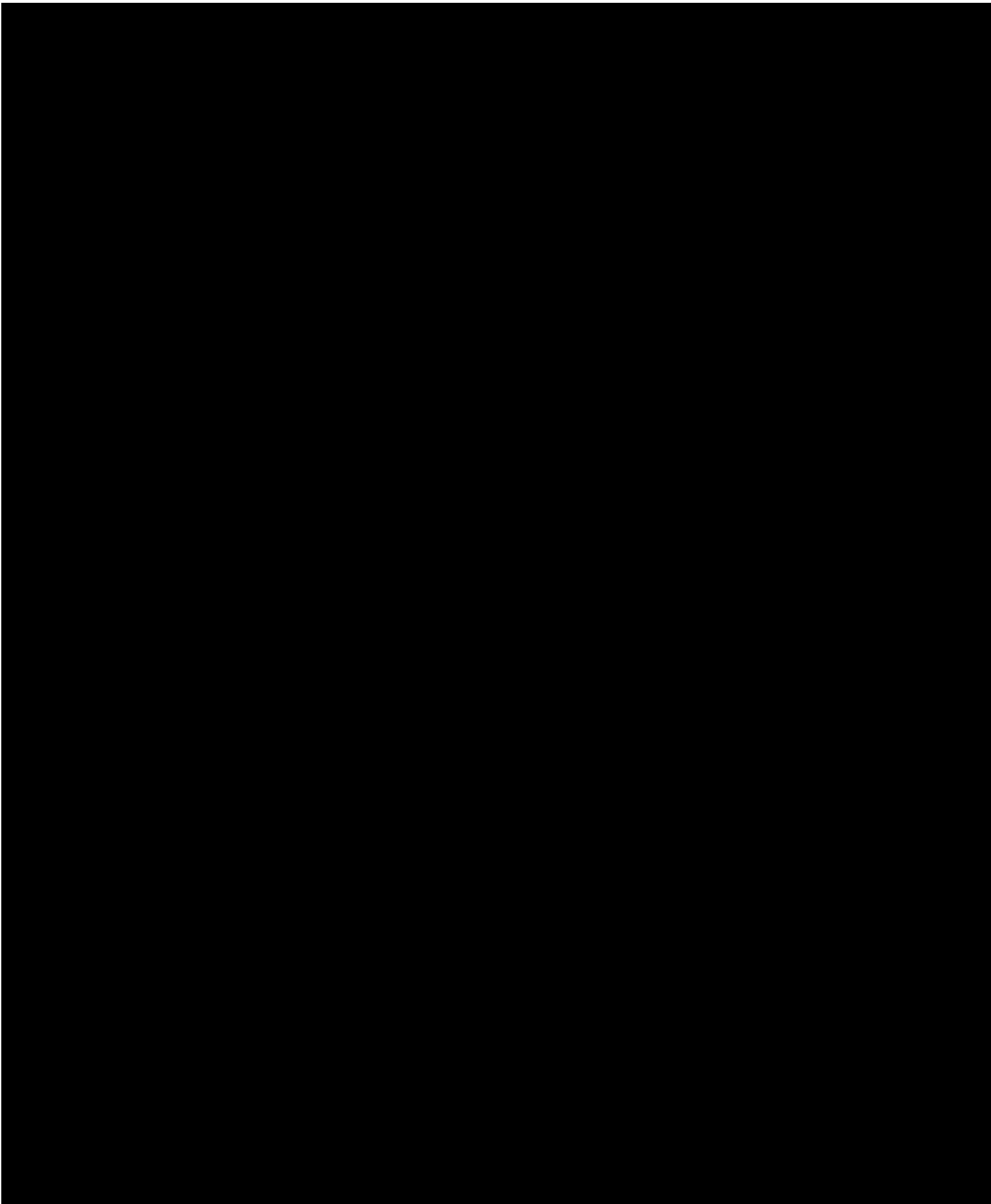


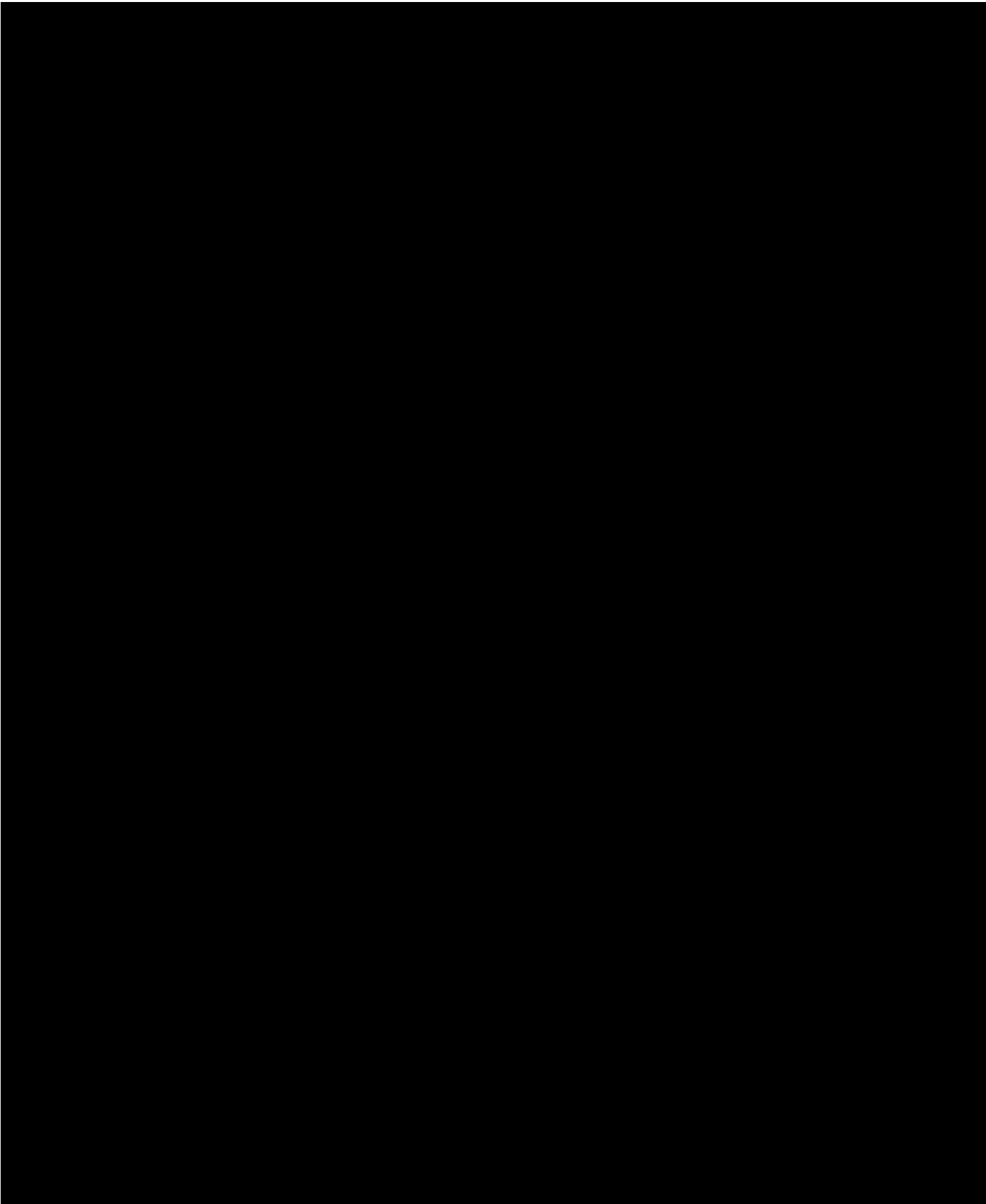


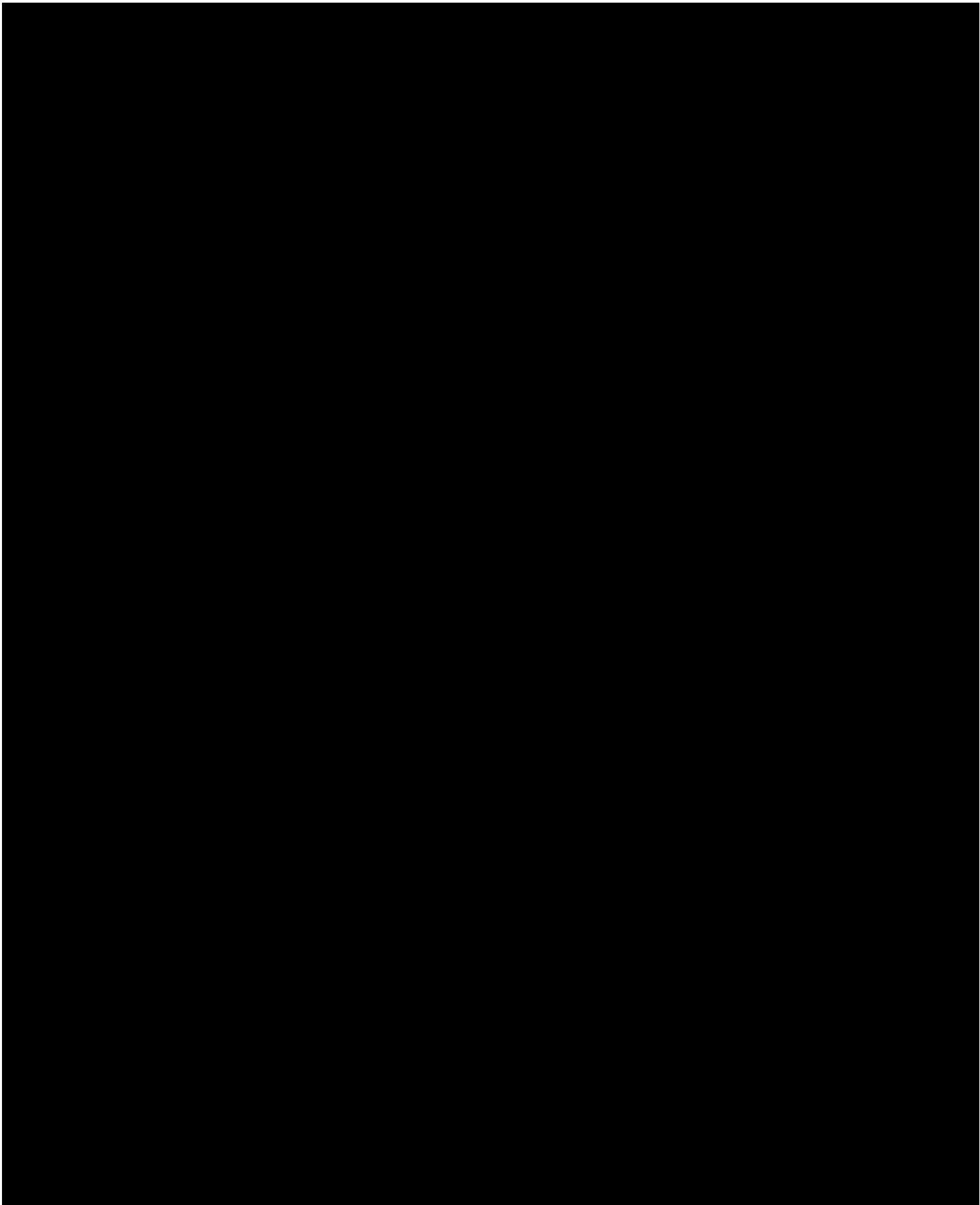


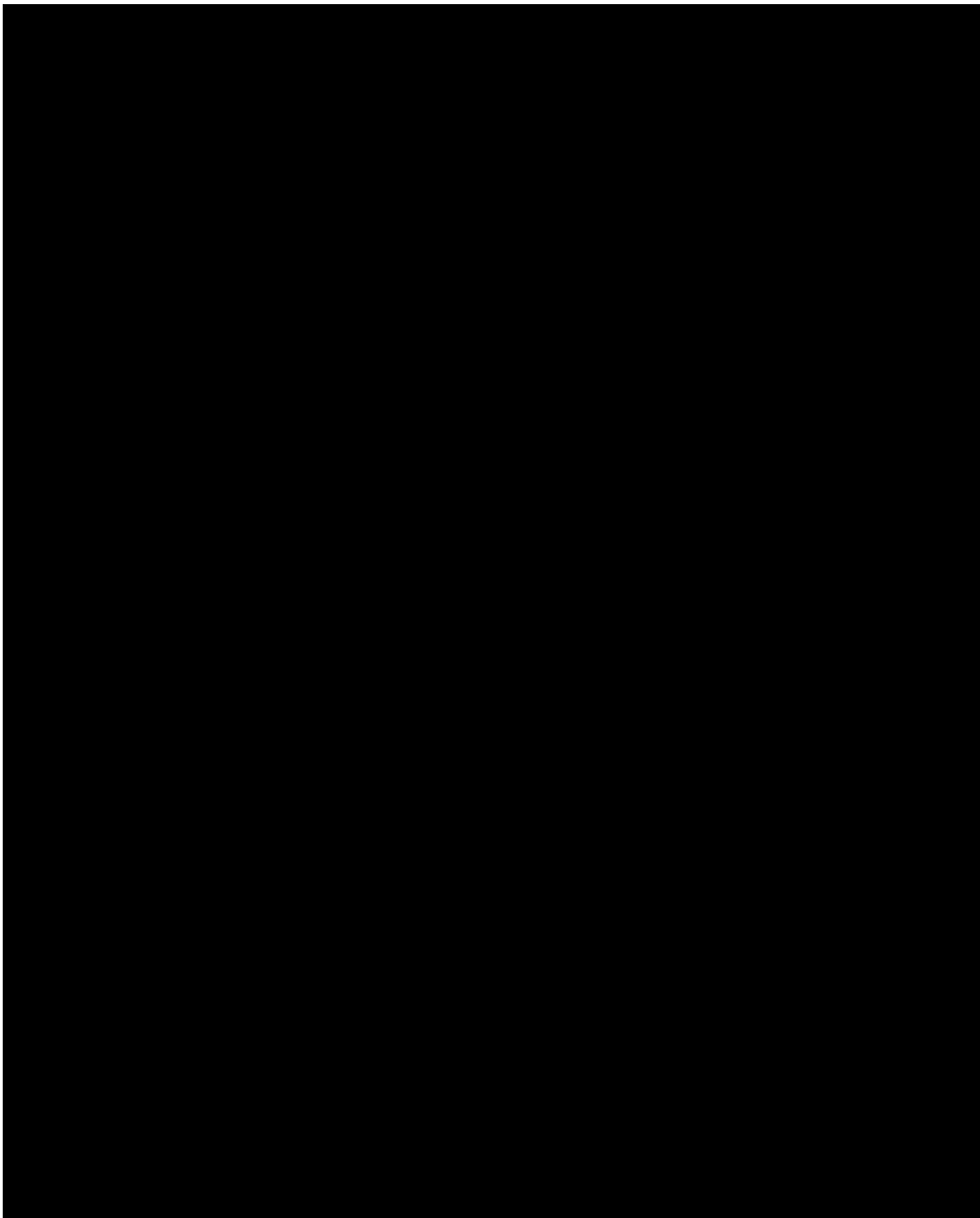


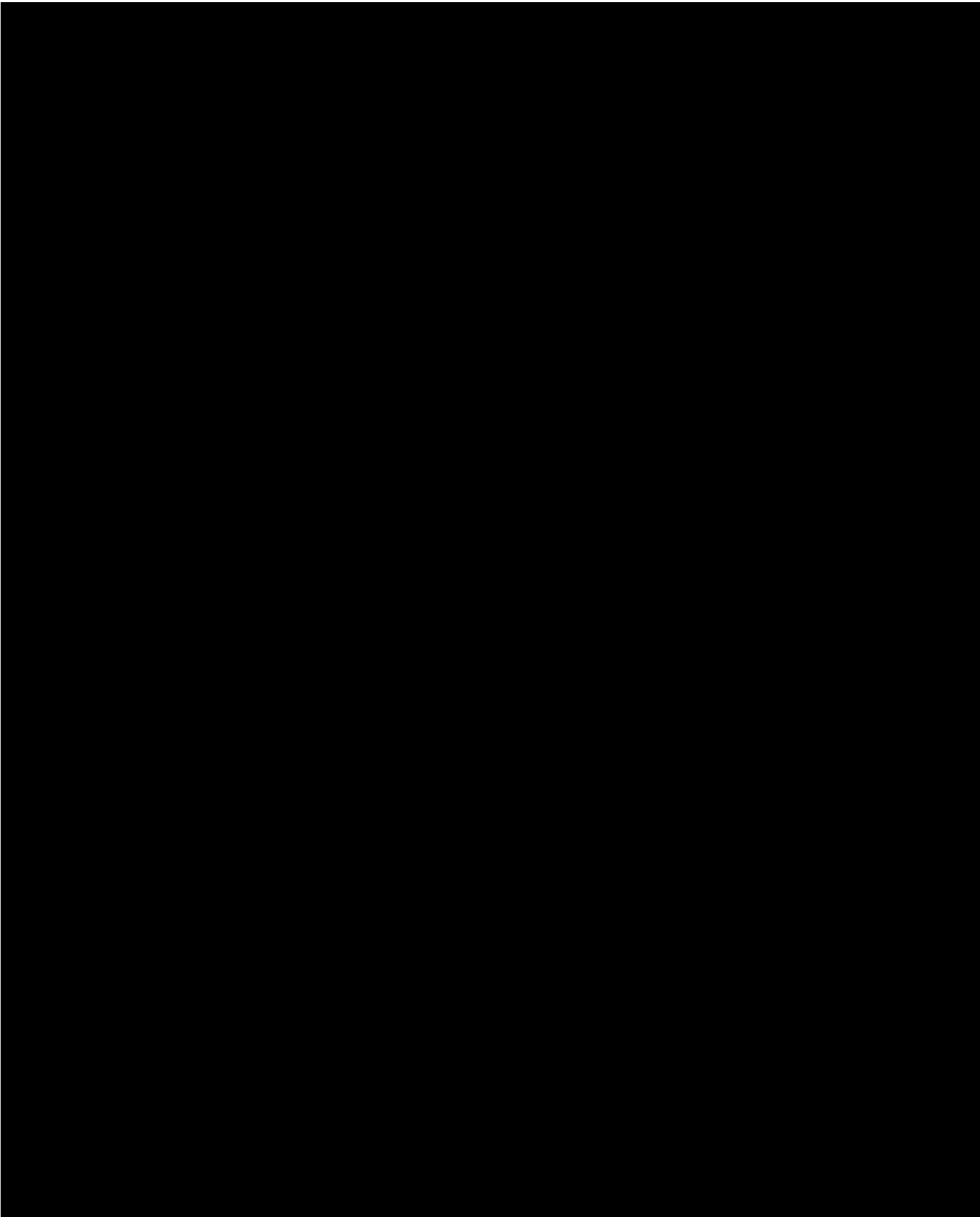


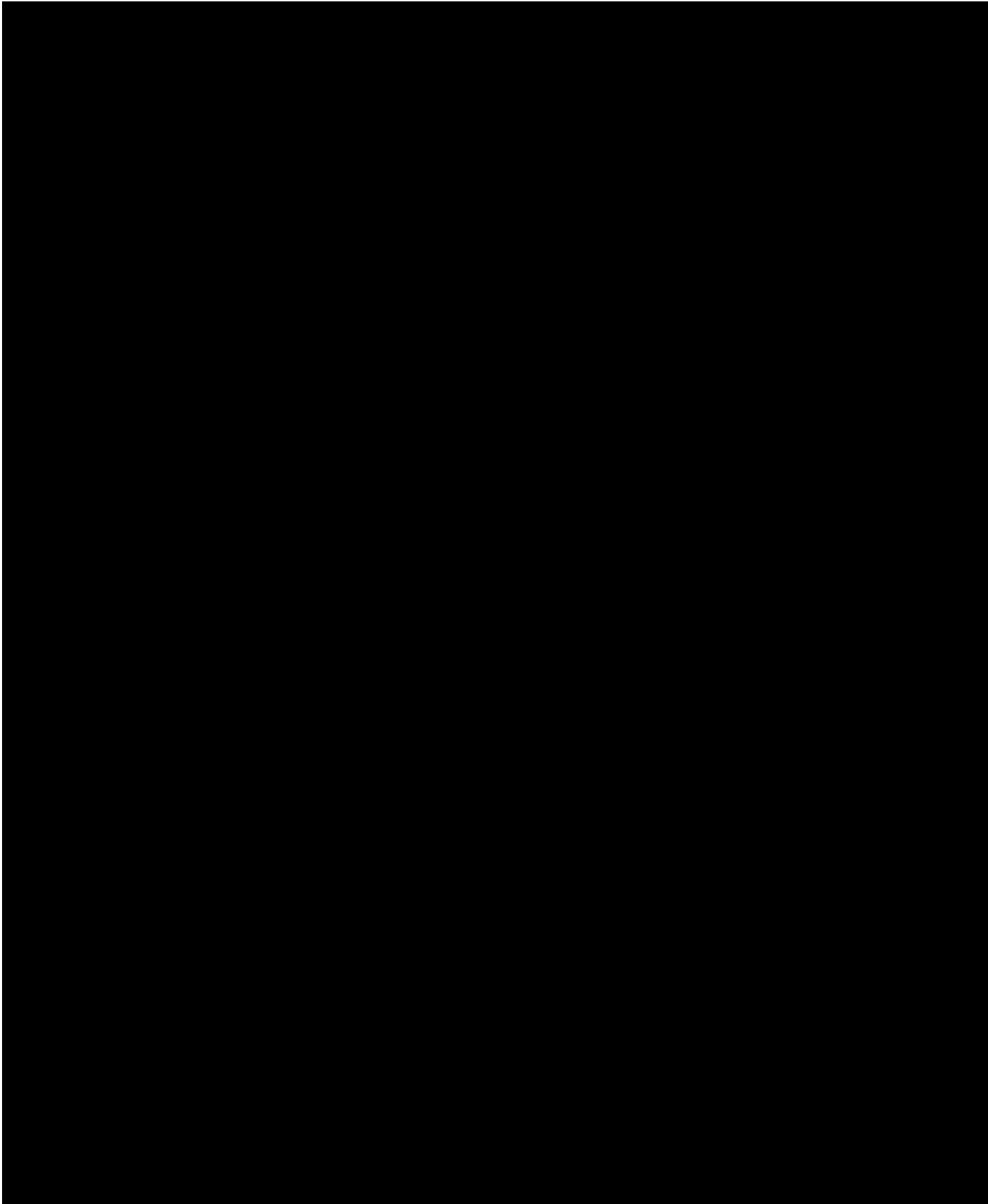


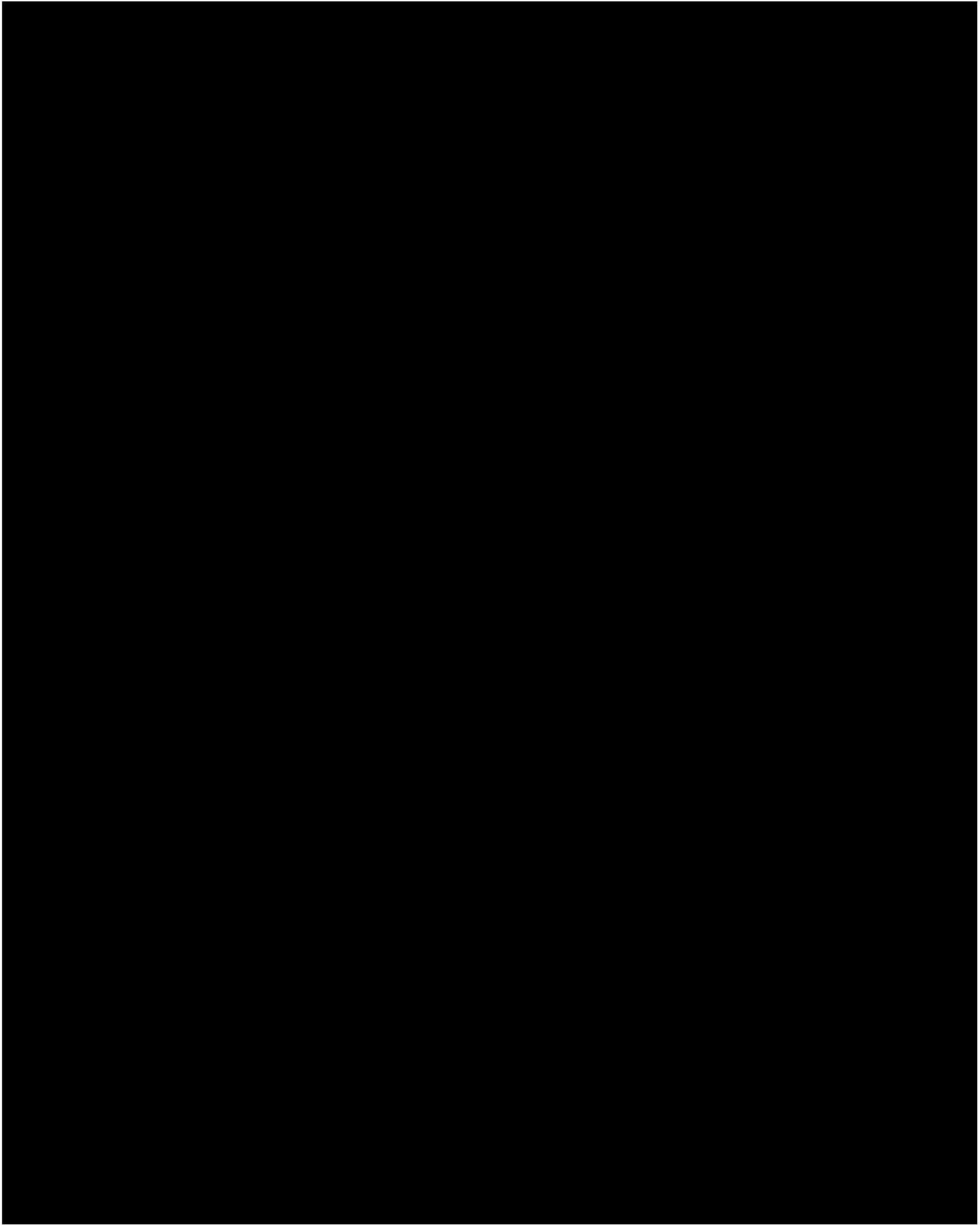


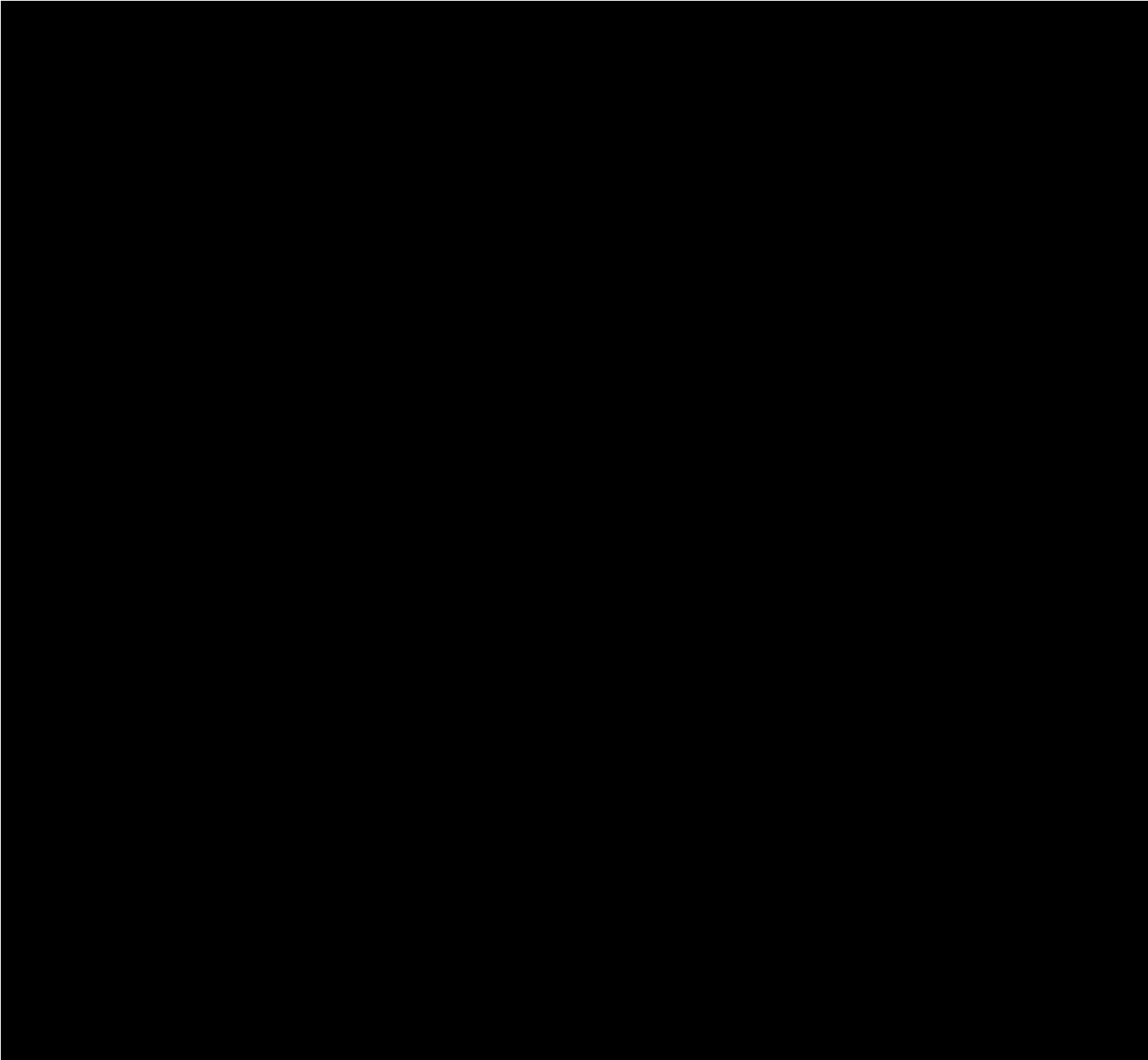













¹⁵ General Packet Radio Service (GPRS) is a packet-based mobile data service on the global system for mobile communications (GSM) of 3G and 2G cellular communication systems. It is a non-voice, high-speed and useful packet-switching technology intended for GSM networks.

GPRS can be used to enable connections depending on Internet protocols that support a wide variety of enterprises, as well as commercial applications. It enables the sending and receiving of compact data bursts and large data volumes across mobile phone networks. Prior to sending the data, it is broken into individual packets and shifted through the core network and radio. The data is then reassembled at the recipient's end.

Source: <https://www.techopedia.com/definition/4473/general-packet-radio-service-gprs>

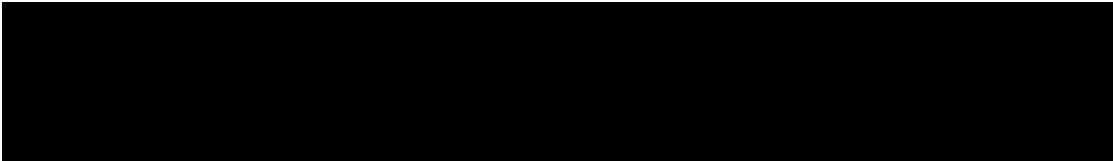


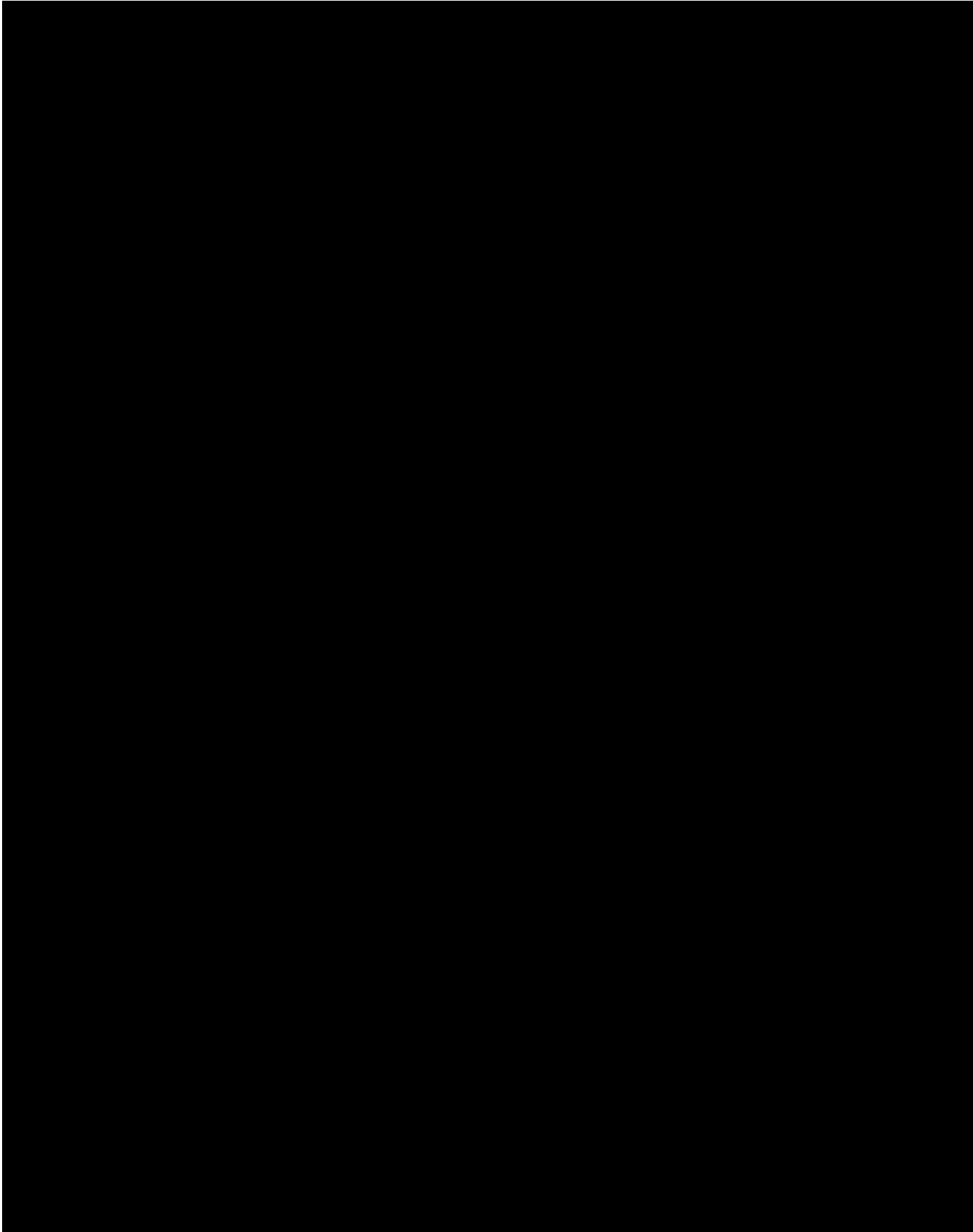
However, on September 18th, 2018 I was in contact with DC DININO of the Toronto Police Service, Homicide Unit, who advised that he was in contact with Rogers Communications Canada Incorporated who advised him, in an email, of the following, in regards to GPRS data and cellular tower locations:

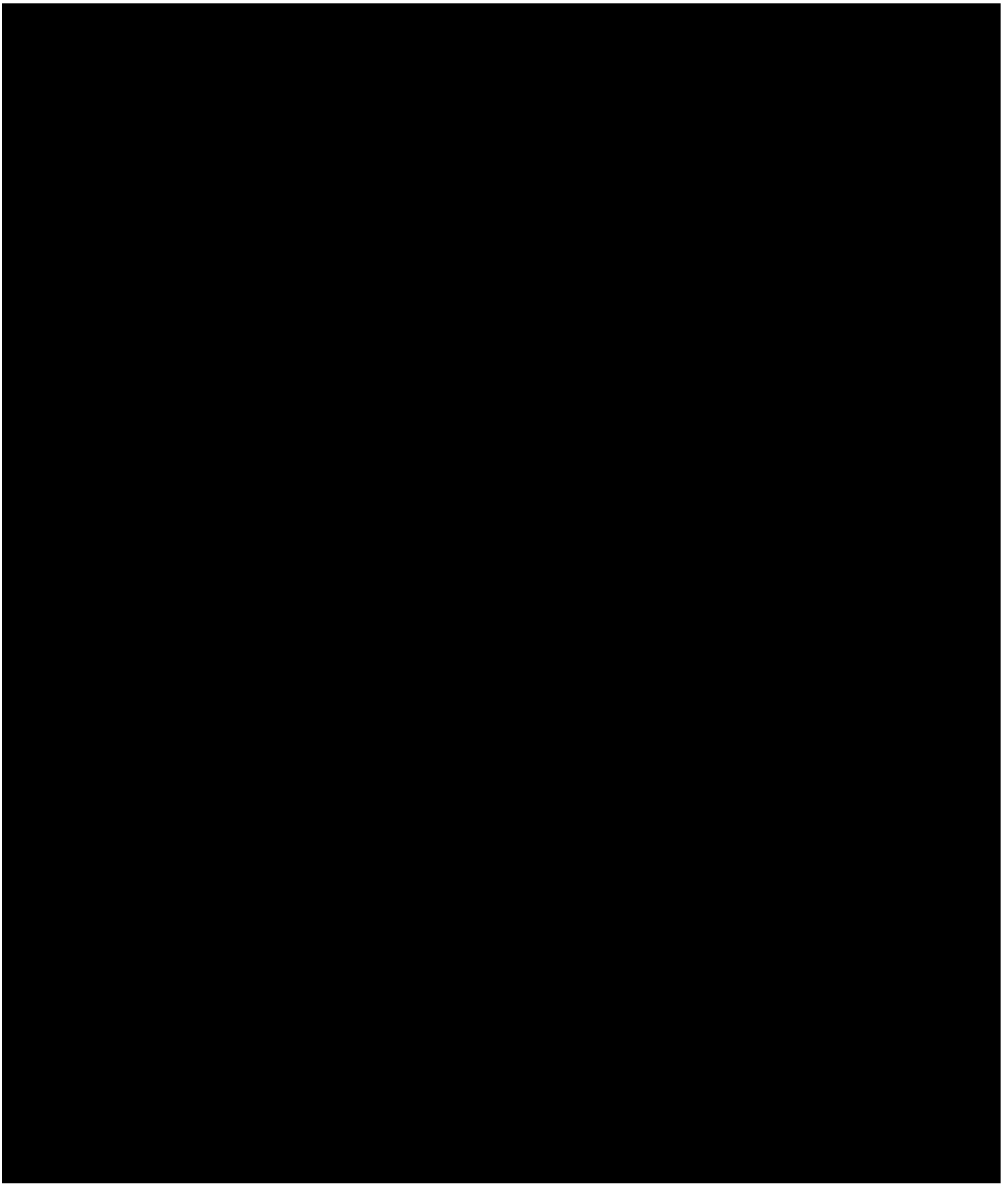
“The packet data protocol is present both on the *serving GPRS support node* (SGSN) and the *gateway GPRS support node* (GGSN) which contains the subscriber's session information when the subscriber has an active data session. When a mobile wants to use GPRS, it must first attach and then *activate a PDP context*. This allocates a PDP context data the subscriber is currently visiting and the GGSN serving the subscriber's access point.

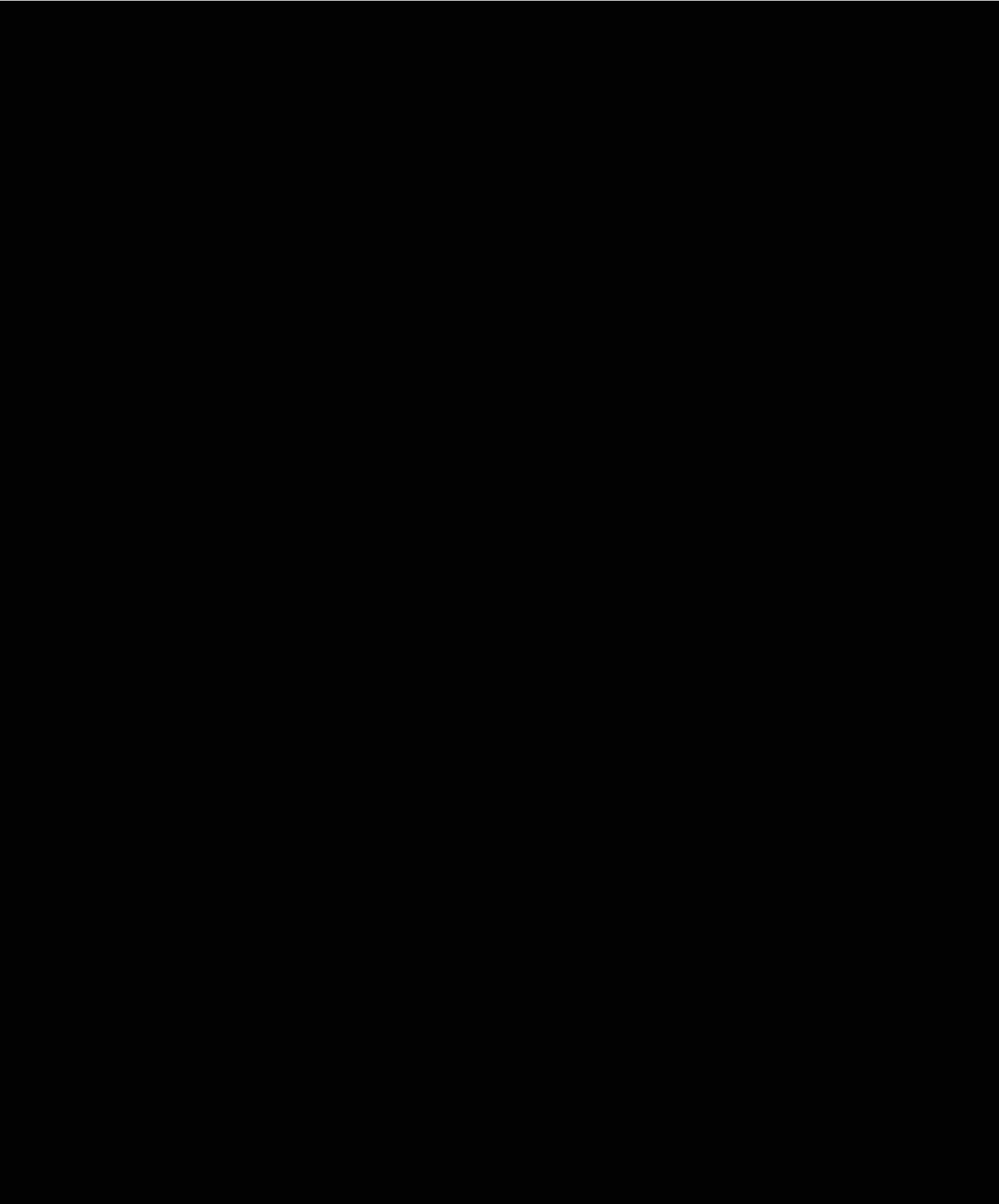
So when the customers phone “connects to” the subscriber’s access point, the related cell site at the time the access point is created is established, as long as this access point remains active the same cell site will be reflected even though the customer may be “pinging” off different cell sites for the amount of time that access point remains active for that particular data session.”

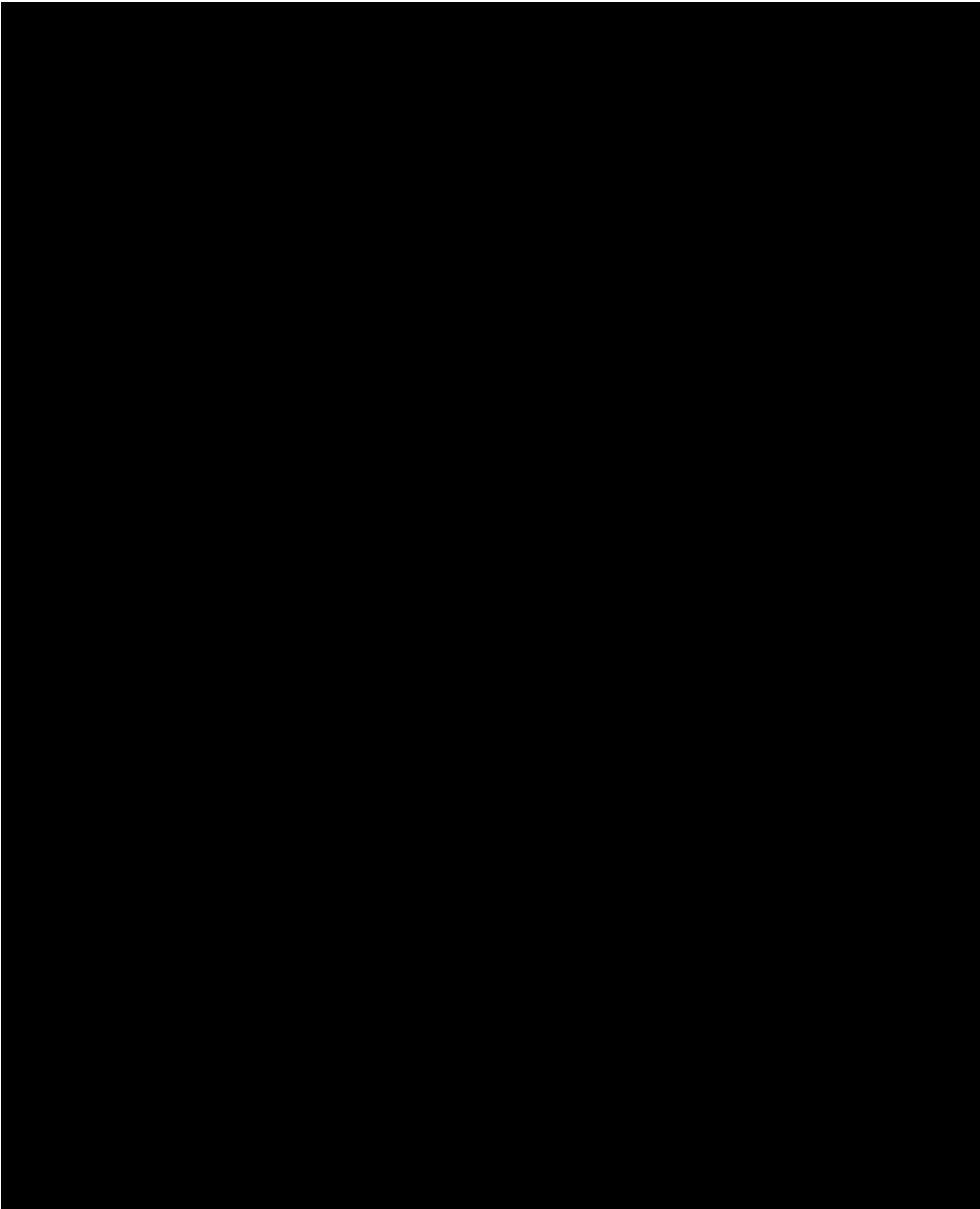
In essence GPRS locations, from the phone records, may not be reflective of the location of the cellular device user unless the location is from the initial access point. This only pertains to the GPRS records and not phone call or text messages.

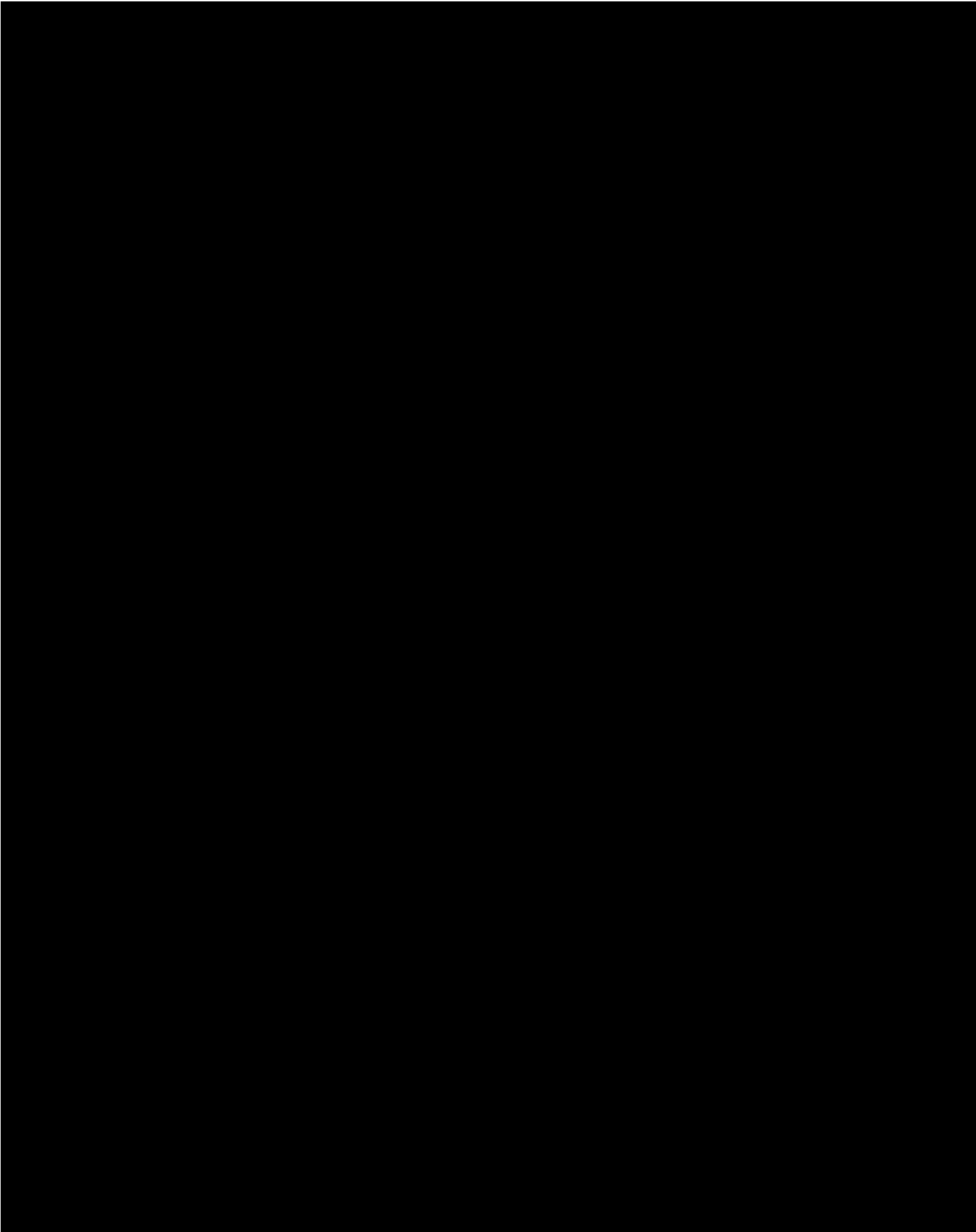


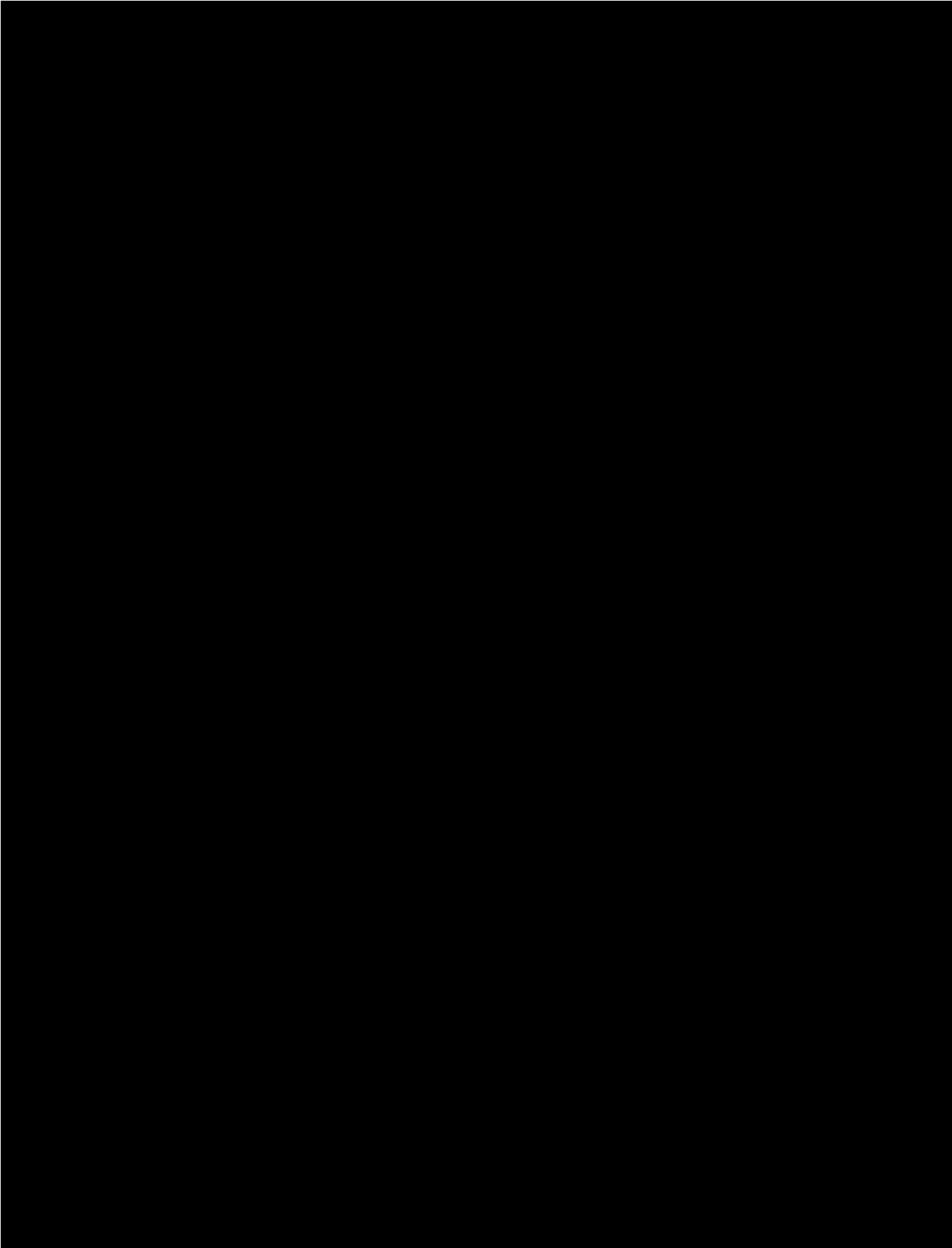


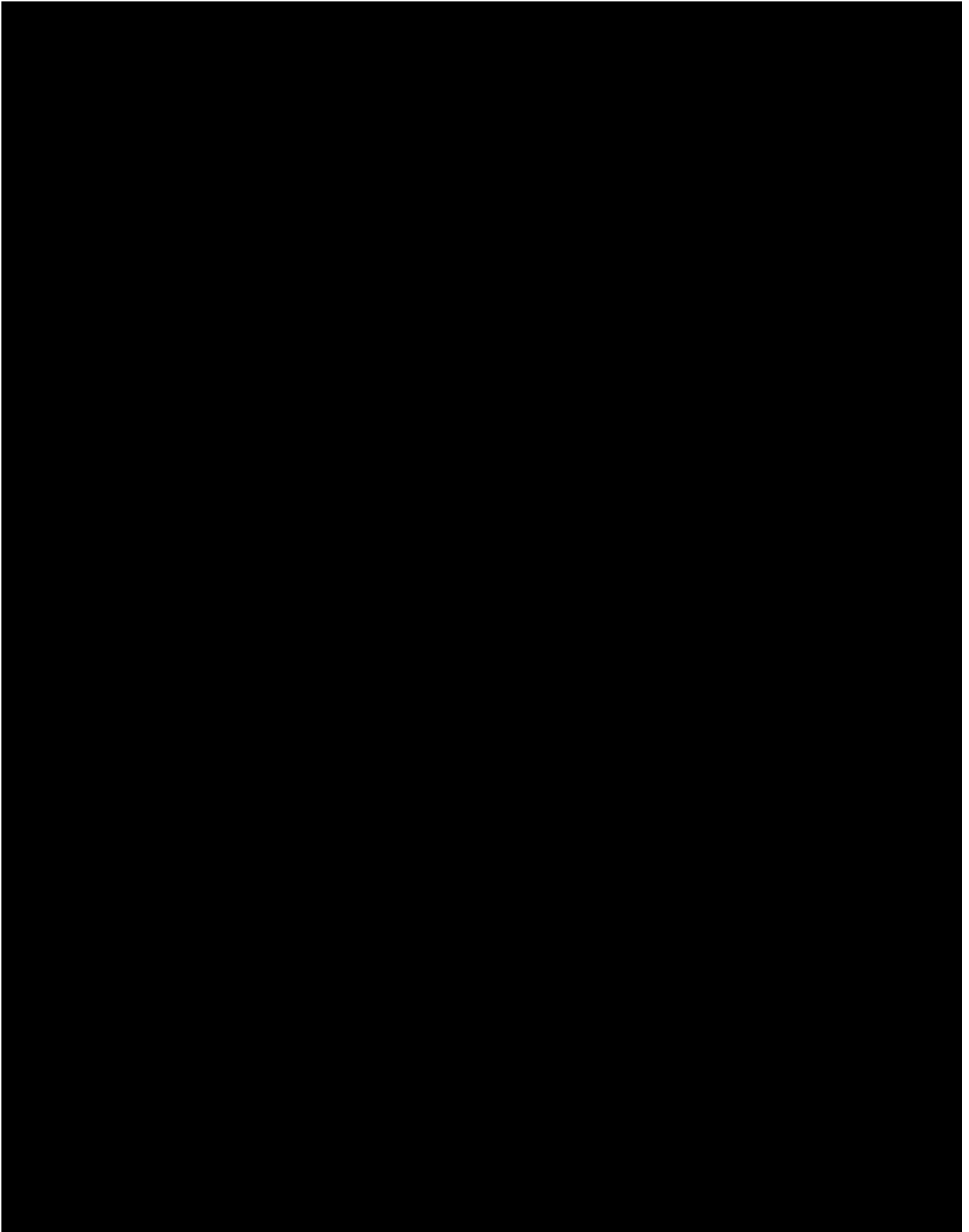


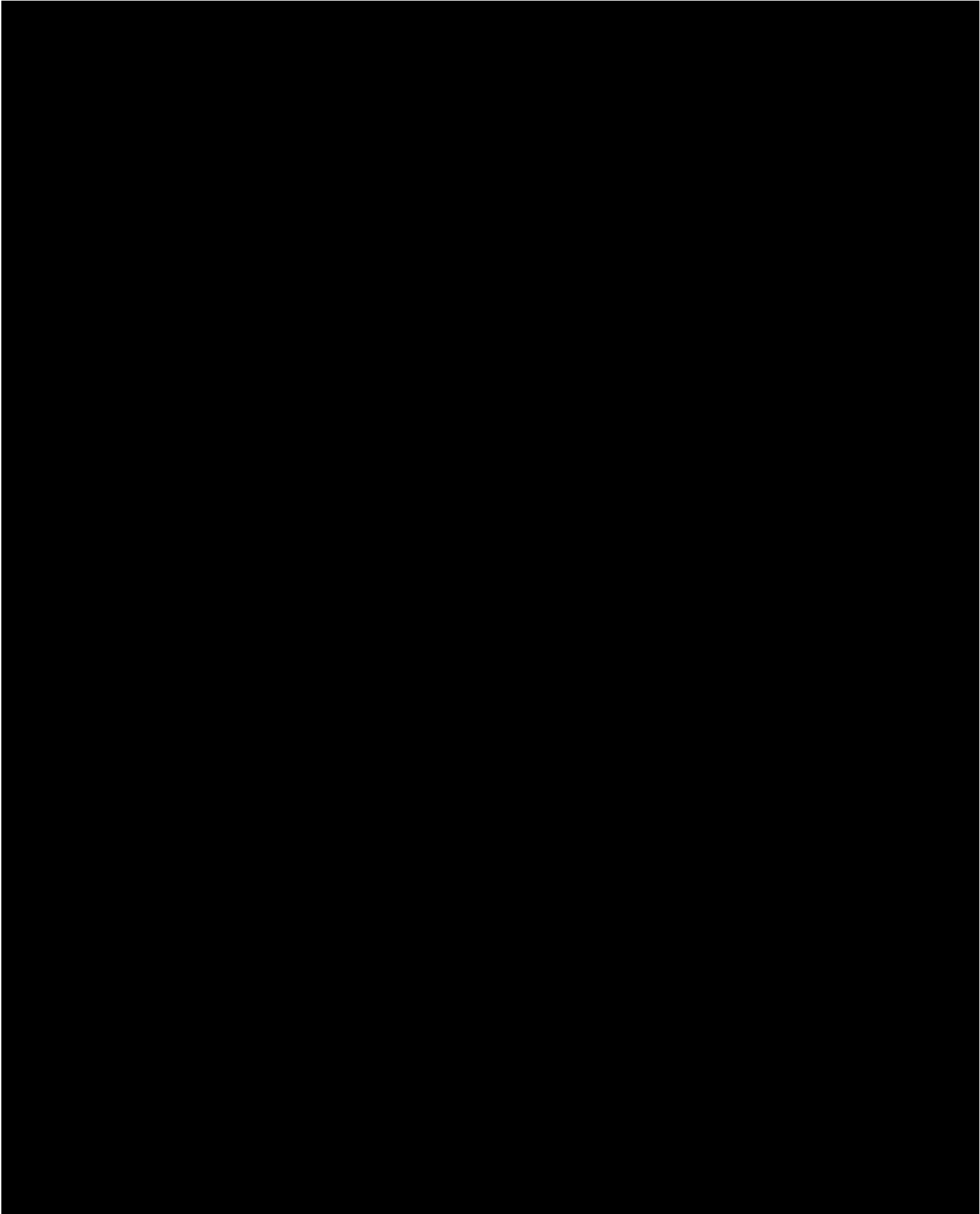


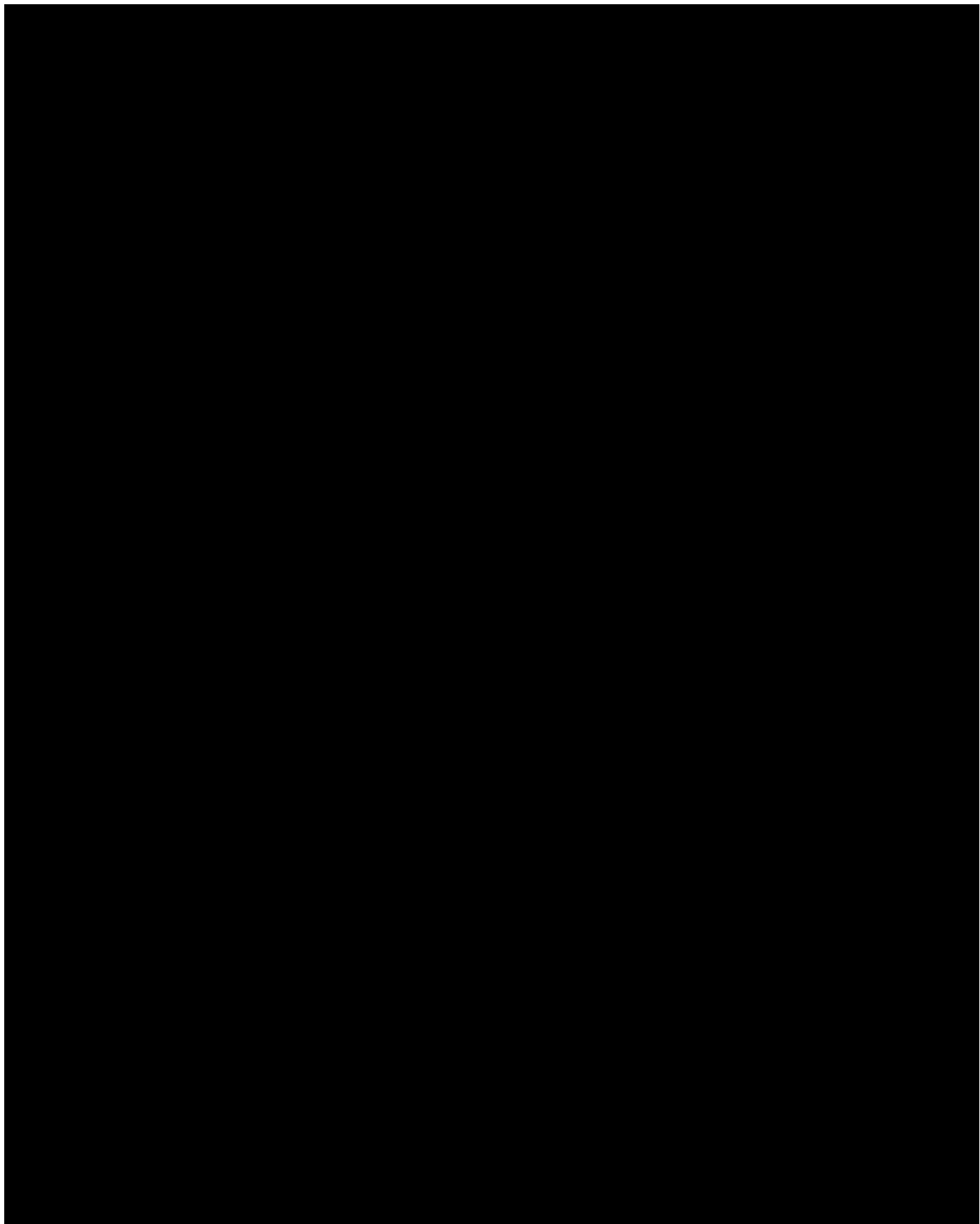


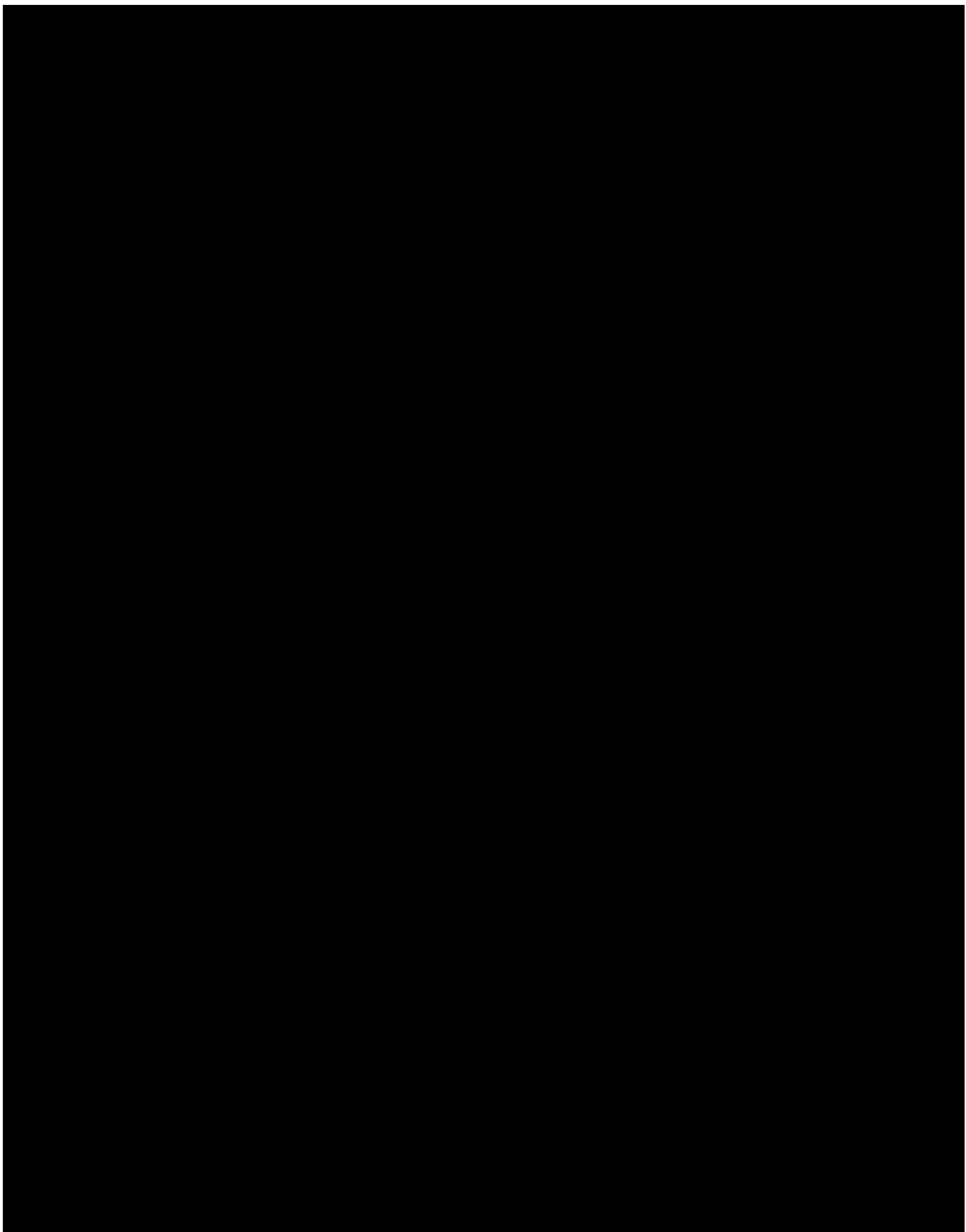


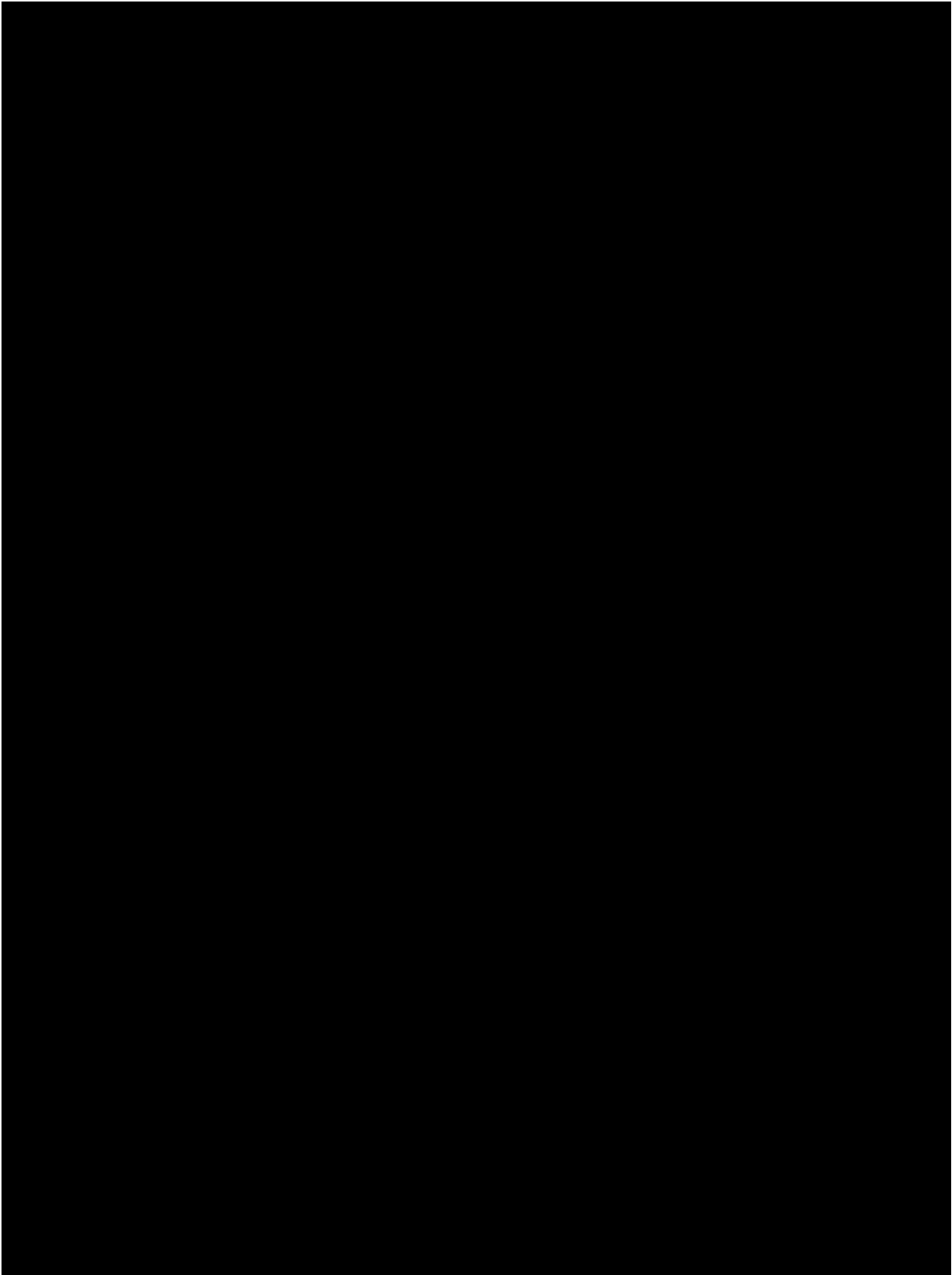


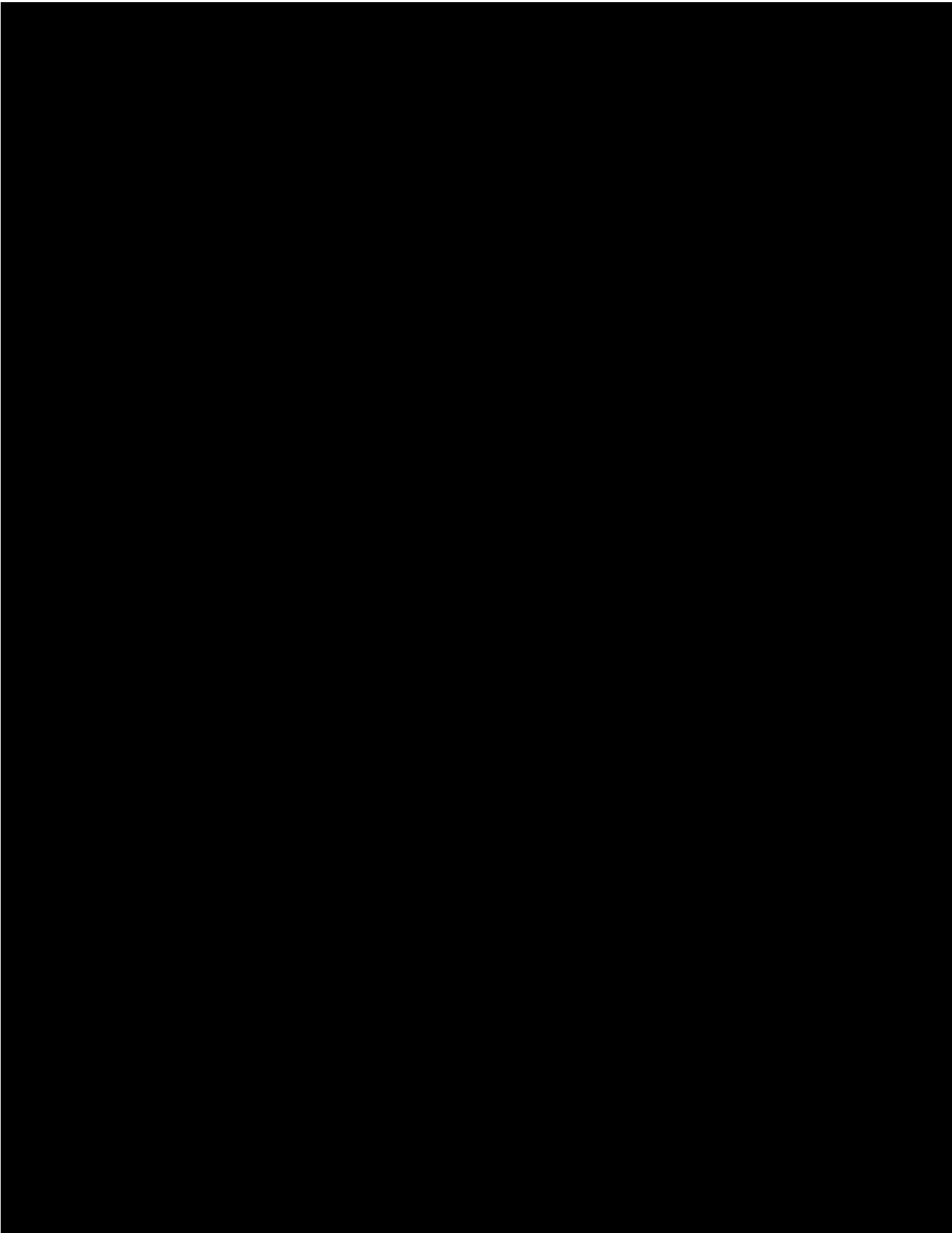


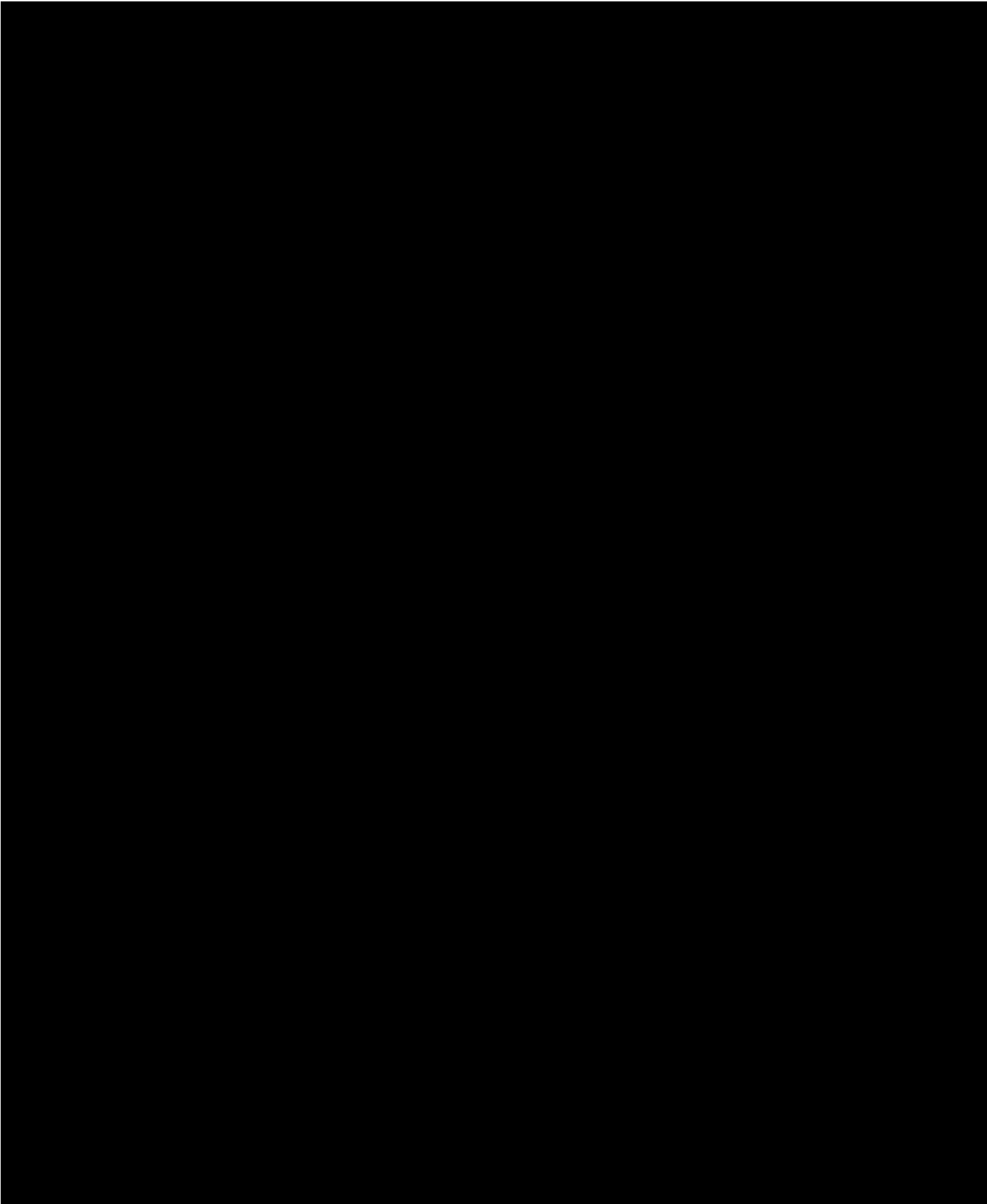


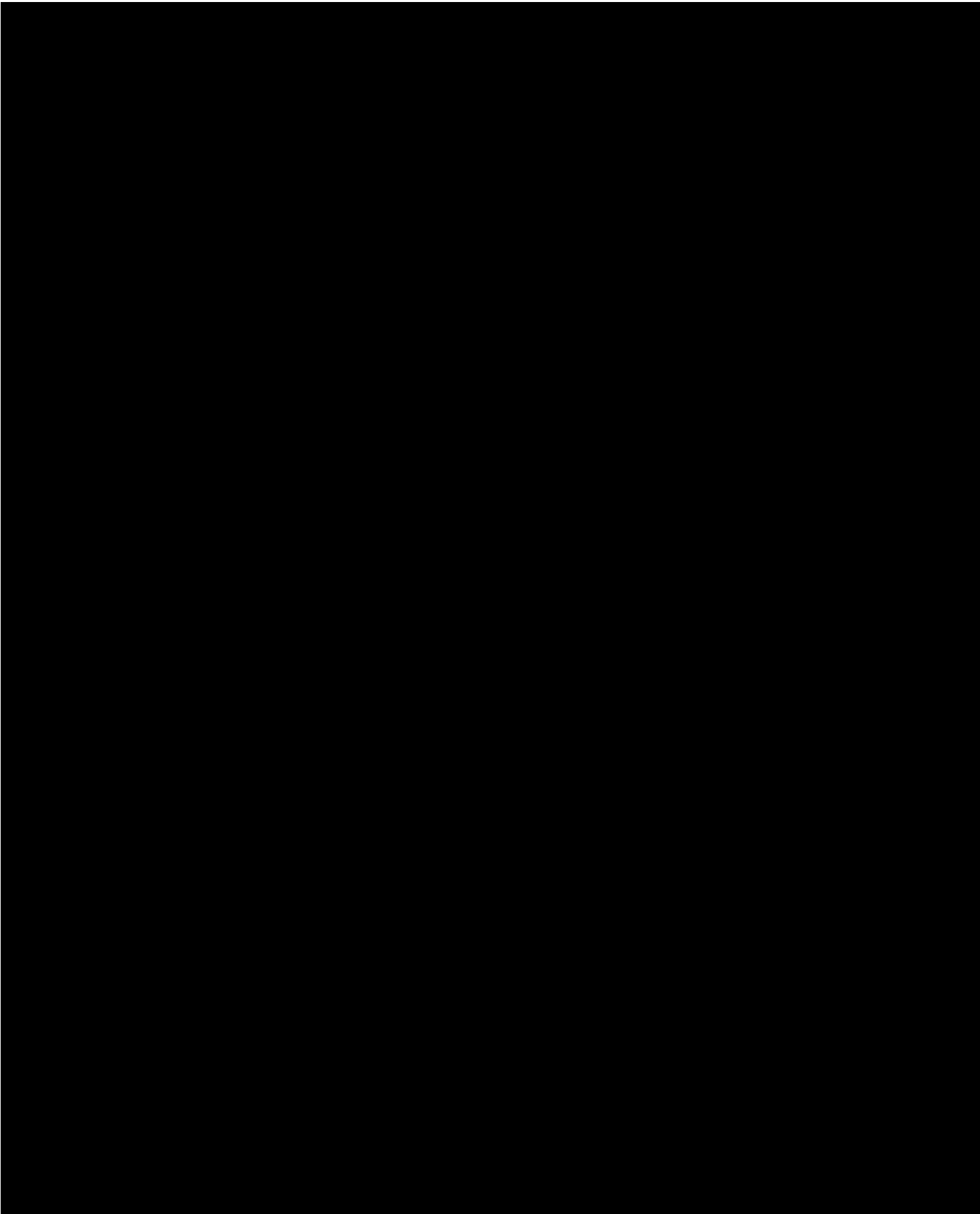


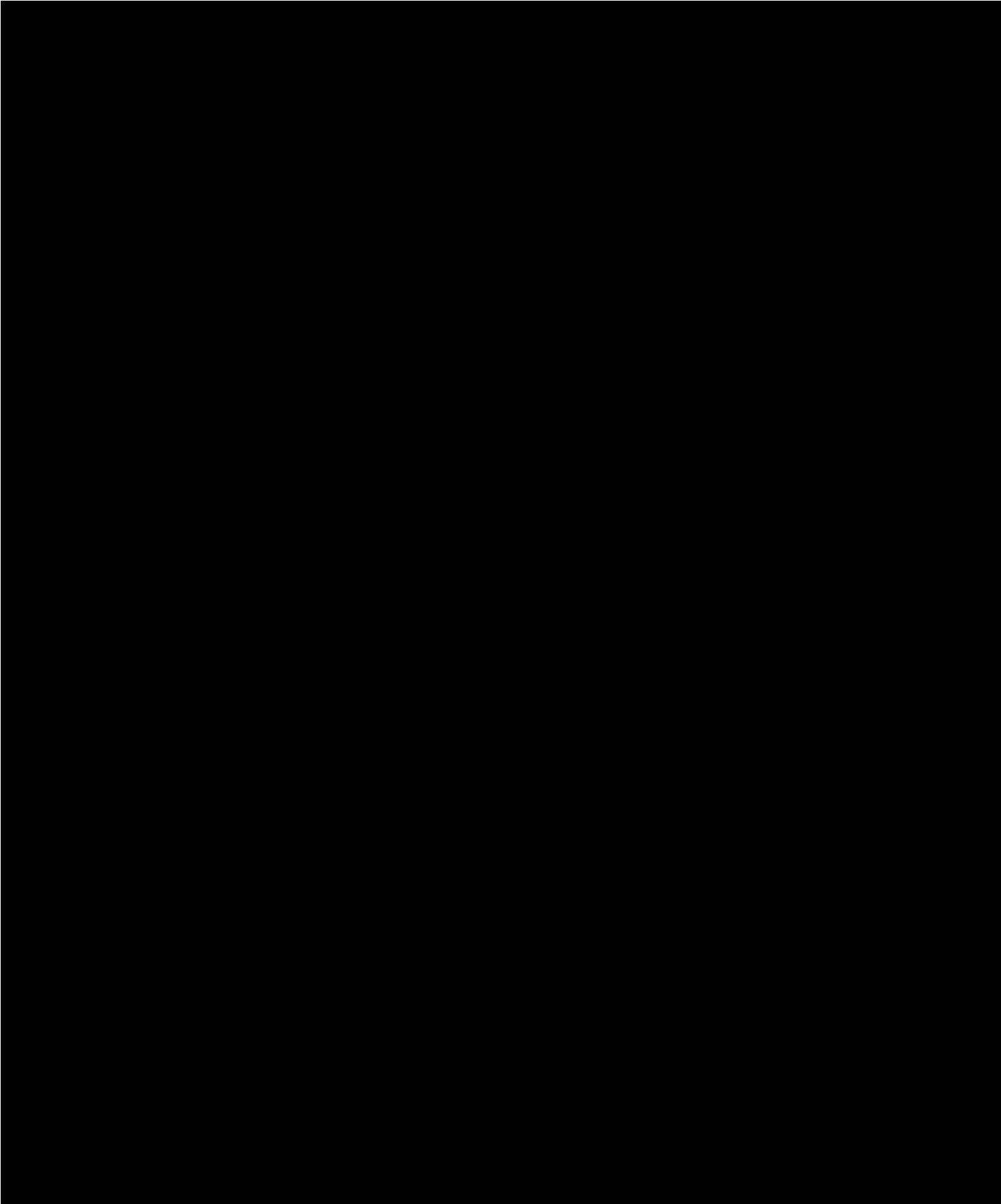


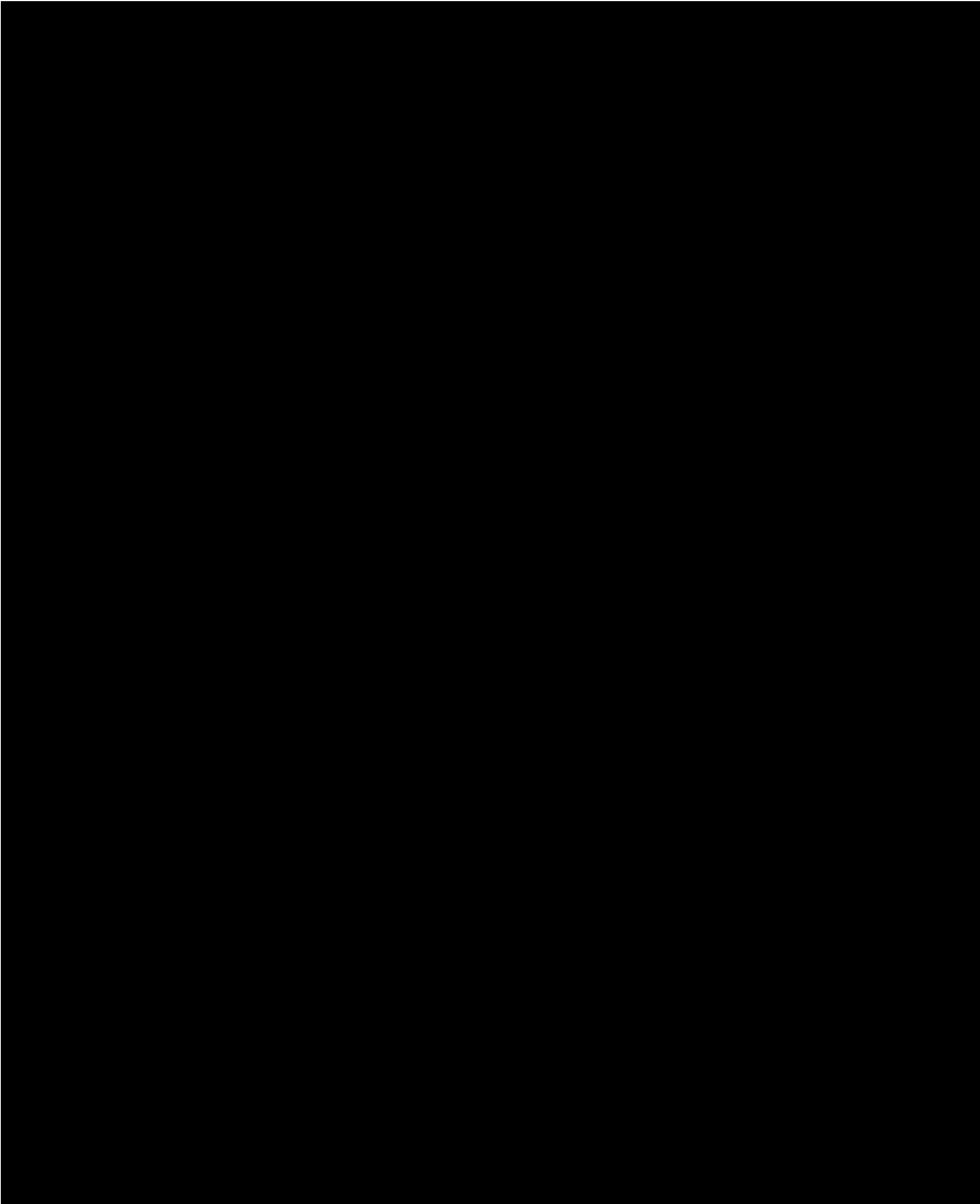


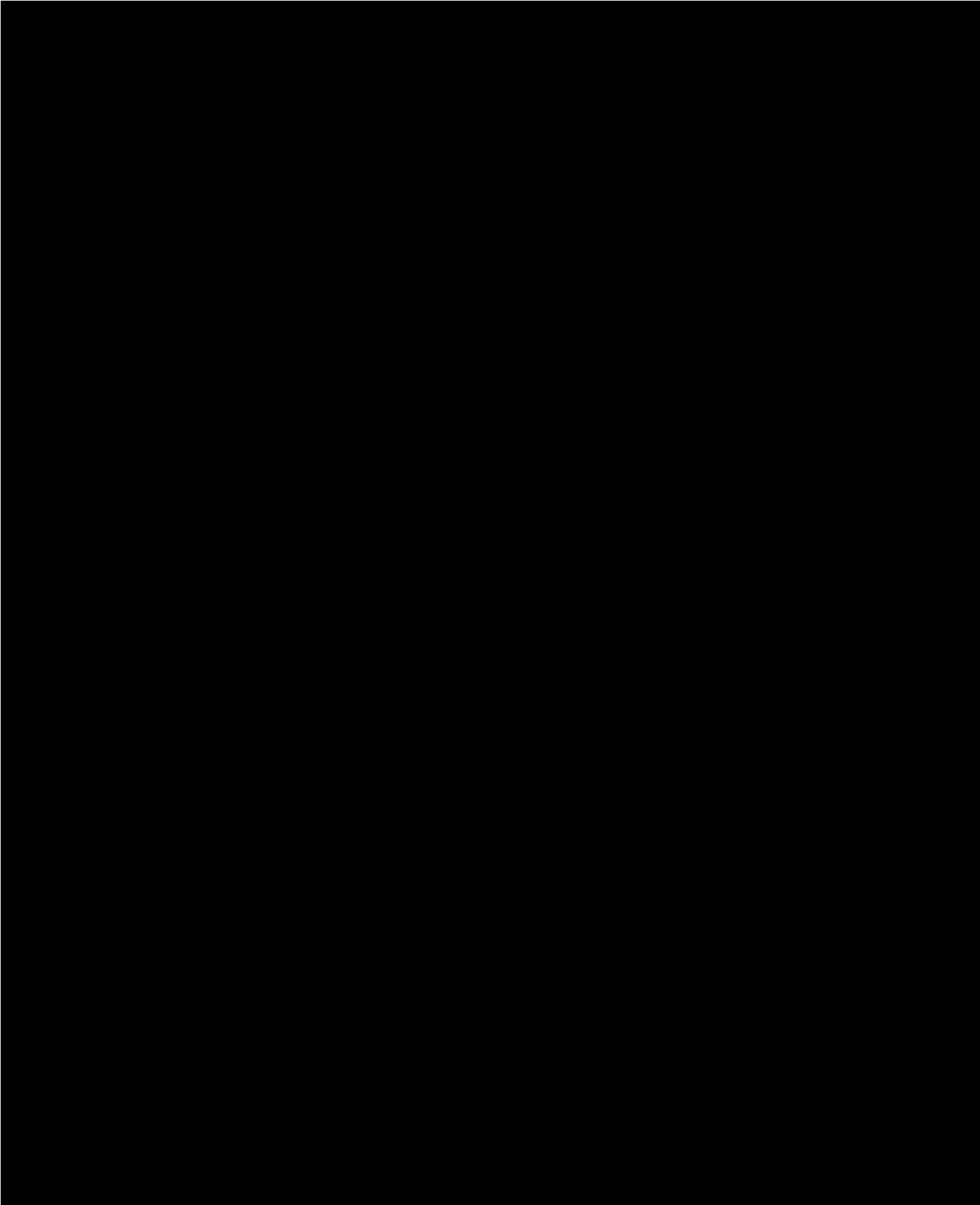


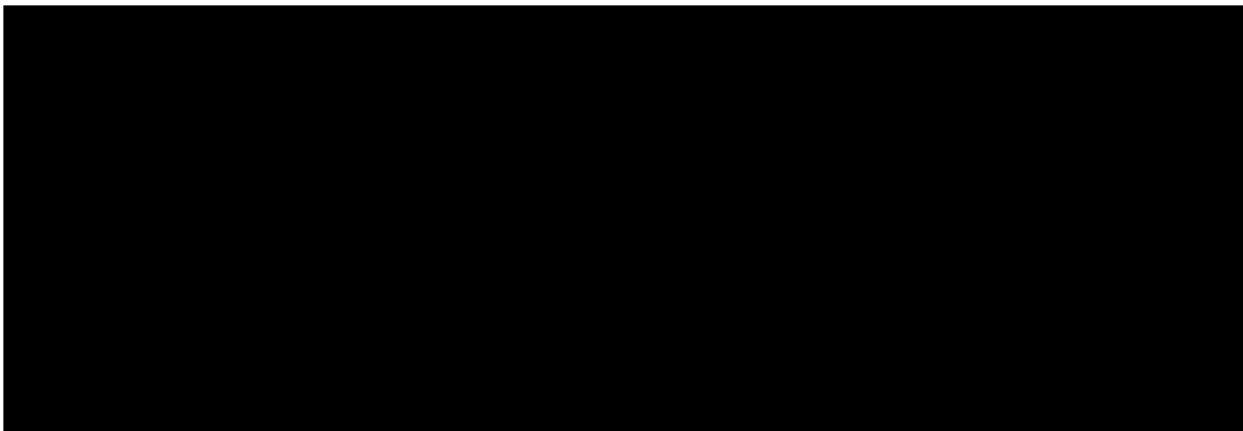




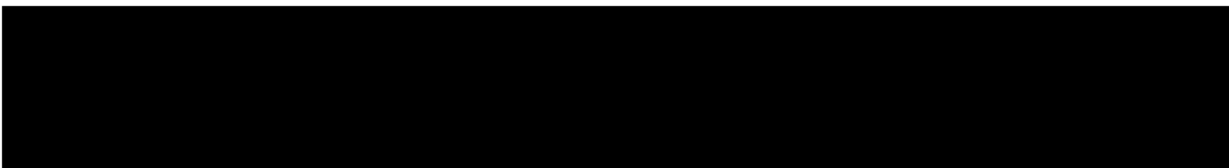








(t) 



(u) Tower dump transmission data comparison results

The transmission data from the cellular towers proximate to all locations that Bernard SHERMAN and Honey SHERMAN had attended on December 13th, 2017 was compared to all the phone numbers identified in this investigation to determine if there are any common numbers. The purpose of this identification was to identify any individuals phone numbers that:

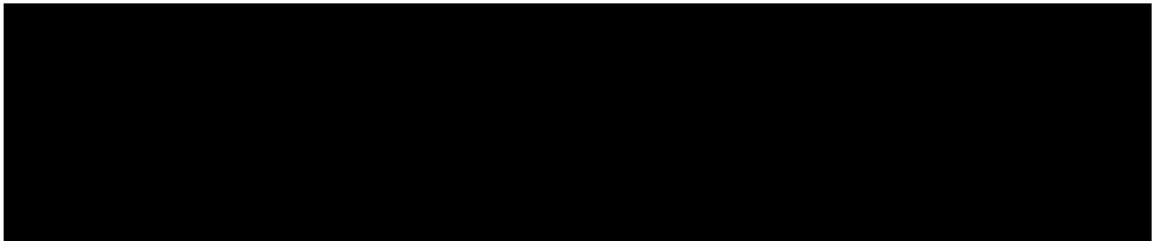
- i. Are associated to a phone number that have been identified during the course of this investigation and;
- ii. The phone number has been identified as being involved in a communication between an electronic device and a cellular tower in a location that Bernard SHERMAN and Honey SHERMAN had attended on December 13th, 2017 in and around the same time.

On September 6th, 2019 a Report was generated detailing all the common numbers between the tower dump transmission data and all of the numbers identified in this investigation. The report was generated in response two production orders and were according to the terms and conditions specified within those orders. I have reviewed the report and have summarized the findings that I believe to be relevant to this investigation.

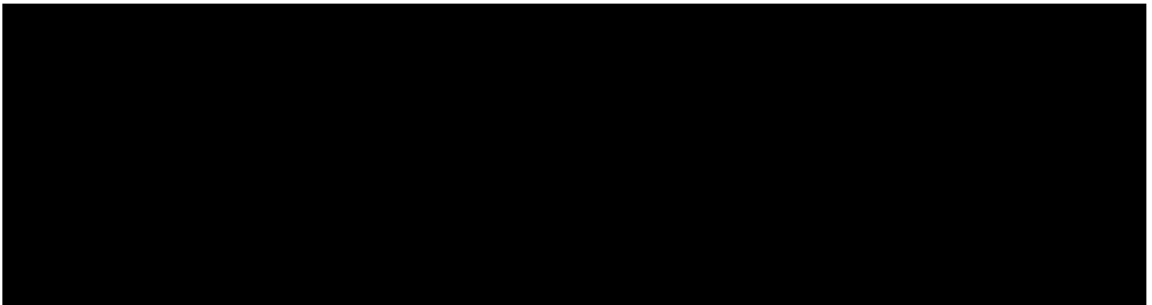
- i. **Common numbers associated to** 



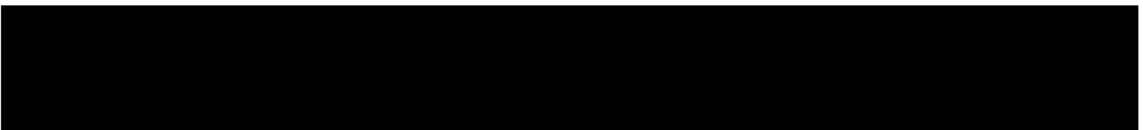
ii. Common numbers associated to



iii. Common numbers associated to



iv. Common numbers associated to



v. Common numbers associated to



vi. Common numbers associated to



[REDACTED]

vii. Transmission data identified in several different cellular tower locations

a. Phone number [REDACTED]

[REDACTED]

b. Phone number [REDACTED]

[REDACTED]

[REDACTED]

viii. Background for identified phone numbers and individuals identified

Background investigations were done for the phone numbers, from phone records obtained by way of production order, that were common to the tower dump transmission data results. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

3. RELEVANT RESULTS FROM MUTUAL LEGAL ASSISTANCE TREATIES

(a) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]