

APPENDIX C

INFORMATION TO OBTAIN

(Ontario Court of Justice)

CANADA
PROVINCE OF ONTARIO
TORONTO REGION



An application for Production Orders pursuant to sections 487.016 and 487.017 of the *Criminal Code*;

An application for an Order Denying Access to Information pursuant to section 487.3 of the *Criminal Code*;

And

An Application for Non-Disclosure Orders pursuant to section 487.0191 of the *Criminal Code*.

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I, Dennis YIM #9543, of the Toronto Police Service, City of Toronto, affirm and say as follows:

- (a) I understand that this is an ex parte application and that I am obligated to provide full, frank and fair disclosure of the material and information available to me. In drafting this Affidavit, I did not include every single detail of the investigation, which I believe does not impact on the sufficiency of the material and information I am presenting. I did not report on peripheral details to matters being investigated. Many reports I have read have contained more information than I have included in this Affidavit. In an effort to prepare a document that is clear and concise, I have included information that, I believe, is relevant to this particular investigation and which is necessary to establish the grounds for granting the requested Authorizations. I am aware of my duty to present information that would detract from my grounds.
- (b) I have reasonable grounds to believe that the following offence under the *Criminal Code* has been committed:

Unknown person(s), between December 13th, 2017 and December 15th, 2017, inclusive, at the City of Toronto, did Murder Bernard SHERMAN and Honey SHERMAN, contrary section 235(1) of the *Criminal Code*.

2. OVERVIEW AND ORDERS BEING SOUGHT

On Friday, December 15th, 2017, the Toronto Police Service received a 911 call to attend at 50 Old Colony Road, in the City of Toronto. Responding officers discovered the bodies of Bernard and Honey SHERMAN in the basement of their home, next to their swimming pool. They were facing the wall in a semi-seated position. Their arms were behind them, and their bodies were being held up by black belts wrapped around their necks and tied to a railing approximately [REDACTED]. As detailed below, I have reasonable grounds to believe that Honey SHERMAN and Bernard SHERMAN were murdered. At this point in the investigation, investigators are trying to determine who is responsible for their deaths.

In this application I am seeking the following 3 orders for the production of documents containing phone records and transmission and tracking data:

(a) Transmission and Tracking Data From Rogers Communications Canada Incorporated:

Document containing transmission data for incoming and outgoing calls, SMS/MMS¹, and data use (date, time, involved phone numbers, terminating number, call duration, forwarded number), and tracking data (tower location, sector, frequency, longitude and latitude coordinates, etc.) **from November 15th, 2017 to December 19th, 2017, inclusive, and from January 24th, 2018 to February 4th, 2018, inclusive, for:**

- i. Phone numbers [REDACTED]
- ii. Phone numbers [REDACTED]
- iii. Phone numbers [REDACTED]
- iv. Phone number [REDACTED]
- v. Phone number [REDACTED]
- vi. Phone number [REDACTED]
- vii. Phone number [REDACTED]
- viii. Phone number [REDACTED]
- ix. Phone number [REDACTED]

¹ SMS stands for Short Message Service. Invented in the 1980s and defined in the 1985 GSM standards, it is one of the oldest texting technologies. It is also the most widespread and frequently used.

MMS stands for Multimedia Messaging Service. It was built using the same technology as SMS to allow SMS users to send multimedia content. It is most popularly used to send pictures, but can also be used to send audio, phone contacts, and video files.

Source: <https://www.twilio.com/learn/messaging/what-are-sms-and-mms>

x. Phone number [REDACTED]

And;

Documents containing transmission data, from billing records or from electronic records, for incoming and outgoing calls, SMS/MMS, and data use (date, time, involved phone numbers, terminating number, call duration, forwarded number), and tracking data (tower location, sector, frequency, longitude and latitude coordinates, etc.) **from July 6th, 2017 to February 4th, 2018, inclusive**, for:

i. Phone number [REDACTED]

ii. Phone number [REDACTED]

And;

Documents containing transmission data, from billing records or from electronic records, for incoming and outgoing calls, SMS/MMS, and data use (date, time, involved phone numbers, terminating number, call duration, forwarded number), and tracking data (tower location, sector, frequency, longitude and latitude coordinates, etc.) **from September 12th, 2017 to September 29th, 2017 inclusive**, for:

i. Phone number [REDACTED]

And;

Documents containing transmission data, from billing records or from electronic records, for incoming and outgoing calls, SMS/MMS, and data use (date, time, involved phone numbers, terminating number, call duration, forwarded number), and tracking data (tower location, sector, frequency, longitude and latitude coordinates, etc.) **from January 24th, 2018 to February 4th, 2018, inclusive**, for:

ii. Phone numbers [REDACTED]
[REDACTED]

iii. Phone number [REDACTED]

(b) Transmission and Tracking Data From Bell Canada

Document containing transmission data for incoming and outgoing calls, SMS/MMS, and data use (date, time, involved phone numbers, terminating number, call duration, forwarded number), and tracking data (tower location, sector, frequency, longitude and latitude coordinates, etc.) from **November 15th, 2017 to December 19th, 2017, inclusive, and from January 24th, 2018 to February 4th, 2018, inclusive**, for:

i. Phone number [REDACTED]

ii. Phone number [REDACTED]

iii. The following phone numbers [REDACTED]

[REDACTED]

(c) Transmission and Tracking Data from Telus Communications Incorporated

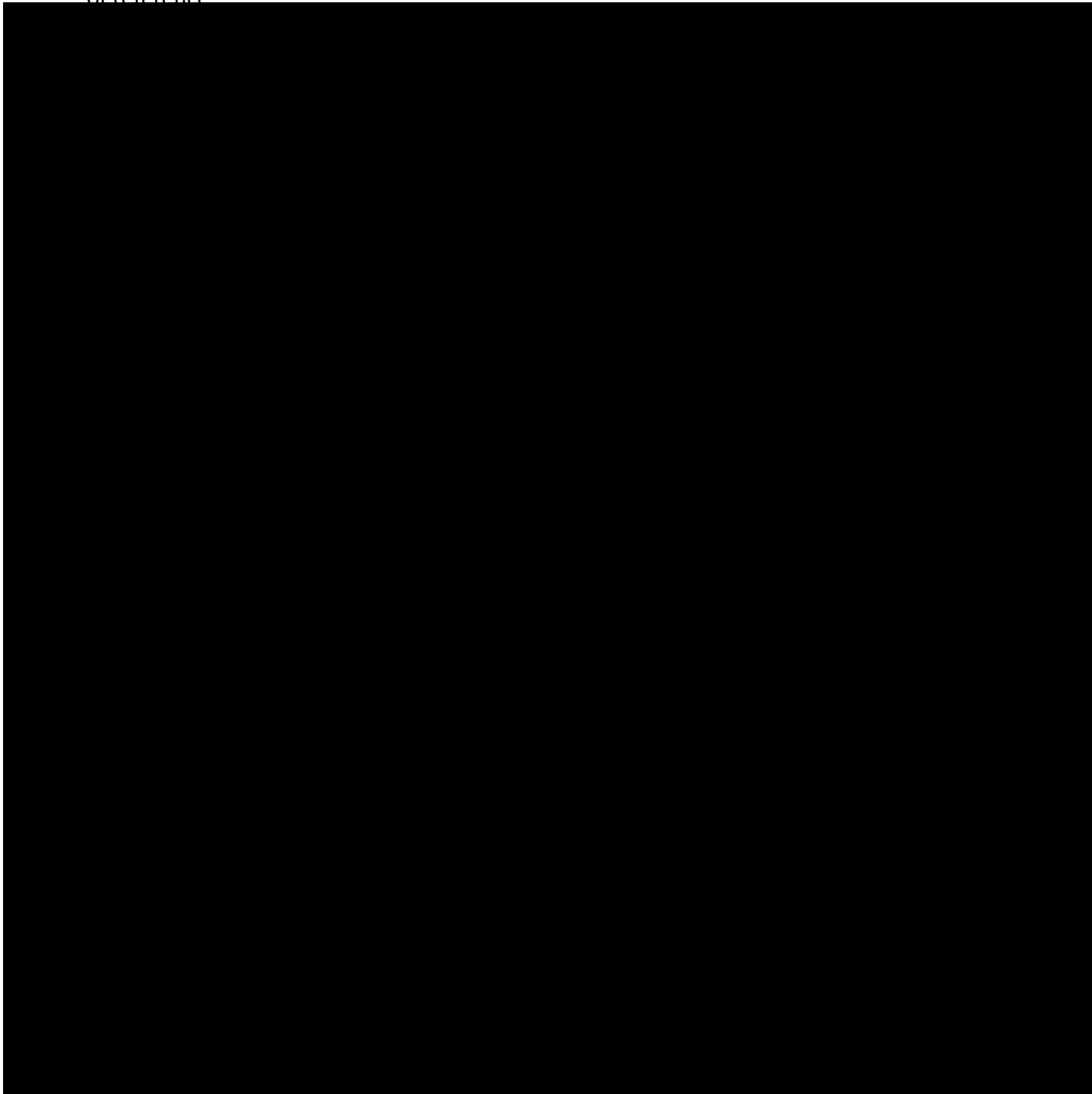
Document containing transmission data for incoming and outgoing calls, (date, time, involved phone numbers, terminating number, call duration, forwarded number), and tracking data (tower location, sector, frequency, longitude and latitude coordinates, etc.) from **November 15th, 2017 to December 19th, 2017, inclusive, and from January 24th, 2018 to February 4th, 2018, inclusive**, for:

i. Phone number [REDACTED]

ii. Phone number [REDACTED]

(d) Chart Summarizing All Subject Phone Numbers

The chart below list all 35 phone numbers that are subject to this application. The subscriber, who the phone number is associated to, the telecommunications carrier for the phone number, the date range for the data and the sections of the Criminal Code of Canada under which the Production Orders are sought are all listed in the chart for ease of reference





3. PREVIOUSLY CONSIDERED JUDICIAL AUTHORIZATIONS

(a) On Wednesday December 20th, 2017 investigators sought a search warrant authorizing the re-seizure and examination of the following electronic devices, which had been seized from the SHERMAN residence:

- i. White Apple iPhone
- ii. Black Blackberry phone
- iii. Two iPads
- iv. Toshiba laptop
- v. HP desktop computer

Her Honour L. PRINGLE authorized the warrant in relation to the white Apple iPhone but denied the warrant applications in relation to the other devices.

(b) On Wednesday December 20th, 2017, Production Orders were applied for and granted by her Honour L. PRINGLE to obtain the following:

- i. Phone records for phone number [REDACTED] associated to Bernard SHERMAN for the time period of 12:00 AM on November 15th, 2017 to 12:45 PM on December 15th, 2017.
 - ii. Phone records for phone number [REDACTED] associated to Honey SHERMAN for the time period of 12:00 AM on November 15th, 2017 to 12:45 PM on December 15th, 2017.
 - iii. Email records for email address, [REDACTED] belonging to Honey SHERMAN for the time period of December 1st, 2017 to December 15th, 2017 inclusive.
- (c) On Tuesday January 9th, 2018, a search warrant was applied for and granted on January 10th, 2018 by her Honour L. PRINGLE authorizing the re-seizure and examination of the following electronic devices, which had been seized from the SHERMAN residence:
- i. Black Blackberry phone
 - ii. Two iPads
 - iii. Toshiba laptop
 - iv. HP desktop computer
- (d) On Sunday January 14th, 2018, search warrant and production order applications were submitted to her Honour L. PRINGLE. On January 15th, 2018 the search warrants and production orders were granted by Judge L. PRINGLE authorizing:
- i. The search of the office and adjoining lab of Bernard SHERMAN at Apotex Inc., located at 150 Signet Road in the City of Toronto.
 - ii. The re-seizure and examination of a computer which had been seized from the office of Bernard SHERMAN at Apotex Inc., located at 150 Signet Road in the City of Toronto.

And the production of the following:

- i. Apotex Inc. video surveillance and security card logs at Apotex Inc. located at 150 Signet Road, from December 11th, 2017 at 12:01 AM to December 15th, 2017 at 6:00 PM.

- ii. OHIP records of Bernard SHERMAN and Honey SHERMAN, from December 2010 to December 16th, 2017.
 - iii. BMO Financial Group credit card records of Bernard SHERMAN and personal account records of Bernard SHERMAN and Honey SHERMAN, from November 15th, 2017 to January 13th, 2018, inclusive.
 - iv. TD Bank Group credit card, personal and commercial account records of Bernard SHERMAN, from November 15th, 2017 to January 13th, 2018, inclusive.
 - v. CIBC Visa account records of Bernard SHERMAN and Honey SHERMAN, from November 15th, 2017 to January 13th, 2018, inclusive.
- (e) On Thursday February 8th, 2018 production order applications were submitted to her Honour L. PRINGLE. On Thursday February 15th, 2018 production orders were granted for the production of the following:
- i. All medical records for Bernard SHERMAN and Anna Debra Honey SHERMAN, obtained by Dr. Michael PICKUP under the authority of the Coroner's Act during the Coroner's investigation into the deaths of Bernard SHERMAN and Honey SHERMAN.
 - ii. Records for Aeroplan account number [REDACTED] in the name of Dr. Bernard SHERMAN for the time period of November 15th, 2017 to December 15th, 2017 inclusive.
 - iii. Records for Air Miles card number [REDACTED] in the name of [REDACTED] [REDACTED] for the time period of November 15th, 2017 to December 15th, 2017 inclusive.
 - iv. All BMO Financial Group commercial accounts held in the name of Bernard SHERMAN with a date of birth of February 25th, 1942 for the time period of November 15th, 2017 to February 4th, 2018 inclusive.
- (f) On Thursday April 12th, 2018 production order applications were submitted to her Honour L. PRINGLE. On April 16th, 2018 production orders were granted for the production of the following:
- i. Records for BMO Financial Group, Master Card account number [REDACTED] [REDACTED] in the name of Honey SHERMAN and Apotex Fleet from November 15th, 2017 to the date the order is authorized inclusive.
 - ii. Records for Capital One, Master Card account number [REDACTED] in the name of Honey SHERMAN from November 15th, 2017 to the date the order is authorized inclusive.

- iii. Phone records for Bell Canada phone number [REDACTED] associated to 50 Old Colony Road from November 15th, 2017 to December 15th, 2017.
- iv. Phone records for Rogers Communications Incorporated cellular phone numbers [REDACTED]
- v. Phone records for Rogers Communications Incorporated cellular phone numbers [REDACTED]
- vi. Phone records for Rogers Communications Incorporated cellular phone number [REDACTED]

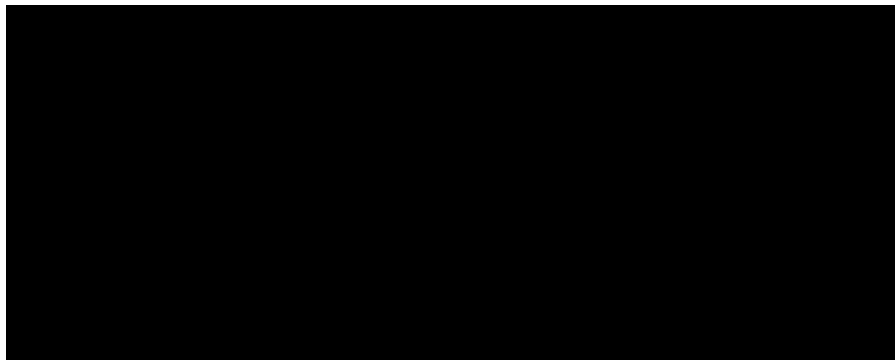
(g) On June 21st, 2018 production order applications were submitted to her Honour L. PRINGLE. On June 27th, 2018 production orders were granted for the production of the following:

- i. All surveillance video from the Canadian Imperial Bank of Commerce at [REDACTED]
- ii. Phone records for Rogers Communications Incorporated cellular phone number [REDACTED]. However, this phone number was listed as a cellular phone number, in error, when in actual fact this number is associated to a landline and therefore the production order was not executed.
- iii. Phone records for Bell Canada cellular phone number [REDACTED]

The following production orders were denied:

- i. Phone records for Rogers Communications Incorporated cellular phone numbers:

- I.
- II.
- III.
- IV.
- V.
- VI.
- VII.



- ii. Phone records for Bell Canada cellular phone numbers:
 - I. [REDACTED]
 - II. [REDACTED]
 - iii. Phone records for Telus Communications Incorporated cellular phone numbers:
 - I. [REDACTED]
 - II. [REDACTED]
- (h) On September 19th, 2018 production order applications were submitted to her Honour L. PRINGLE. On September 23rd, 2018 production orders were granted for the production of the following:
- i. Transmission and tracking data from Rogers communication Canada Incorporated for the following:
 - I. Phone numbers [REDACTED] from November 1st, 2017 to December 29th, 2017, inclusive.
 - II. Phone numbers [REDACTED] from December 10th, 2017 to December 16th, 2017, inclusive.
 - III. Phone number [REDACTED] from December 10th, 2017 to December 16th, 2017, inclusive.
 - IV. Phone number [REDACTED] from December 10th, 2017 to December 16th, 2017, inclusive.
 - ii. Transmission and tracking data from Bell Canada for the following:
 - I. Phone number [REDACTED] from December 10th, 2017 to December 16th, 2017, inclusive.
 - II. Phone number [REDACTED] from December 10th, 2017 to December 16th, 2017, inclusive.

iii. Transmission and tracking data from Freedom Mobile Incorporated for the following:

I. Phone number [REDACTED] from December 10th, 2017 to December 16th, 2017, inclusive.

4. INTRODUCTION TO THE AFFIANT

(a) I, Dennis YIM #9543, am a police officer, employed by the Toronto Police Service since August 2006. I am currently assigned to 32 Division, Major Crime Unit and have been assigned to assist with this case as a criminal investigator with the Specialized Criminal Investigations, Homicide Unit. My duties include preparing judicial applications or other investigative duties as assigned by the Major Case Manager.

(b) I have been involved in this investigation since Thursday December 21st, 2017 as a member of the homicide team investigating this matter. I have performed my duties in relation to this investigation under the direction of the Officer in Charge, Detective Sergeant Sue GOMES #1004.

(c) The information contained within this application is known to me from the following sources:

- i. Direct knowledge;
- ii. Interviews conducted with witnesses;
- iii. Information relayed to me by other officers based on the interviews they have conducted and their observations;
- iv. Written reports and police officer's memorandum books that I have read;
- v. Photographs taken of the scene and at post-mortem examinations;
- vi. Results from the execution of prior search warrants and production orders.

Wherever possible the information set forth in this application will be laid out in chronological order, however, due to the complexity of the investigation and for clarity and ease of use it has been broken down into separate headings.

(d) I have personal knowledge of this investigation and I believe the following information to be accurate and true.

5. INVESTIGATIVE SOURCES AND ACRONYMS

- (a) **Intergraph Computer Assisted Dispatch** hereinafter referred to as ICAD. ICAD is a computer program operated by the Toronto Police Service. ICAD is designed to record information regarding calls for service from members of the public, and assist with the dispatch of Toronto Police Service members to those calls for service.
- (b) **Enterprise Case Occurrence Processing System** hereinafter referred to as ECOPS. The ECOPS system is designed to provide an electronic record of incidents and occurrences investigated or responded to by a member of the Toronto Police Service.
- (c) **The Criminal Information Processing System** hereinafter referred to as CIPS. This system maintains and stores arrest reports.
- (d) **Versadex Records Management System (RMS)** herein after referred to as “VDX”. On November 5th 2013, VDX replaced and consolidated the Toronto Police Service’s ECOPS and CIPS systems. Similar to ECOPS and CIPS, VDX is an internal database managed by the Toronto Police Service. It contains records pertaining to any individual who has reported an incident to and/or have been charged by the Toronto Police Service. A VDX report contains the nature of the incident, the person(s) involved in the incident, and may contain business and individuals’ personal information, including but not limited to: name, date of birth, physical descriptors, phone numbers, personal and business addresses, next of kin information, vehicle information, vehicle plates, court information [charge(s) / disposition(s)] and other details related to the reported incident. Any incident reported to the Toronto Police Service is entered into the VDX system.
- (e) **The Canadian Police Information Centre** hereinafter referred to as CPIC. CPIC is a computer system operated by the RCMP. This system is accessed only by law enforcement personnel and contains information of criminal records, charged persons, wanted persons, prohibition orders and outstanding charges for individuals. The name of this database is now referred to as Unified Search.

Embedded databases within CPIC include:

- i. CRII – full criminal record, containing conviction history, a summary of police-related information and a list of agencies who have received a copy of the subject’s criminal record. Queried through FPS numbers.

- ii. CNI – criminal name index containing an index of names through which CRS (Criminal Record Synopsis) records can be searched for matching names and descriptive data. Queried through name and used when subject’s FPS number is not known. To be accessed, the CRS records must have the status “File Open”. CNI- is a type of query into the CRS file. A CNI query may result in a hit which contains but is not limited to: records of a person’s physical description and a summary of the types of criminal offences the person has been involved in.
- iii. Each CNI is assigned a fingerprint number known as an FPS, specific to that offender.

(f) Cumulus is an electronic catalogue of digital photographs captured by the Toronto Police Service. In addition to cataloguing photographs, the Cumulus system also records the dates and times of the photographs and the badge numbers of the officers who took the photographs.

(g) Photo Imaging Network is a computer based network operated by the Toronto Police Service that allows members of the Service to view and upload photos in relation to their duties. The Network allows members of the Service to order photos for the purpose of disclosure and examination.

6. POLICE OFFICERS INVOLVED

- (a) Detective Sergeant Sue GOMES #1004, hereinafter referred to as D/Sgt. GOMES is a police officer employed by the Toronto Police Service – Homicide Unit. She is the Major Case Manager in this matter and at times provides investigative direction.
- (b) Detective Sergeant Kevin LEAHY #99418, hereinafter referred to as D/Sgt. LEAHY is a police officer employed by the Toronto Police Service – Homicide Unit. He has various investigative duties in this matter.
- (c) Detective Brandon PRICE #8329, hereinafter referred to as Det. PRICE is a police officer employed by Toronto Police Service – Homicide Unit. He has various investigative duties in this matter.
- (d) Detective Constable Kristin THOMAS #7660, hereinafter referred to as DC THOMAS is a police officer employed by the Toronto Police Service – Homicide Unit. DC THOMAS conducted interviews and viewed video.

- (e) Detective Constable Kristy DEVINE 9132, hereinafter referred to as DC DEVINE is a police officer employed by the Toronto Police Service – Homicide Unit. DC DEVINE is the original affiant in this matter.
- (f) Detective Constable Xu WU #9403, hereinafter referred to as DC WU is a police officer employed by the Toronto Police Service – Forensic Identification Services. DC WU attended the post mortem examination of Bernard SHERMAN and the scene at 50 Old Colony Road.
- (g) Detective Constable Paul SOUCY #8583, hereinafter referred to as DC SOUCY is a police officer employed by the Toronto Police Service – Forensic Identification Services. DC SOUCY attended the scene at 50 Old Colony Road.
- (h) Police Constable Lesley HENRY #5393, hereinafter referred to as PC HENRY, is a police officer employed by the Toronto Police Service – 33 Division Primary Response Unit. PC HENRY was one of the first officers on scene.
- (i) Police Constable Kristina MEHAK #11211, hereinafter referred to as PC MEHAK, is a police officer employed by the Toronto Police Service – 33 Division Primary Response Unit. PC MEHAK was one of the first officers on scene.
- (j) Police Constable Felice BUCCIERI #65788, hereinafter referred to as PC BUCCIERI, is a police officer employed by the Toronto Police Service – 33 Division Primary Response Unit. PC BUCCIERI completed the Initial Officer Report
- (k) Detective Constable Angela TABORSKI #90405, hereinafter referred to as DC TABORSKI, is a police officer employed by the Toronto Police Service – 33 Division, Criminal Investigations Bureau. DC TABORSKI conducted witness interviews.
- (l) Detective John BEREZOWSKI #3858, hereinafter referred to as Det. BEREZOWSKI, is a police officer employed by the Toronto Police Service – 33 Division, Criminal Investigations Bureau. Det. BEREZOWSKI conducted witness interviews.
- (m) Detective Michelle CAMPBELL #8113, hereinafter referred to as Det. CAMPBELL, is a police officer employed by the Toronto Police Service – Homicide Unit. Det. CAMPBELL conducted witness interviews.

- (n) Detective Constable Catherine DE OLIVERIA #10360, hereinafter referred to as DC DE OLIVERIA, is a police officer employed by the Toronto Police Service – 33 Division, Major Crime Unit. DC DE OLIVERIA conducted witness interviews.
- (o) Detective Constable Scott GRONDIN #7828, hereinafter referred to as DC GRONDIN is a police officer employed by the Toronto Police Service – Forensic Identification Services. DC GRONDIN attended Apotex Inc. at 150 Signet Road.
- (p) Detective Constable John ANGUS #86527, hereinafter referred to as DC ANGUS is a police officer employed by the Toronto Police Service – Technological Crimes Unit. DC ANGUS attended Apotex Inc. at 150 Signet Road.
- (q) Detective Jeff TAVARES #7744, hereinafter referred to as Det. TAVARES, is a police officer employed by the Toronto Police Service – Homicide Unit. Det. TAVARES conducted witness interviews.
- (r) Detective Constable Tara WHALLEY #9317, hereinafter referred to as DC WHALLEY is a police officer employed by the Toronto Police Service – Homicide Unit. DC WHALLEY conducted witness interviews.
- (s) Police Constable Hao GE #10130, hereinafter referred to as PC GE is a police officer employed by the Toronto Police Service – 32 Division Community Response Unit. PC GE assisted with Mandarin interpretation during witness interviews.
- (t) Auxiliary Constable Jack ZHANG #51436, hereinafter referred to as Aux. PC ZHANG is an auxiliary police officer, volunteering with the Toronto Police Service. Aux. PC ZHANG assisted with Mandarin interpretation during witness interviews.
- (u) Detective Constable Lindsay CARTIER #10861, hereinafter referred to as DC CARTIER is a police officer employed by the Toronto Police Service – Homicide Unit. DC CARTIER conducted witness interviews.
- (v) Detective Wayne FOWLER, hereinafter referred to as Det. FOWLER is a police officer employed by the Toronto Police Service – Homicide Unit. Det. FOWLER conducted witness interviews.

- (w) Detective Constable Douglas SINCLAIR #9678 is a police officer employed by the Toronto Police Service – Coroner’s Investigator. DC SINCLAIR provided the definition for the Coroner’s Information System computer database.
- (x) Detective WELLER #411, hereinafter referred to as Det. WELLER is a police officer employed by the Toronto Police Service – Forensic Identification Services. Det. WELLER attended 50 Old Colony Road.
- (y) Police Constable Asif SHAIKH #5356, hereinafter referred to as PC SHAIKH is a police officer employed by the Toronto Police Service - 33 Division Primary Response Unit. PC SHAIKH was involved in towing a vehicle from 50 Old Colony Road.
- (z) Detective Constable Lynn LANGILLE #7064, hereinafter referred to as DC LANGILLE is a police officer employed by the Toronto Police Service – Forensic Identification Services. DC LANGILLE attended 50 Old Colony Road.
- (aa) Detective Constable Irvin ALBRECHT #5043, hereinafter referred to as DC ALBRECHT is a police officer employed by the Toronto Police Service – Forensic Identification Services. DC ALBRECHT attended 50 Old Colony Road.
- (bb) Detective Constable Simone HUBER #99649, hereinafter referred to as DC HUBER is a police officer employed by the Toronto Police Service – Financial Crimes Unit. DC HUBER is assisting with the review of financial documents.
- (cc) Detective Constable Geoffrey BERTIN #10725, hereinafter referred to as DC BERTIN is a police officer employed by the Toronto Police Service – Homicide Unit. DC BERTIN assisted with background reports.

7. THE DECEASED PERSONS

(a) Honey SHERMAN



On January 3rd, 2018, I reviewed a Supplementary Report created by DC THOMAS, regarding the background of Honey SHERMAN and learned the following:

- i. Born January 25th, 1947
- ii. Honey SHERMAN resided at 50 Old Colony Road, Toronto, ON
- iii. She did not have any criminal record or fingerprints on file with police.
- iv. The above photo was from the Ministry of Transportation databases.
- v. Honey had an Ontario Driver's licence with licence number [REDACTED] and she had three vehicles registered under her name. The vehicles are:
 - I. 2007, brown, Lexus with Ontario plate [REDACTED]
 - II. 1999, silver, Ford with Ontario plate [REDACTED]
 - III. 1982, grey, Chrysler with Ontario plate [REDACTED]
- vi. Honey SHERMAN was married to Bernard SHERMAN and together, they had four adult children, Alexandra SHERMAN, Jonathon SHERMAN, Kaelen SHERMAN and Lauren SHERMAN.

(b) Bernard SHERMAN



On January 3rd, 2018, I reviewed a Supplementary Report created by DC THOMAS regarding the background of Bernard SHERMAN and learned the following:

- i. Born February 25th, 1947.
- ii. Bernard SHERMAN resided at 50 Old Colony Road, Toronto, ON.
- iii. Has an alias of Barry SHERMAN
- iv. He did not have any criminal record or fingerprints on file with police.
- v. The above photo was taken from the Ministry of Transportation databases.
- vi. Bernard had an Ontario Driver's licence with licence number [REDACTED] and one vehicle registered under his name. The vehicle is a:
 - I. 2008, white, Acura, with Ontario plate [REDACTED]
- vii. Bernard SHERMAN was married to Honey SHERMAN and together, they had four adult children, Alexandra SHERMAN, Jonathon SHERMAN, Kaelen SHERMAN and Lauren SHERMAN.

8. THE SCENE

The scene is a single detached home located at 50 Old Colony Road, Toronto, ON, in an affluent neighbourhood, south of Highway 401 and East of Bayview Avenue.



2



3

On January 3rd, 2018 I viewed a “Real Estate Open House Package” for 50 Old Colony Road obtained by D/Sgt. LEAHY #99418. I learned from this package that the house was listed for sale on MLS⁴ under MLS number C3994621 for \$6,988,000, Elise STERN and Judi GOTTLIEB were the listing agents.

² I obtained this image from Google Maps.

³ I obtained this image from Google Maps.

⁴ Multiple Listing Service (MLS) - is a service used by a group of real estate brokers. The brokers band together to create an MLS that allows each of them to see one another's listings of properties for sale. Under this arrangement, both the listing and selling broker benefit by consolidating and sharing information, and by sharing commissions. Source: <https://www.investopedia.com/terms/m/multiple-listing-service-mls.asp>

9. BACKGROUND OF THE INVESTIGATION

(a) ICAD Report

On January 3rd, 2018, I reviewed ICAD Report numbers 2017-3200639 and 2017-3201016 and learned the following.

- i. The call came in at 11:44 AM on December 15th, 2017, as a 911 call and was dispatched as an “Echo Tiered Response”.
- ii. The location of the call was 50 Old Colony Road.
- iii. Elise STERN, who is a real estate agent called and said that there were two victims and that she believes that someone had killed her clients.
- iv. There was another male caller, who identified himself as Joseph COHEN, who told the dispatcher that he was going to attend the address.
- v. The gardener, Clair BANKS, believed that the victims were deceased and that the two victims’ mouths were purple and that it appeared that they were hung against a railing side by side.
- vi. Nelia NACACANGAY identified herself as the cleaning lady and spoke with the dispatcher. Nelia advised that she arrived at the house at 8:30 AM and she thought her clients were sleeping so she did not think to go check the pool area.
- vii. Elise STERN advised she did a showing and they had walked through the whole house.
- viii. At 11:56 AM police on scene located two parties with vital signs absent.

(b) First Officers On Scene

On January 3rd, 2018, I reviewed the memorandum notes for PC HENRY and learned the following:

- i. PC HENRY arrived on scene at 50 Old Colony Road at 11:54 AM on December 15th, 2017 and members of the TFD⁵ were already on scene and had entered the residence. Members of DAS⁶ had just arrived and entered the residence with PC HENRY.

⁵ Toronto Fire Department.

⁶ Toronto Department of Ambulance Services.

- ii. PC HENRY attended the lower level, indoor pool area and noted that members of the TFD were in the inner pool area and there were no other persons in the area.
- iii. TFD advised PC HENRY that there was one male and one female and they were both obviously deceased as they were blue in colour with obvious signs of rigour mortis. [REDACTED]
- iv. [REDACTED]
- v. The TFD also advised that there was [REDACTED]
- vi. At 1:47 PM, Forensic Identification Services officers, DC SOUCY and DC WU arrived on scene along with Det. MCCALL.
- vii. The coroner, Dr. GIDDENS and the pathologist, Dr. PICKUP arrived on scene at 2:41 PM.
- viii. Both Honey SHERMAN and Bernard SHERMAN were pronounced deceased by Dr. GIDDENS at 2:55 PM. An autopsy was ordered for both victims.
- ix. At 7:50 PM, the bodies were removed from the scene.
- x. At 8:06 PM, PC HENRY followed the bodies to the Coroner's office and at 8:26 PM and 8:27 PM the Coroner's office accepted custody of the bodies of Honey SHERMAN and Bernard SHERMAN respectively.

(c) Initial Officer Report

On January 5th, 2018, I reviewed the Initial Officer Report prepared by PC BUCCIERI on Friday December 15th, 2017 and learned the following:

- i. Bernard SHERMAN born February 25th, 1942 and Honey SHERMAN born January 25th, 1947, reside at 50 Old Colony Road.
- ii. The home is a large mansion with two stories and a basement. There is a large backyard and the mansion is not gated.
- iii. On Friday December 15th, 2017 at 12:46 PM police received and responded to an "Echo Tiered" call at 50 Old Colony Road where the complainant Elise STERN had attended and found her two clients deceased.
- iv. When police attended, they found Bernard SHERMAN and Honey SHERMAN in the indoor pool are of their home located in the basement.
- v. The bodies were located outside of the pool at the farthest end of the pool, facing towards a wall.

- vi. [REDACTED]
- vii. [REDACTED]
- viii. [REDACTED]
- ix. PC BUCCIERI went through the rest of the house to look for other victims and did not find any other victims or any suspects.
- x. The house was neat and orderly.
- xi. The following people were in the house upon police arrival:
 - I. Nelia MACADANGAY, [REDACTED] [REDACTED] [REDACTED] is a cleaner who had entered the home at 8:30 on December 15th, 2017.
 - II. Elise STERN, born [REDACTED] [REDACTED] [REDACTED] is a real estate agent who was showing the home and located the bodies.
 - III. Clair BANKS, born [REDACTED] [REDACTED] [REDACTED] whose job is to water the plants in the house attended the home at 11:30 AM on December 15th, 2017.
- xii. Weidong ZHAO was another real estate agent in the house and was showing the house to his two clients. Weidong had left with his two clients before police arrived on scene.
- xiii. PC BUCCIERI noticed a [REDACTED]
- xiv. [REDACTED]
- xv. There was also an Ipad in [REDACTED]

(d) Photographs and Descriptions From the Scene

On January 8th, 2018, I reviewed the memo book notes of DC WU. On Friday December 15th, 2017, DC WU had attended 50 Old Colony Road and at 1:37 AM he entered pool room.

In his memo book DC WU described the following from the scene:

- i. There were two victims, a male and a female hanging by the necks from a pool railing.

ii. [REDACTED]
[REDACTED]

iii. [REDACTED]
[REDACTED]

iv. The male victim was wearing:

- i. [REDACTED]
- ii. [REDACTED]
- iii. [REDACTED]
- iv. [REDACTED]
- v. [REDACTED]
- vi. [REDACTED]
- vii. [REDACTED]
- viii. [REDACTED]

vii. The female victim was wearing:

- i. [REDACTED]
- ii. [REDACTED]
- iii. [REDACTED]
- iv. [REDACTED]

viii. [REDACTED]
[REDACTED]

ix. [REDACTED]
[REDACTED]

x. [REDACTED]
[REDACTED]

xi. [REDACTED]
[REDACTED]

xii. DC WU indicates that the victims are Honey SHERMAN and Bernard SHERMAN.

The following photographs, which I obtained from Cumulus, with date stamp of December 15th, 2017, were taken by DC WU. They illustrate what is described in DC WU's memo book notes from December 15th, 2017.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

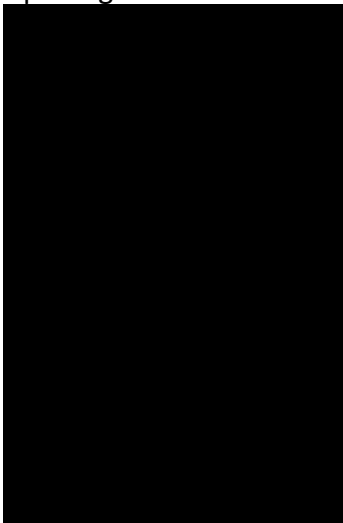


(e) [REDACTED]

On January 22nd, 2018 I reviewed a Supplementary Report created by DC DEVINE and learned the following:

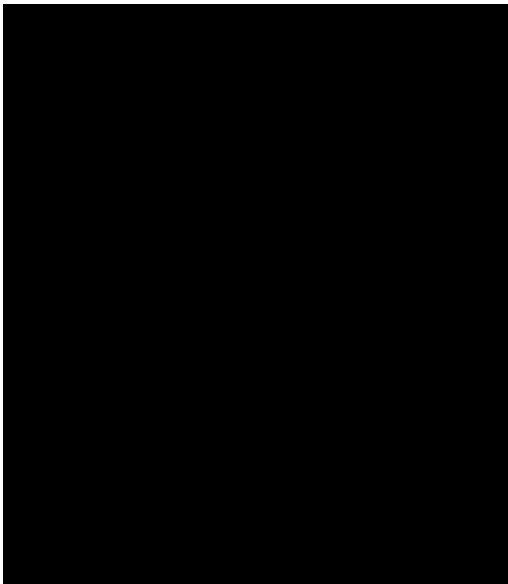
- i. The Supplementary Report was in regards to a comparison of photos taken of 50 Old Colony Road on November 22nd, 2017, to be used in a MLS listing, with Toronto Police Service, Forensic Identification Services (FIS) photos taken on December 22nd, 2017 of 50 Old Colony Road to determine if [REDACTED]
[REDACTED]
- ii. [REDACTED]
[REDACTED]
[REDACTED]

On January 22nd, 2018 I reviewed the picture from DC DEVINE's Supplementary Report, which was from a package of pictures to be used in a MLS listing. The picture from the package is shown below.



On January 22nd, 2018, I reviewed the following Cumulus pictures taken by DC WU on December 15th, 2017 [REDACTED]

[REDACTED] Cumulus photo
20173201016_3823 was used in DC DEVINE's Supplementary Report.



10. WITNESS STATEMENTS

Investigators have taken many witness statements in this investigation. I have not summarized all of these statements in this Information to Obtain. Instead, I have focused on the statements that are relevant to this application, statements that assist in

constructing a timeline for Bernard SHERMAN's and/or Honey SHERMAN's movements and actions on December 13th, 2017 and statements that [REDACTED]

In many cases, witness statements taken by investigators have been summarized in Statement Summaries prepared by other officers or civilian members of the Toronto Police Service. In many cases, as detailed below, I have relied on these Statement Summaries as accurate summaries of the statements taken by the investigators. For the sake of being clear and concise, I have produced my own summaries of these Statement Summaries for use in this Information to Obtain.

(a) Persons Employed by the SHERMANS

i. Elise STERN, real estate agent

On January 4th, 2018, I reviewed the Statement Summary of Elise STERN's statement, which she provided to Det. BEREZOWSKI and DC TABORSKI on December 15th, 2017. I have summarized the statement as follows:

- I. Elise is a real estate agent selling 50 Old Colony Road for Barry SHERMAN and Honey SHERMAN and today, she had a showing at 11:00 AM.
- II. Elise arrived at 10:45 AM and there was another agent, Weidong ZHAO, at the house with his two clients.
- III. The house cleaner, Nelia MACATANGAY, was also at the house at this time.
- IV. Elise, the other agent and his clients went through the main floor and while doing so Elise noticed that there was a cellular phone in the power room and thought it was Nelia's.
- V. While they were viewing the rooms in the basement that are at the front of the house, Elise noticed [REDACTED]
[REDACTED]
[REDACTED]
- VI. Elise also saw a [REDACTED]
[REDACTED]
- VII. Elise, the agent and the clients then went to the change room and opened the door to the pool area.
- VIII. The clients noticed it first and when Elise looked she saw Honey and Barry sitting on the floor with their heads hanging from some kind of rope and thought they were doing "a weird yoga thing".

- IX. No one went into the pool area and they all went back upstairs and the agent and clients left the house.
- X. Andrea Claire BANKS, who goes by Claire, arrived at the house and volunteered to go down and checked on Barry and Honey as everyone else was too afraid.
- XI. Elise was already calling police and when Claire came back upstairs she told Elise that Barry and Honey were dead.
- XII. Elise last saw Honey on Wednesday and last saw Barry the previous week.
- XIII. The house was listed for \$6,988,000 and there were 20 prospective buyers that went through the house in the past two weeks.

ii. Christina DETORO, professional organizer

On January 17th, 2018 I reviewed a Statement Summary, for the statement of Christina DETORO, which she provided to Det. CAMPBELL on December 30th, 2017. I have summarized the statement as follows:

- I. Christina is a professional organizer and her and her partner Katrina have a business called Clutter Bugs.
- II. They were subcontracted by Rachel KALINGSKY, who owns Order in the House and were hired by the SHERMANS.
- III. Christina attended 50 Old Colony Road for 3 visits.
- IV. The first visit was on Thursday November 2nd from 11:30 AM to 5:15 PM and Christina de-cluttered all day.
- V. Christina, Katrina, Rachel, Honey's cleaning lady Noree and Honey's personal assistant, Sheila was present in the home.
- VI. Honey was shrewd and demanding and was with them the entire time. Christina never met Barry.
- VII. The second date at the house was Tuesday November 21st, from 11:30 AM and Christina left at 4:00 PM. Staging was done on this day with Katrina, Rachel and Honey.
- VIII. The third date was Tuesday December 12th from 10:30 AM to 2:15 PM and they did more staging and packed boxes for the Salvation Army. A box had been set up for Sheila and Noree so that they could take whatever they wanted from it.
- IX. Christina noted that there was a painter described as over 6 feet tall, stocky, strawberry blond hair, maybe had a beard and was wearing painting attire. Later on the painter's boss came by around 2:00 PM and stayed for 10 minutes and spoke with Honey about coming back on Monday.

- X. Honey shared the news of her grandchild, a planned trip to Japan and Florida with Christina.
- XI. On the first day a gift bag was delivered to the house and Honey had made a loud comment about it saying it was from another one of Barry's affairs. Christina did not see what was in the gift bag but thinks that it was a baby gift.
- XII. Christina says that Honey said it very matter of fact, not angrily and Christina thought the comment meant that Barry fooled around. Katrina and Costa also heard the comment.
- XIII. Christina also thinks she heard Honey say that it was the hotel sending her a thank you for another one of Barry's affairs and thinks it was the Four Seasons or Westin but was not sure.
- XIV. Christina was asked to view a series of photographs.

iii. Katrina BYERS, professional organizer

On January 17th, 2018 I reviewed a Statement Summary, for the statement of Katrina BYERS, which she provided to Det. CAMPBELL on December 30th, 2017. I have summarized the statement as follows:

- I. Katrina BYERS is a professional organizer and has been working for Clutter Bugs for the past 3 years.
- II. Katrina started the business with Cristina DETORO.
- III. They were subcontracted by Order In the House and attended 50 Old Colony Road on Thursday November 2nd from 11:30 AM to 5:15 PM, November 21st from 11:30 AM to 5:00 PM and Tuesday December 12th from 10:30 AM to 3:00 PM.
- IV. Rachel and her assistant Bethany from Order in the House would contact Katrina through text or email to confirm.
- V. Katrina knew the home owners as Honey and Barry SHERMAN. While Katrina was at the home Honey was there with her cleaning lady, Nor and her assistant Shelia.
- VI. Katrina and the group spoke with Honey while they were there and Honey was intimidating at first.
- VII. On November 21st Honey went to get deliveries and there was a bag with tissue and Honey said loudly that the bag was from one of Barry's affairs or many affairs but then Honey realized it was a gift for the grandchild. Christina and Rachel were both in the home and there were movers in the hallway when Honey said this.

- VIII. This comment made Katrina feel sad for Honey as Katrina did not know Barry.
- IX. Costa is the name of the mover.
- X. On December 12th Katrina recalls Rachel asking Honey if she was feeling okay and Honey said that she was and Katrina recalls that Honey sounded like she was not feeling well.
- XI. Katrina thinks that Barry was sleeping in another room because there was an unmade bed, shoes and male toiletries in another room.

iv. Sheila STANLEY, personal assistant to Honey SHERMAN

On January 5th, 2018, I reviewed the Statement Summary for the statement of Sheila STANLEY, which she provided to Det. CAMPBELL and DC DE OLIVERIA on December 24th, 2017. I have summarized the statement as follows:

- I. Sheila worked as a personal assistant to Honey and had done so for two years.
- II. Her jobs included taking care of bills, scheduling, keeping Honey's devices in line, dressing Honey for events and other random jobs.
- III. Sheila described Honey as her employer and someone that she knows very well.
- IV. Honey was last seen on **Wednesday December 13th, 2017 until 2:40 PM** by Sheila and they were not to see each other for the remainder of the week as Sheila was going on holidays and Honey was going to Florida.
- V. On a typical day, Sheila would arrive at the house at 10:00 AM, the same time that Barry left the house and the door would usually be unlocked, even though Sheila has a key, and the alarm system would rarely have to be turned off.
- VI. If Sheila was leaving the house and no one else was at the house Sheila would put the alarm on.
- VII. [REDACTED]
- VIII. In regards to Honey's physical and mental state, Sheila says that she has not noticed any changes in any way and that everything was good because Honey had a trip to Japan scheduled in March and a trip to Israel scheduled for April.
- IX. Mary SHECHTMAN, Honey's sister, planned all the travel for Honey.
- X. The relationship between Barry and Honey was good.
- XI. Honey did not spend that much money and it was Mary who spent a lot of money at U.S. Saks and Barry was never to see those bills.
- XII. According to Sheila, infidelity was not possible in Barry and Honey's relationship because of how busy they were.

- XIII. Honey worked hard at maintaining her health and mobility despite the fact that she found walking and climbing stairs difficult.
- XIV. Sheila cannot think of anyone who would want to harm the SHERMANs, Honey in particular.
- XV. There were workers going to 50 Old Colony Road recently and Sheila identified them as a company called Father and Sons, a company for the outside steps and an organizing and de-cluttering company with someone by the name of Rachel.
- XVI. Honey was scheduled to leave for Florida on Monday December 18th, 2017 and was to return on Friday January 12th, 2018.
- XVII. [REDACTED]
- XVIII. Sheila has only met Honey's son Kaelan once and another son Noah and does not know [REDACTED]
- XIX. [REDACTED]
- XX. [REDACTED]
- XXI. Sheila mentioned that it was unusual to have Wednesday's meeting at Apotex and she does not know if that meeting was deleted from the calendar.
- XXII. Sheila recalled that, that week, she was asked by Honey, to help [REDACTED]
- XXIII. [REDACTED]

(b) Family

i. Mary SHECHTMAN, Honey SHERMAN's sister (first interview).

On January 13th, 2018 I reviewed a Statement Summary, for the statement of Mary SHECKMAN which she provided to Det. TAVARES on December 15th, 2017, and learned the following:

- I. Mary SHECHTMAN is the sister of Honey SHERMAN.
- II. Mary says that Honey called her the day before she left for Florida and she spoke quickly over the phone.
- III. Mary sent Honey a text message on Thursday December 14th and Honey did not respond.

IV. Mary flew out at 11:00 AM, on her own to Florida on Thursday December 14th with Air Canada from Pearson International Airport. She and Honey were each supposed to fly three legged flights. Honey was supposed to fly into Florida on her own on Monday December 18th, 2017 and Barry would be flying in on December 24th, with Mary's three children and their significant others.

V. [REDACTED]

VI. [REDACTED]

VII. [REDACTED]

VIII. [REDACTED]

IX. [REDACTED]

X. [REDACTED]

XI. [REDACTED]

XII. [REDACTED]

XIII. [REDACTED]

XIV. [REDACTED]

XV. [REDACTED]

XVI. [REDACTED]

XVII. Honey had surgeries to her feet.

XVIII. Mary says that when Barry and Honey would fight, they would both call Mary. They would fight however they could not live without each other as Honey and Barry were married for 40 years. Barry and Honey would have fights about Barry not being home and working. Honey would complain about Barry not showing her enough attention and Honey always being the one making plans as Barry was not social.

XIX. Mary says everyone wanted to get near Barry and Honey because of their wealth.

XX. Honey never had any physical issues with Barry.

XXI. Honey and Barry never used to lock their doors.

ii. Mary SHECHTMAN, Honey's sister (second interview).

On February 15th, 2018 I reviewed a Statement Summary, for the statement of Mary SHECKMAN which she provided to DC DE OLIVEIRA on December 27th, 2017, and learned the following:

- I. Mary had previously given a statement at 33 Division on the day she found out about the deaths.
- II. Since that interview she has learned more information.
- III. According to Mary, the way the SHERMAN's were found, it appears that someone was making a statement and Mary believes that there may be a religious motive. The SHERMAN's were strong supporters of Israel and Honey was very vocal about being Jewish. [REDACTED]

[REDACTED]

IV. Mary mentions [REDACTED]

V. When the Apotex building was being built there was [REDACTED]

[REDACTED]

VI. Mary mentions [REDACTED]

[REDACTED]

VII. Mary says that [REDACTED]

[REDACTED]

VIII. [REDACTED]

[REDACTED]

IX. [REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- X. Barry was financing homes for Jonathon and Andrew and Andrew would build houses that he could not sell. Andrew and his father would blame Barry for Andrew's failures and in the end Jonathon ended the relationship with Andrew.
- XI. Mary says that Fred is good for Jonathon.
- XII. Alexandra has become a mother and her relationship with Honey has improved. Brad is also a nice guy and has made Alexandra normal.
- XIII. [REDACTED]
- [REDACTED]
- [REDACTED]
- XIV. [REDACTED]
- [REDACTED]
- [REDACTED]
- XV. [REDACTED]
- XVI. [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- XVII. [REDACTED]
- XVIII. [REDACTED]
- XIX. Each child was given a million dollars at the age of 21.
- XX. [REDACTED]
- [REDACTED]
- XXI. [REDACTED]
- [REDACTED]
- XXII. [REDACTED]
- [REDACTED]
- XXIII. [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- XXIV. [REDACTED]
- [REDACTED]
- XXV. [REDACTED]
- [REDACTED]
- XXVI. Mary believes the deaths have something to do with religion.

iii. Sandy FLORENCE, Bernard SHERMAN's sister

On February 9th, 2018 I reviewed a Statement Summary, for the statement of Sandy FLORENCE which she provided to Det. CAMPBELL on December 26th, 2017, and learned the following:

- I. Sandy is the older sister of Barry. Ted is Sandy's elder son.
- II. Barry's and Sandy's father died when Sandy was 12 years old and Barry was 10 years old.
- III. Barry was an atheist with Jewish roots.
- IV. Barry and Honey came from nothing and built their empire.
- V. Sandy does not know anything about Apotex's business dealings but her husband Mike FLORENCE was the accountant for Apotex for many years and Sandy's son Ted also worked at Apotex so they will know the background information.
- VI. Sandy is not aware of any infidelity in the marriage. She does know that Barry and Honey had issues over the children as Honey wanted them to be involved in the Jewish religion while Barry did not believe in the religion but kept the traditions.
- VII. According to Sandy, Barry could not have committed suicide or killed Honey because Barry was a gentle loving man. Honey could not have done it either because she had too much to live for as they were planning things and were spending more time together.
- VIII. Fred and Bryna STEINER are Honey's closest friends.

iv. Myer Fredrick (Mike) FLORENCE, Bernard SHERMAN's brother-in-law.

On February 9th, 2018 I reviewed a Statement Summary, for the statement of Mike FLORENCE which he provided to DC THOMAS on December 19th, 2017, and learned the following:

- I. Mike FLORENCE is married to Barry SHERMAN's sister Sandra (Sandy) FLORENCE.
- II. Mike was an accountant for Barry at Apotex, at 150 Signet Road, from 1989 to 2013. He looked after investments for the holding company Sherfam Inc.
- III. The last business dealing Mike had with Barry was two years ago with Barry and Alex GLOSENBERG.

IV.

V.

VI.

VII.

VIII.

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X.

XI.

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XIII.

XIV.

XV.

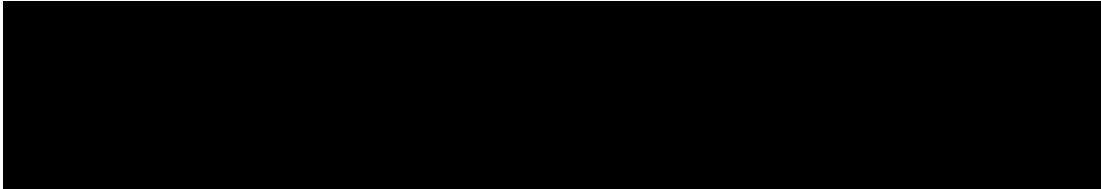
XVI.

XVII.

XVIII.

XIX.

XX.



XXI. Mike describes Barry as a brilliant introvert, well like by everyone, generous, philanthropic and a genius. Barry would help with certain causes and helped friends out with money.

XXII. Barry married Honey in 1971 and the relationship had its ups and downs because Barry and Honey were different people.

XXIII. Honey was an extrovert, social, travelled and had her own friends. Barry on the other had had no use for luxury or spending, was a workaholic, did not like vacations and got bored very easily.

XXIV.



XXV. Barry did not want to move but he went along with Honey who wanted to live at Forest Hill. The project was Honey's project that Barry was financing.

XXVI. Barry's best friend is Fred STEINER who is married to Honey's best friend, Bryna STEINER. Mary SHECHTMAN was also very close to Honey.

XXVII.



XXVIII. Mike's older son Ted was more involved with Barry who helped Ted finance his business.

XXIX.



v. Edward (Ted) FLORENCE, Bernard SHERMAN's nephew

On February 13th, 2018, I reviewed a Statement Summary, for the statement of Ted FLORENCE which he provided to DC DE OLIVEIRA on December 26th, 2017, and learned the following:

- I. Barry SHERMAN is Ted's uncle as Ted's mother is Barry's sister.
- II. Ted describes Barry as nice, a tough guy in business, generous, well liked, anti-social, driven, hardworking and loyal. Barry did not like early mornings and would typically start work at 10:00 AM and work until 10:00 PM.

- III. Sometimes Barry would talk to Ted about personal issues but Barry spoke to Ted's father and Jack KAY more.
- IV. [REDACTED] Ted believed that the children, house keepers, Honey's sister Mary, real estate agents and maybe employees at Apotex would have keys to Barry's home.
- V. Ted never saw any physical violence in Barry and Honey's relationship. They would argue but that was not unusual.
- VI. Ted was not aware of any mental illnesses or any extra marital affairs with Honey or Barry.
- VII. Ted knows all the SHERMAN children and says that everyone has issues with their children. The SHERMANs had some frustrations with their children because of their lack of work ethic because the children were raised in and exposed to a lot of money. Ted heard that the children recently had received a large sum of money but Ted does not know how much.
- VIII. Lauren is single, has never been married and has a child. [REDACTED]
[REDACTED]
[REDACTED]
- IX. Jonathon's husband is Fred. Ted thinks that Honey was not very accepting of the gay lifestyle but she dealt with it. Barry did not have an opinion.
- X. Alexandra's husband is Brad who seems like a nice guy. Honey loved Brad's mother, Rona and Ted thinks Honey liked Brad. Everyone has a good relationship with Brad and he was given a lot of responsibility by Barry. Brad worked at Sherfam but Ted does not know what his position was.
- XI. Kaelan is engaged to Jared. Ted does not know much about Jared.
- XII. Ted cannot think of anyone who would hurt Honey but when this first happened 2 or 3 names came to mine and everyone shared those views. [REDACTED]
[REDACTED]
- XIII. [REDACTED]
[REDACTED]
- XIV. [REDACTED]
[REDACTED]
[REDACTED]
- XV. [REDACTED]
[REDACTED]
- XVI. [REDACTED]
[REDACTED]

[REDACTED]

XVII.

XVIII. Ted says it could also be a religious hate crime because the SHERMANs were involved in the Jewish community.

XIX.

XX.

XXI.

XXII.

XXIII.

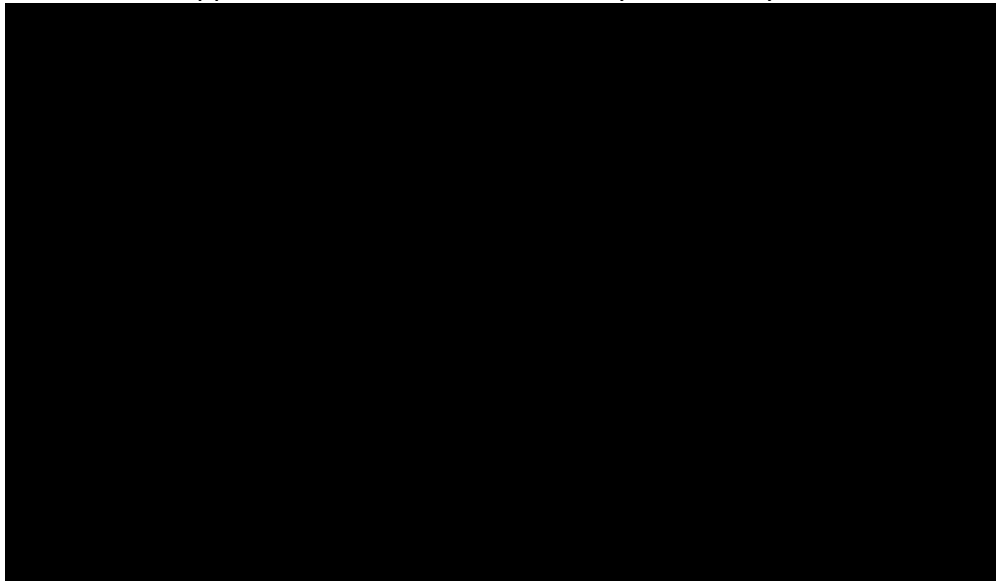
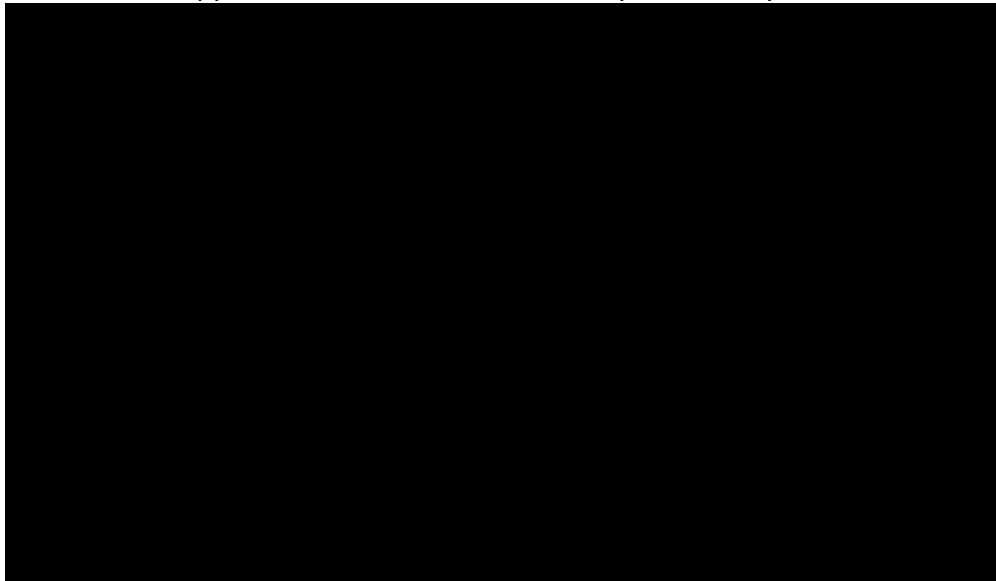
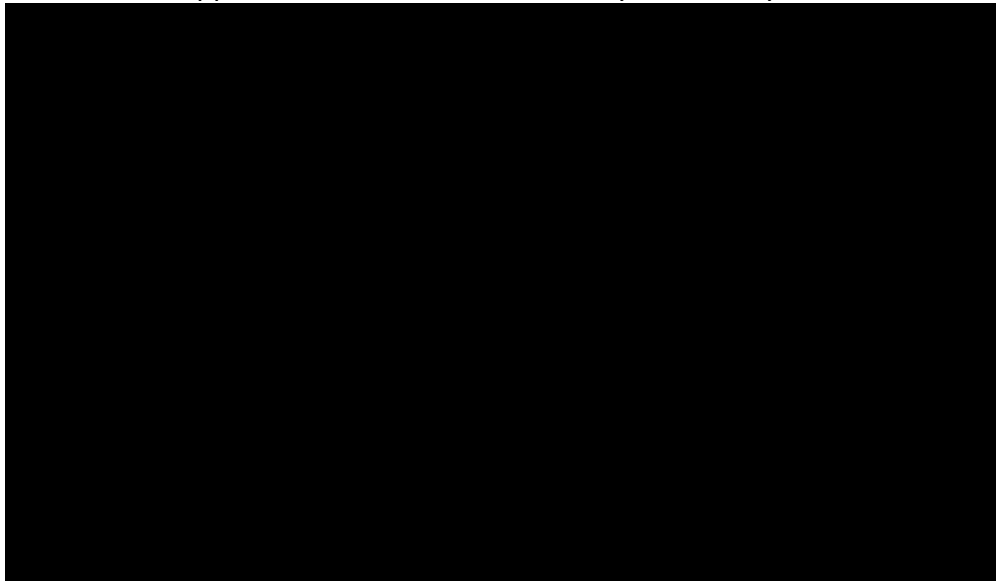
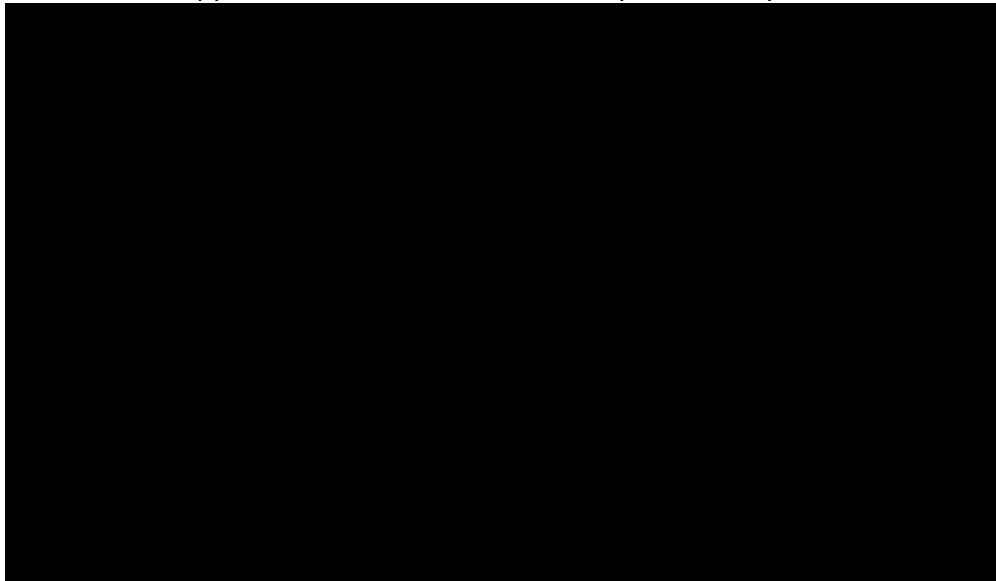
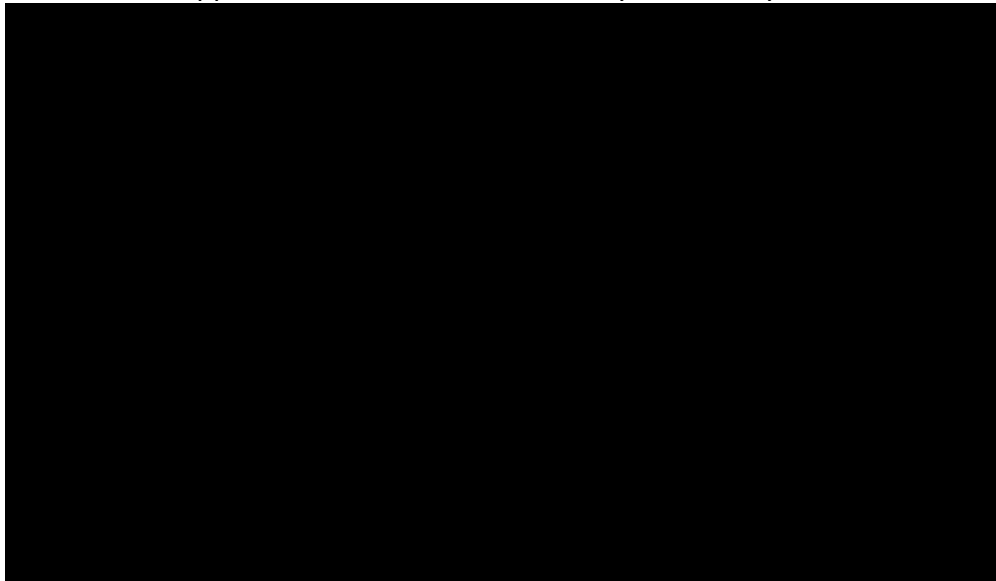
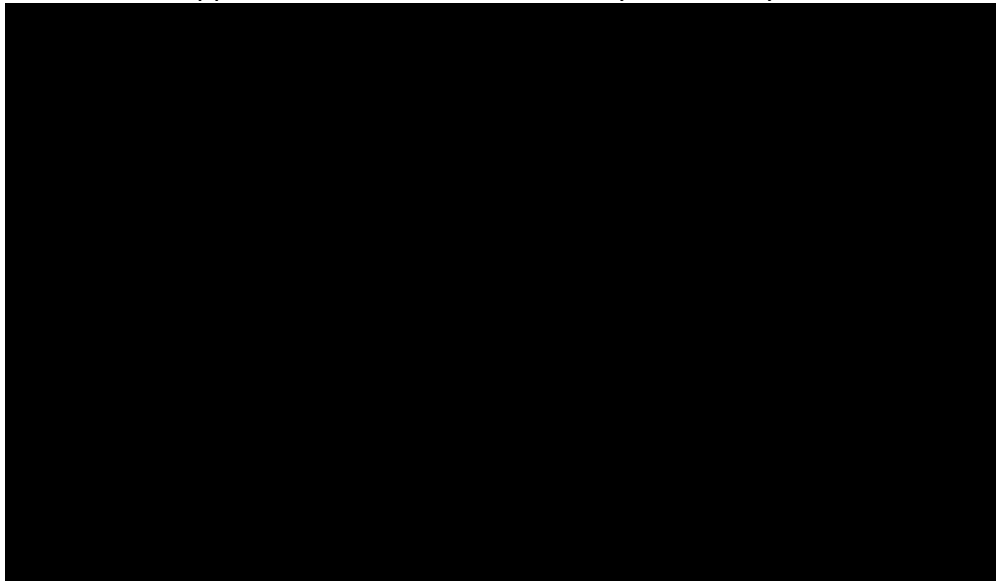
XXIV.

XXV.

(c) Friends of Bernard SHERMAN

i. Joel ULSTER, Bernard SHERMAN's best friend.

On January 23rd, 2018 I reviewed a Statement Summary, for the statement of Joel ULSTER which he provided to Det. FOWLER and DC CARTIER on December 29th, 2017. I have summarized the statement as follows:

- I. Joel states that Barry SHERMAN was the most rational person that he has ever met. He was smart and very aggressive in business.
- II. Joel is 75 years old, the same age as Barry SHERMAN.
- III. It is evident to Joel that someone was hired to do this to Barry and Honey.
- IV. The last conversation that Joel had with Barry, Barry told him that he had just lost a big lawsuit totalling 500 million. Barry said they were wrong and he was going to appeal it and if they lose again the business can absorb it.
- V. Joel says that he got out of the business because when he lost something tangible he would not be able to sleep at night. Barry on the other hand slept very well.
- VI. Barry was right most of the time and that is why he succeeded and Joel never heard him being depressed about anything and that was his nature going forward.
- VII. Barry's company has 11,000 employees and he was disappointed in his children for not going into the business because he felt he had an obligation to keep the company going for the employees.
- VIII. After Barry's death Joel found an email from Barry saying that he had got the Order of Canada and that it was confidential.
- IX. Joel has been friends with Barry since they were 16 years old and they have been friends for 59 years.
- X. On Sunday December 17th, 2017 Joel, his partner Michael and his two sons were supposed to have dinner with Barry and Honey.
- XI. 
- XII. 
- XIII. 
- XIV. 
- XV. 
- XVI. 

XVII.

XVIII.

XIX.

XX.

XXI.

XXII.

XXIII.

ii. David Andrew SATOK, Bernard SHERMAN's family physician and personal friend

On January 29th, 2018 I reviewed a Statement Summary, for the statement of David SATOK which he provided to Det. MARSMAN on January 26th, 2018. I have summarized the statement as follows:

- I. Dr. David SATOK was interviewed in the presence of his two lawyers, Tom CURRY and Robert TRENKES of Lenczner Slaght.
- II. Dr. David SATOK has been Barry SHERMAN's family physician since 2005
- III. David met Barry when he worked at Apotex in 1993 and became his personal friend.

- IV. He did not treat Honey SHERMAN but had a good relationship with her.
- V. [REDACTED]
- VI. Barry would tell David his personal problems but he never expressed any fears for his safety nor were there any threats communicated to Barry.
- VII. [REDACTED]
- VIII. Barry never confided in David about experiencing violence from anyone.
- IX. [REDACTED]
- X. [REDACTED]
- XI. [REDACTED]
- XII. [REDACTED]
- XIII. David states that Barry has a high IQ but not a very developed EQ and he would not recognize if he had said something that might offend someone. Barry was also blunt.
- XIV. [REDACTED]

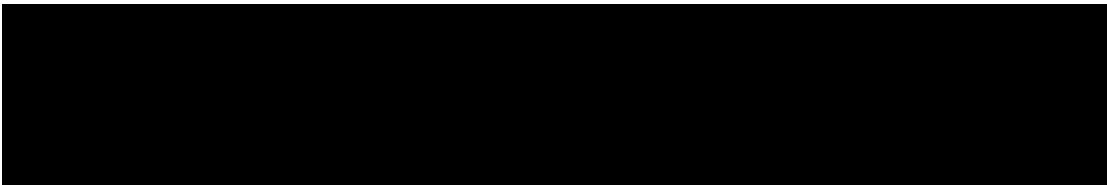
(d) Friends of Honey SHERMAN


i. Judi GOTTLIEB, Honey SHERMAN’s friend, realtor

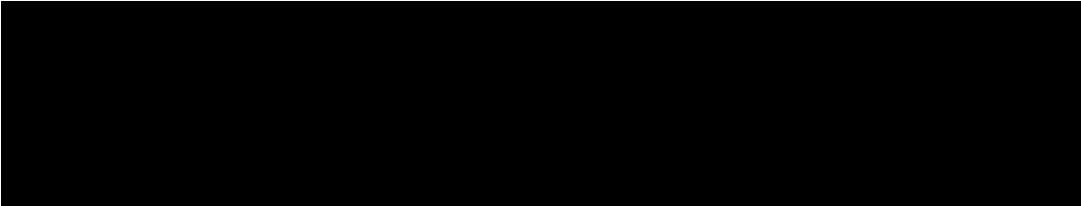
On January 30th, 2018 I reviewed a Statement Summary, for the statement of Judi GOTTLIEB which she provided to Det. TAVARES on December 27th, 2017. I have summarized the statement as follows:

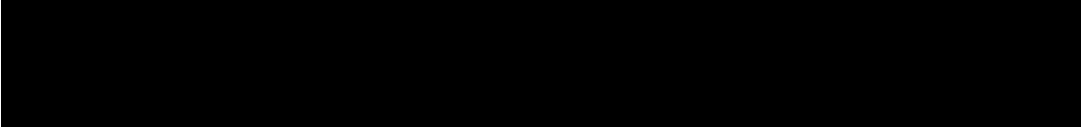
- I. Judi is the real estate agent that co-listed 50 Old Colony Road with Elise STERN. She is also a family friend of the SHERMANs had have known Honey and Barry for the past 25 to 30 years.
- II. Judi says that she is a confidante of Honey and she has probably spent more time with Honey than any of her other friends because of their shared interest.
- III. When it was time to list the house, Honey called Judi and Honey’s sister chose Elise and the two of them co-listed the property.
- IV. Judi did not want to list the property in December and she had tried to convince everyone to list it in February but she was overruled.

- V. Judi has been doing real estate for 35 years and an agent is lucky if they get one client to show a house to, however there was one agent who showed 50 Old Colony Road to three different clients. This agent had four showings. When this agent went for the fourth showing, neither Judi nor Elise, were available to attend the house to conduct the showing so this agent showed the house to his client himself. Judi does not know who the agent showed the house to on that day. On that day there was a home inspector at the house from 9:30 AM or 10:00 AM to 4:00 PM and there was a cleaning lady at the house.
- VI. The agent had a Persian name and Judi will get the name to pass along.
- VII. This agent's first client gave a \$5,000,000 offer on the house and Judi told the agent the offer was ridiculous.

VIII. 

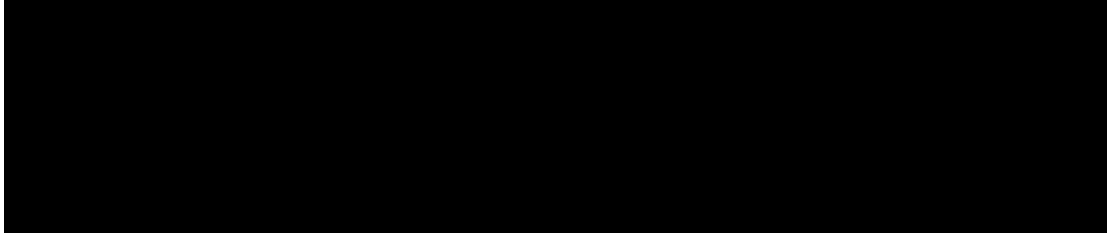
IX.  The exact layout of the house was also included in the feature sheet on the house.

X. 

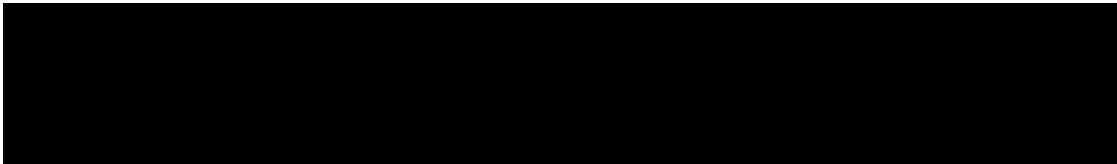
XI. 

- XII. Barry and Honey had a good relationship.
- XIII. Barry had prostate cancer and Honey had many surgeries, including shoulder replacement, knee replacement, hip replacement and ankle surgery. Honey also had throat cancer.

XIV. Other than the grandchildren Barry's work was the most important thing to him.

XV. 

XVI.



XVII. All the agents who showed up at the open house left their card. Judi thought it was strange that after the SHERMANS' deaths she never heard from the agent of

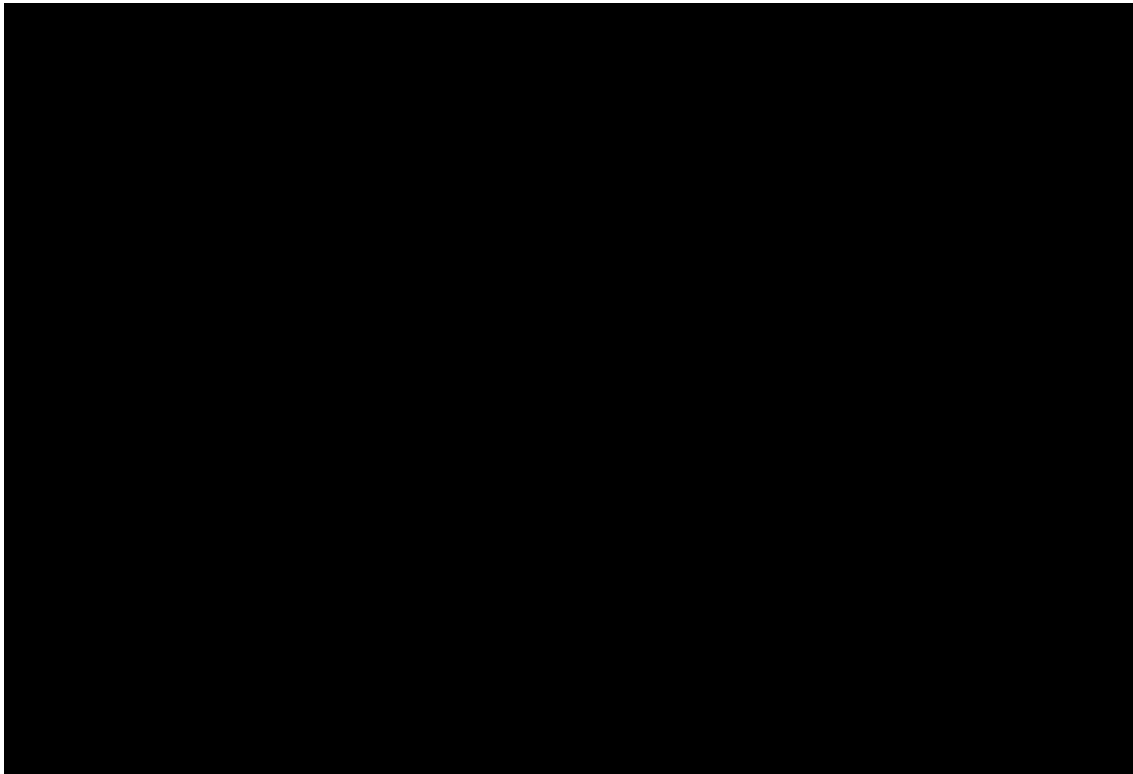


XVIII. Honey usually entered her house through the side door and Barry would go through the garage into the basement of the house. Honey did not park her car in the basement because she did not want to walk up the flight of stairs because she had arthritis.

ii. Judi GOTTLIEB, Honey SHERMAN's friend, realtor, (second statement)

On January 30th, 2018 I reviewed a Statement Summary, for the statement of Judi GOTTLIEB which she provided to Det. TAVARES on January 15th, 2018. I have summarized the statement as follows:

I.



II.

III.

IV.

V.

(e) Apotex Employees

i. Jack KAY, Vice Chair of Apotex Inc.

On January 17th, 2018 I reviewed a Statement Summary, for the statement of Jack KAY which he provided to Det. PRICE on December 17th, 2017. I have summarized the statement as follows:

- I. Jack says he started working for Barry 35 years ago.
- II. According to Jack, Barry is a man of his word, intelligent, intense, focused, fair and caring towards the community.
- III. Jack has been the Vice Chair of the company for the past 3 years.
- IV. A man by the name of Dr. Jeremy DESAI was promoted to CEO/ President of the company because they wanted someone younger and Jeremy had previously worked for another generic company.
- V. Jack did not have much to do with Honey, sometimes Jack and his wife would go out to dinner with Barry and Honey and they would see Honey at events.
- VI. The head office is at 150 Signet Road and this is where Barry worked out of. Barry would start work at around 10:30 AM and would work late into the evening.
- VII. **Jack last saw Barry on Wednesday December 13th as Kay was going to catch a flight to New York with his wife and he left the office at 12:00 PM, went to home to pick up his wife and then went to the airport.**
- VIII. They flew out of Pearson airport.
- IX. **Barry had sent Jack an email on December 13th at 8:23 PM EST and Jack replied back to it at 9:48 PM and Jack was not expecting a reply to the email that he had sent back.**
- X. **Jack had sent an email to Barry at 5:59 PM on December 14th asking a question but he never heard back from Barry. Jack says that Barry would instantly reply back to emails.**
- XI. **Jeremy DESAI had received an email from Barry on December 13th at 8:13 PM EST.**
- XII. Barry's email address is [REDACTED] and Barry only has one phone, a Blackberry.
- XIII. Jack received information about the murder of Honey and Barry, from Alex GLOSSENBERG, the CEO of Sherfam, while he was in New York at around noon. Alex had received the information from Barry's son-in-law Brad KRAWCYK.
- XIV. Sherfam is Barry's holding company.
- XV. Jack returned from New York on Friday afternoon on a 2:00 PM flight and when he went to the office Joanne, Ellena, Jeremy and Jeff WATSON and two women from human resources were there.

- XVI. Jeff WATSON is the President of Apotex Generics.
- XVII. Jack says that one to two weeks ago Apotex had layoffs and there was a second phase of layoffs planned for January
- XVIII. In regards to upsetting events, Jack mentioned a lawsuit with [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- XIX. [REDACTED]
- XX. [REDACTED]
- XXI. [REDACTED]
- XXII. For the first time in 35 years Jack and Barry had differing opinions as Jack believed that, for the good of the company, [REDACTED]
[REDACTED]
- XXIII. [REDACTED]
- XXIV. Jeremy and Barry were both scientists and Jeremy was the only person who could converse with Barry on the same level and they respected each other.
- XXV. [REDACTED]
[REDACTED]
[REDACTED]
- XXVI. When asked about this whole situation, Jack says that Barry would never do this as they talked about everything and Barry would never harm anyone.
- XXVII. Jack says Barry would never take his own life and Barry would not be fazed by Apotex's financial situation as Apotex was only part of the SHERMAN's holdings and they have other money.
- XXVIII. [REDACTED]
- XXIX. [REDACTED]
[REDACTED]
- XXX. [REDACTED]
[REDACTED]
[REDACTED]
- XXXI. [REDACTED]
- XXXII. [REDACTED]
[REDACTED]
[REDACTED]

XXXIII.

XXXIV.

XXXV.

XXXVI.

XXXVII

XXXVII

XXXIX.

XL. Jack stated that they will do a private and public funeral service and [REDACTED]

XLI. Barry had no street smarts and would sometimes be taken advantage of.

XLII.

XLIII.

XLIV.

XLV. The plans once the SHERMANS sold 50 Old Colony Road was originally to tear down a house on a property they had bought but they decided against it and bought another property, so the plan was to move into the second property until the third one could be built. The properties were in Forest Hill.

XLVI. Barry's preference was to stay in their home but Honey wanted to move and Barry was doing it for her.

XLVII. Jack says that Barry took sleeping medications and sometimes tried taking oil marihuana, about 3 months ago, but he hallucinated one night and so he stopped. Barry also took medications for cholesterol and for blood sugar.

ii. Jeremy DESAI, ex-CEO of Apotex Inc.

On February 20th, 2018, I reviewed the Statement Summary of Jeremy DESAI's statement, which he provided to Det. PRICE on February 1st, 2018. I have summarized the Statement Summary as follows:

- I. Jeremy is a pharmacist with a Ph.D. and he worked in research and development in the United Kingdom. Back in 2002 he was working in the U.K. and was recruited by head hunters to join Apotex.
- II. Dr. Barry SHERMAN was the founder and chairman of the company and his passion was research and development. Every product that was put into the market, the formulation was personally designed by Barry. According to Jeremy, Barry was a genius with a very limited attention span. Barry was always thinking five steps ahead, had a legal understanding of a lawyer and was a phenomenal learner.
- III. Jeremy was "Barry's person" from 2003 as Barry appointed him and made him the CEO. Jeremy's world changed on December 15th. As of a few weeks ago Jeremy had just finished 15 years with the company.
- IV. Jeremy had extensive interactions with Barry. Barry spent 80 percent of his time on the legal and science aspects to the company and 20 percent of the time being the chairman of the company.
- V. Jeremy said that Barry was his greatest mentor and greatest supporter.
- VI. Jeremy was the head of Research and Development from 2003 to 2009. When he joined Apotex, they had all these different R and D groups under different companies all under the Apotex name and Jeremy joined them under one unit and it was successful. In 2009, two Apotex plants got into trouble with the US FDA and were put on import alert, which meant that they could not ship any products to the US. At that point Barry and Jack put Jeremy in charge of compliance and quality and in 2011 the two plants were brought back into operation. The plants were losing a million dollars a day for 2 years for not being in operation during that time period. Jeremy says that Barry said that he had saved them from insolvency. In the beginning of 2010, Jeremy was promoted to COO as Jeremy believed that Barry felt indebted to him.
- VII. In 2012 Jeremy was appointed the President and COO of the company. Barry gave up his CEO title and gave it to Jack KAY and Barry remained as Chairman. In August of 2014 Jack took the position of Vice Chairman of the Board, Barry was the Chairman of the Board and Jeremy became the president and CEO. Barry

- had told Jeremy in February of last year that he would become the Chairman of the company because he had phenomenal knowledge and work ethic.
- VIII. Craig BAXSTER had worked for Apotex for 30 years and he worked with Barry and Jack KAY. It was either Jeremy or Craig that would have got the top job at Apotex. In 2015 Barry gave Craig Alex GLOSSENBERG's job, but Craig decided to quit in March of 2015.
- IX. Jeremy says that Barry believed that his company had to be led by someone who understood both the science and the technical aspects. Craig was a business and finance guy.
- X. Alex GLOSSENBERG was still going to be the CFO of the group but Sherfam would be run by Craig while Jeremy would run Apotex. At this time Craig was one of the four executors of Barry's estate. Jeremy was appointed the CEO in August of 2015 and Craig left the company at the end of March 2015. Jeremy states that it was tough for Craig because before Jeremy's arrival it was Craig's dream to become the CEO.
- XI. In the afternoon of the 13th, Jeremy, Barry and Jack had a meeting in Jack's office at 2:33 PM. Later on in the afternoon Jeremy left the office at 5:15 PM to attend a Christmas dinner. Upon leaving Jeremy saw Barry's car in the parking lot as well as Honey's car.
- XII. Barry's working habit would be to copy Jeremy on 99.99% to 100% of all the Apotex emails that he sent. Barry would send emails late at night. Jeremy's habit would be to sleep early and wake up early, so Jeremy would clear up the emails before he goes to bed and when he wakes up there would be new emails from Barry.
- XIII. **On Wednesday December 13th there was an email from Barry at 4:00 PM and then there was a gap between 5:00 to 7:00 or 8:00 which meant that Honey was probably at the office and they were busy. Then there were a couple of emails afterwards.**
- XIV. **The last email that he was copied on was an email that Barry had sent at 8:15 PM, Toronto time, to their scientist in their Indian plant. Jeremy says that Barry did not respond to any emails on Thursday or Friday and he was not copied on any Apotex related emails after Wednesday evening, which was highly unusual.**
- XV. On Friday Jeremy had emailed Barry at 11:00 AM to tell him that the UK health authorities had suspended their health certificate at one of their Indian plants. Barry did not respond to the email. Then at 1:32 PM the news broke.
- XVI. Jeremy was not involved in Barry's investments because that was Sherfam related and he never talked to Barry about anything that was non Apotex.

XVII.



XVIII. Jeremy's exit from Apotex was not surprising to him because without Barry around Jeremy did not have the protection or support. Jeremy says, when Barry was alive, the board was Jack, Barry and himself but when Barry died the trustees came. The trustees are Alex, Jack, Brad and Jonathon.

iii. Alex GLOSENBURG, Ex-Chief Financial Officer of Apotex Inc.

On February 16th, 2018, I reviewed the Statement Summary of Alex GLOSENBURG's statement which he provided to Det. PRICE on December 29th, 2017. I have summarized the Statement Summary as follows:

- I. Alex was working for BMO back in 1989 and that is when he first got introduced to Apotex.
- II. Over the course of communicating with Crag BAXSTER, who was the Vice President of Finance back then, Alex was asked by Craig and Mike FLORENCE to join Apotex in a finance capacity, in May 1990. Alex later became the CFO and stayed in that role for a few years.
- III. Back then, Craig was the "senior guy" and Mike dealt less with Apotex and had more to do with Barry's and Sherfam's dealings.
- IV. Alex's role grew within the pharmaceutical portion of the company and he began to deal with the banks and taxation.
- V. Craig was supposed to leave Apotex to take over Sherfam 3 or 4 years ago but then he just left the company entirely. Since then Alex started to take over responsibility for Sherfam while he maintained his role as CFO of Apotex.
- VI. Alex lists the top three men in the company, in order, are Barry, Jack and Craig.
- VII. Alex had only dealt with Barry a handful of times.
- VIII. Alex's first interactions with Barry's family started with Lauren in 2007. Alex introduced her to financial investment advisors to deal with the first part of her trust but was not involved in the actual investments.
- IX. Jonathon had come to him around the same time for advice, however, Alex dealt more with Lauren, who was in Whistler and contacted him if she needed money or anything.

- X. Craig had mentioned that Jonathon was dealing with family issues so Craig took care of Jonathon's and Barry's stuff.
- XI. Once Craig left Apotex, Alex began dealing with the children a lot more.
- XII. Before this incident, Alex's title was President of Sherfam and CFO of Apotex Pharmaceuticals Holding inc. There are 20 or 30 small companies that are investments within Sherfam, with no operations and Alex may have been the Director of a few of them along the way.
- XIII. Since this incident Alex along with Jack, Brad and Jonathon SHERMAN are the Executors of the Estate and the Trustees of the Trust.
- XIV. Alex and Jack had informal meetings with Barry where they had tried to convince Barry, who was stubborn, to sell the company.
- XV. On Saturday night Alex had found out about a lawsuit that was being filed in Philadelphia regarding Jeremy DESAI and had called Jack on Monday morning and told Jack that he could not continue like this. Alex said that other executives had also told Jack the same thing. Alex remembers there were two times that Jeremy had lied to other people on major issues and Alex had told Barry to get someone else to run the company because Jeremy DESAI was not running it.
- XVI. A senior executive at Korn Ferry⁷ had interviewed executives at Apotex and had written a 360 assessment but the executive was probably diplomatic in her assessment because she probably felt uncomfortable in having to provide it to Jeremy because he was the one that had hired her. The assessment contained the impressions that the executive had of the CEOs the company management and the issues at the company. After the release of the assessment, Jeremy was unremorseful at the executive meeting that was held afterwards.
- XVII. Alex had a meeting with Barry and Jack 2 or 3 month ago regarding transparency because Alex was dealing with lenders who had to find out things about the company through "the grapevine".
- XVIII. [REDACTED]

⁷ Korn Ferry – Korn Ferry International, incorporated on October 13, 1999, is a people and organizational advisory company. The Company and its subsidiaries are engaged in the business of providing talent management solutions, including executive search on a retained basis, recruitment for non-executive professionals, recruitment process outsourcing, and leadership and talent consulting services. Source: <https://www.reuters.com/finance/stocks/companyProfile/KFY>

XIX.

XX.

XXI.

XXII.

XXIII.

XXIV.

XXV.

XXVI.

XXVII. Alex says, to the best of his knowledge, Barry does not owe anyone any money.

- XXVIII. [REDACTED]
- XXIX. [REDACTED]
- XXX. [REDACTED]
- XXXI. [REDACTED]
- XXXII. Barry had invested in an apple juice enterprise with a partner named Steve MURDOCH. A year later Barry left Steve and got an Apotex employee, Jeff SHIKRAM, to be in charge. Jeff expanded the operation.
- XXXIII. [REDACTED]
- XXXIV. [REDACTED]
- XXXV. [REDACTED]
- XXXVI. [REDACTED]
- XXXVII. [REDACTED]
- XXXVIII. [REDACTED]

XXXIX. [REDACTED]
[REDACTED]
[REDACTED]
XL. [REDACTED]
XLI. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

XLII. Apotex had settled a major case for 100 million dollars over 2 years. There is a current public case against Apotex with Astra was lost and the decision on this case was in July.

XLIII. Alex told Barry if they had to pay the settlement they could but Barry believed that they would not have to. Alex could not risk having to pay so he began liquidating assets with partners in Sherfam before the case and they could liquidate other assets if they are short.

XLIV. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

XLV. [REDACTED]
[REDACTED]
[REDACTED]

XLVI. Alex spoke with Joanne MOREAU and spoke with BAXSTER trying to think of who could have done something like this and they could not think of anyone. Barry was non-confrontational and used lawyers. Barry seemed to tell Jack everything that was on the books and he did not own anyone money. Barry was spending billions on expanding Apotex as there was a plant being built in Florida. Alex had suggested to Barry, that he could sell the company and Barry said he would in 5 years. There could have been stress over the state of the company but Barry never showed it.

(f) Other Witnesses

i. Joe BRENNAN, had meeting with the SHERMANs at Apotex Inc.

On January 9th, 2018, I reviewed the Statement Summary of Joe BRENNAN's statement which he provided to Det. CAMPBELL and DC DEOLIVEIRA on December 22nd, 2017. I have summarized the Statement Summary as follows:

- I. Joe met the SHERMANS 10 to 15 years ago on a trip to Israel.
- II. About a year and a half ago the SHERMANS decided to build a house and they contacted him and that is how their business relationship started.
- III. Joe mainly has contact with Honey and they would typically meet every one to two weeks in person. They would also communicate over emails.
- IV. Their last meeting was on Wednesday night and the purpose of the meeting was for window selection.
- V. Honey wanted Barry at meetings where engineering or technical things were discussed.
- VI. The meeting on Wednesday included Daniel GREENGLASS and another guy from the office. **The meeting commenced at 5:00 PM and Honey arrived at 5:01 PM.**
- VII. Honey has a very strong personality.
- VIII. Joe and Honey have had several meetings, only three or four of which have included Barry.
- IX. Joe does not know about Honey and Barry's relationship, Honey never said anything negative about Barry, only that he was not interested in being at meetings.
- X. Joe does not know anything about Honey's routines.
- XI. After the meeting Honey planned on going home and either Barry or Honey mentioned that Barry does not leave the office until 11:00 PM but Honey had said something that made Joe think that Barry needed to be home earlier that evening but Joe could not recall what it was.
- XII. Barry and Honey never mentioned any safety concerns and Joe never sensed any concerns of infidelity.
- XIII. Joe mentioned there was another Toronto Jewish couple murdered in North Miami Beach, Florida by ligature four or five years ago and they never found the person who did it.

ii. Daniel GREENGLASS, met the SHERMANS at Apotex Inc.

On August 28th, 2018, I reviewed the Statement Summary of Daniel GREENGLASS' statement which he provided to Det. CAMPBELL and DC DEOLIVEIRA on December 26th, 2017. I have summarized the Statement Summary as follows:

- I. Daniel has known the SHERMAN's for 15 years. He met them while on a trip to Israel for a Prime Minister's mission and he would also see them at social events.
- II. A year ago the SHERMANS had asked Daniel to design and build them a new house. Daniel dealt with the construction side of the business and he had met with Honey about 4 or 5 times with other people and he had met Bernard about 3 times. The last meeting was on a Wednesday sometime right before they passed away.
- III. The meeting was at 5:00 at Apotex to discuss windows with Roman and Joe BRENNAN. Bernard was there and Honey joined the meeting which lasted an hours. Afterwards Bernard let Roman, Joe and Daniel out of the building at 6:00 PM. The three of them got into one car and they went down the 401 and then down Allen Road to Eglinton where they dropped off Roman. Daniel and Joe then went to a party. Honey had left in her own car.
- IV. While they were travelling on the highway Daniel got a call from Honey, which was a pocket dial and he could hear Honey giggling for about 20 seconds and that was the last communication with her.
- V. After the meeting with Honey, Daniel's understanding was that Honey was going home. Honey had told him that Bernard usually stayed at the office until 11:00 PM every day.
- VI. Daniel saw the SHERMAN's as a normal "lovey dovey" couple.

iii. Roman BUKOVYNSKY, met the SHERMANS at Apotex Inc.

On August 28th, 2018, I reviewed the Statement Summary of Roman BUKOVYNSKY statement which he provided to DC THOMAS on December 18th, 2017. I have summarized the Statement Summary as follows:

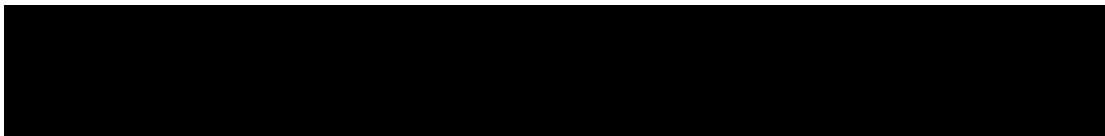
- I. Joe BRENNAN and Daniel GREENGLASS of BRENNAN Custom Homes had hired Roman as an architect for Bernard and Honey SHERMAN. Roman had met Honey and Mary SHECHTMAN over a year ago as Mary was more involved in the designing of the house initially. Roman had met Bernard SHERMAN about 5 times.
- II. Roman recalled in late November, he along with Joe and Daniel had met at the SHERMANS' residence and Honey had let them in from the front door and she never used the side door. They had met at the residence about 5 times, they usually met in the kitchen and aside from a housekeeper, Roman never noticed anyone around.

- III. Roman's last meeting with the SHERMANs was on December 13th, 2017 at the Apotex office at 150 Signet Drive. The meeting was to be from 5:00 PM to 7:00 PM. Joe, Daniel and Roman arrived together in Joe's car and they met Bernard at the office at around 5:10 PM Honey arrived. The meeting lasted about an hour and twenty minutes and concluded at around 6:30 PM.
- IV. Bernard had spoken with the team for 5 minutes prior to Honey's arrival and said that he thinks that they probably only have 10 more years to live and discussed the notion of whether or not it was worth it, to build a house for such a high price at this point in life.
- V. The last 15 minutes of the meeting was spent setting up the next round of meetings with Honey looking at calendars with Joe and Daniel.
- VI. Roman describes Bernard as calm, content and professional and Honey was nice, full of energy and talkative. The last meeting ran like all their previous meetings with just the 5 of them.
- VII. When the meeting concluded Bernard and Honey walked them to the door. Bernard went back inside and Honey exited the building with them and spoke with them for 3 minutes. Roman, Joe and Daniel left together in the same car.
- VIII. Roman was dropped off at Allen Road and Eglington and took the subway. He then went to eat alone at a Korean restaurant at University Avenue and Queen Street sometime after 7:00 PM. Roman took the subway to Union station and from there he took a 9:00 PM GO Train home.
- IX. From what he saw, Roman says that the SHERMAN's did not seem to be concerned about security. Bernard had mentioned that he works until 11:00 PM and he is probably the last one to leave the building.

11. POST MORTEM EXAMINATION RESULTS

(a) Cause of Death for Honey SHERMAN

On January 4th, 2018 I reviewed an email sent by D/S GOMES to DC DEVINE in regards to Honey SHERMAN's post mortem examination results and learned the following:

- i. Honey SHERMAN's post mortem examination was done by Dr. Michael PICKUP.
- ii. The cause of death was ligature neck compression.
- iii. 

iv.



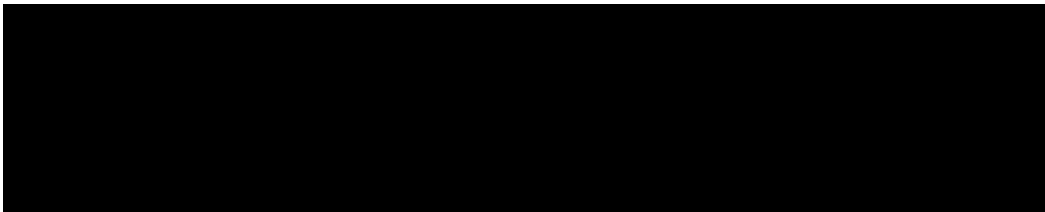
(b) Cause of Death for Bernard SHERMAN

On January 4th, 2018 I reviewed the notes of Team Briefing #1 for this incident and learned the following (briefing notes are notes of investigative team briefings which record information exchanged by investigators during the briefings):

- i. DC THAYALAN attended the post mortem examination of Bernard SHERMAN, conducted by Dr. PICKUP.
- ii. The cause of death was ligature neck compression.

On January 11th, 2018 I reviewed the case notes of DC SOUCY and learned the following:

i.



ii.

On February 2nd, 2018 I spoke to Det. PRICE, who advised that Dr. PICKUP, through follow up meetings with himself and D/S GOMES had expressed that what he initially believed to be [REDACTED] may not be and that he is not certain [REDACTED]

(c) Manner of Death

- i. On January 8th, 2018, I reviewed the notes from Team Briefing #3, dated December 27th, 2017, and learned the following:

D/S GOMES advised during this meeting that, as per Dr. PICKUP, there are three outcomes from this incident and they are:

- I. A double suicide.
- II. A murder suicide.
- III. A double murder.

According to Dr. PICKUP, all three possible scenarios are still viable.

- ii. On April 10th, 2018 I spoke with D/S GOMES, who advised the following:
 - I. Upon the completion of Dr. CHIASSON's post mortem examinations of the SHERMANS on December 20th, 2017, Dr. PICKUP's determination of manner of death for the SHERMAN's was still that of undetermined.
 - II. On January 22nd, 2018 Dr. PICKUP spoke with D/S GOMES and advised that he believes that the manner of death for both SHERMANS is that of homicide.
 - III. On January 24th, 2018 D/S GOMES met with Dr. CHIASSON, a pathologist hired by the family of Bernard SHERMAN and Honey SHERMAN. Dr. CHIASSON conducted a forensic review of the deaths. On December 20th, 2017 Dr. CHIASSON performed post mortem examinations on the SHERMANS. On January 24th, 2018, Dr. CHIASSON advised D/S GOMES that he believed that the manner of death for both SHERMANS was that of homicide.

(d) Samples for Toxicology

On January 11th, 2018 I reviewed the case notes of DC SOUCY for December 16th, 2017 and December 17th, 2017 and learned the following:

- i. DC SOUCY was in attendance at the post mortem examinations of both Bernard and Honey SHERMAN.
- ii. Samples were taken from Bernard SHERMAN and Honey SHERMAN for toxicology testing.

12. THE CORONER'S INVESTIGATION

On January 23rd, 2018 I reviewed a Supplementary Report completed by Det. CAMPBELL on January 9th, 2018 in regards to medical records of Bernard SHERMAN along with copies of the associated "Coroner's Authority (or Delegated Authority) to Seize During an Investigation" and learned the following:

- (a) As per the Coroner, Dr. PICKUP, specific medical records associated to Bernard SHERMAN were required and are to be seized under the authority of the Coroner's Act.

(b) Dr. David Andrew SATOK was served a “Coroner’s Authority (or Delegated Authority) to Seize During an Investigation” which was signed and authorized on December 29th, 2017, for medical records of Bernard SHERMAN.

On January 23rd, 2018 I reviewed a Supplementary Report completed by Det. CAMPBELL on January 9th, 2018 in regards to medical records of Honey SHERMAN along with copies of the associated “Coroner’s Authority (or Delegated Authority) to Seize During an Investigation” and learned the following:

(a) As per the Coroner, Dr. PICKUP, specific medical records associated to Honey SHERMAN were required and are to be seized under the authority of the Coroner’s Act.

(b) The following doctors were all served a “Coroner’s Authority (or Delegated Authority) to Seize During an Investigation” which was signed and authorized by Dr. PICKUP on December 21st, 2017 for the seizure of medical records of Anna Debra Honey SHERMAN:

- i. Dr. Wendy WOLFMAN, Obstetrics and Gynecology, Mount Sinai Hospital
- ii. Dr. Sandy James PRITCHARD
- iii. Dr. Eric MONTEIRO
- iv. Dr. Sheldon HERSHKOP
- v. Dr. Steven Phillip GOTTESMAN
- vi. Dr. Cheryl ROSEN
- vii. Dr. Jeffrey GOLLISH

(c) The following hospitals were served a “Coroner’s Authority (or Delegated Authority) to Seize During an Investigation” which was signed and authorized by Dr. PICKUP on January 8th, 2018 and January 17th, 2018 respectively, for the medical records of Anna Debra Honey SHERMAN:

- i. Sunnybrook Health Sciences Centre
- ii. Toronto Western Hospital

13. FORENSIC SCIENCE RESULTS

I have reviewed several reports from the Centre of Forensic Sciences completed, by various scientists, with respect to their various disciplines. I have summarized their reports as

follows but having reviewed these reports it is my overall belief that the forensic science results do not point the investigation towards any specific identified suspect.

(a) Toxicology

On January 29th, 2018 I reviewed the Toxicology Report and the associated Evidence List Report for Bernard SHERMAN and learned the following:

- i. The Toxicology Report was dated December 29th, 2017 and completed by Karen WOODALL, Ph.D, Forensic Scientist, Toxicology.
- ii. The purpose of the toxicology testing was to examine the submitted item(s) for the presence/absence of drugs and/or poisons.

iii. [REDACTED]

iv. [REDACTED]

On January 29th, 2018 I reviewed the Toxicology Report and the associated Evidence List Report for Honey SHERMAN and learned the following:

- i. The Toxicology Report was dated December 29th, 2017 and completed by Karen WOODALL, Ph.D, Forensic Scientist, Toxicology.

8 [REDACTED]

9 [REDACTED]

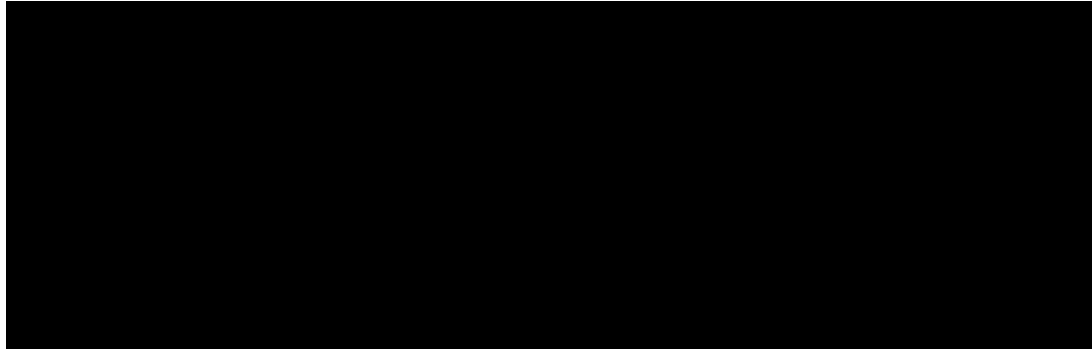
10 [REDACTED]

ii. The purpose of the toxicology testing was to examine the submitted item(s) for the presence/absence of drugs and/or poisons.

iii.

iv.

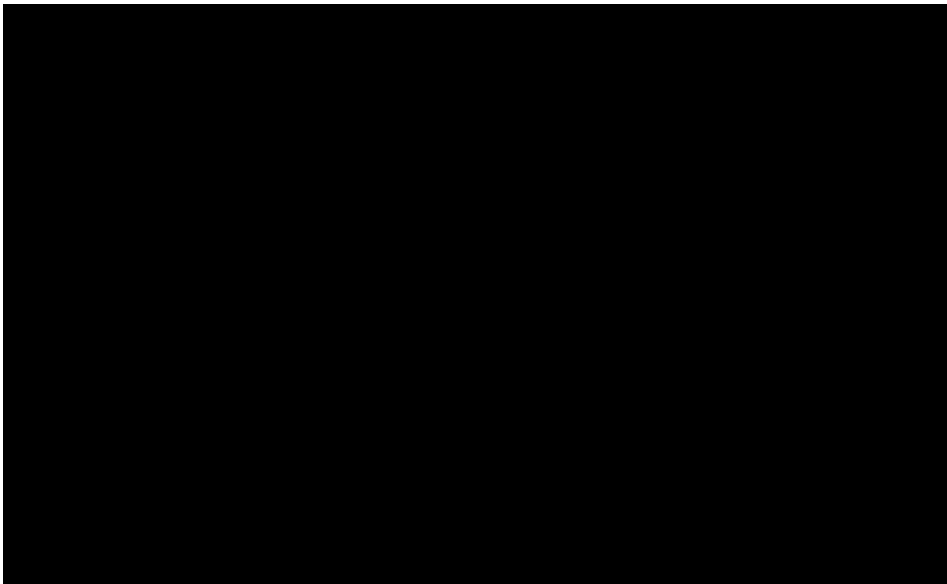
v.



(b) Clothing Worn By Bernard SHERMAN and Honey SHERMAN

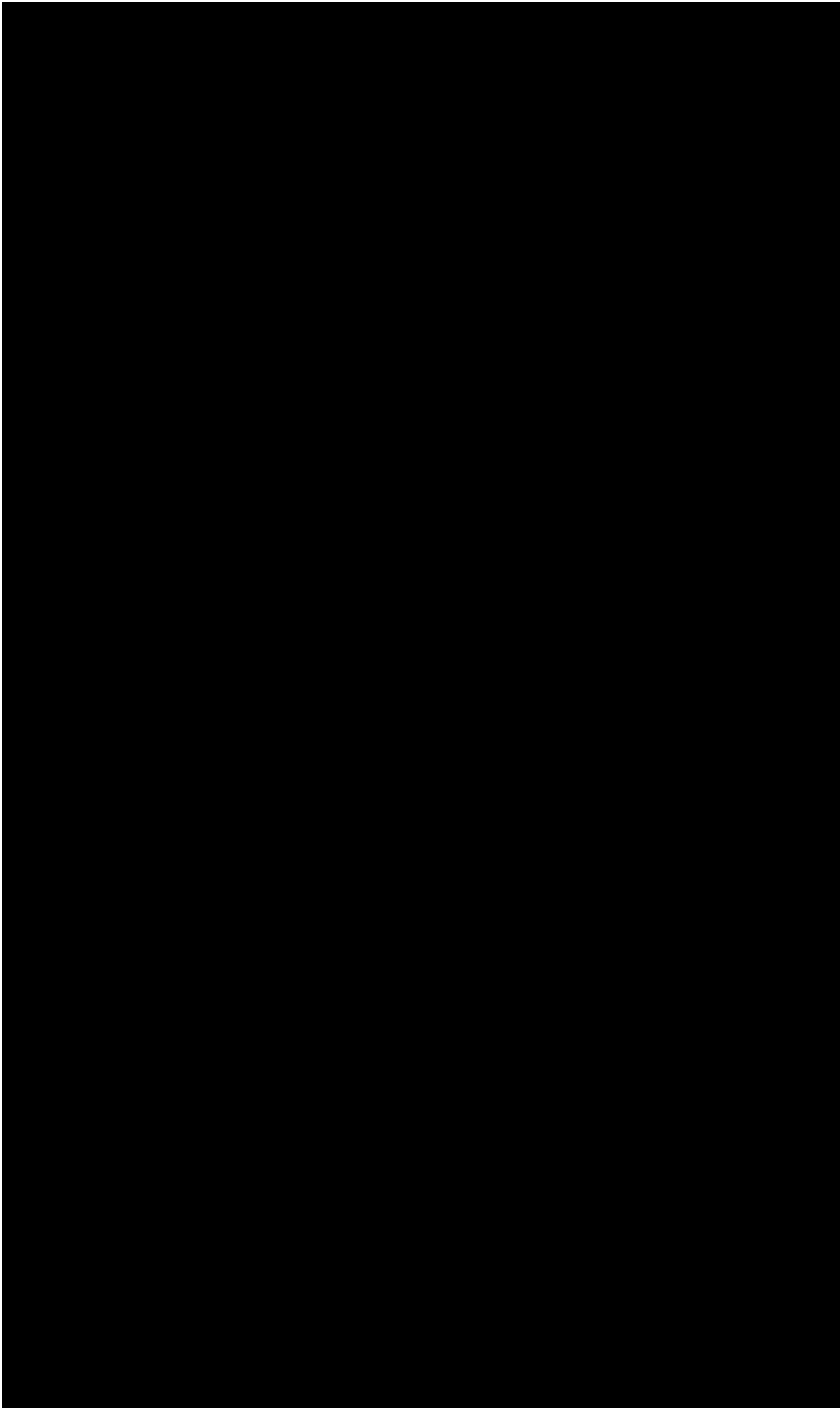
On April 25th, 2018 I reviewed the following pictures of the clothing worn by Bernard SHERMAN and Honey SHERMAN provided by the Centre of Forensic Sciences.

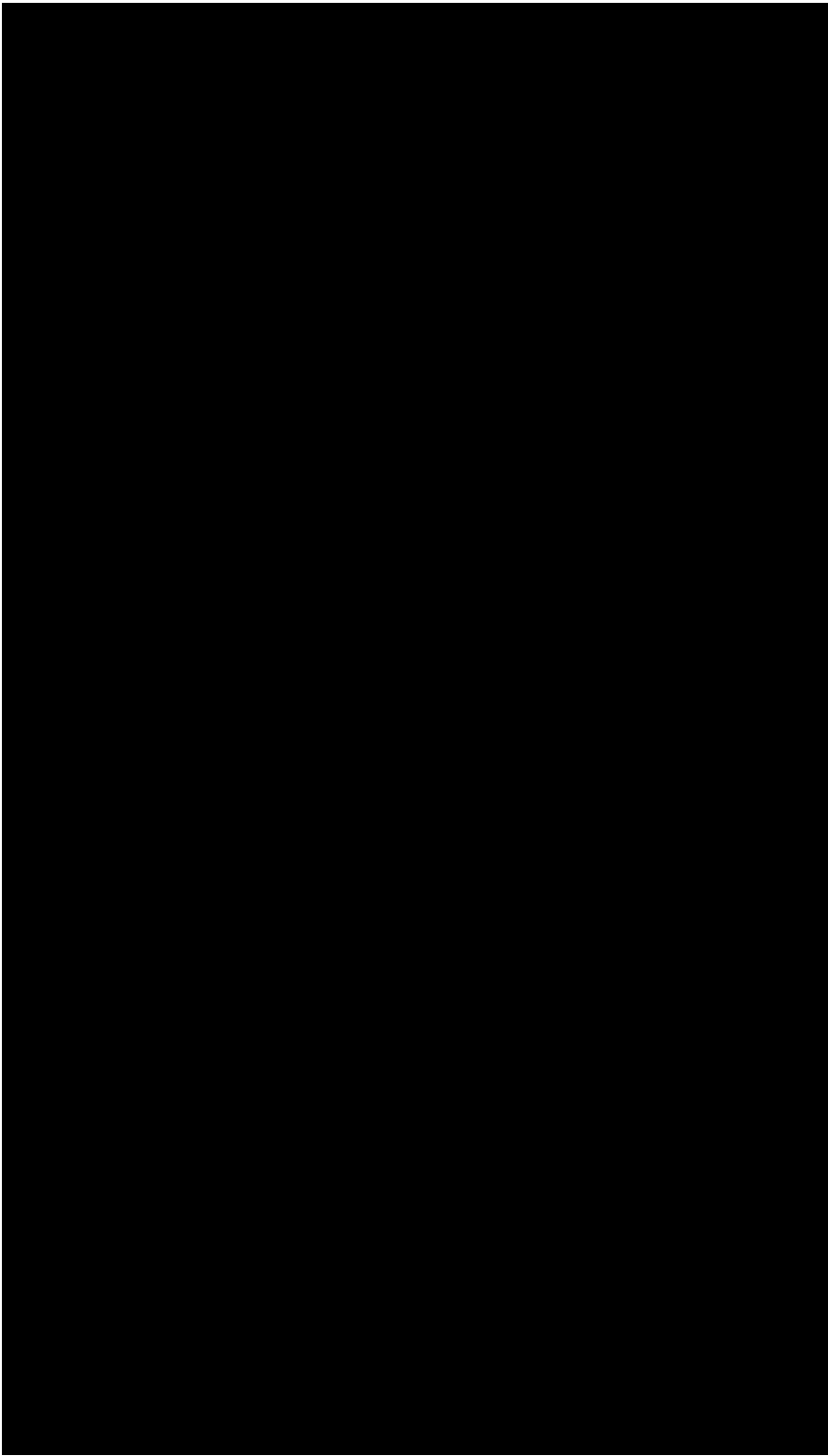
i. Honey SHERMAN's clothing:

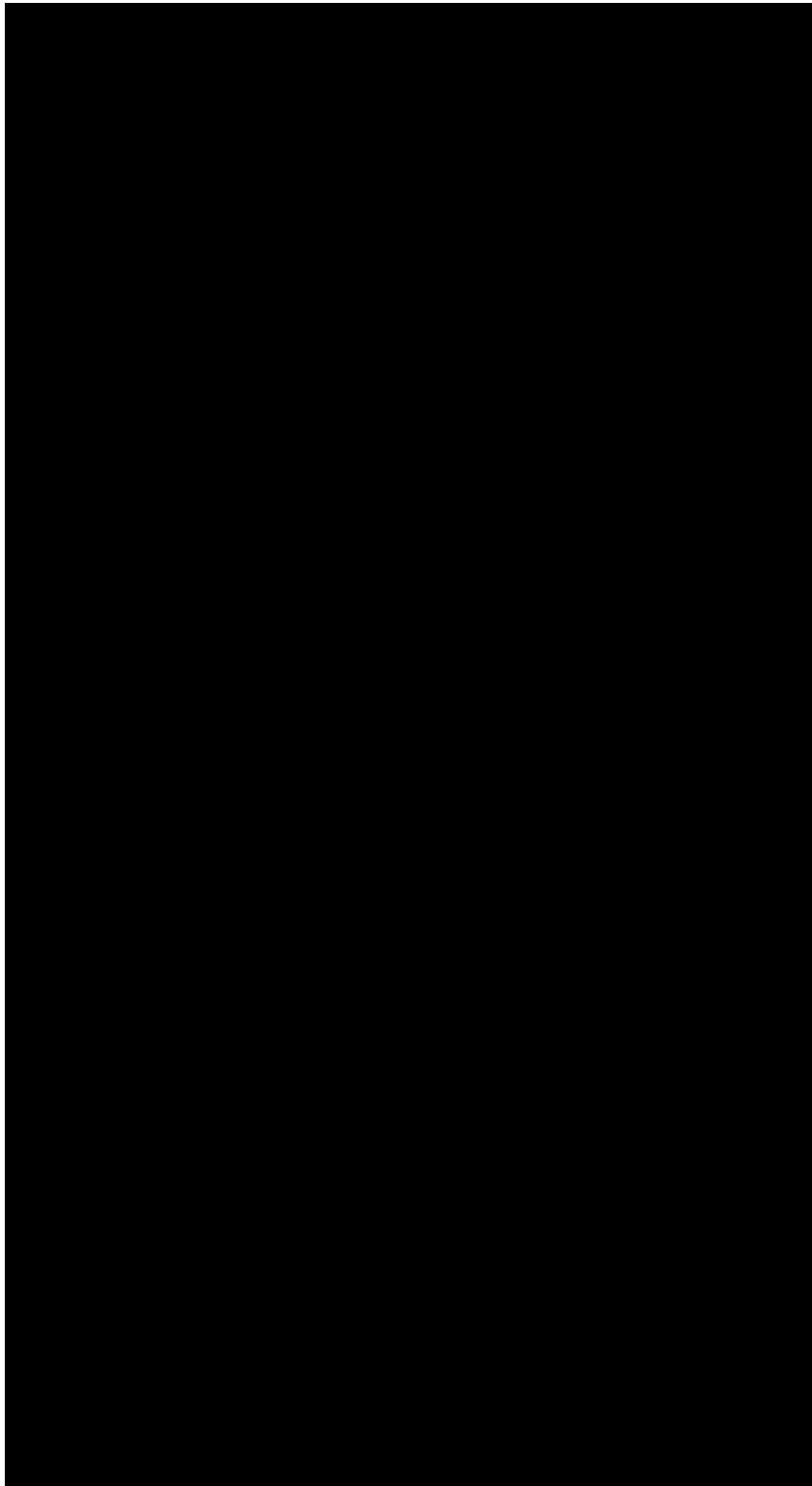


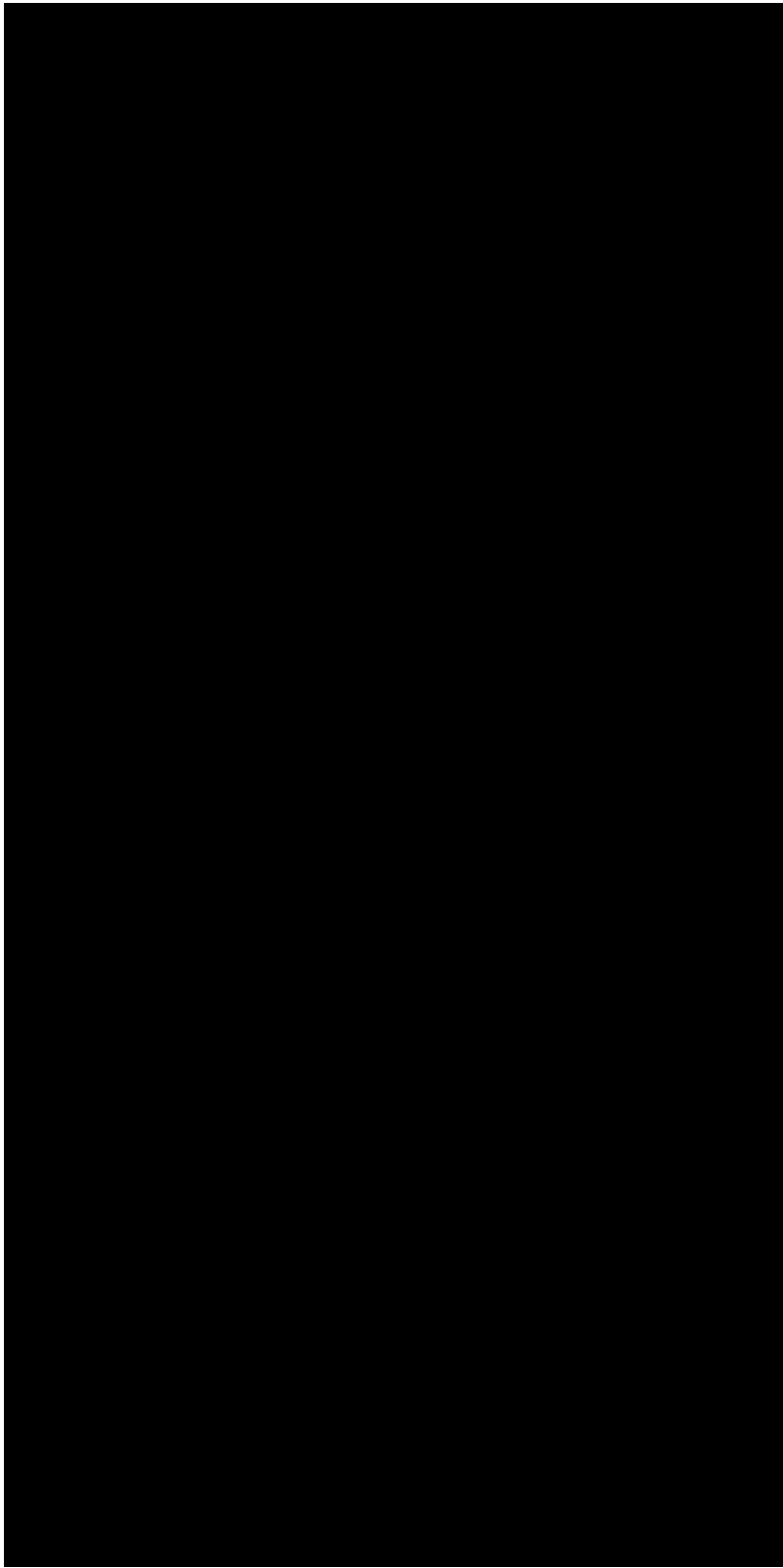
11



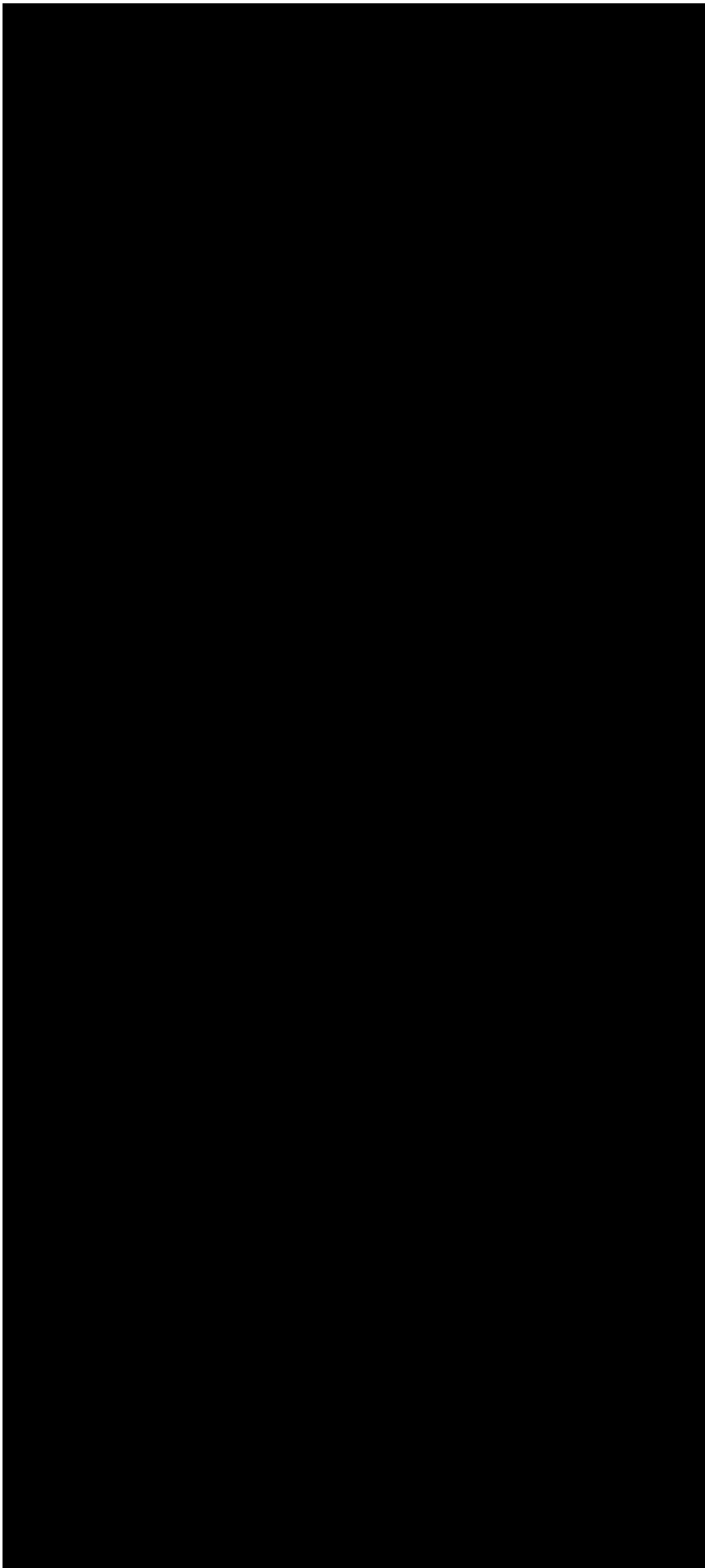


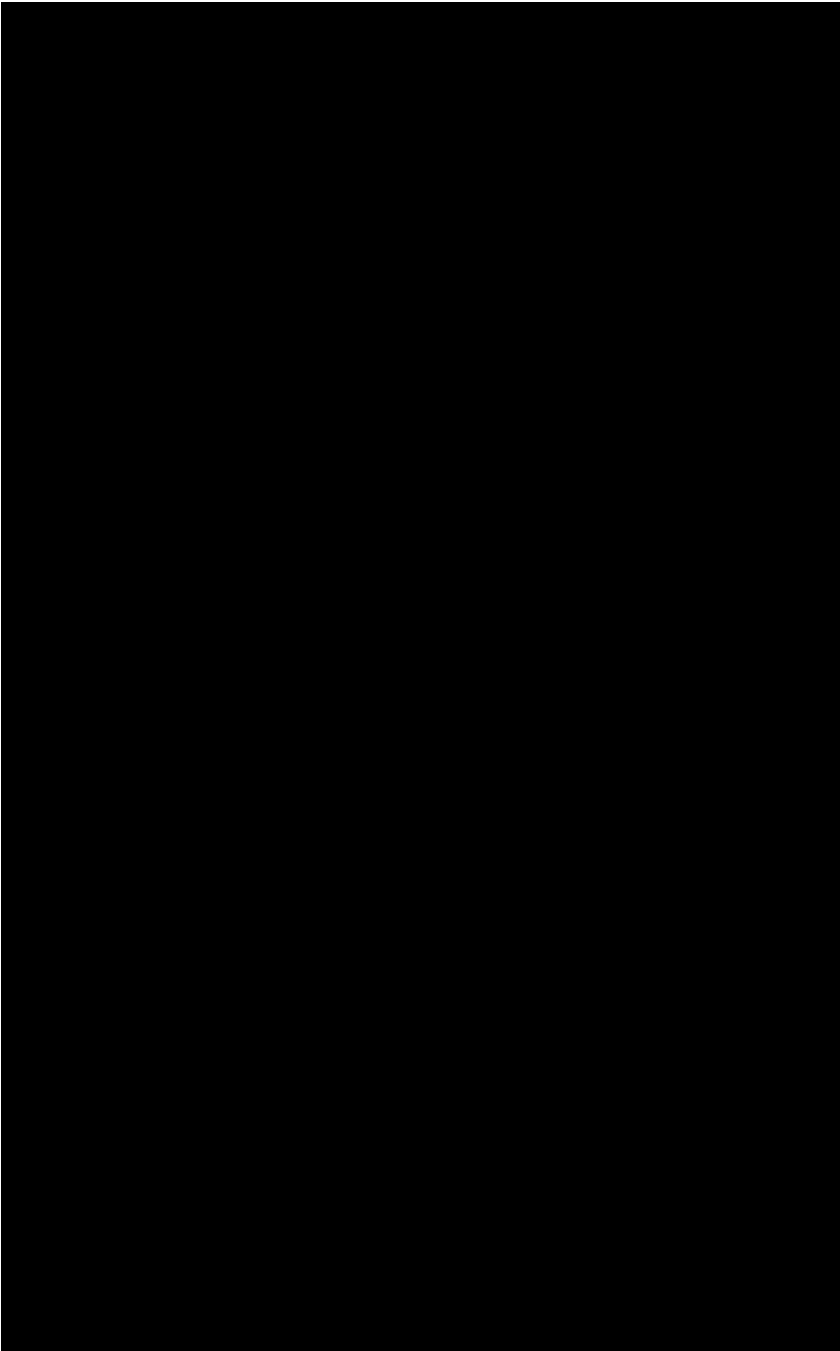






ii. **Bernard SHERMAN's clothing:**







The numbered designations on the pictures are referenced in the various chemistry and biology reports completed by the scientists at the Centre of Forensic Science.

(c) Chemistry

i. [Redacted]

On April 26th, 2018 I reviewed a Chemistry Report completed by David Ruddell, Ph.D., Forensic Scientist, Chemistry and dated February 8th, 2018 and learned the following:

l. [Redacted]

[Redacted]

[Redacted]

II.

III.

IV.

V.

VI.

ii. 

On April 26th, 2018 I reviewed a Chemistry Report completed by Craig BRYANT, M.Sc., Forensic Scientist, Chemistry and dated February 21st, 2018 and learned the following:

I.

II.

III.

iii. 

On April 26th, 2018 I reviewed a Chemistry Report completed by Barbara DOUPE, M.Sc., Forensic Scientist, Chemistry and dated March 28th, 2018 and learned the following:

I.

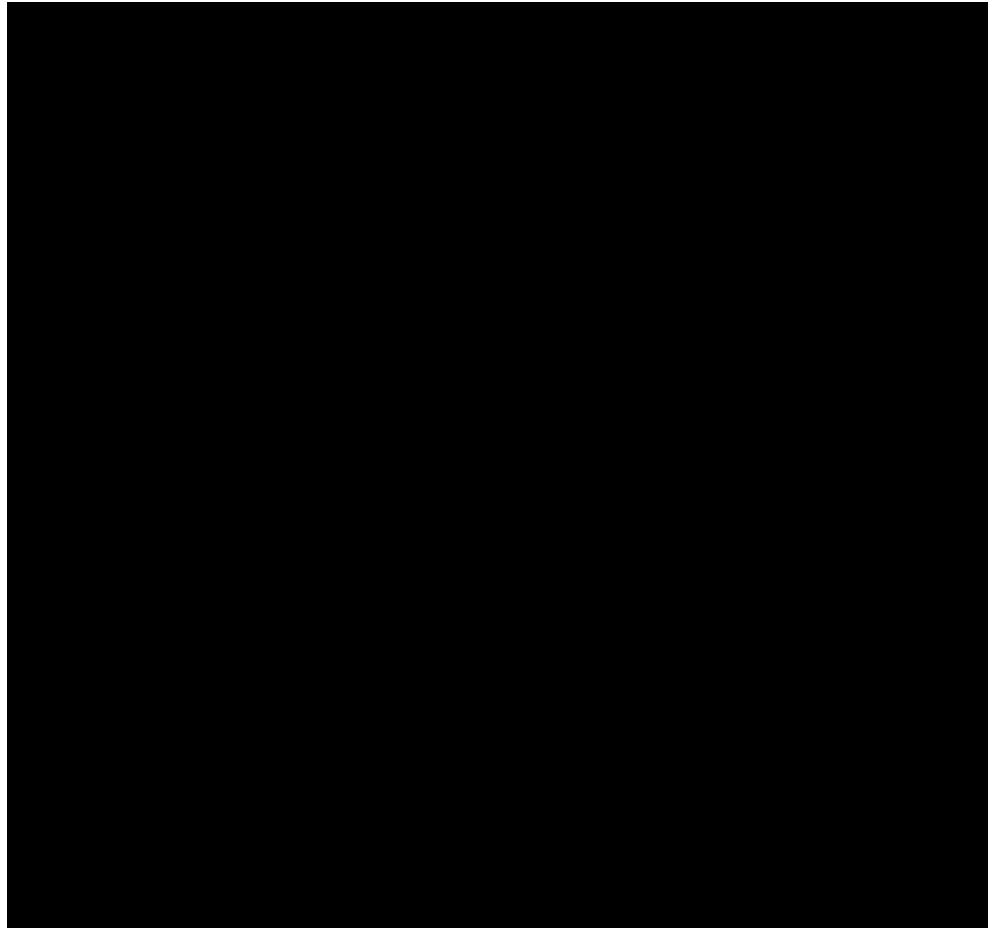
II.

III.

IV.

V.

VI.



13

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

VII.



(d) Biology

i.



On April 26th, 2018 I reviewed a Biology Report completed by Melanie RICHARD, M.Sc., Forensic Scientist, Biology and dated December 22nd, 2017 and learned the following:

I.

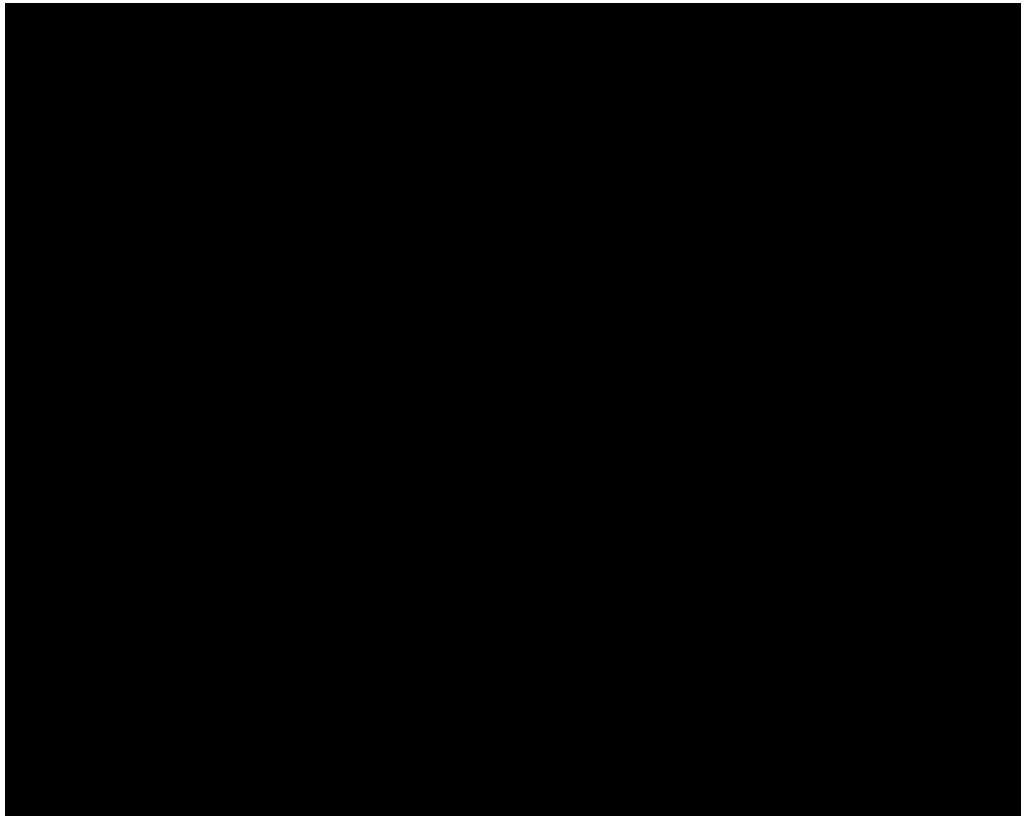
II.

III.

IV.

V.

VI.

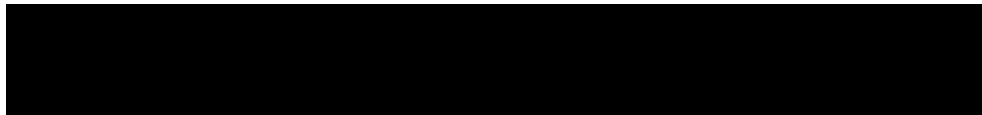


ii.



On April 27th, 2018 I reviewed a Biology Report completed by Melanie RICHARD, M.Sc., Forensic Scientist, Biology and dated December 27th, 2017 and learned the following:

I.



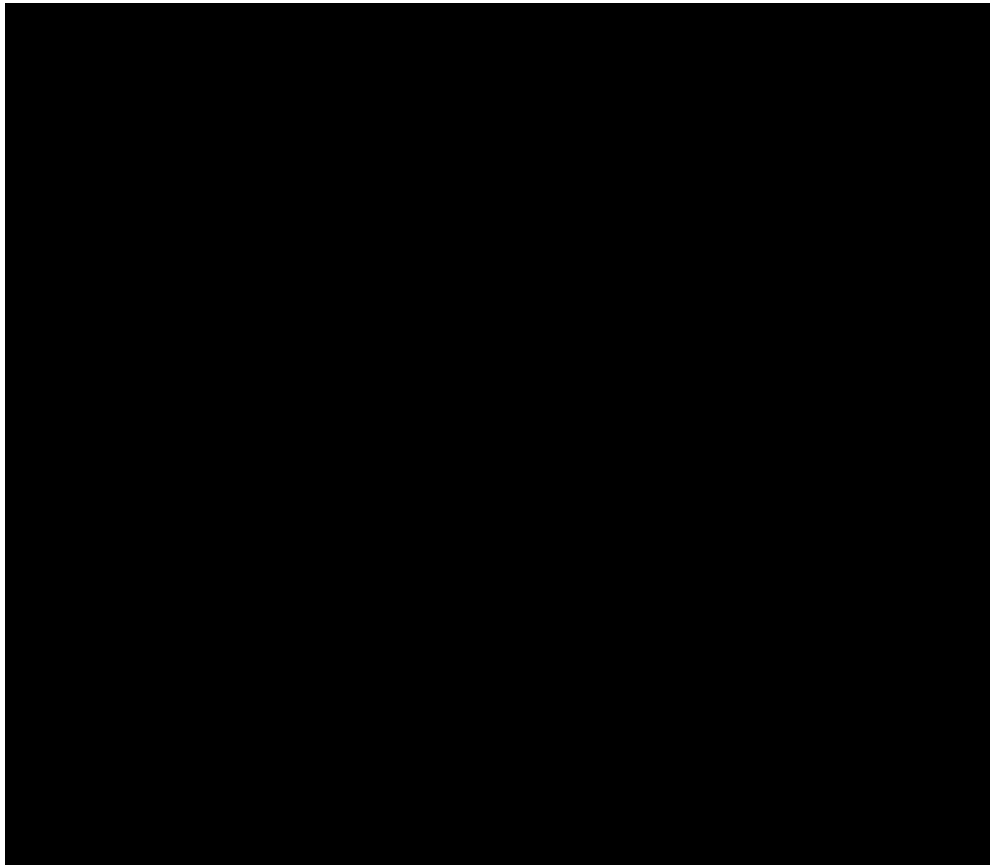
II.

III.

IV.

V.

VI.



iii. [Redacted]

14 [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

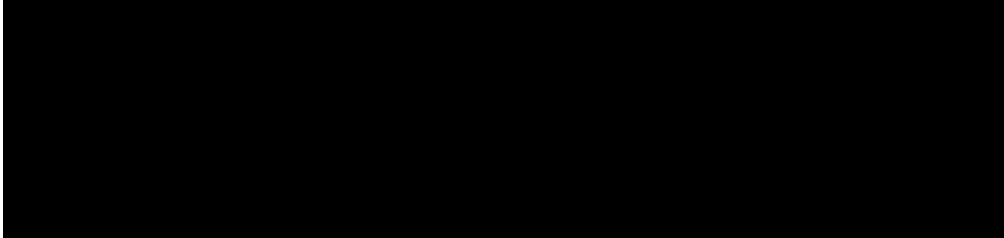
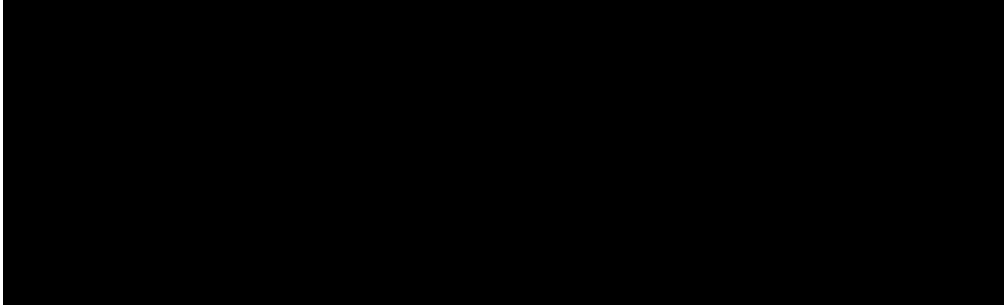
[Redacted]

15 [Redacted]

[Redacted]

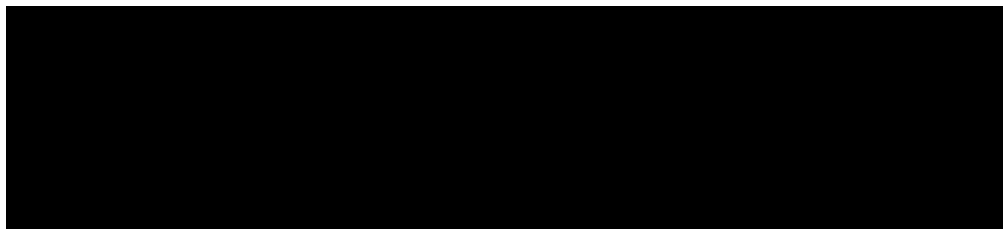
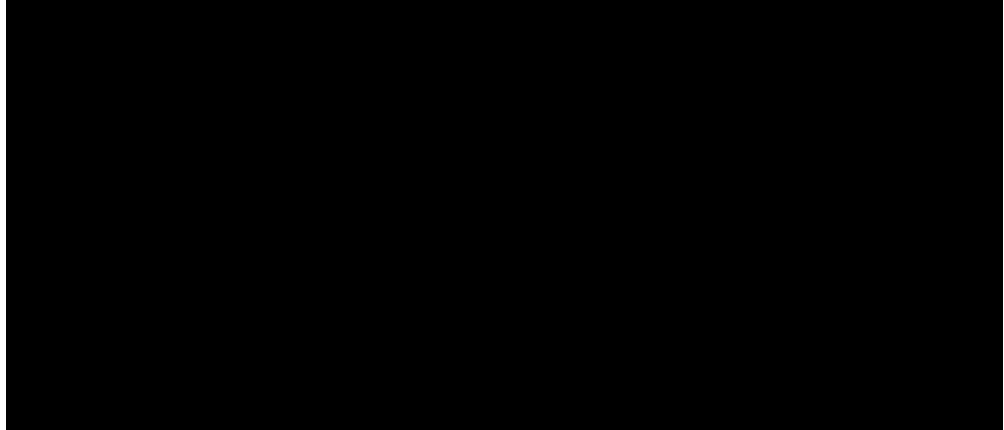
[Redacted]

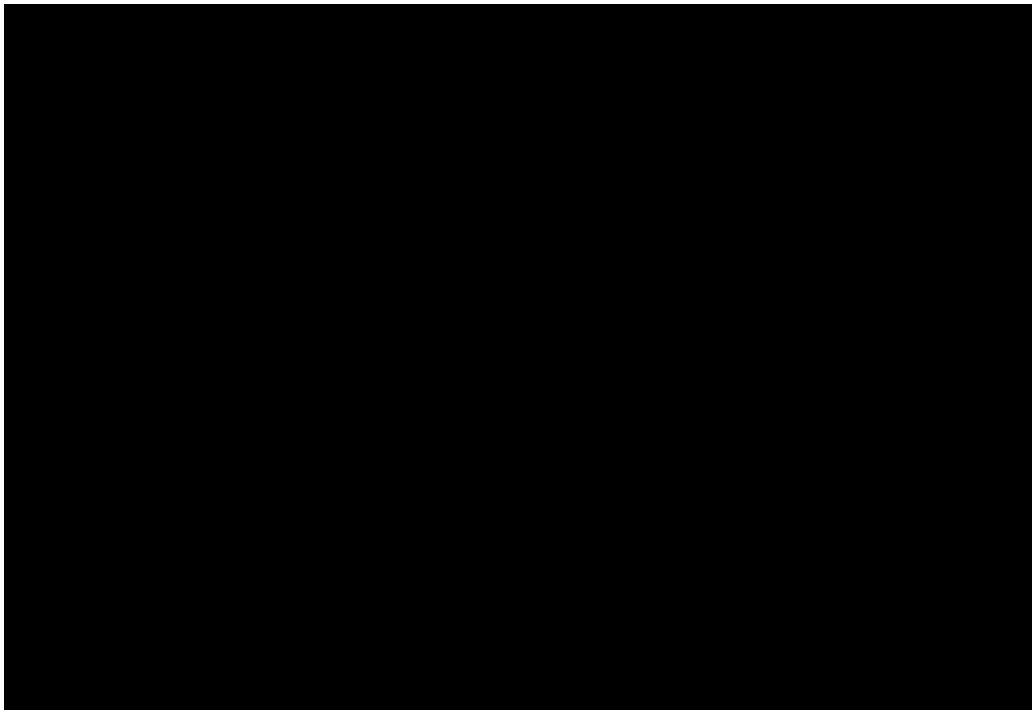
On April 27th, 2018 I reviewed a Biology Report completed by Melanie RICHARD, M.Sc., Forensic Scientist, Biology and dated January 10th, 2018 and learned the following:

- I. 
- II. 

iv. 

On April 27th, 2018 I reviewed a Biology Report completed by Melanie RICHARD, M.Sc., Forensic Scientist, Biology and dated March 19th, 2018 and learned the following:

- I. 
- II. 



III.



- a.
- b.
- c.
- d.
- e.



16 [redacted]

17 [redacted]

f.



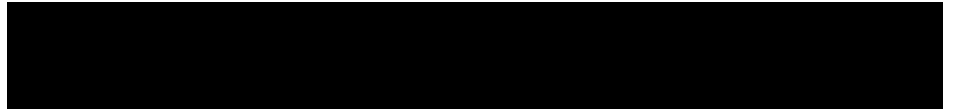
IV.



a.



b.



[REDACTED]

V.

[REDACTED]

a.

b.

c.

d.

[REDACTED]

14. SEARCH OF 50 OLD COLONY ROAD

(a) The Search

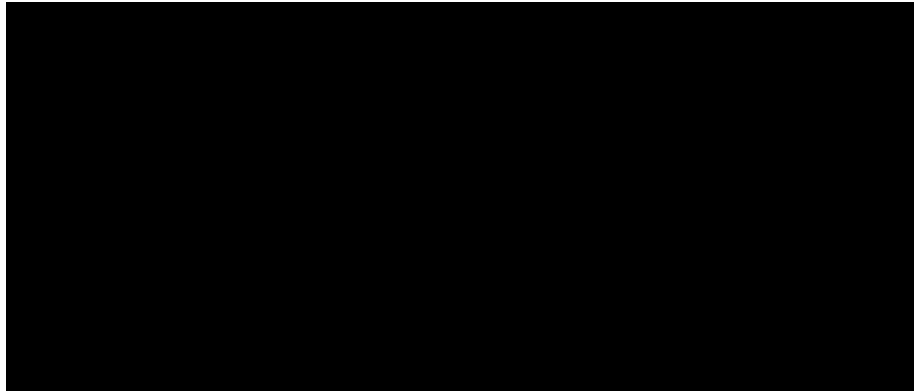
On February 22nd, 2018 I reviewed the casebook notes of Det. WELLER for the time period of December 21st, 2017 to January 8th, 2018 in regards to this incident and learned the following:

On December 21st, 2017 Det. WELLER attended 50 Old Colony Road with DC SOUCY. They arrived on scene at 8:25 AM. [REDACTED]

[REDACTED]

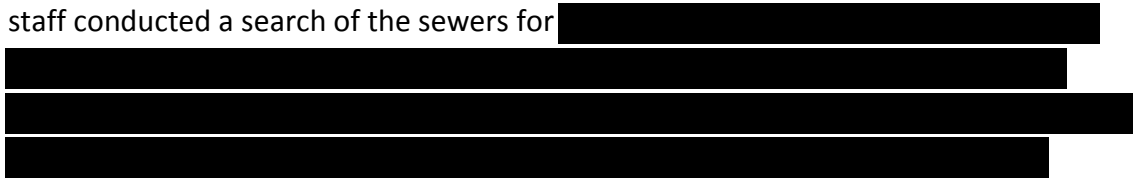
On December 22nd, 2017 Det. WELLER compiled the following "To Do List" for the task regarding 50 Old Colony Road:

- i.
- ii.
- iii.
- iv.
- v.
- vi.
- vii.
- viii.



While completing the task, Det. PRICE requested that Det. WELLER conduct a 911 test call from the residence.

On December 23rd, 2017 Det. WELLER, PC ACORN with the assistance of City of Toronto staff conducted a search of the sewers for



On December 25th, 2017 between 12:10 PM to 12:20 PM a test call to 911 was completed generating ICAD event #3262768 that lasted for 1 minute and 44 seconds.

(b) Home Phone Number

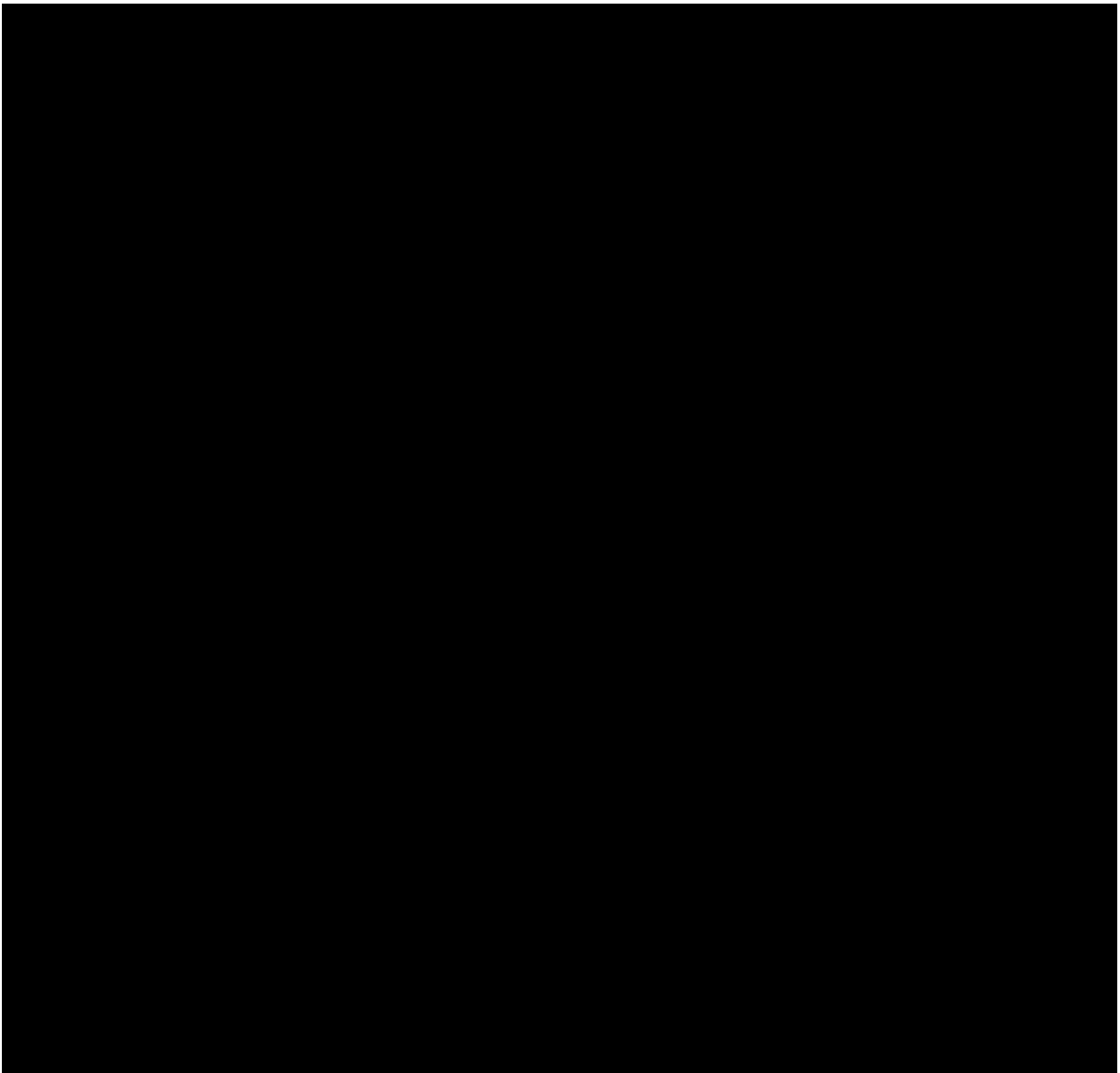
On February 23rd, 2018 I reviewed the ICAD report for ICAD event #3262768 and learned the following:

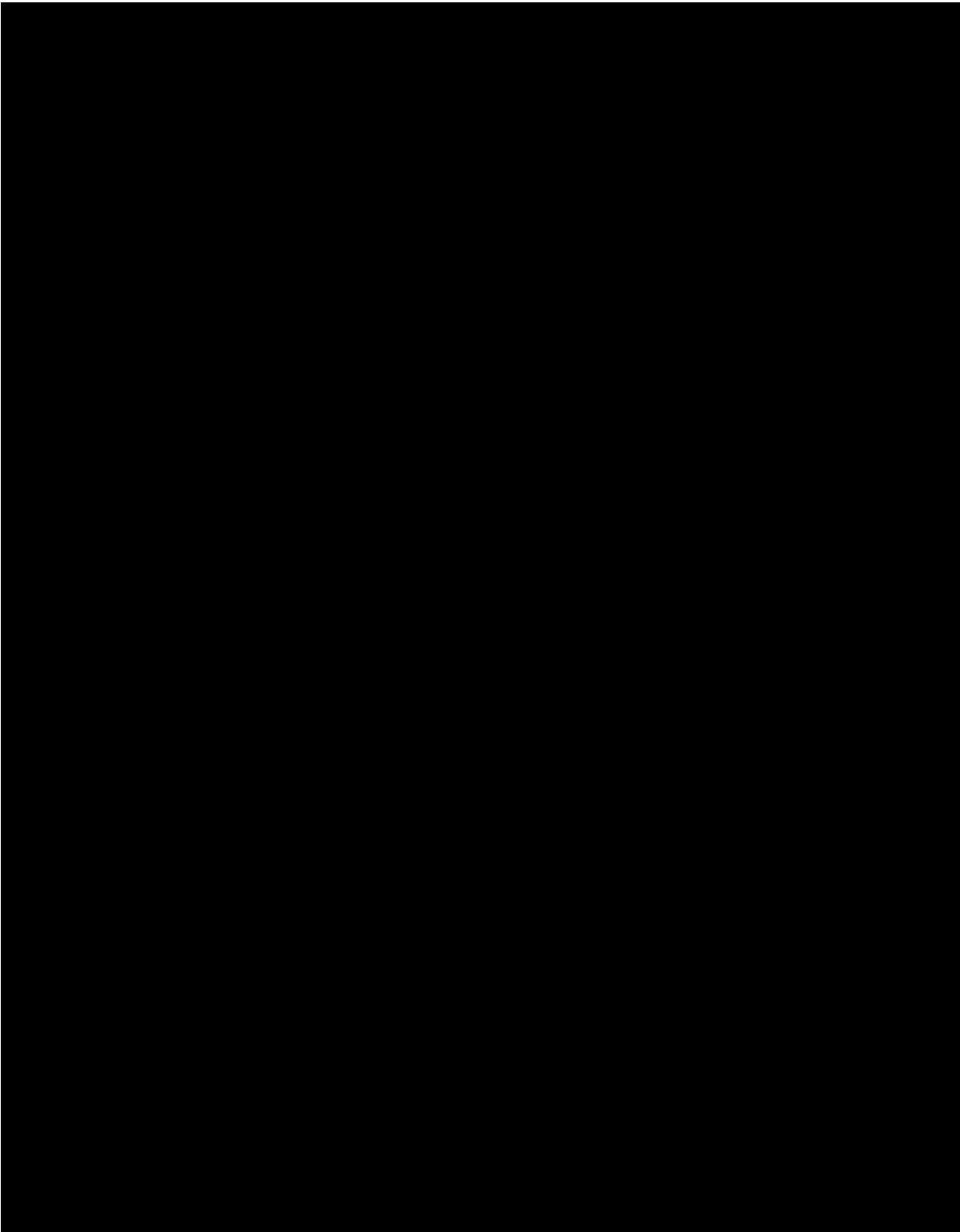
- i. The event was created on December 25th, 2017 at 12:18 PM.
- ii. Officer with badge number 411 was calling from 50 Old Colony Road from phone number [redacted] for a test call.



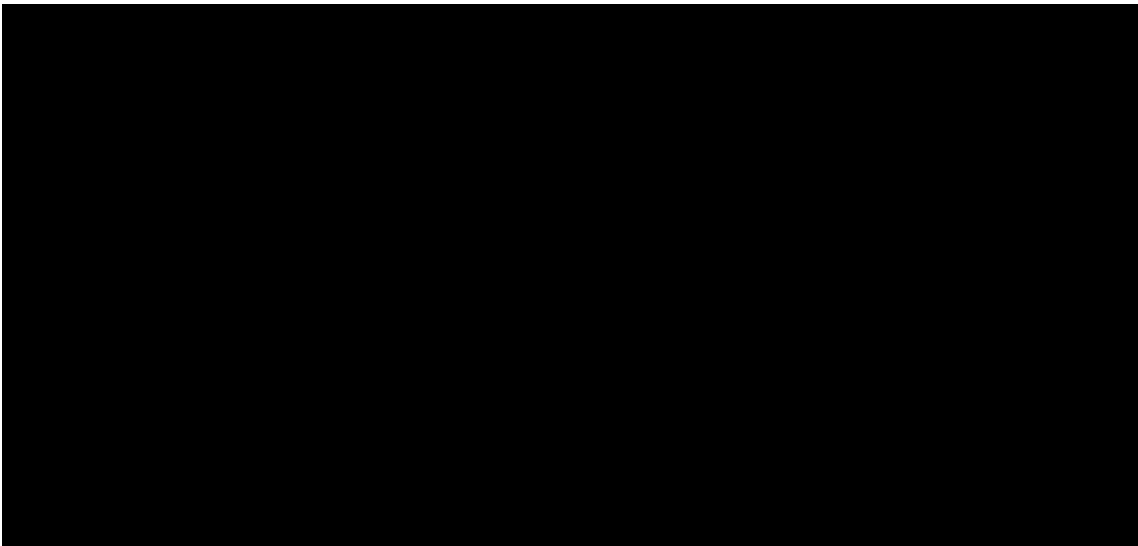
On March 26th, 2018 I reviewed a Supplementary Report #466 completed by DC DEVINE which compared photos of the call logs from the home phone to the Production Order results of Bernard SHERMAN's and Honey SHERMAN's cellular phones, the contact list from Bernard's and Honey's phones, the white pages and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

A chart, shown below, was created which identified new witnesses and phone numbers. Each item on the list pertained to a Cumulus photo showing either an incoming or outgoing call to the home phone located at 50 Old Colony Road. The phone numbers and persons associated to the phone numbers were also listed. It is unknown what the duration of the calls were.





¹⁹ The last 10 phone numbers dialed are stored in the redial list (each 32 digits max.). Source: ftp://ftp.panasonic.com/telephone/om/kx-tgp551_en_om.pdf



(c) Vehicles Driven and Registered to Bernard SHERMAN and Honey SHERMAN

As indicated in Honey SHERMAN's background, there are three vehicles registered under her name with the Ministry of Transportation. The vehicles are as follows:

- i. 2007, brown, Lexus with Ontario plate [REDACTED]
- ii. 1999, silver, Ford with Ontario plate [REDACTED]
- iii. 1982, grey, Chrysler with Ontario plate [REDACTED]

On March 5th, 2018, I reviewed the memo book notes of DC ALBRECHT for December 16th, 2017 and learned the following:

- i. DC ALBRECHT was detailed by DC SOUCY to attend 50 Old Colony Road to photograph the exterior of the residence and examine the exterior doors and windows for any signs of disturbance.
- ii. DC ALBRECHT arrived on scene at 1:35 PM. The scene was secured with police tape and guarded by an officer from 33 Division.
- iii. There were 2 vehicles on the driveway. One was a gold coloured Lexus with licence plate [REDACTED] and another was a Blue Mitsubishi with licence plate [REDACTED]
- iv. DC ALBRECHT examined the entire exterior of the residence and did not find any signs of recent damage or forced entry.

The following Cumulus photos were taken by DC ALBRECHT on December 16th, 2017 during his examination of the exterior of the residence.

Photo number 20173201016_4938

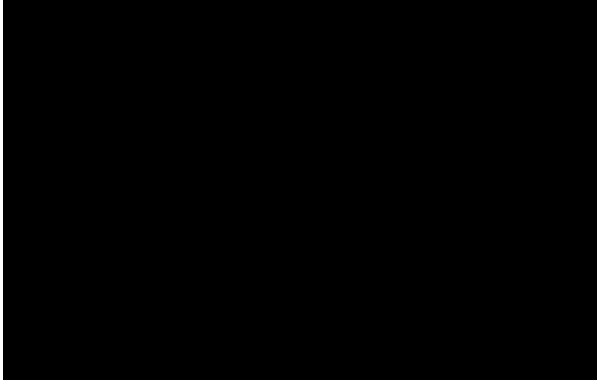


Photo number 20173201016_4941

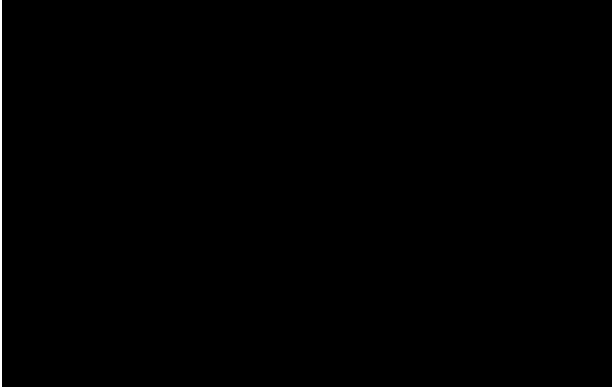
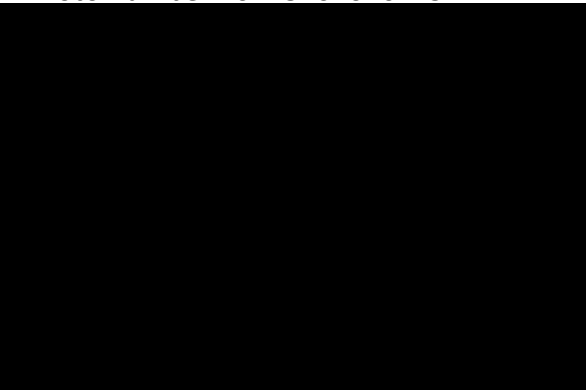


Photo number 20173201016_4944



The vehicle shown in the above photographs is of a gold coloured Lexus with licence plate [REDACTED] which is a vehicle registered to Honey SHERMAN and is consistent with the vehicle that she was seen driving on the Apotex surveillance video at 150 Signet Road and [REDACTED]

[REDACTED]

On March 5th, 2018, I reviewed a Supplementary Report and the memo book notes of PC SHIKH dated December 21st, 2017, regarding [REDACTED]

[REDACTED]

- i. [REDACTED]

On March 5th, 2018 I reviewed the notes of Det. LANGILLE dated December 21st, 2017 and learned the following:

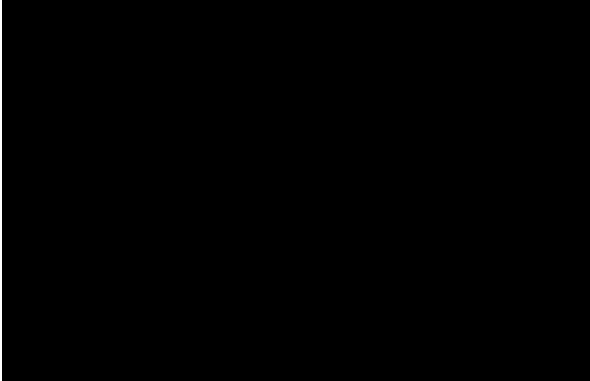
- i. On December 21st, 2017 Det. LANGILLE, was requested, by the Homicide Unit to examine the vehicle that was owned by Honey SHERMAN. Det. LANGILLE was detailed to fingerprint the interior and exterior of the vehicle which was secured in the east by of the Forensic Identification Services unit. The vehicle that Det. LANGILLE was detailed to examine was a Lexus and had a licence plate of [REDACTED]
- ii. DC SOUCY advised Det. LANGILLE, [REDACTED]
- iii. The VIN number of the vehicle was [REDACTED] The vehicle was a 4 door vehicle and was beige or champagne coloured.
- iv. [REDACTED]
- v. [REDACTED]

On March 5th, 2018 I reviewed the casebook notes of DC WU, dated December 17th, 2017 and learned the following:

- i. [REDACTED]
- ii. [REDACTED]

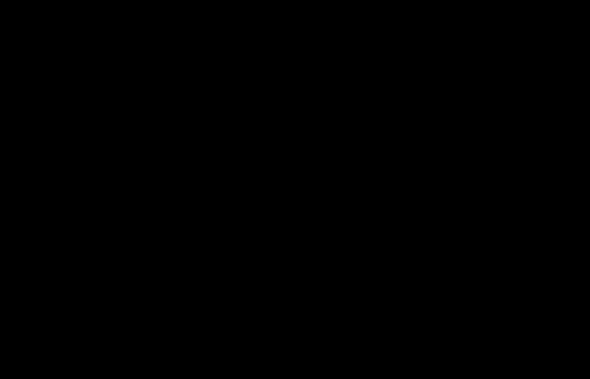
On March 5th, 2018 I reviewed the Cumulus photos taken by DC WU on December 17th, 2017 of the grey Ford with licence plate number AWFY 133:

Photo number 20173201016 3723



The above photo shows the passenger side and the rear of the vehicle. The licence plate number on the vehicle is [REDACTED]

Photo number 20173201016 3741



The above photo shows the interior driver side of the vehicle. [REDACTED]

Photo number 20173201016 3757

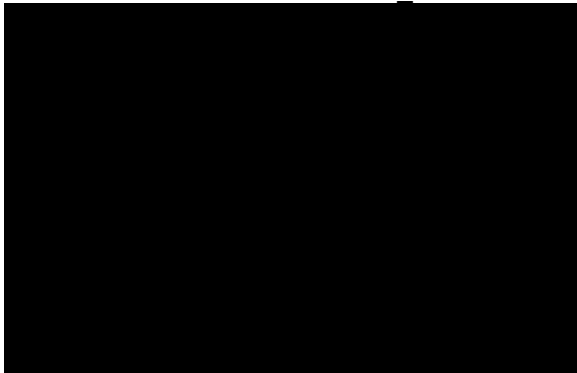


Photo number 20173201016_3756

[REDACTED]

(d) [REDACTED]

On Thursday January 4th, 2018 I reviewed the memo book notes of DC WU and learned:

- i. On Friday December 15th, 2017 at 12:42 PM, DC WU, along with his escort DC SOUCY, was detailed to attend 50 Old Colony Road in regards to a Sudden Death.
- ii. The information that DC WU received was that the victims were Bernard SHERMAN and Honey SHERMAN and they were found hanging in their residence.
- iii. The residence was for sale and the victims were found by a real estate agent.
- iv. At 1:17 PM DC WU and DC SOUCY arrived on scene and were met by PC HART and Det. MCCALL at the front foyer.
- v. At 1:47 PM DC WU and DC SOUCY were escorted by Det. MCALL, to the pool room where they observed the deceased persons, a male and a female, hanging by their necks on a pool railing.
- vi. DC WU described the scene, the clothing worn by the victims and bloodstains at the scene on the victims.
- vii. [REDACTED]
- viii. At 2:29 PM, Forensic Pathologist Dr. PICKUP and Coroner Dr. GIDDENS arrived on scene and DC WU was directed by DC SOUCY to take photographs.

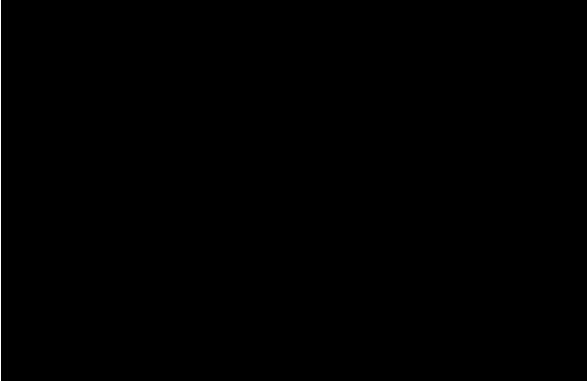
- ix. At 3:20 PM, 3:30 PM, 3:35 PM and 5:35 PM, the Coroner, Pathologist, Det. MCCALL and Det. PRICE from the Homicide Unit had left the scene respectively.
- x. At 5:35 PM DC WU commenced photographing the inside of the house.
- xi. [REDACTED]
- xii. At 7:20 body removal arrived.
- xiii. The body bag containing the female victim was sealed with seal #2052607 at 7:41 PM by DC SOUCY and the body bag containing the male victim was sealed with seal #2052608 at 7:46 PM.
- xiv. At 8:20 PM DC WU had completed the scene for the day and the scene was turned over the PC CHOW #9845

On Thursday December 28th, 2017 I reviewed the following Cumulus photos, taken by DC WU, with date stamps of December 15th, 2017:

Photo number 20173201016 3131



Photo number 20173201016 3136



[REDACTED]

Photo number 20173201016 3140

[REDACTED]

i.

ii.

[REDACTED]

(e)

[REDACTED]

On March 9th, 2018 I reviewed 2 emails sent on January 17th, 2018 from Det. LANGILLE to D/S GOMES. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(f) ADT Alarm

On August 29th, 2018 I reviewed two supplementary reports completed by Det. PRICE on January 23rd, 2018, in regards to an ADT alarm system at 50 Old Colony Road. I viewed the reports and learned the following:

- i. On January 11th, 2018 Det. PRICE conducted a walk-through of 50 Old Colony Road and he compared the time on the ADT alarm panel with the time on his Rogers network time on his cellular phone. [REDACTED]

[REDACTED]

ii. On January 12th, 2018 an ADT employee provided information to Det. PRICE in regards to the alarm location zones that related to 50 Old Colony Road. The zones are as follows:

- I. [REDACTED]
- II. [REDACTED]
- III. [REDACTED]
- IV. [REDACTED]
- V. [REDACTED]
- VI. [REDACTED]
- VII. [REDACTED]
- VIII. [REDACTED]
- IX. [REDACTED]
- X. [REDACTED]
- XI. [REDACTED]
- XII. [REDACTED]

iii. On August 29th, 2018 I viewed PIN photographs of the alarm panel at 50 Old Colony Road. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(g) Conclusion of Search of 50 Old Colony Road

On April 10th, 2018 I spoke with D/S GOMES, who advised that on January 21st, 2018 the search of the house at 50 Old Colony Road was completed and a final walk through was done by 7 Toronto Police Service, forensic officers.

On April 3rd, 2018 I reviewed the case notes of Det. PRICE dated January 26th, 2018. On January 26th, 2018 Det. PRICE retrieved the key to the residence at 50 Old Colony Road

from the officers that were guarding the house. The key was taken to Honey and Bernard SHERMAN's family as the search of 50 Old Colony Road was concluded.

(h) SEARCH OF APOTEX INC. AT 150 SIGNET DRIVE

i. Bernard SHERMAN's Office and Lab

On January 11th, 2018 I reviewed the case notes of DC GRONDIN for December 17th, 2017 and learned the following:

- I. DC GRONDIN was detailed to attend 150 Signet Drive by Det. PRICE to take photographs.
- II. At 4:05 PM DC GRONDIN met with DC THOMAS and security supervisor Sean MCDONALD of Apotex Inc., and together they went to the executive corridor of the building.
- III. Bernard SHERMAN's office is designated room #1010, Jack KAY's office is designated room #1006. The offices are adjacent to one another and are connected by a laboratory.
- IV. DC GRONDIN took pictures of Bernard SHERMAN's office and of the laboratory.
- V. At 4:45 PM the door connecting Bernard SHERMAN's office to the laboratory was sealed with seal number 2052489 by DC GRONDIN and at 6:20 PM the door from the hallway to Bernard SHERMAN's office was sealed with seal number 2052490 totally securing the office.

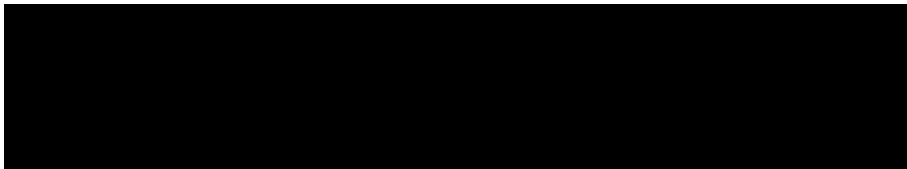
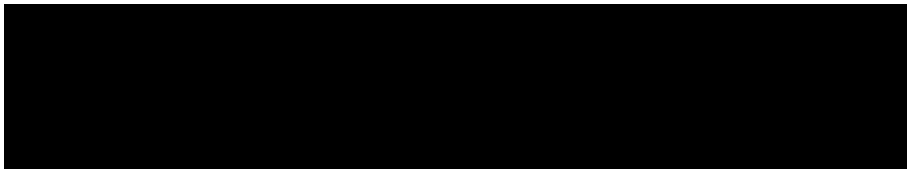
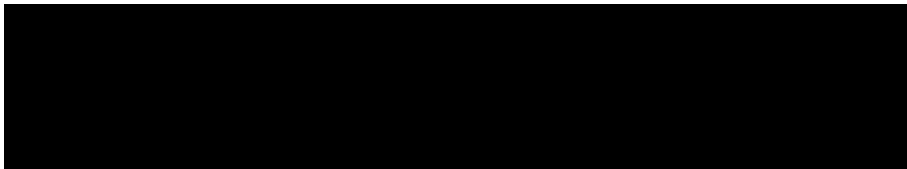
On January 9th, 2018 I reviewed the case notes of DC THOMAS for December 17th, 2017 and December 20th, 2017 and learned the following:

- I. On December 17th, 2017 at 3:05 PM, DC THOMAS attended the Apotex building located at 150 Signet Drive with DC ANGUS from the Technological Crimes Unit.
- II. At 4:05 PM, DC GRONDIN from the Forensic Identification Unit attended the scene as well.

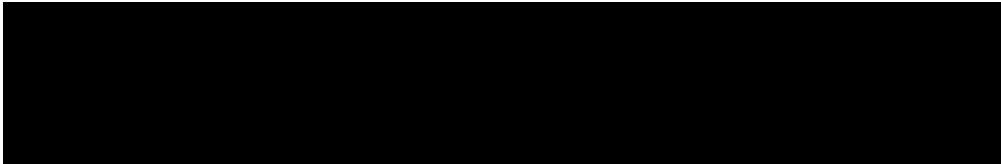
- III. At 4:43 PM DC THOMAS seized a computer from the office Bernard SHERMAN.
- IV. DC THOMAS left the Apotex building with the computer and the computer was brought to Toronto Police Service, 33 Division and lodged in the property locker #51.
- V. The following property receipts are associated with the computer:
 - a. Property Receipt #P168891 – CPU hard drive, power cord
 - b. Property Receipt #P168892 – monitor
 - c. Property Receipt #P132177 – black power cord, keyboard, mouse
- VI. On December 20th, 2017 DC THOMAS returned to the Apotex building at 150 Signet Drive and arrived at the building at 11:40 AM.
- VII. At 11:50 AM DC THOMAS sealed a door leading to Bernard SHERMAN's lab from Jack KAY's office with seal number 1278117, thereby totally securing the lab.

ii. Bernard SHERMAN's Office Computer Contents

On March 1st, 2018 I reviewed an email sent by DC ANGUS of the Toronto Police Service, Technological Crime Unit to DC THOMAS, Det. PRICE and D/S GOMES. The subject of the email was, "Barry SHERMAN's office computer". The email was sent on December 17th, 2017 at 5:10 PM. From the email I have learned the following:

- I. DC ANGUS looked at the computer in Bernard SHERMAN's office on December 17th, 2017.
- II. 
- III. 
- IV. 

V.

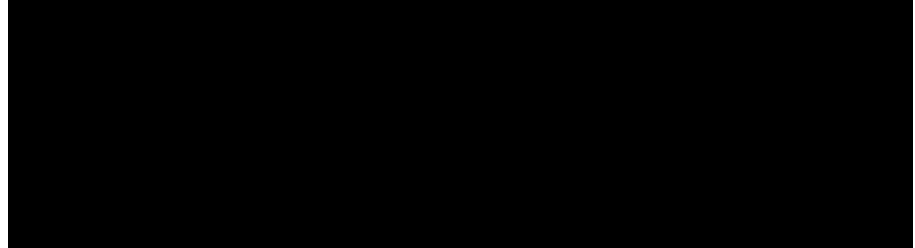


VI. While viewing the computer DC ANGUS noted the following:

a.

b.

c.



d. There were numerous drives and are listed as follows:

A.

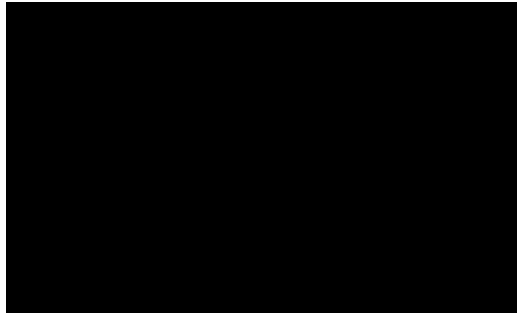
B.

C.

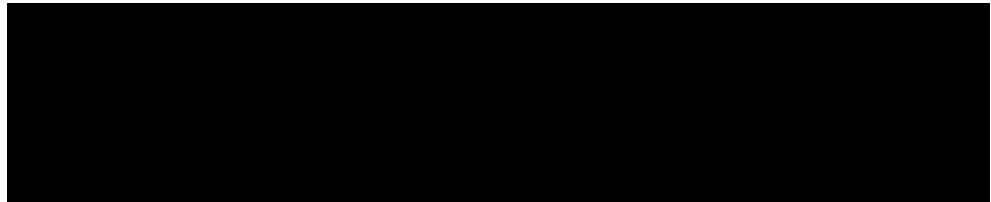
D.

E.

F.



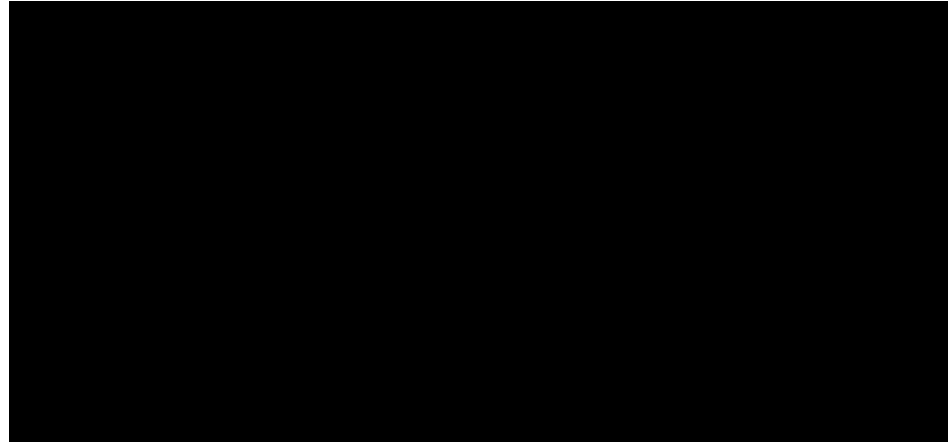
VII.



a.

b.

c.



15. APOTEX OFFICE AND ADJOINING LAB SEARCH WARRANT RESULTS

c.

d.

e.

f.

g.

h.

i.

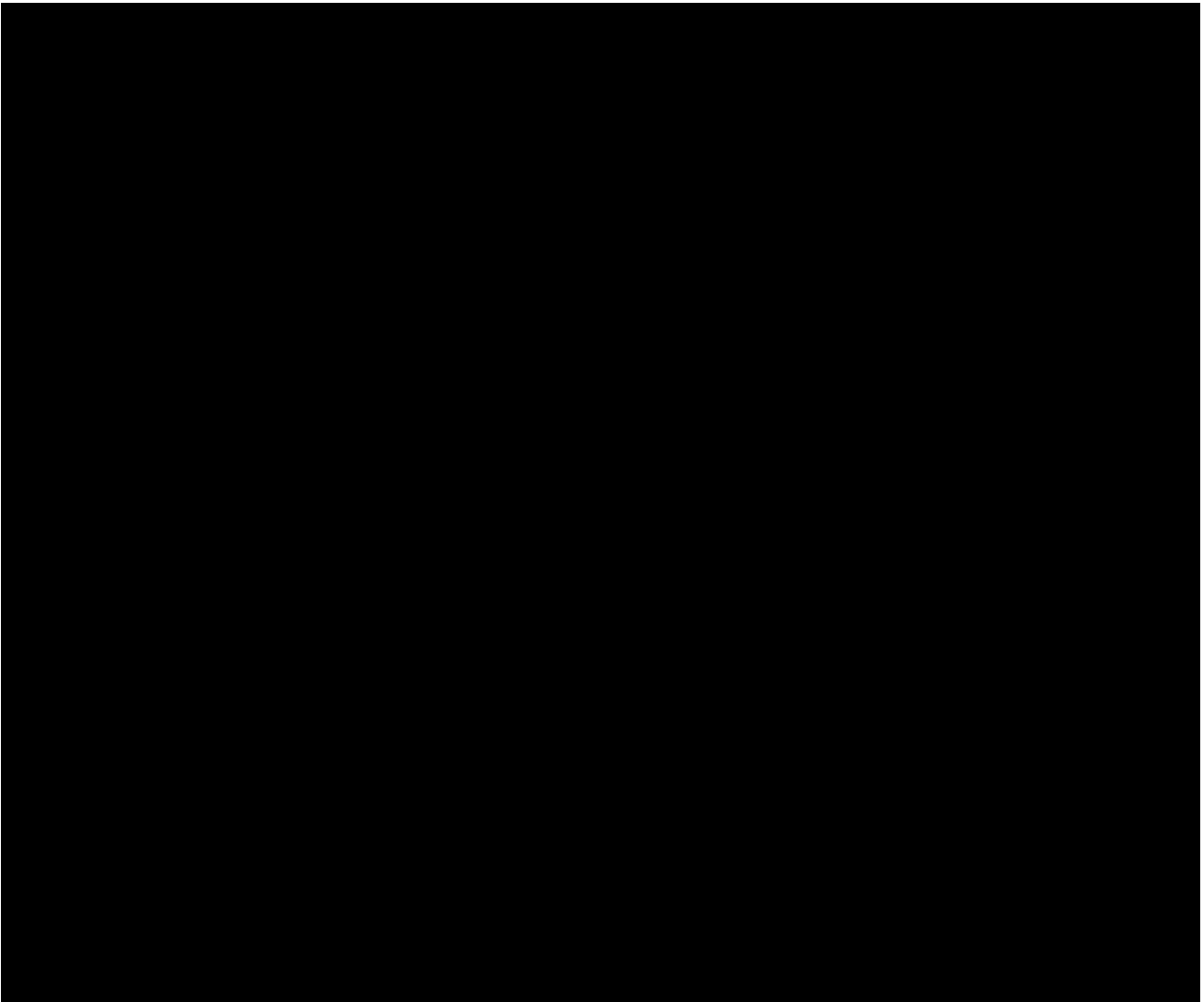
j.

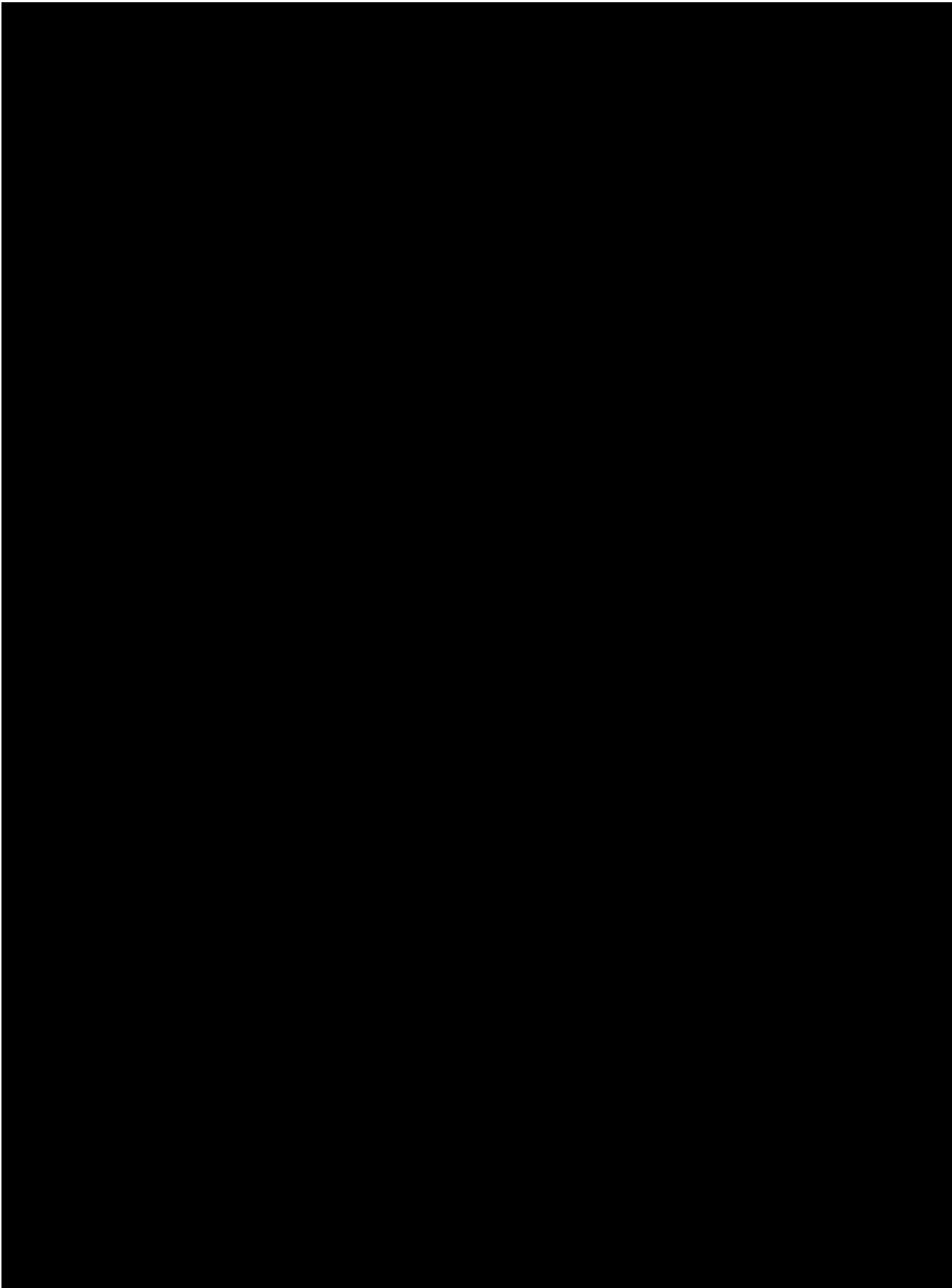
k.

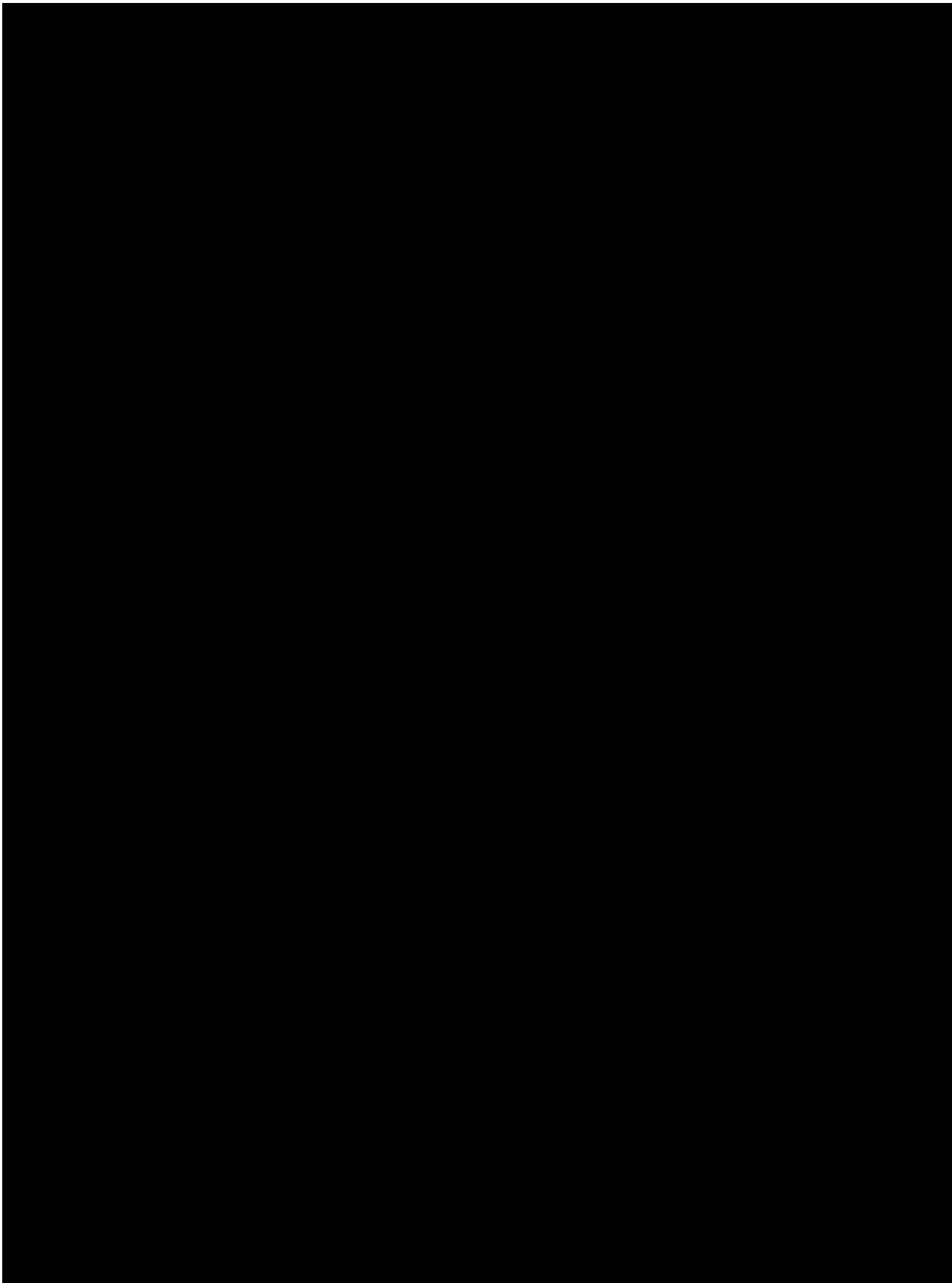
(b) Office Phone

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.







16. 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:

- i. Toshiba laptop, designated Exhibit #1.
- ii. IPad, designated Exhibit #2.
- iii. HP desktop computer, designated Exhibit #3.
- iv. Blackberry phone, designated Exhibit #4.
- v. IPad, designated Exhibit #5.
- vi. 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:

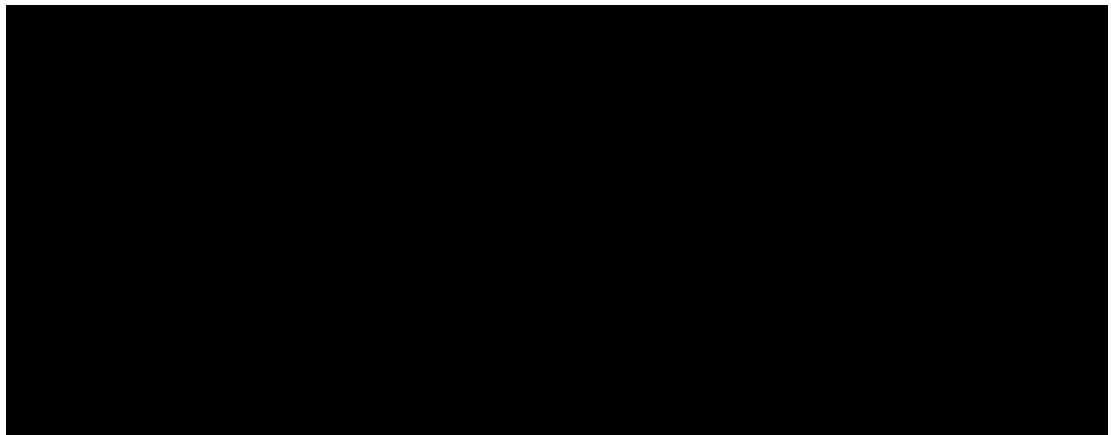
(a) White iphone belonging to Honey SHERMAN

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

ii.

iii.

iv.



(b) Toshiba Computer, Exhibit #1

- i. File number REL0000000012 was a Yahoo Webmail. Contained within the emails were the following items:
 - I. 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.
 - II. The last email sent from Honey SHERMAN was to Hilda COHEN on December 12th, 2017 at 4:24 PM.
 - III. The last email received from Honey SHERMAN was an email from “Carol” at December 12th, 2017 at 4:57 PM.
- ii. In file number REL0000001653 there was an Excel document outlining future travel plans as follows:
 - I. Florida- December 18th to January 12th
 - II. Lake Louise – February 16th to February 18th for “Loeb Wedding”
 - III. Japan – March 14th to March 28th
 - IV. Houston – April 12th to April 13th, (there were question marks written beside this entry)
 - V. Mexico – May 4th to May 11th for Mexico wedding

(c) 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 URL²¹ that was visited was <https://outlook.office.com/owa/?realm=ironwarriors.ca> and the title of Web History was “Mail – [REDACTED]”**

(d) HP Computer, Exhibit #3

²¹ 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. [REDACTED]

(e) Bernard SHERMAN's Blackberry, Exhibit #4

- i. [REDACTED]

- 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?"

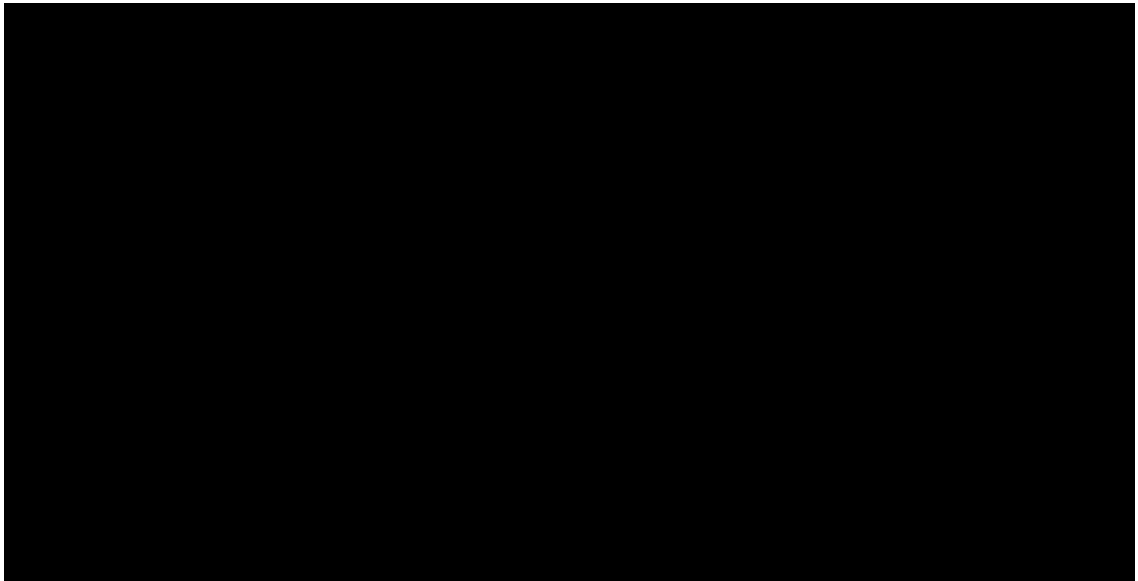
(f) Ipad, Exhibit #5

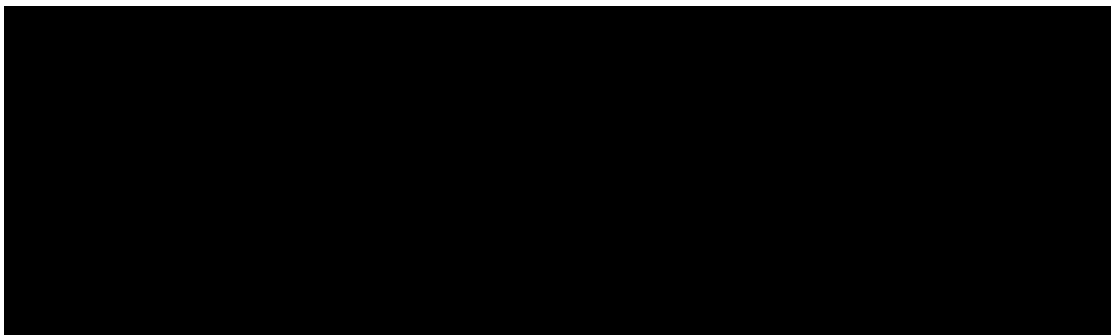
- i. File number REL0000000088 contained Honey SHERMAN's calendar entries.
- ii. File number REL0000000089 contained Honey SHERMAN's call log list.
- iii. File number REL0000000092 contained Honey SHERMAN's contact list.

(g) 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 [REDACTED] 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.

17. PRODUCTION ORDER RESULTS

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]

[REDACTED] This call occurred on [REDACTED]
[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] [REDACTED] [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] [REDACTED] [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

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. [REDACTED]

²² Greenwich Mean Time is 4 hours ahead of Eastern Time.

[Redacted]

[Redacted]

II.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

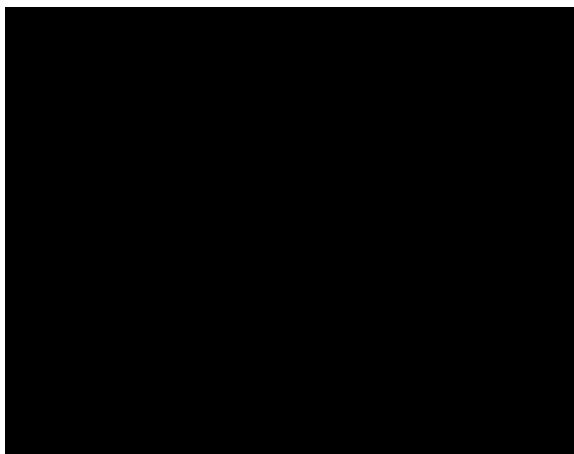
III.

[Redacted]

[Redacted]

IV.

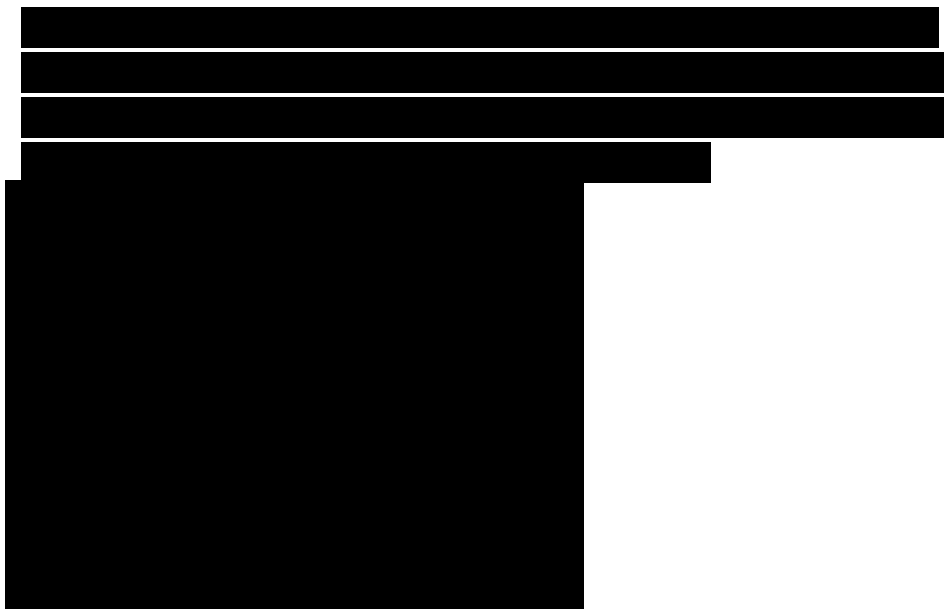
[Redacted]



- 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.

[Redacted text block]

[Redacted text block]

VIII.

[Redacted text block]

[Redacted text line]

a.

[Redacted text line]

b.

[Redacted text block]

c.

[Redacted text block]

[Redacted]

[Redacted]

IX.

[Redacted]

X.

[Redacted]

XI.

[Redacted]

[Redacted]

XII.

[REDACTED]

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] AM 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

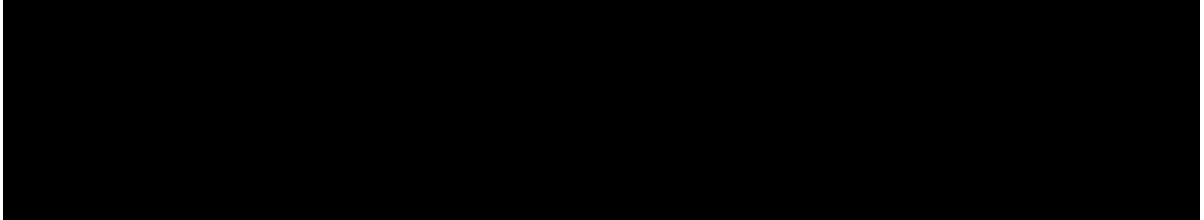
(f) BMO Financial Group credit cards in the name of Bernard SHERMAN and Personal accounts for Bernard SHERMAN and Honey SHERMAN.

(g) TD Bank credit cards and personal and commercial accounts in the name of Bernard SHERMAN.

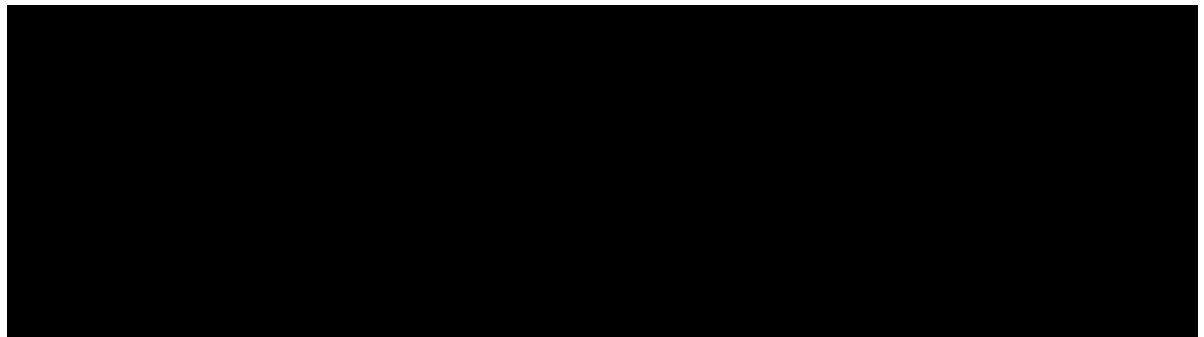
(h) CIBC Aerogold Visa Cards belonging to Bernard SHERMAN and Honey SHERMAN

On March 19th, 2018 I reviewed a Supplementary Report for the review of the Production Order results of the CIBC 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:

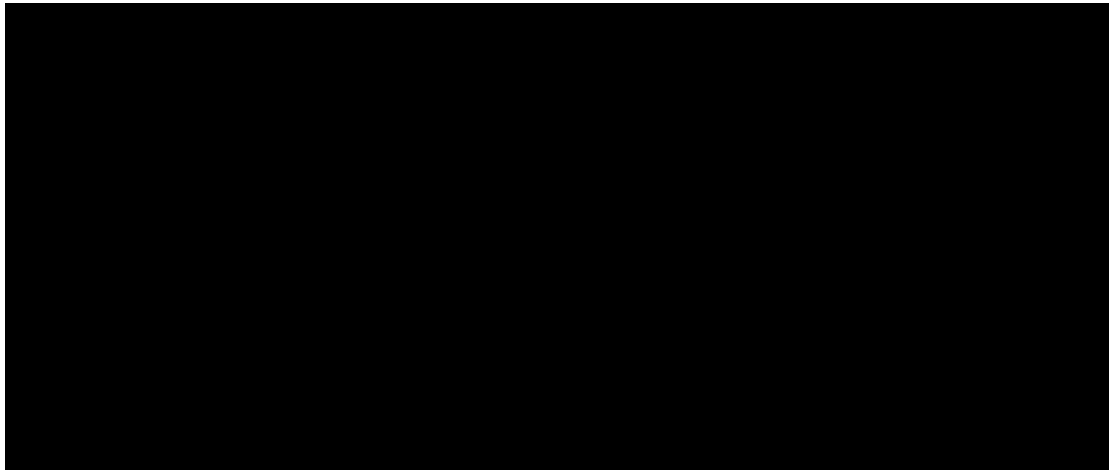
- i. [REDACTED] DC DEVINE contacted the manager to obtain the video footage for this transaction and was advised that the video had already been overwritten.

- 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.

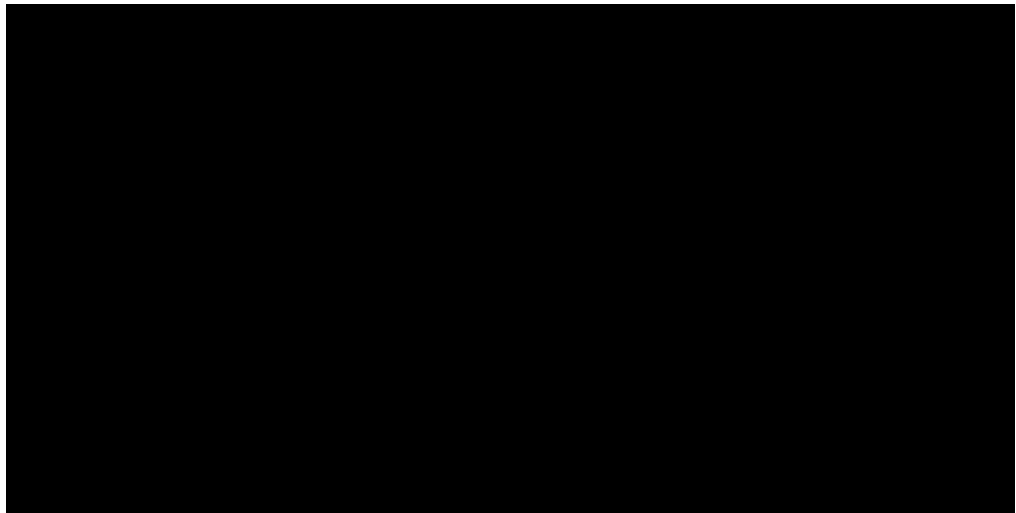
(n) Office of Chief Coroner’s for medical records of Bernard SHERMAN

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.



- I.
- II.



²³ [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

III.

IV.

V.

VI.

VII.

VIII.

IX.

X.

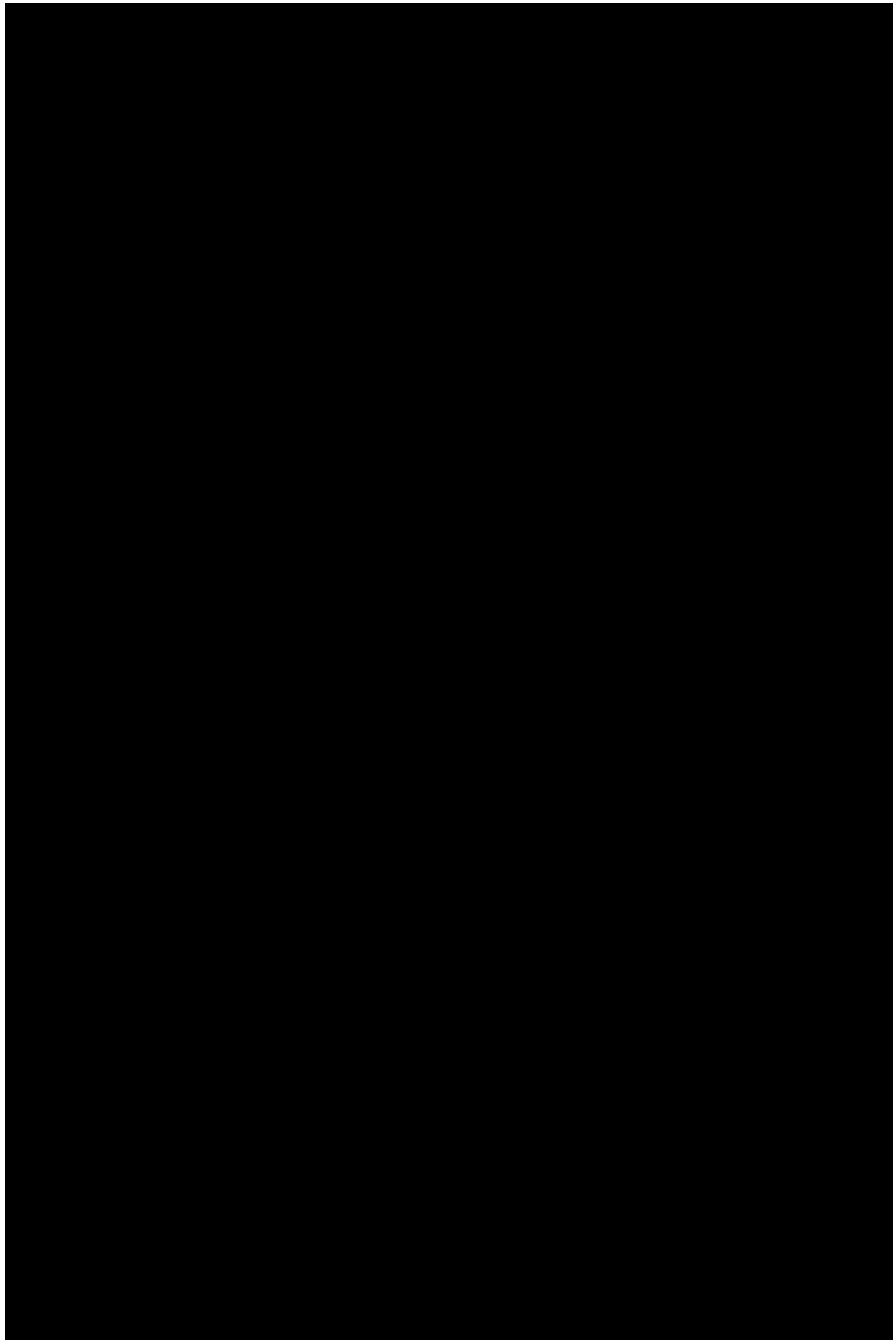
XI.

XII.

XIII.

XIV.

XV.



XVI.

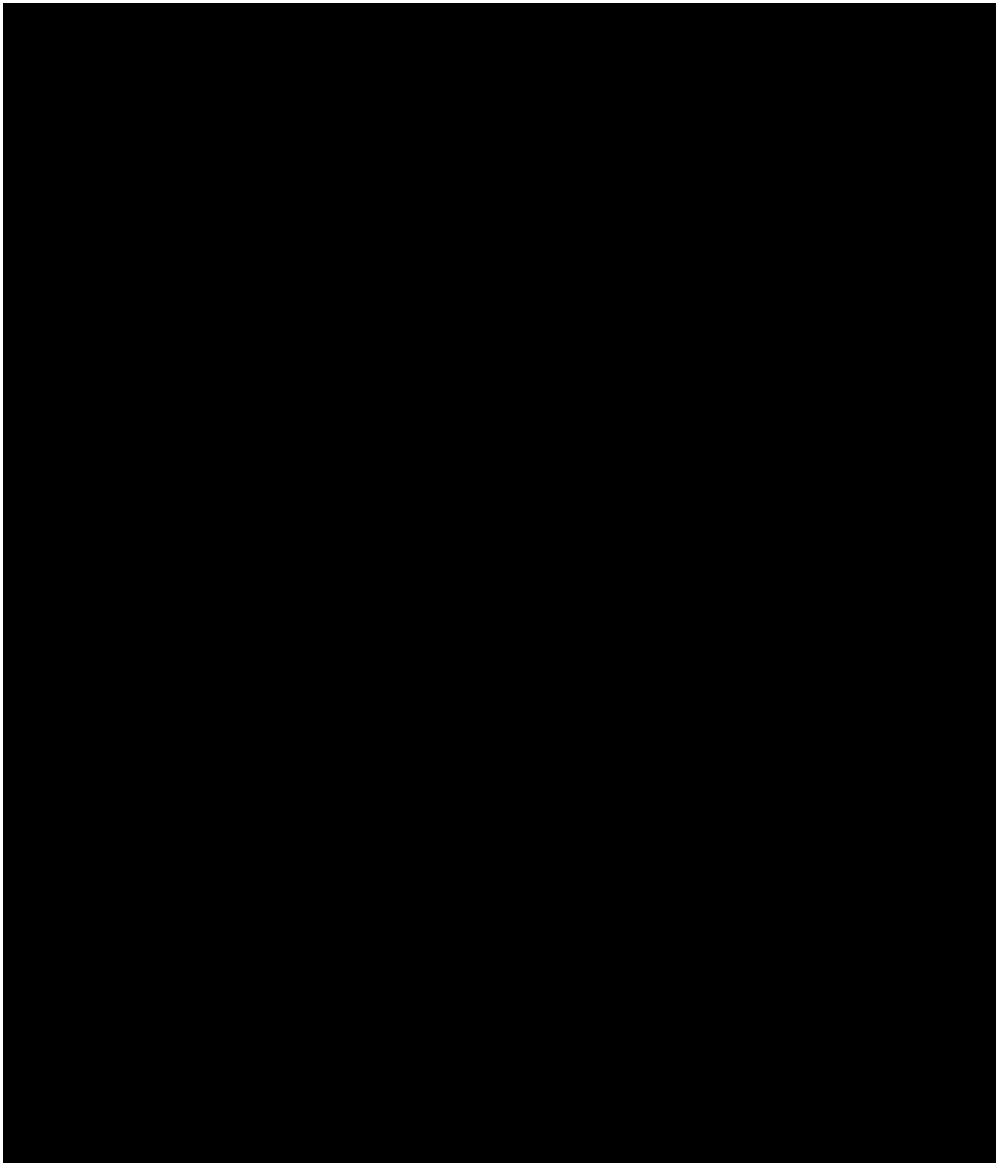
XVII.

XVIII.

XIX.

XX.

XXI.



24



25



XXII.

XXIII.

XXIV.

XXV.

XXVI.

XXVII

vi.



I. [Redacted]

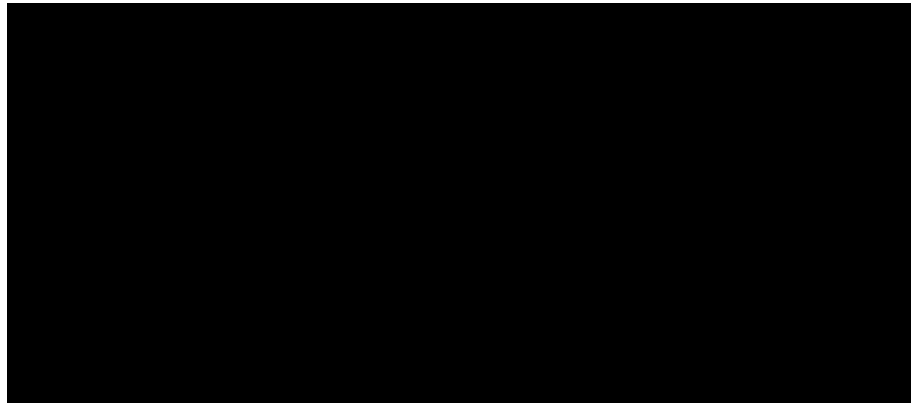
a. [Redacted]

b. [Redacted]

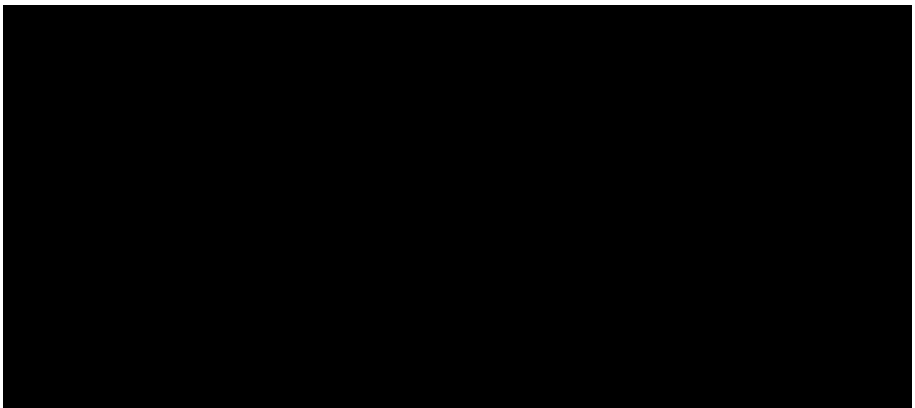
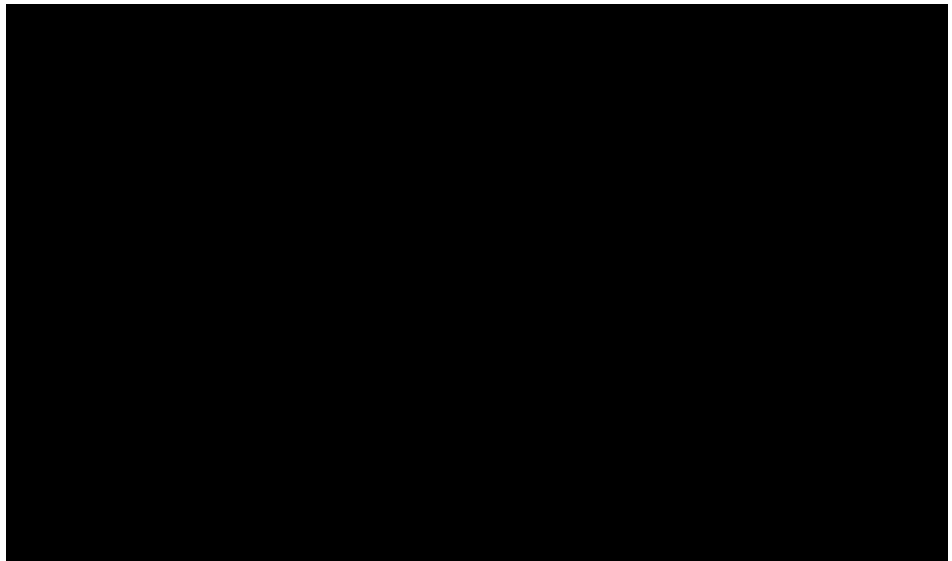
c. [Redacted]

II. [Redacted]

a. [Redacted]



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. [REDACTED]
- ii. [REDACTED]

- I. [REDACTED]
- II. [REDACTED]
- III. [REDACTED]
- IV. [REDACTED]
- V. [REDACTED]
- VI. [REDACTED]
- VII. [REDACTED]
- VIII. [REDACTED]
- IX. [REDACTED]
- X. [REDACTED]

- iii. [REDACTED]
- iv. [REDACTED]
- v. [REDACTED]
- vi. [REDACTED]
- vii. [REDACTED]

(p) Phone records from cellular phone numbers used by [REDACTED]
[REDACTED]

On May 30th, 2018 I received the Production Order results for the phone records of [REDACTED] I reviewed the production order results and learned the following information:

i. [REDACTED]

I. [REDACTED]

II. [REDACTED]

[REDACTED]

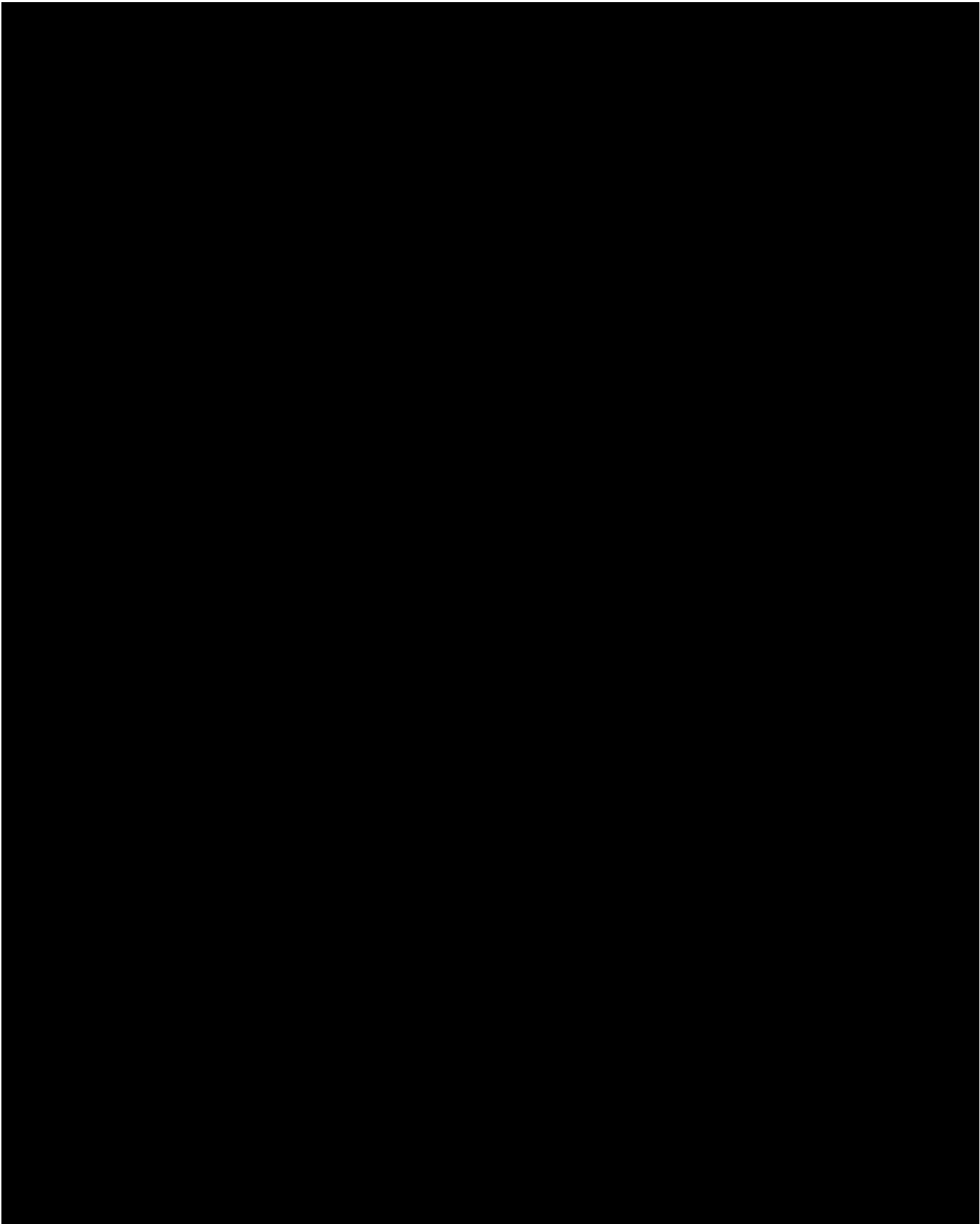
The numbers listed above have not been subject to any production orders.

III. The tracking data for phone number [REDACTED] from December 12th, 2017 to December 14th, 2017 are listed below:

[REDACTED]

²⁶ 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>



[REDACTED]

ii. [REDACTED]

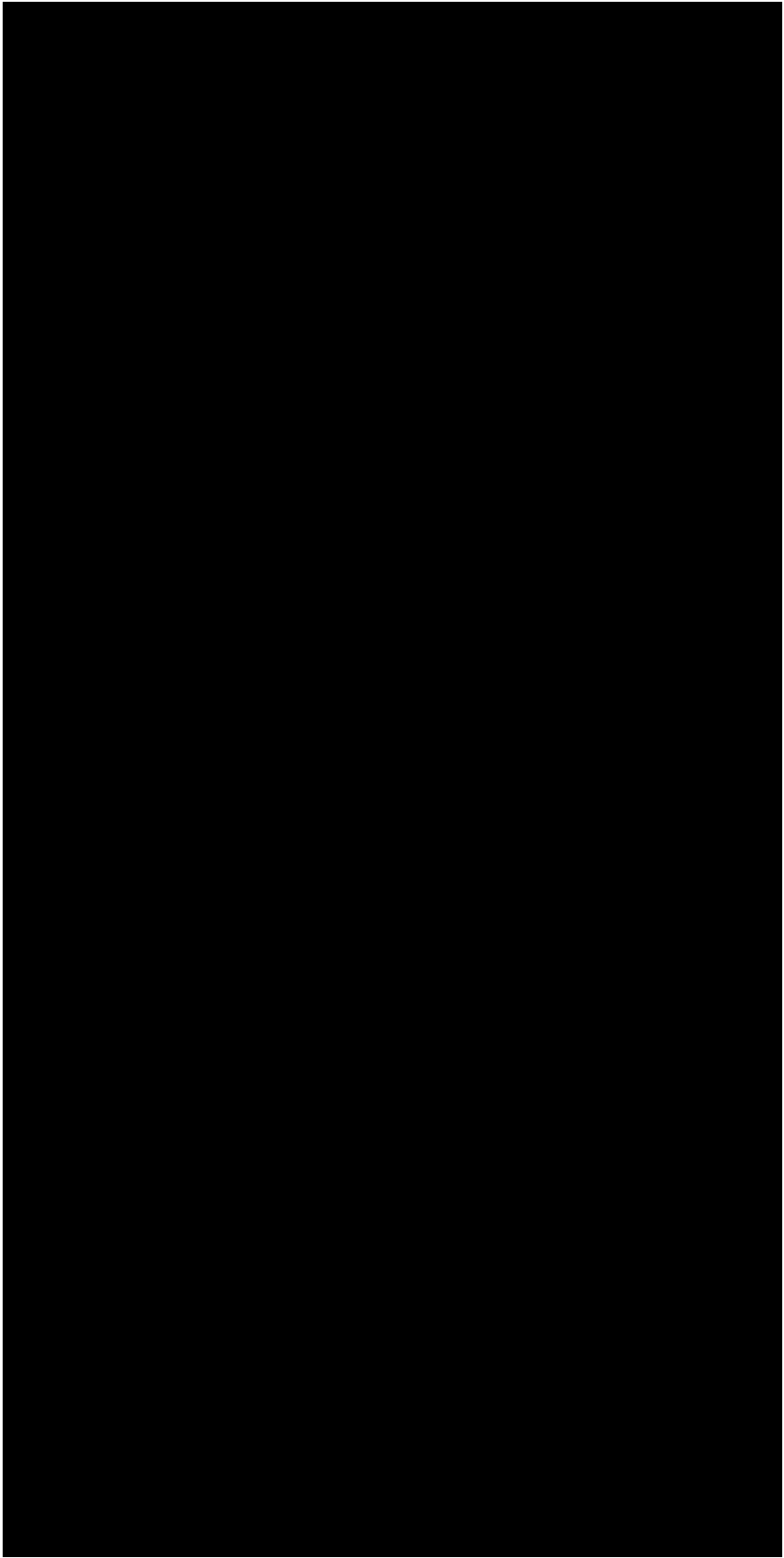
- I. [REDACTED]
- II. [REDACTED]

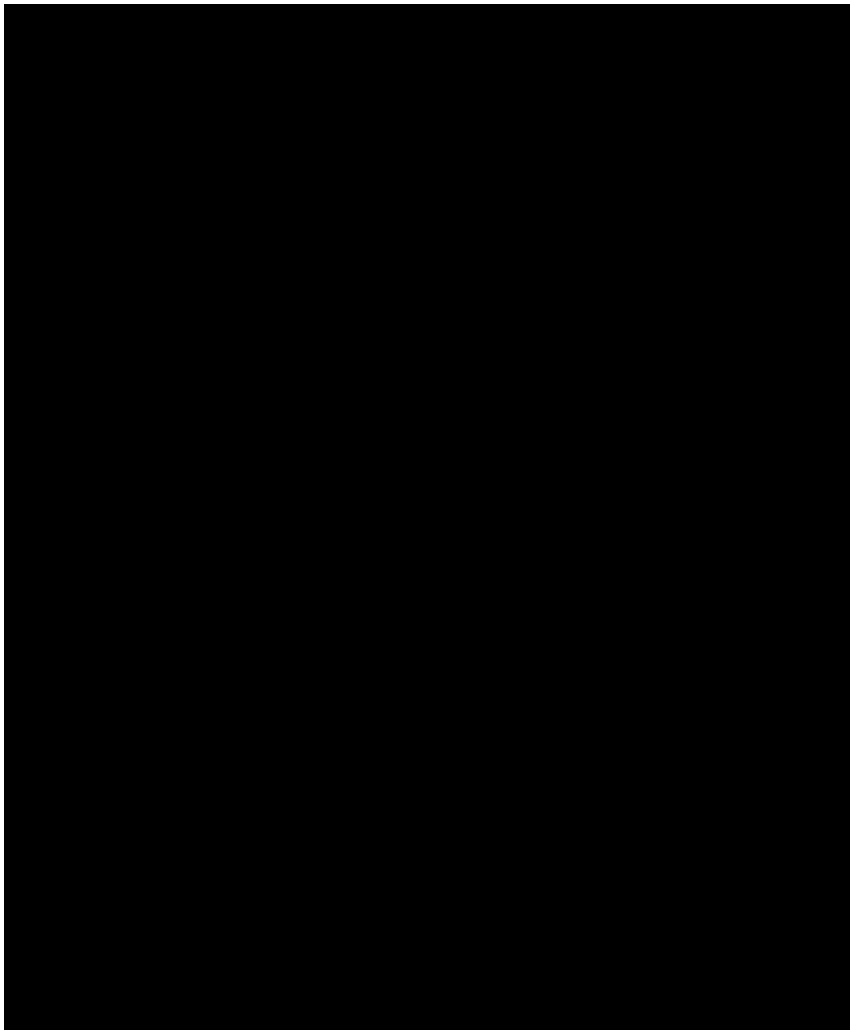
[REDACTED]

The numbers listed above have not been subject to any production orders.

III. The charts below details the transmission data for phone number [REDACTED] [REDACTED] from December 12th, 2017 to December 14th, 2017. [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]





As seen in the charts above the phone number [redacted]

[redacted]

iii. [redacted]

I. [redacted]

II. [redacted]

III. [redacted]

iv. [redacted]

I.

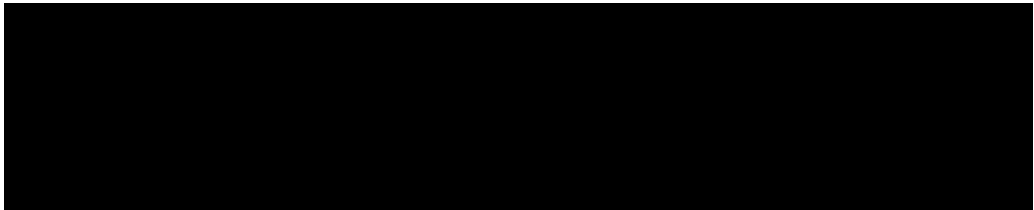


II.





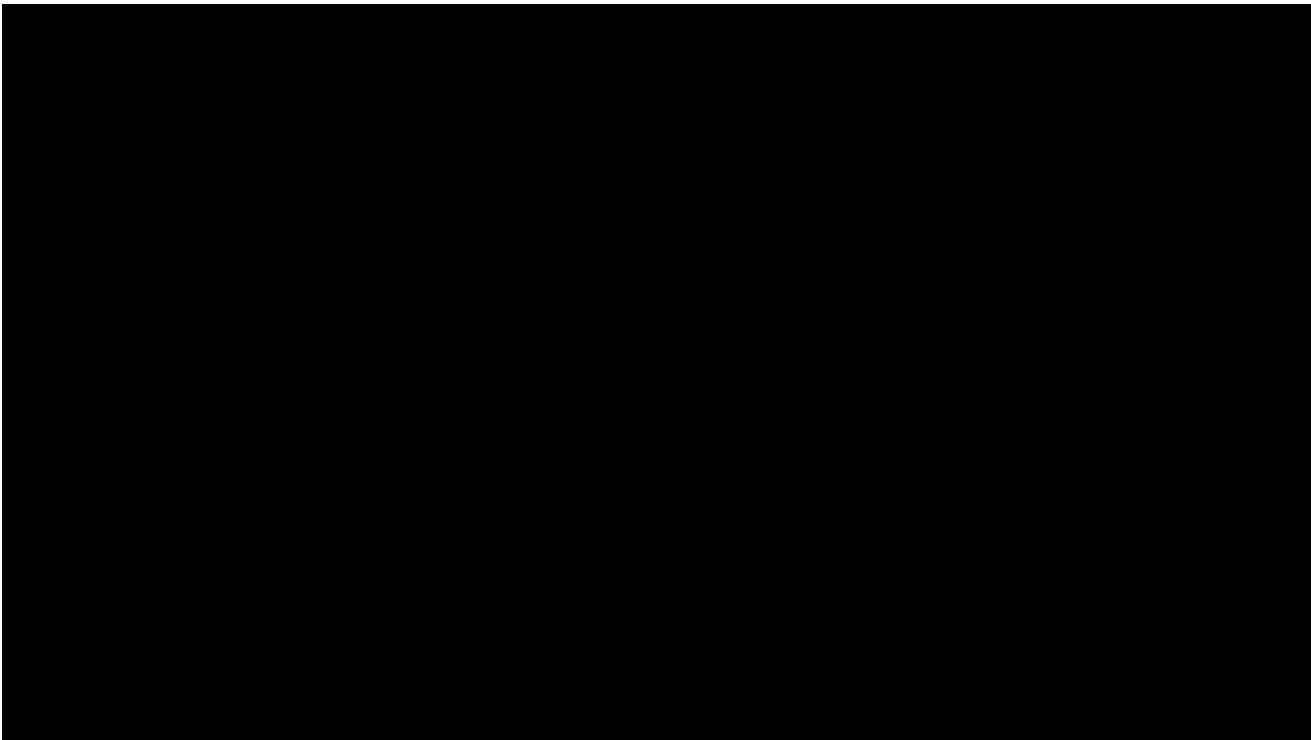
The phone numbers listed above have not been subject of any production orders.

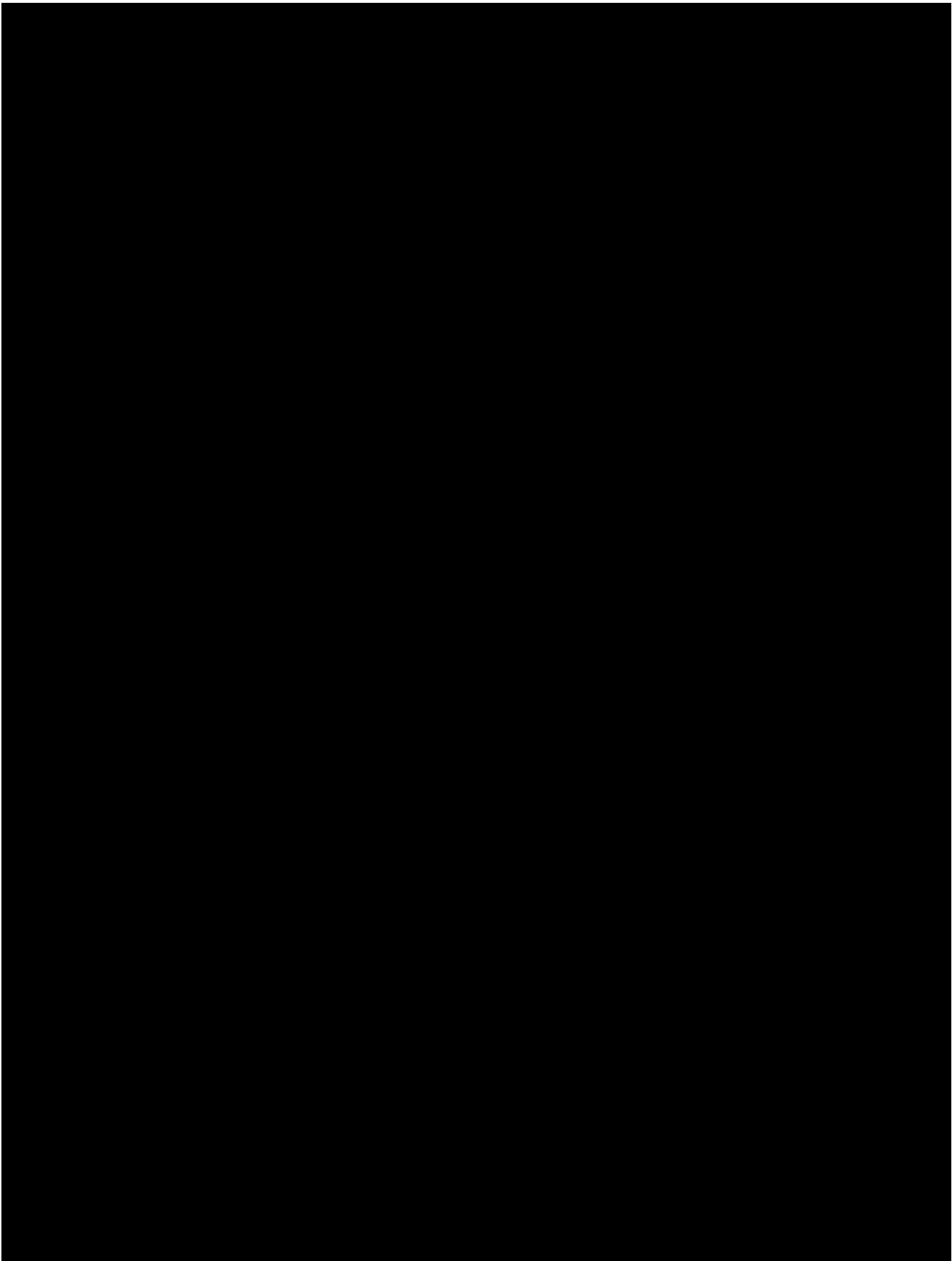
III.



IV. I have reviewed the tracking Data for December 12th, 2017 to December 14th, 2017

The following charts show the tracking data for the phone number 






[Redacted]

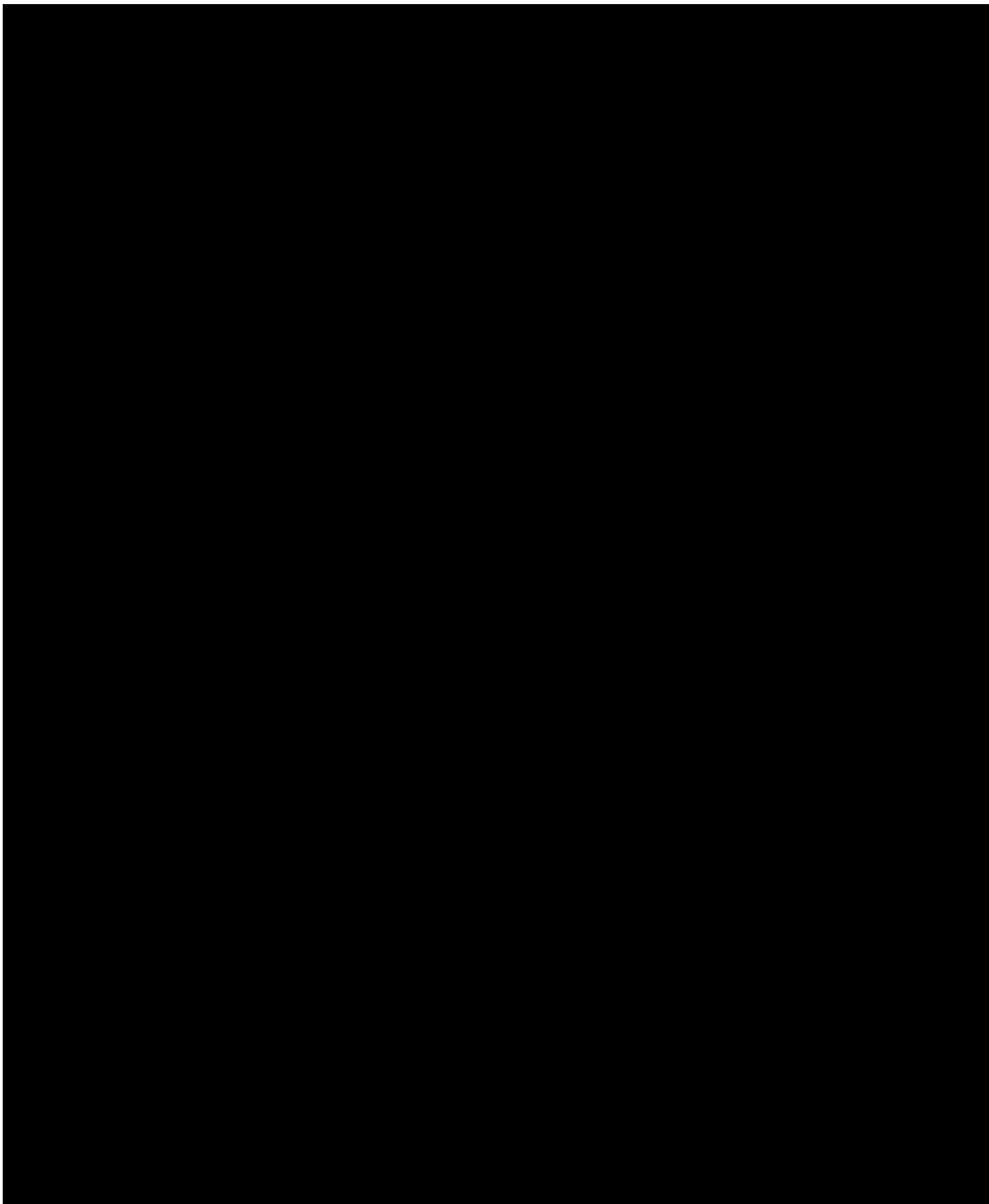
v. [Redacted]

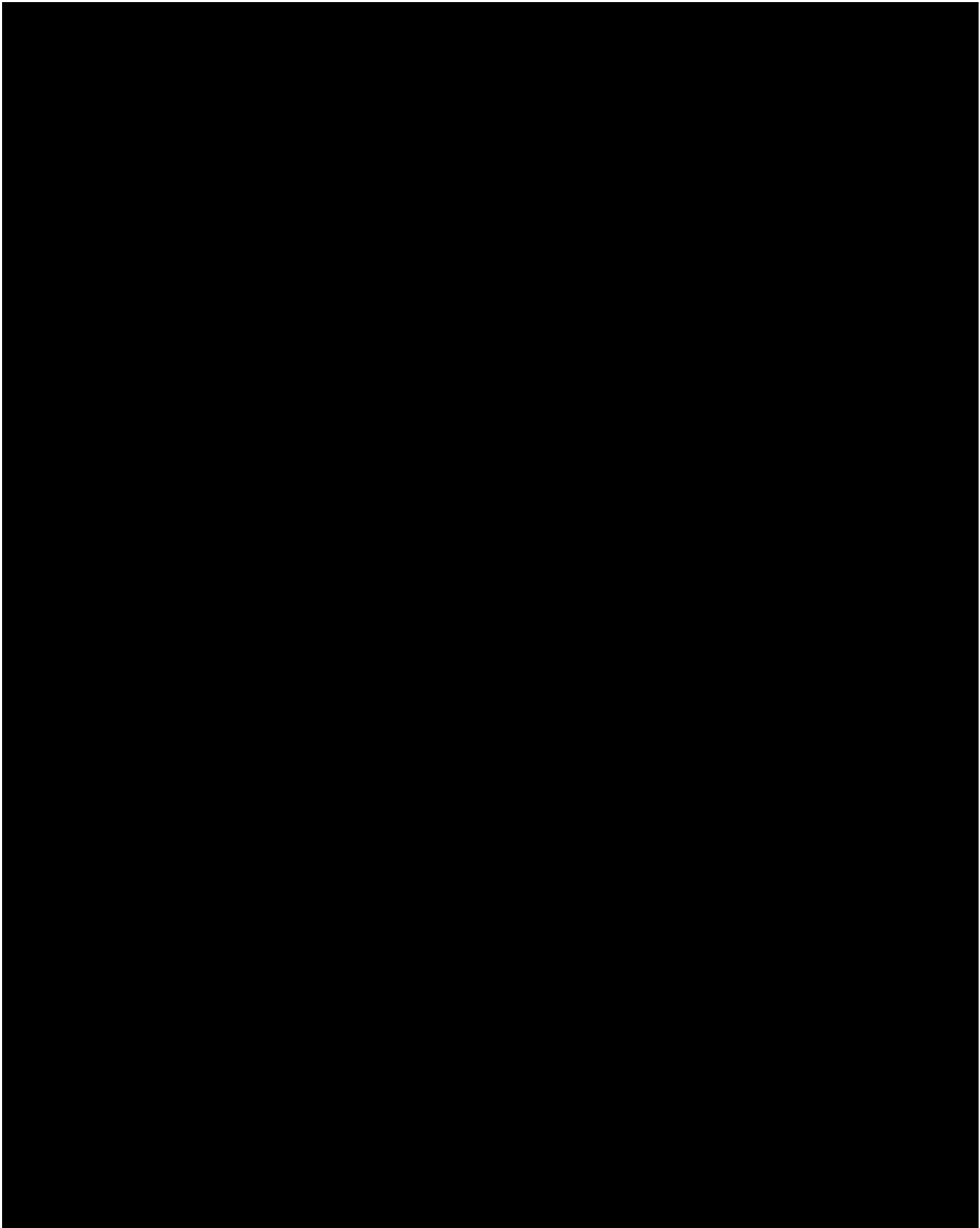
I. [Redacted]

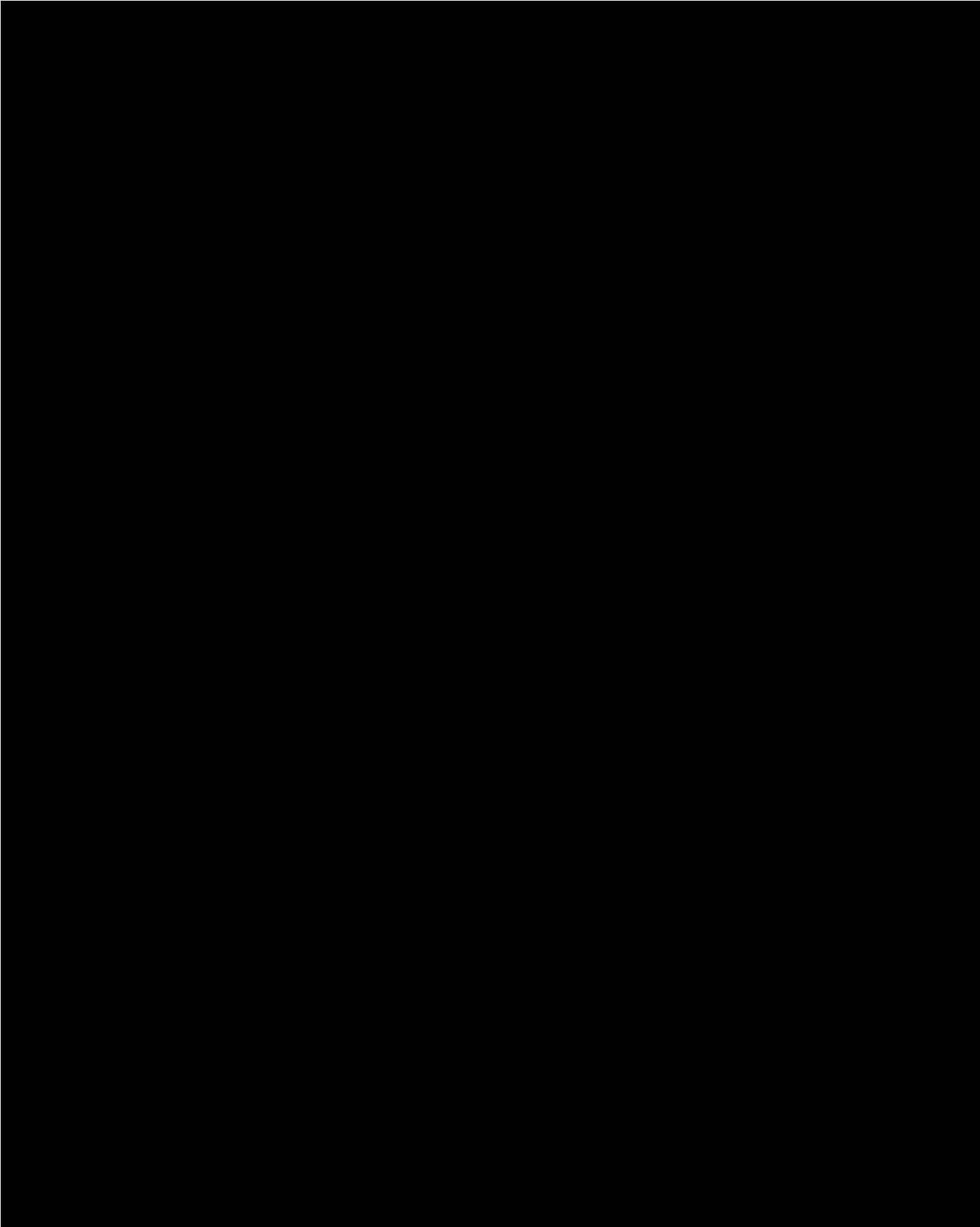
vi. [Redacted]

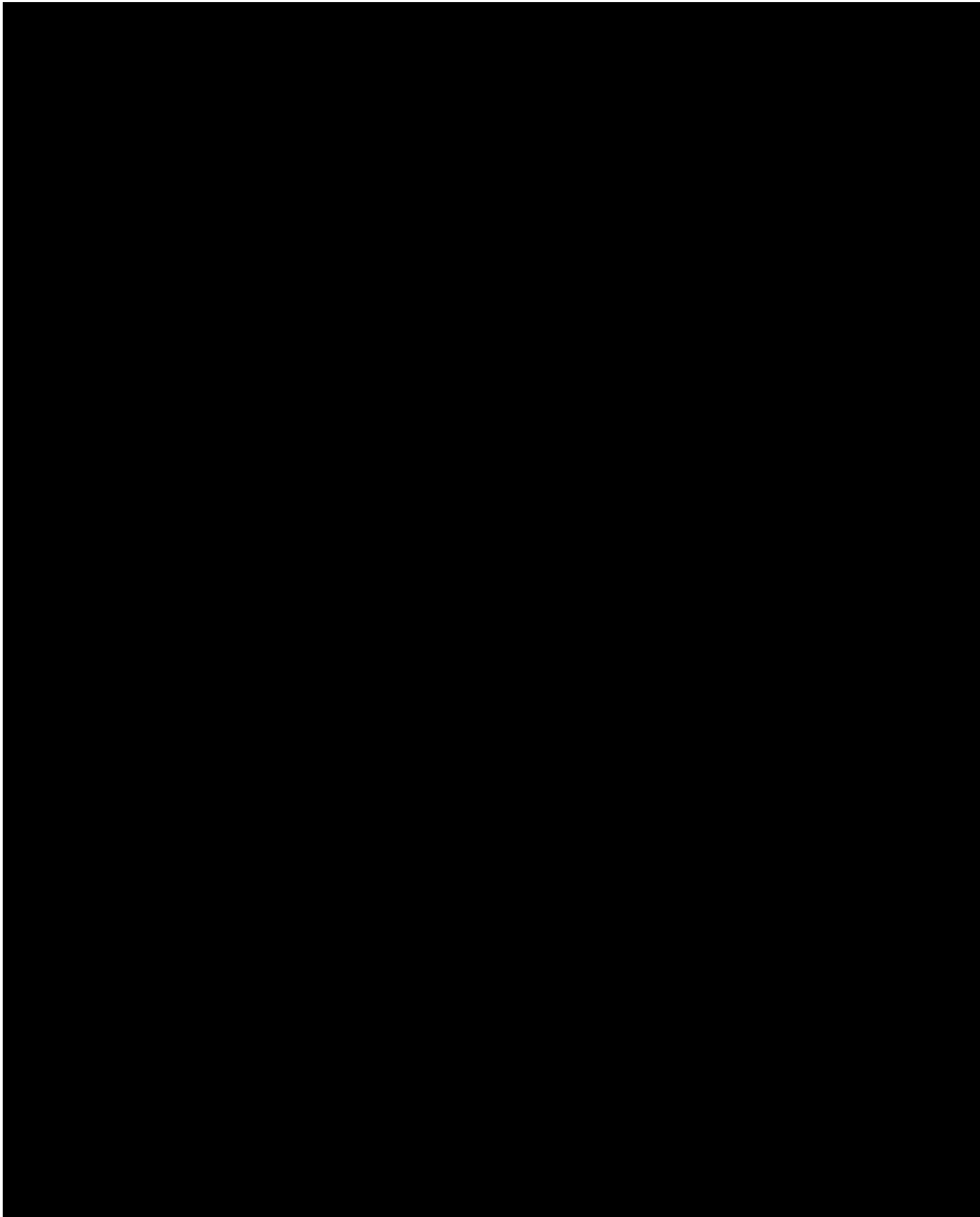
I. [Redacted]
II. [Redacted]
III. [Redacted]
IV. [Redacted]

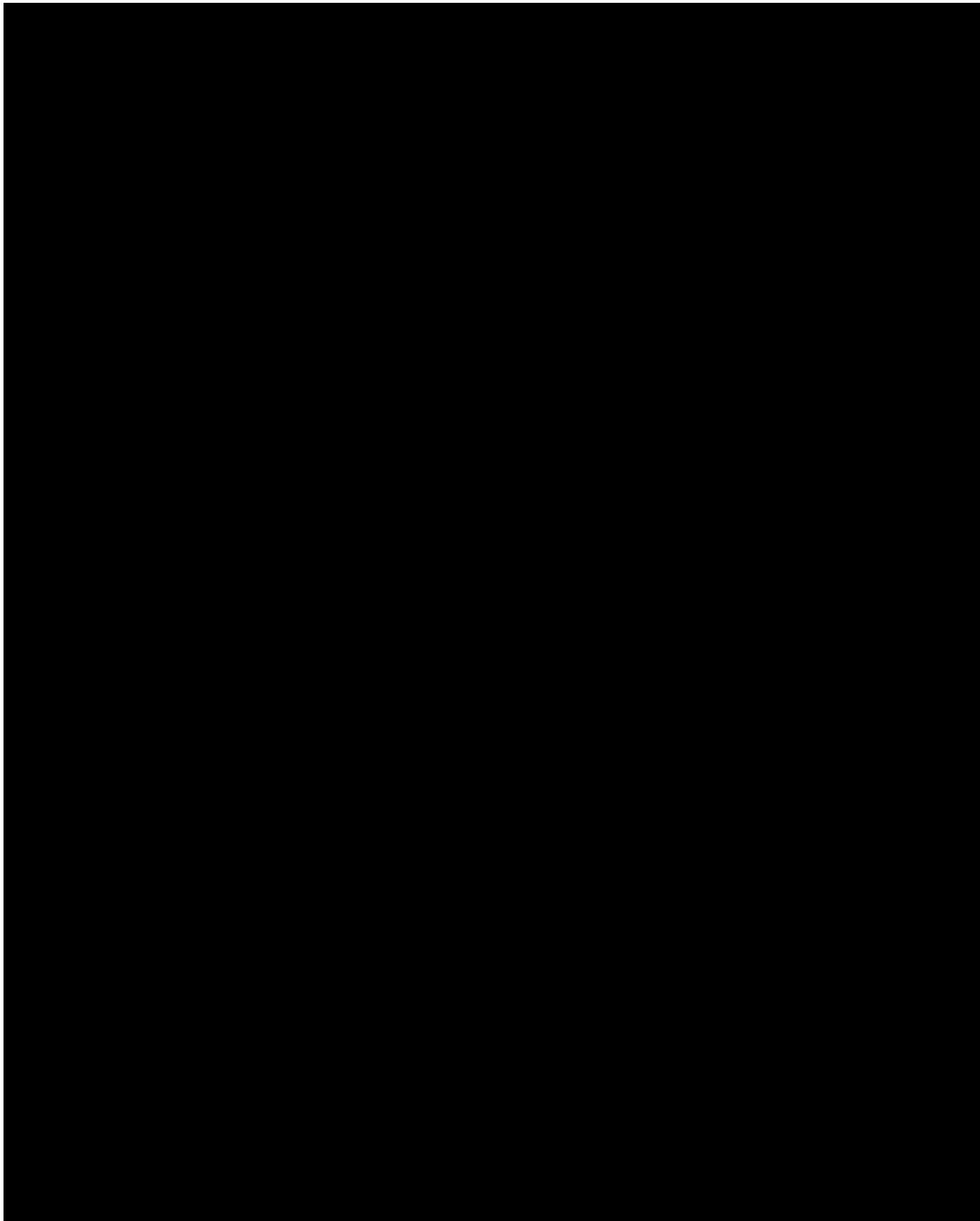
[Redacted]

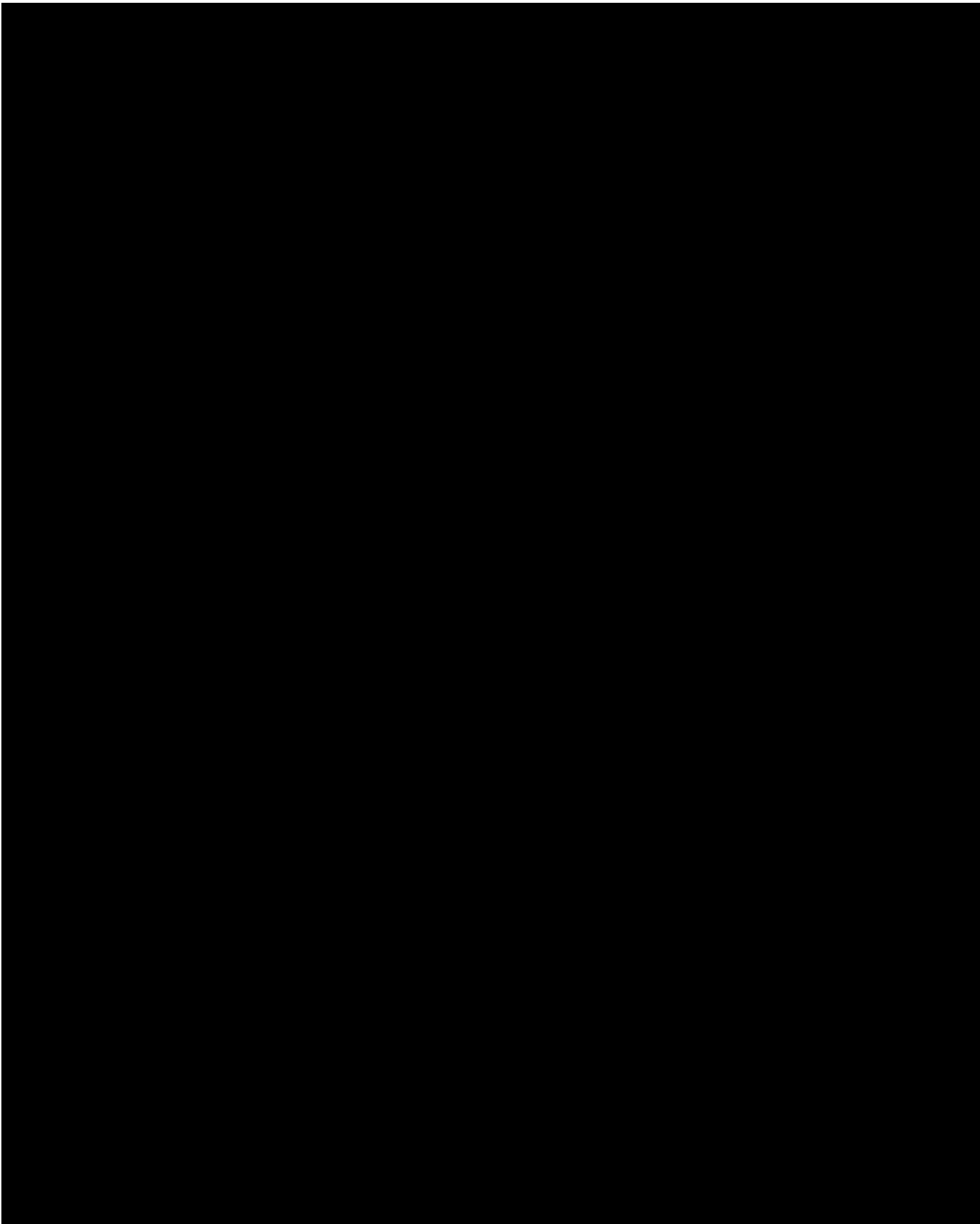


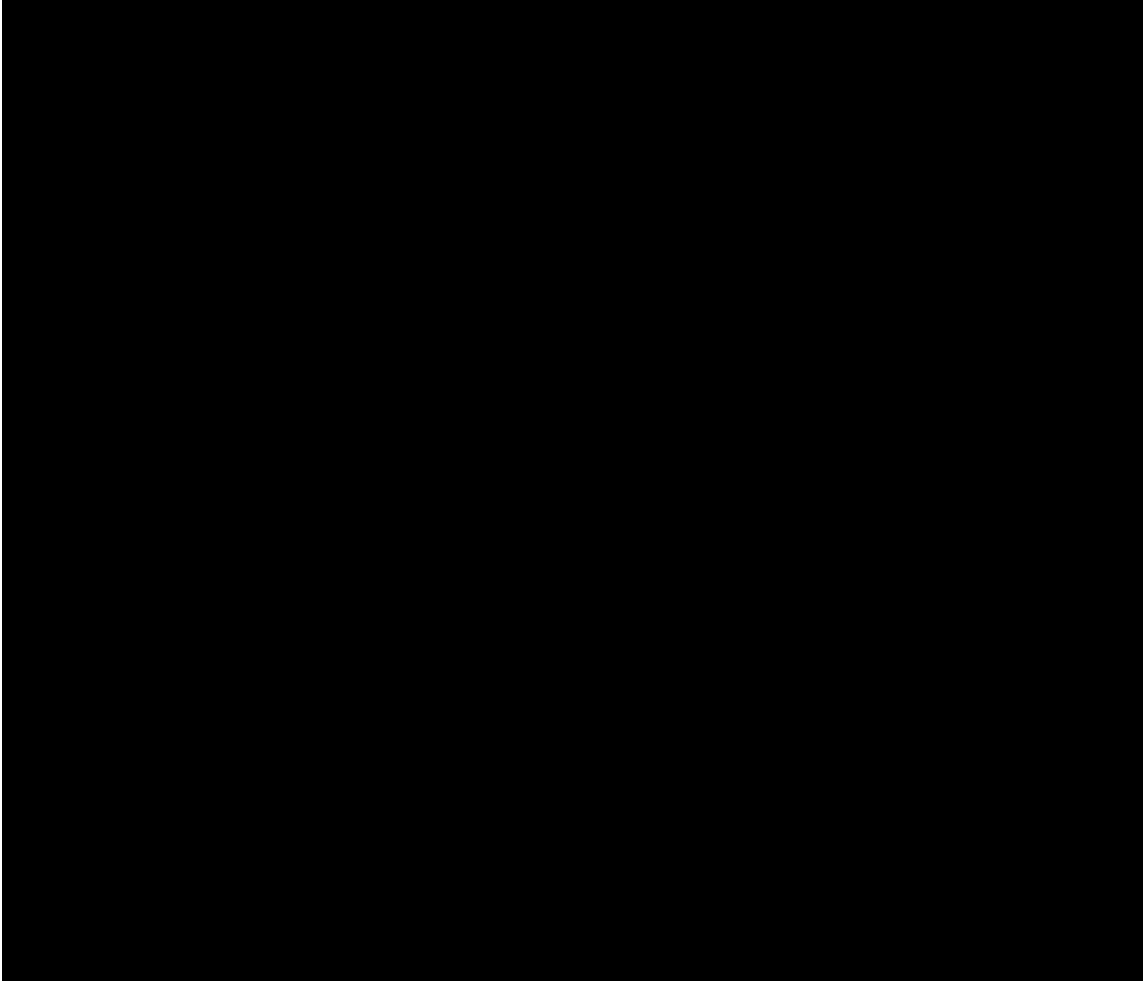
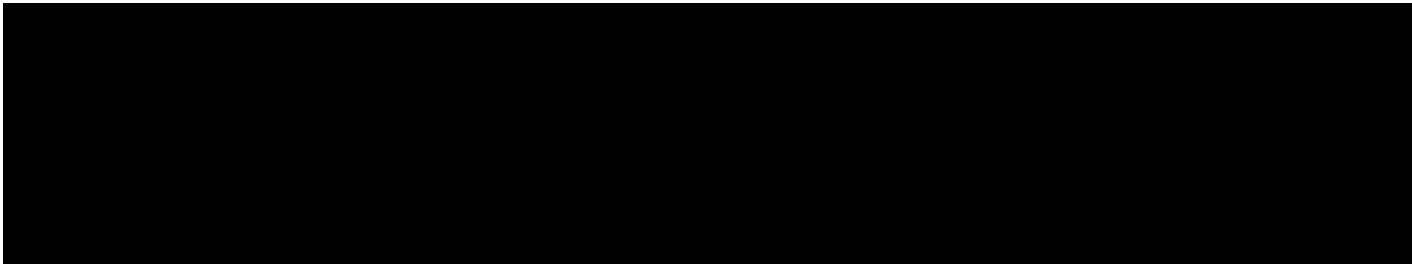








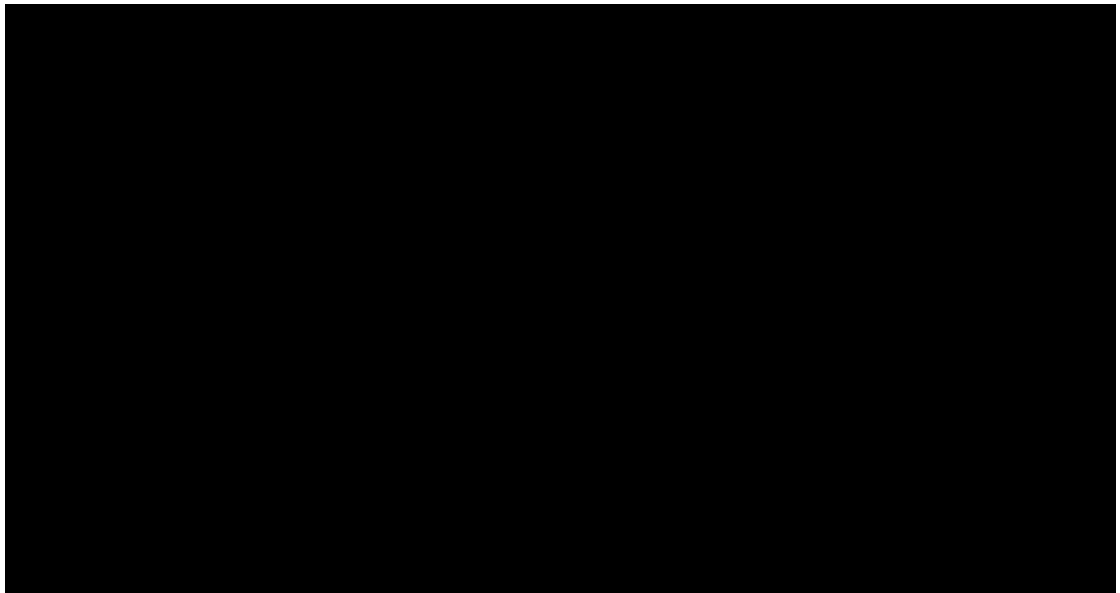




²⁷ General Packet Radio Service (GPRS) is a packet-based mobile data service on the global system for mobile communications (GSM) of 3G and 2G cellular communication systems. It is a non-voice, high-speed and useful packet-switching technology intended for GSM networks.

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>

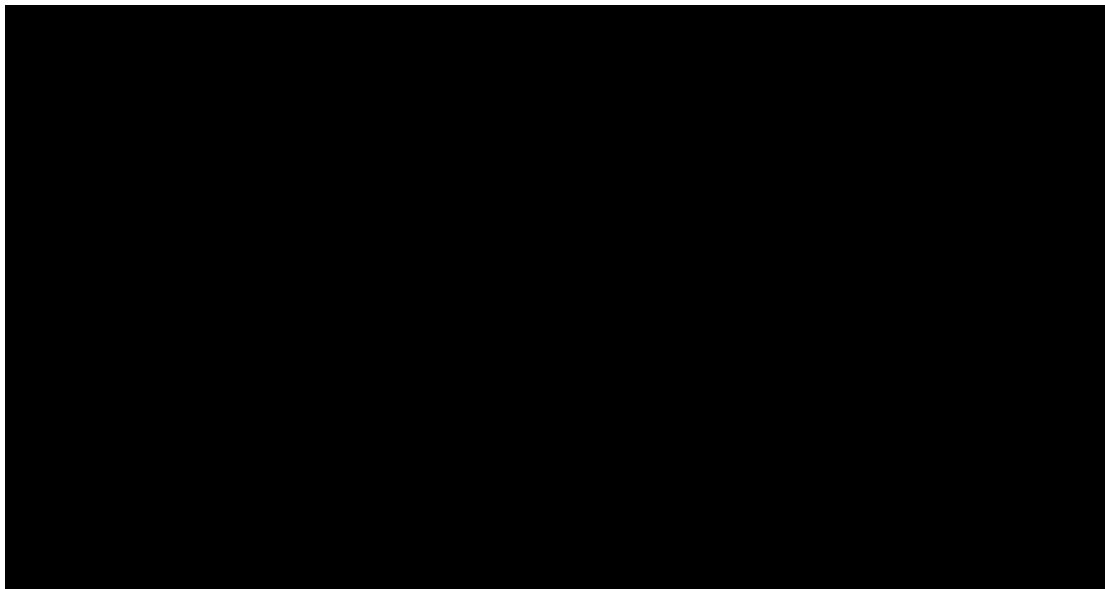


However, on September 18th, 2018 I was in contact with DC DININO of the Toronto Police Service, Homicide Unit, who advised that he was in contact with Rogers Communications Canada Incorporated who advised him, in an email, of the following, in regards to GPRS data and cellular tower locations:

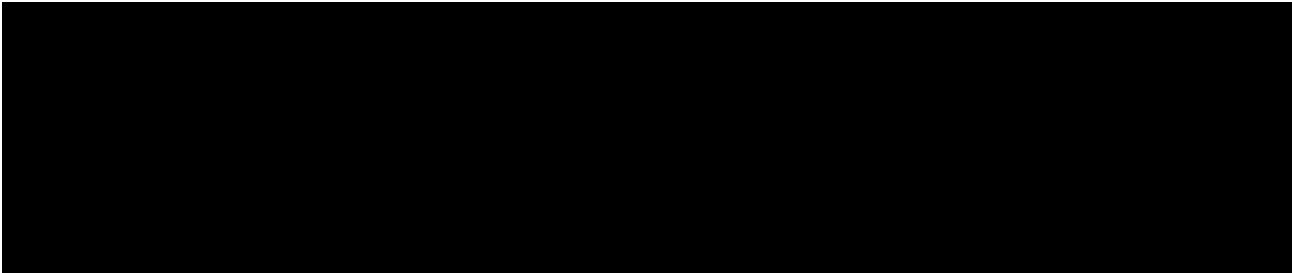
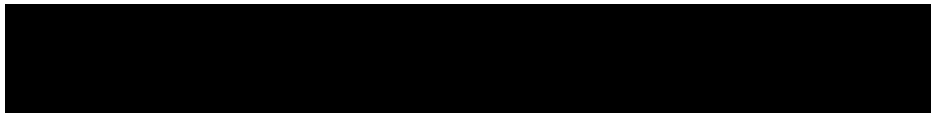
“The packet data protocol is present both on the *serving GPRS support node* (SGSN) and the *gateway GPRS support node* (GGSN) which contains the subscriber's session information when the subscriber has an active data session. When a mobile wants to use GPRS, it must first attach and then *activate a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

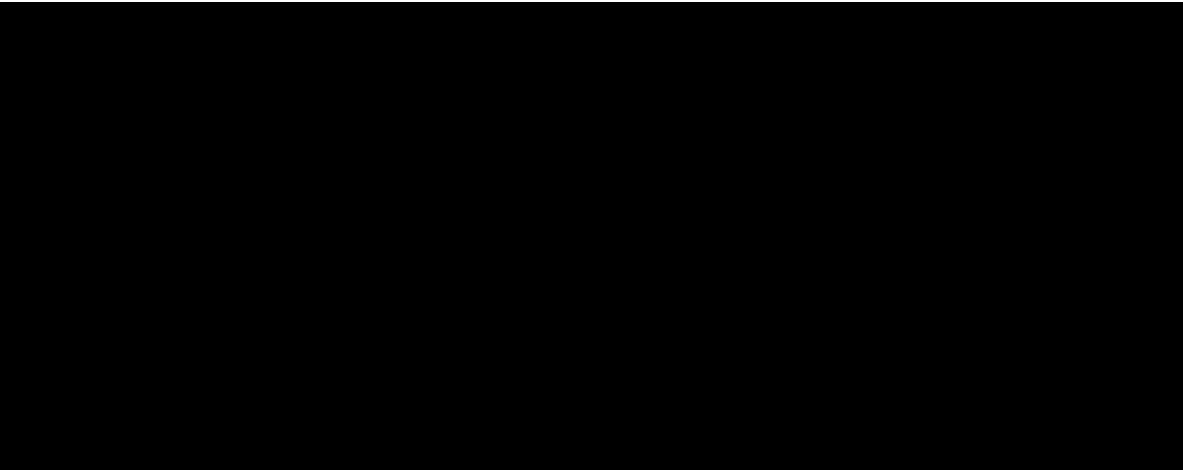
In essence GPRS locations, from the phone records, may not be reflective of the location of the cellular device user unless the location is from the initial access point. This only pertains to the GPRS records and not phone call or text messages.



I. [Redacted]



II. [Redacted]



[Redacted]

III. [Redacted]

[Redacted]

[Redacted]

IV. [Redacted]

[Redacted]

[Redacted]

[Redacted]

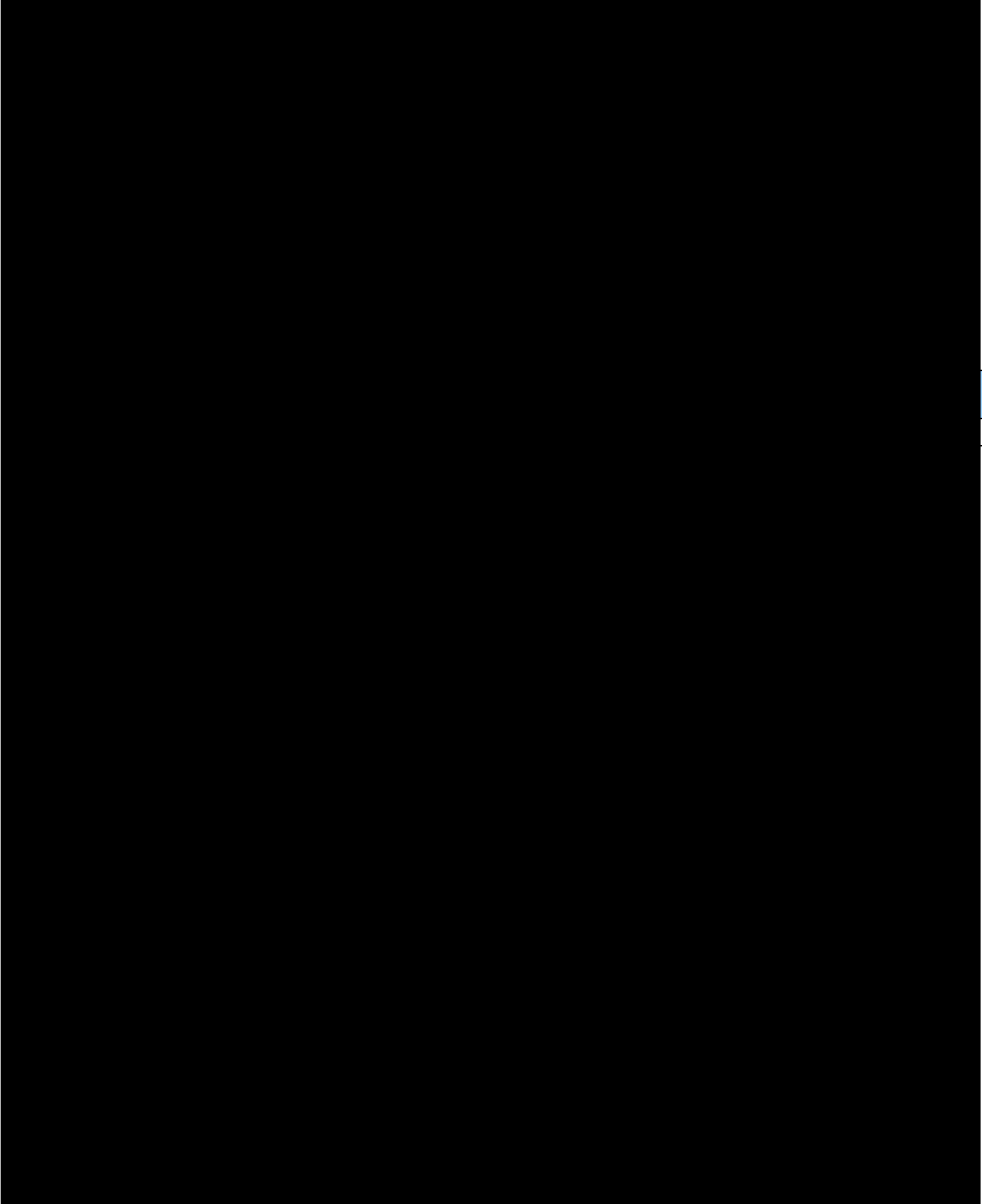
V. [Redacted]

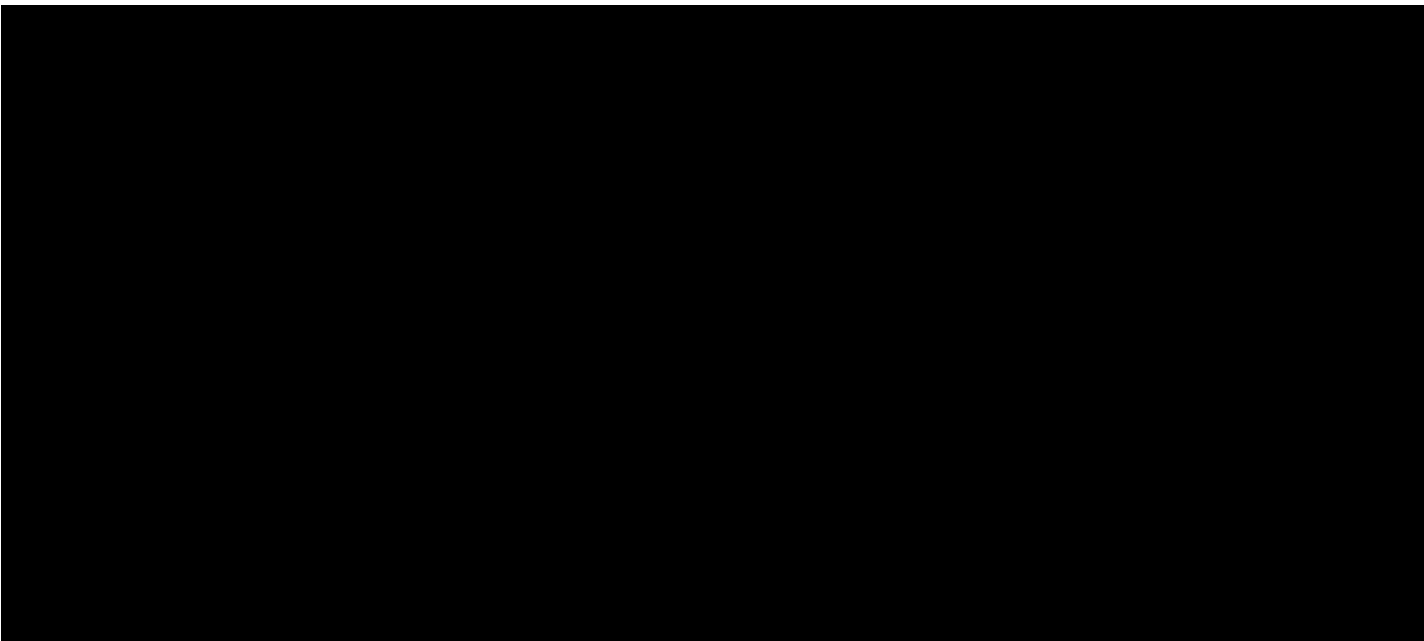
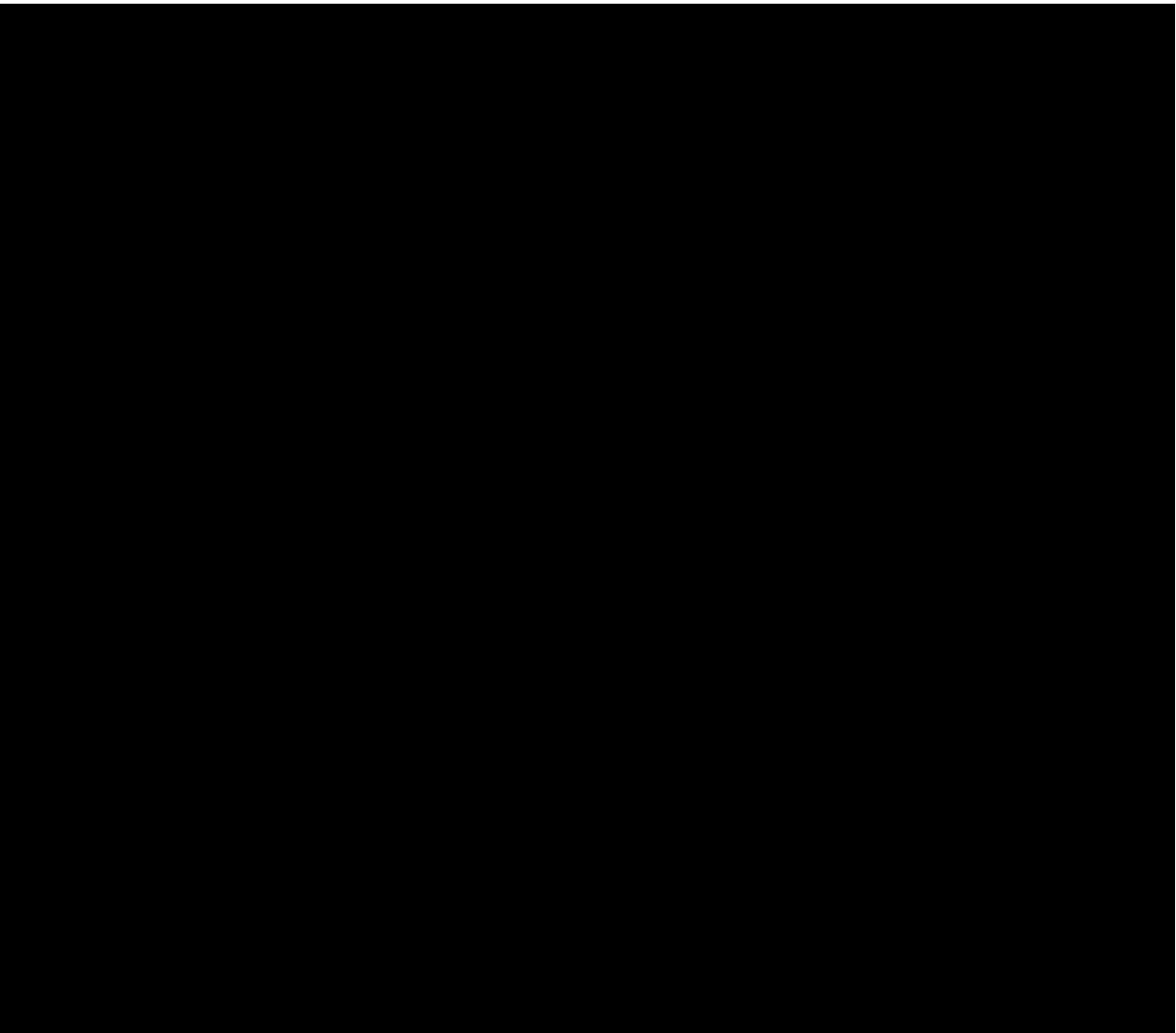
[Redacted]

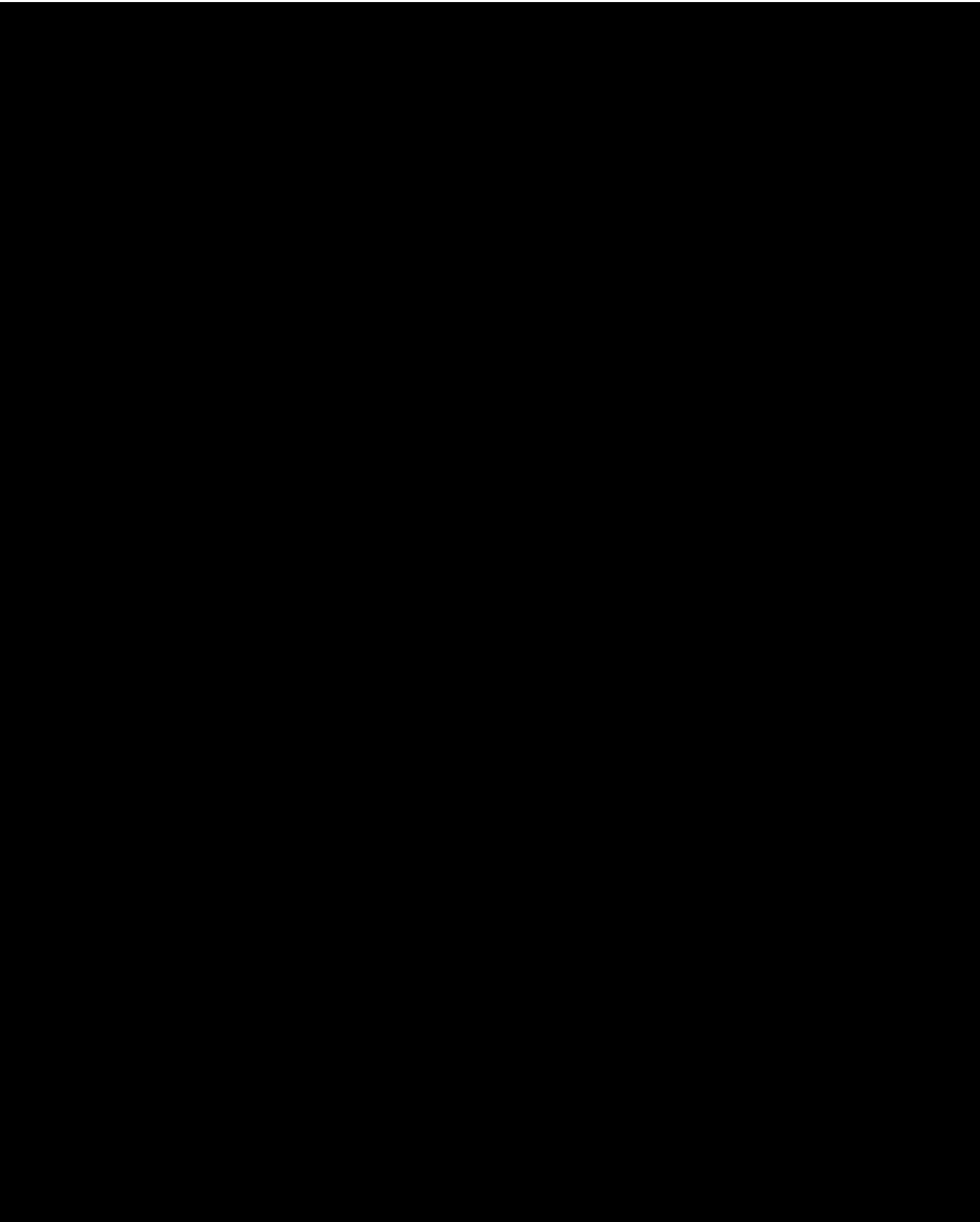
[Redacted]

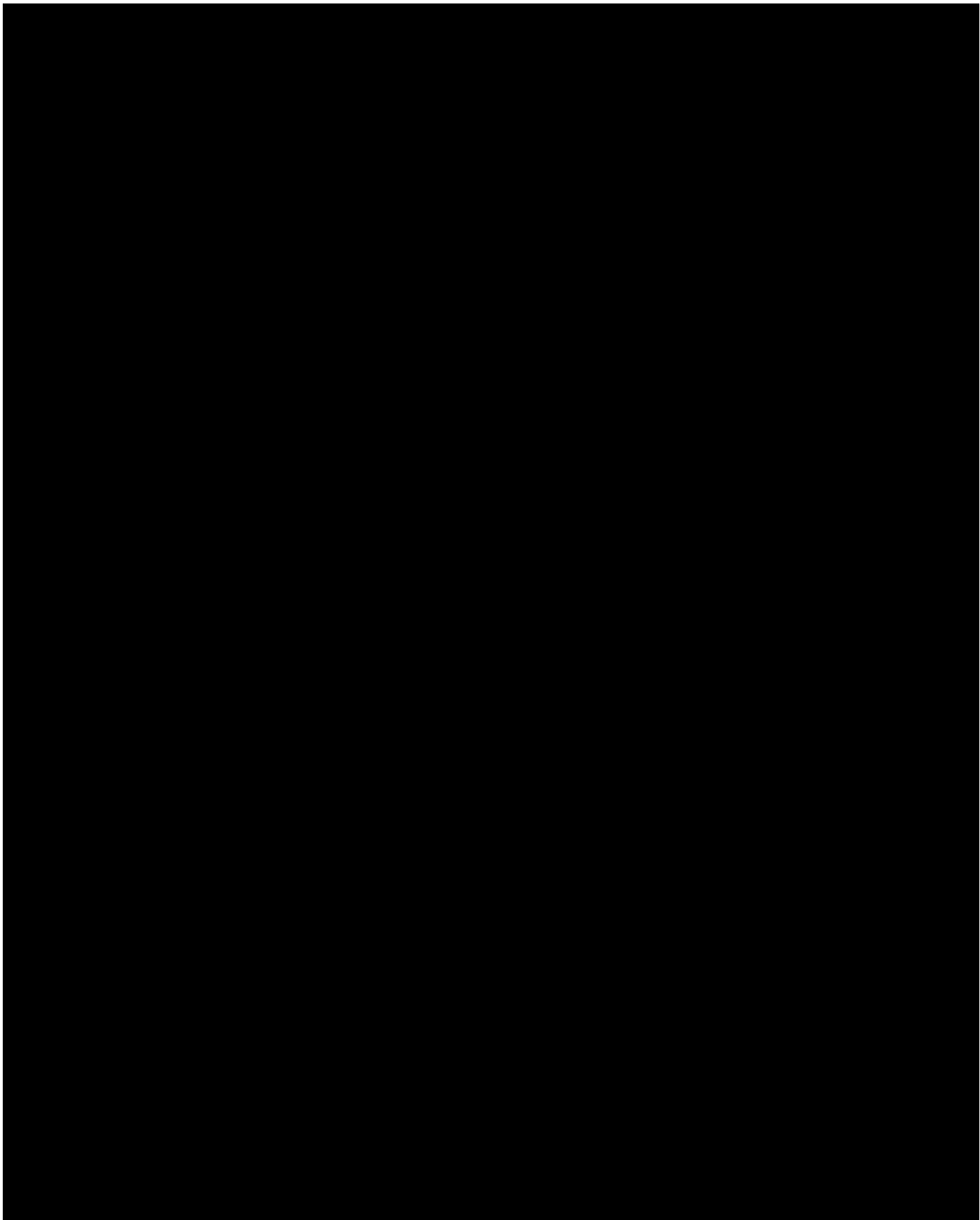
VI. [Redacted]

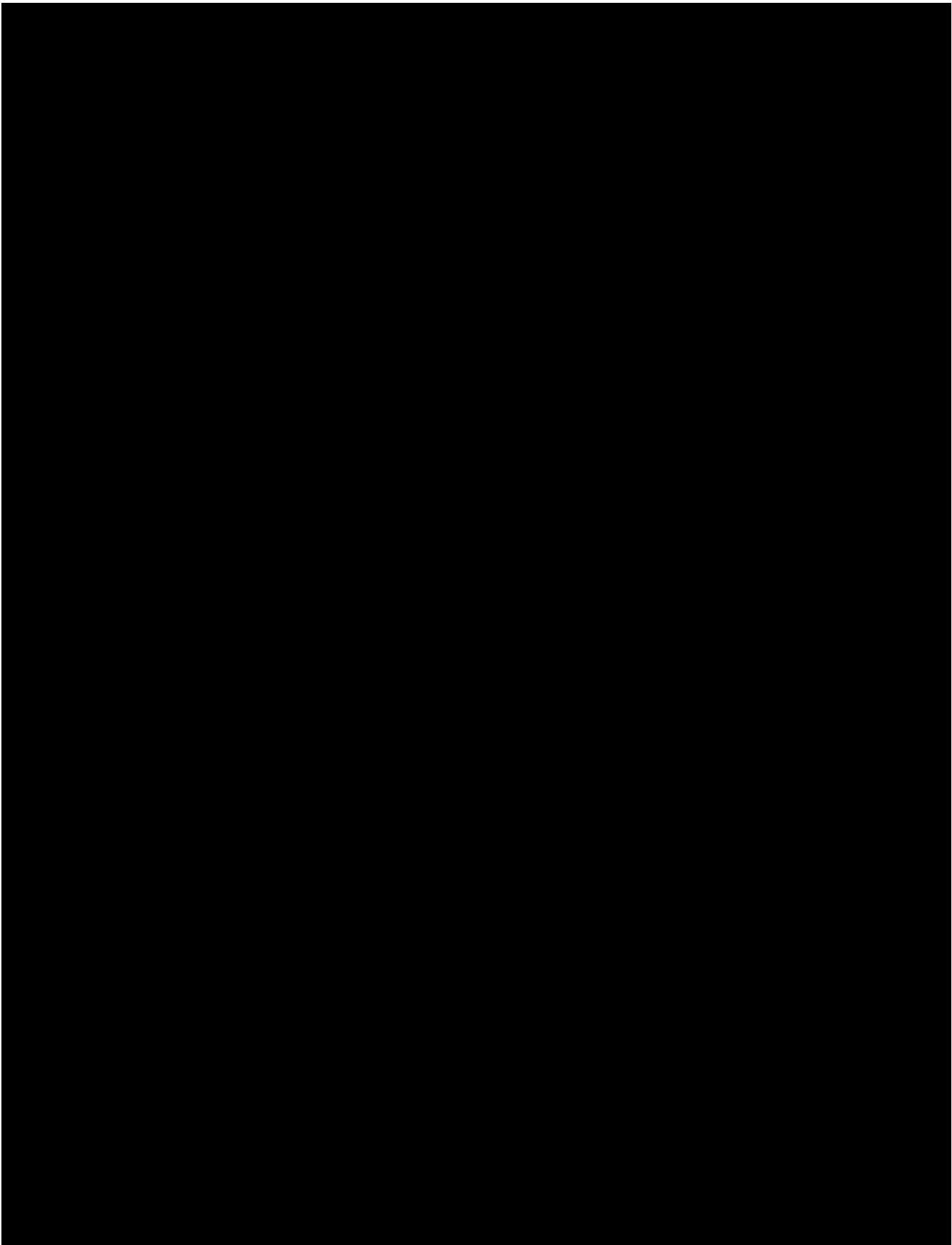
[Redacted]

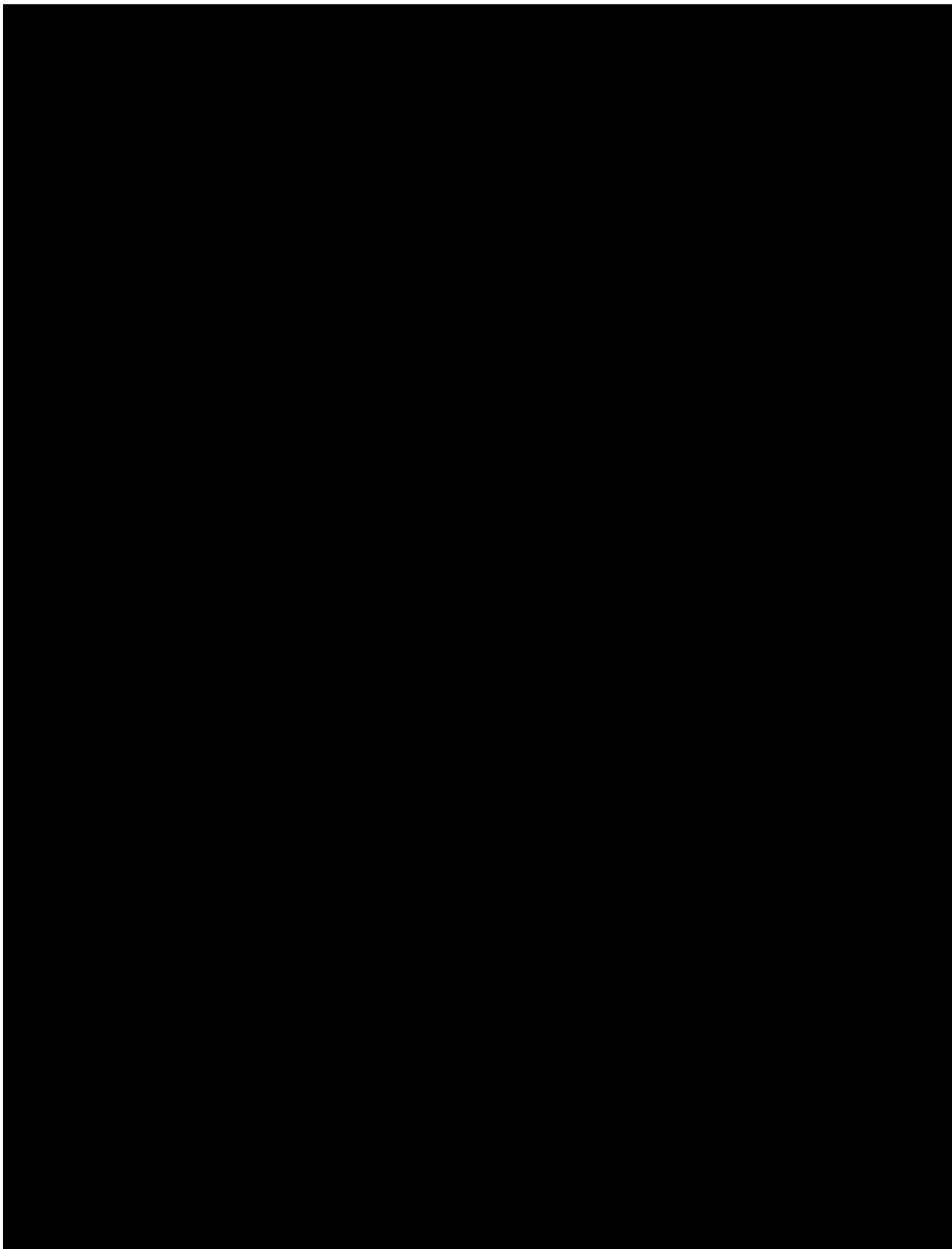


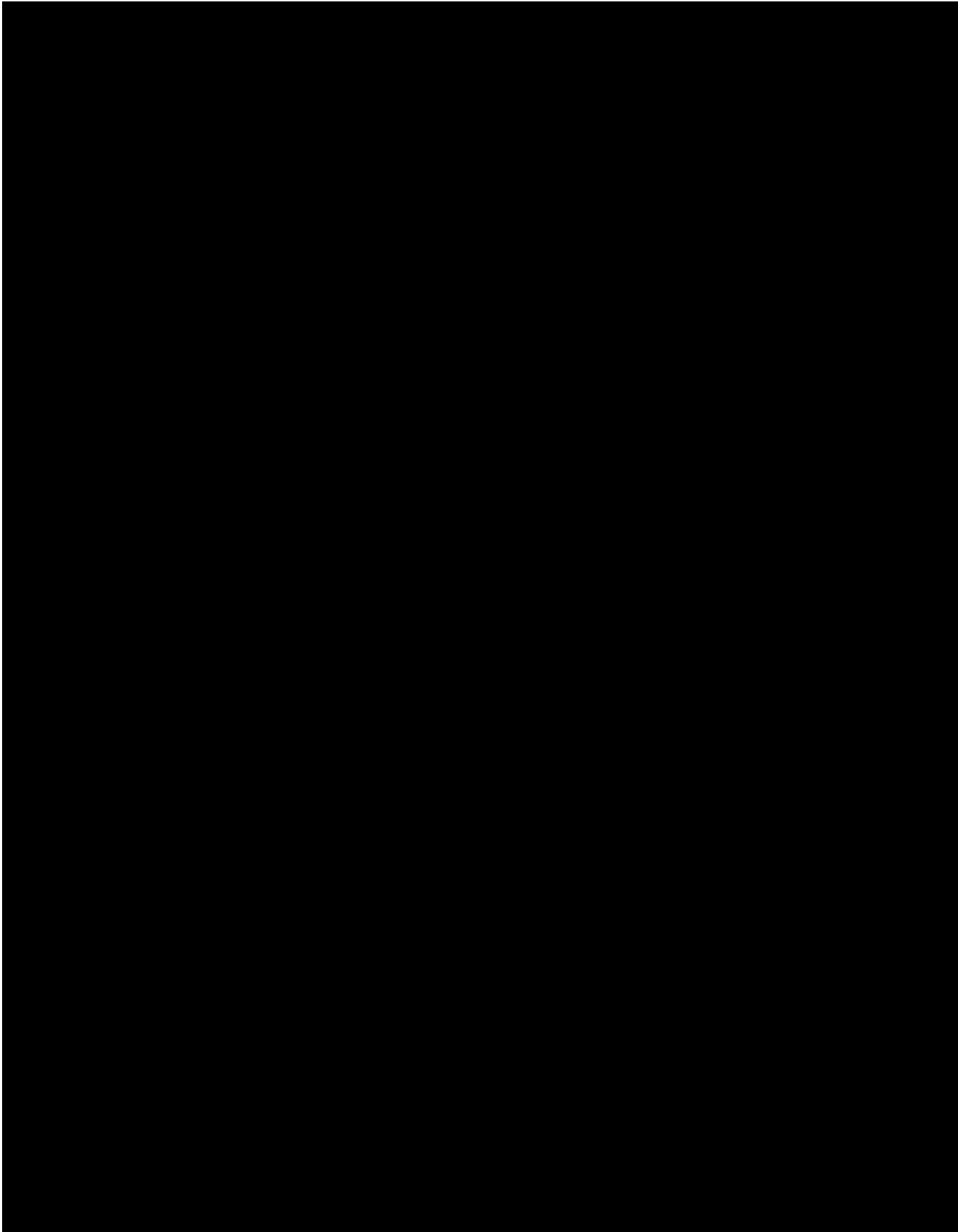


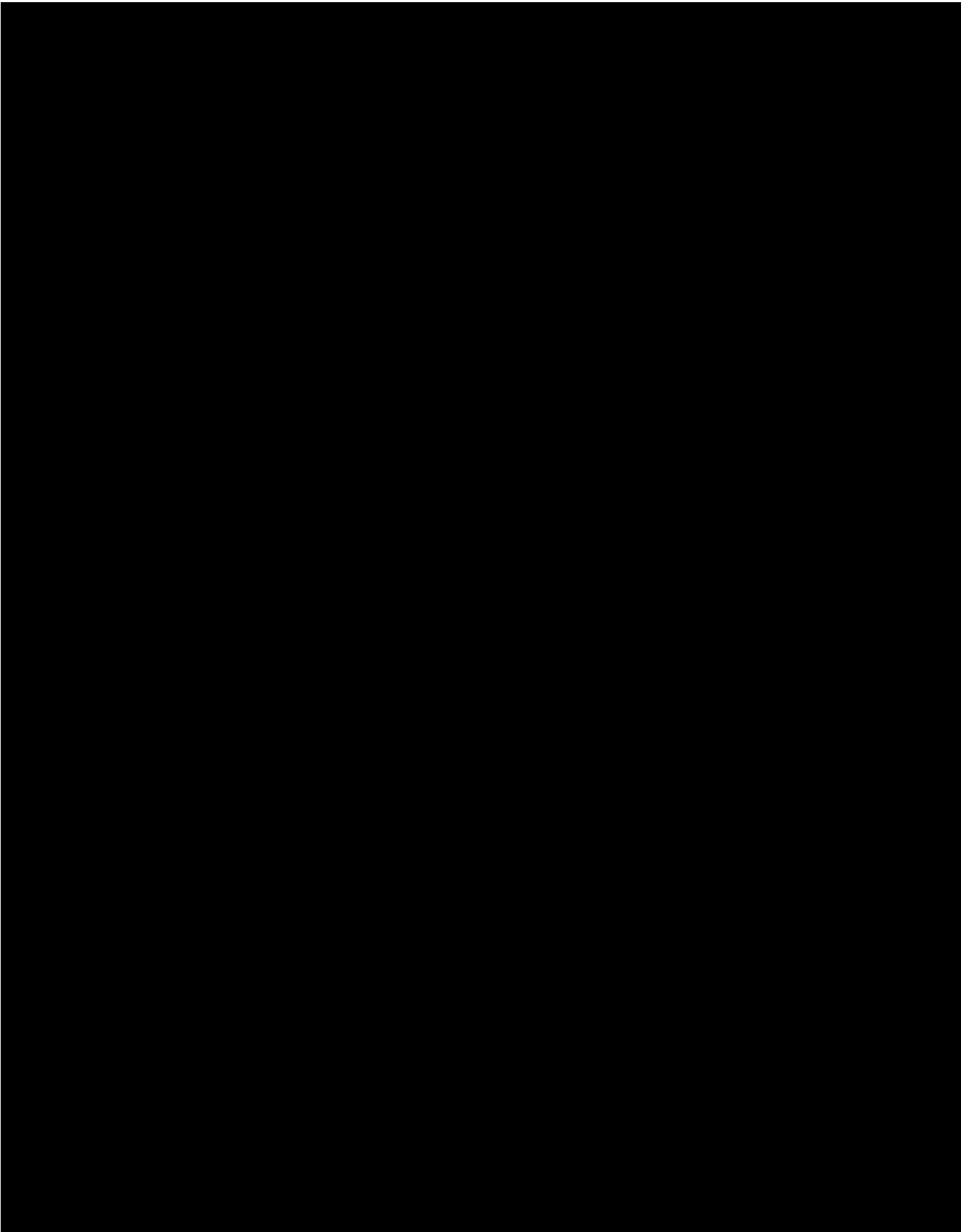


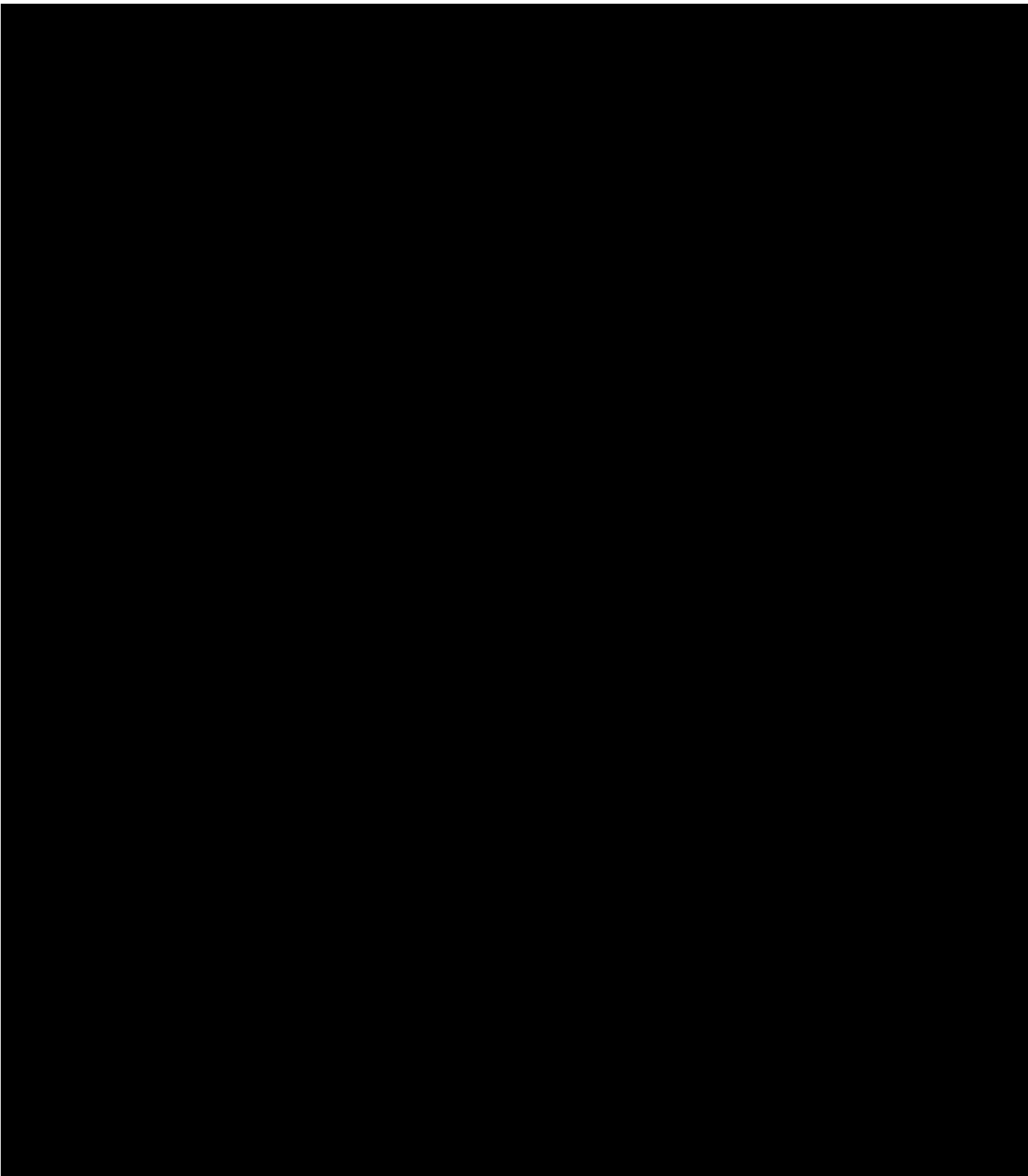






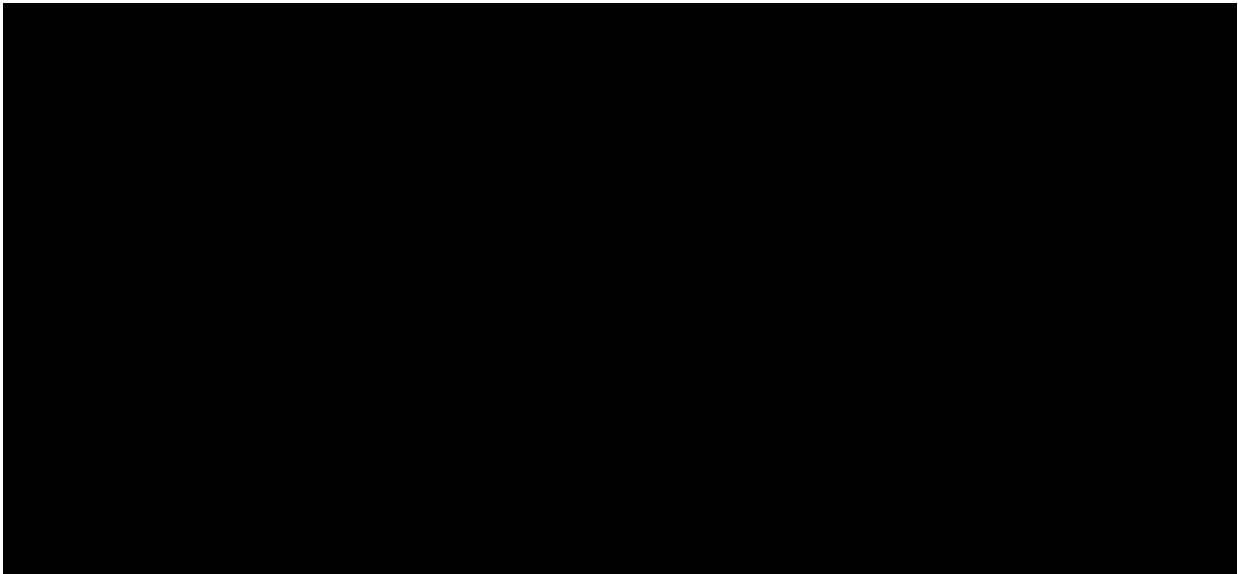






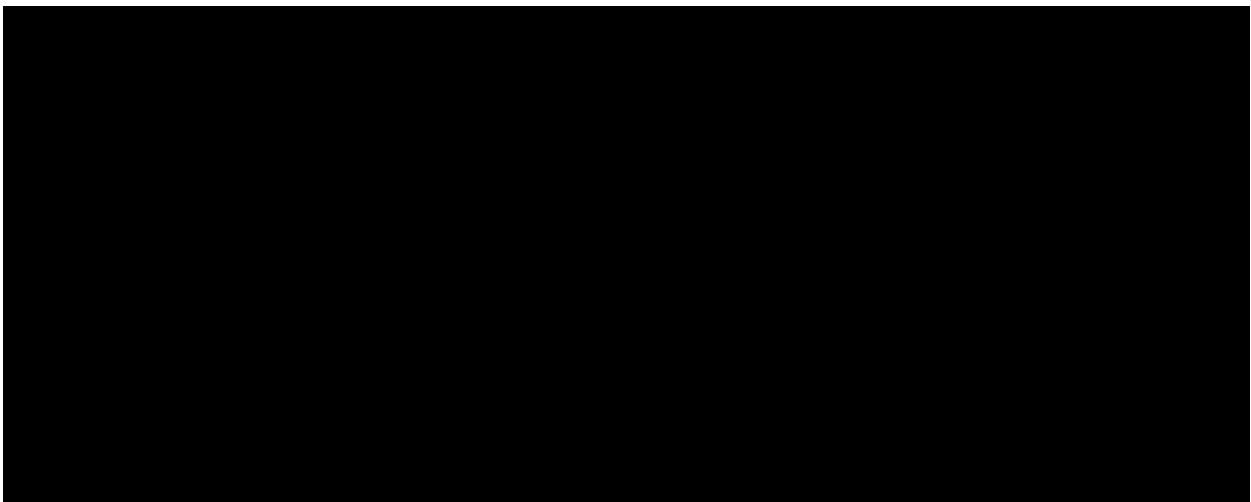
(q) Tracking and transmission data for [REDACTED]
[REDACTED]

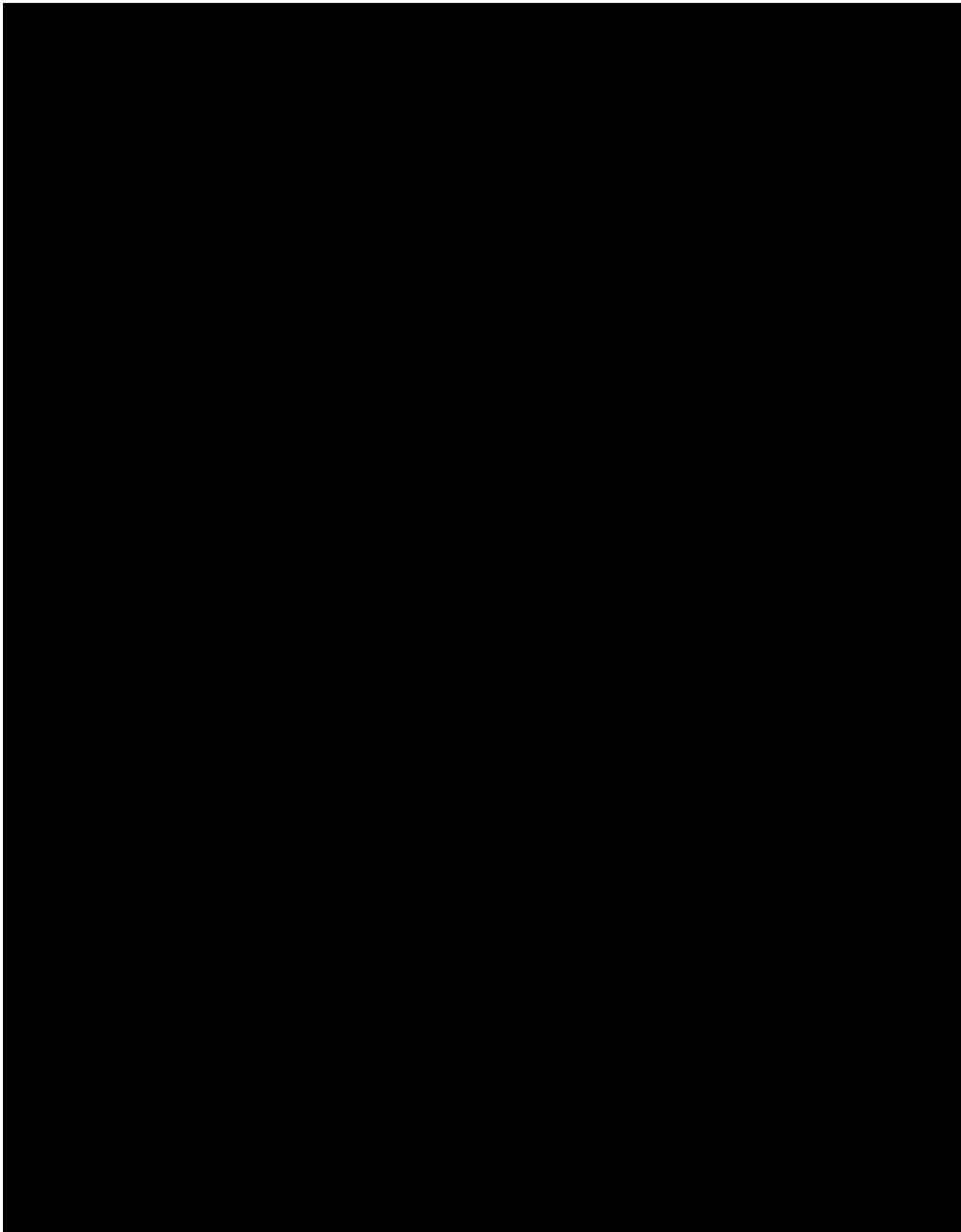
The production orders were granted on September 23rd, 2018 and were submitted to the associated entities for execution.

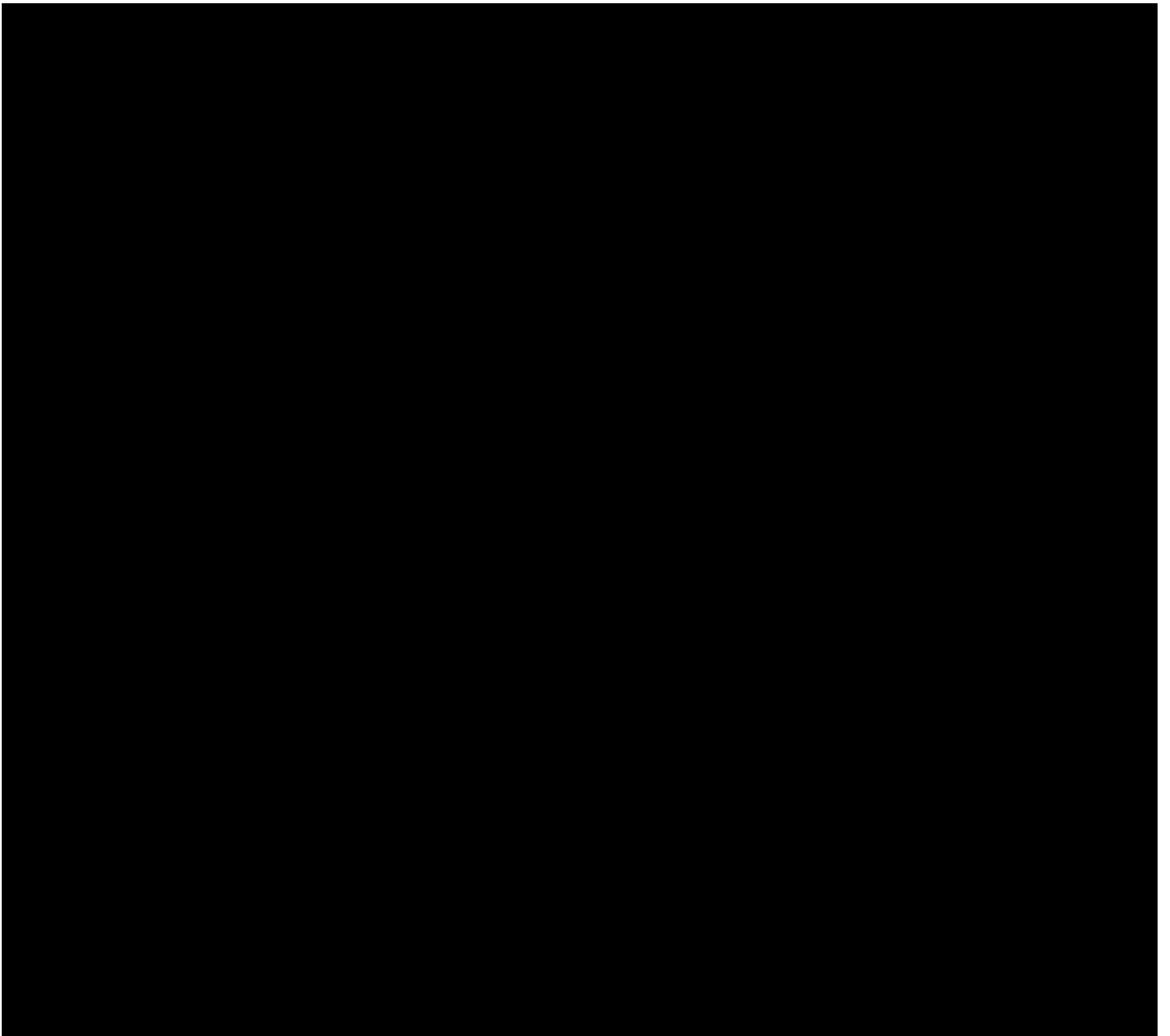


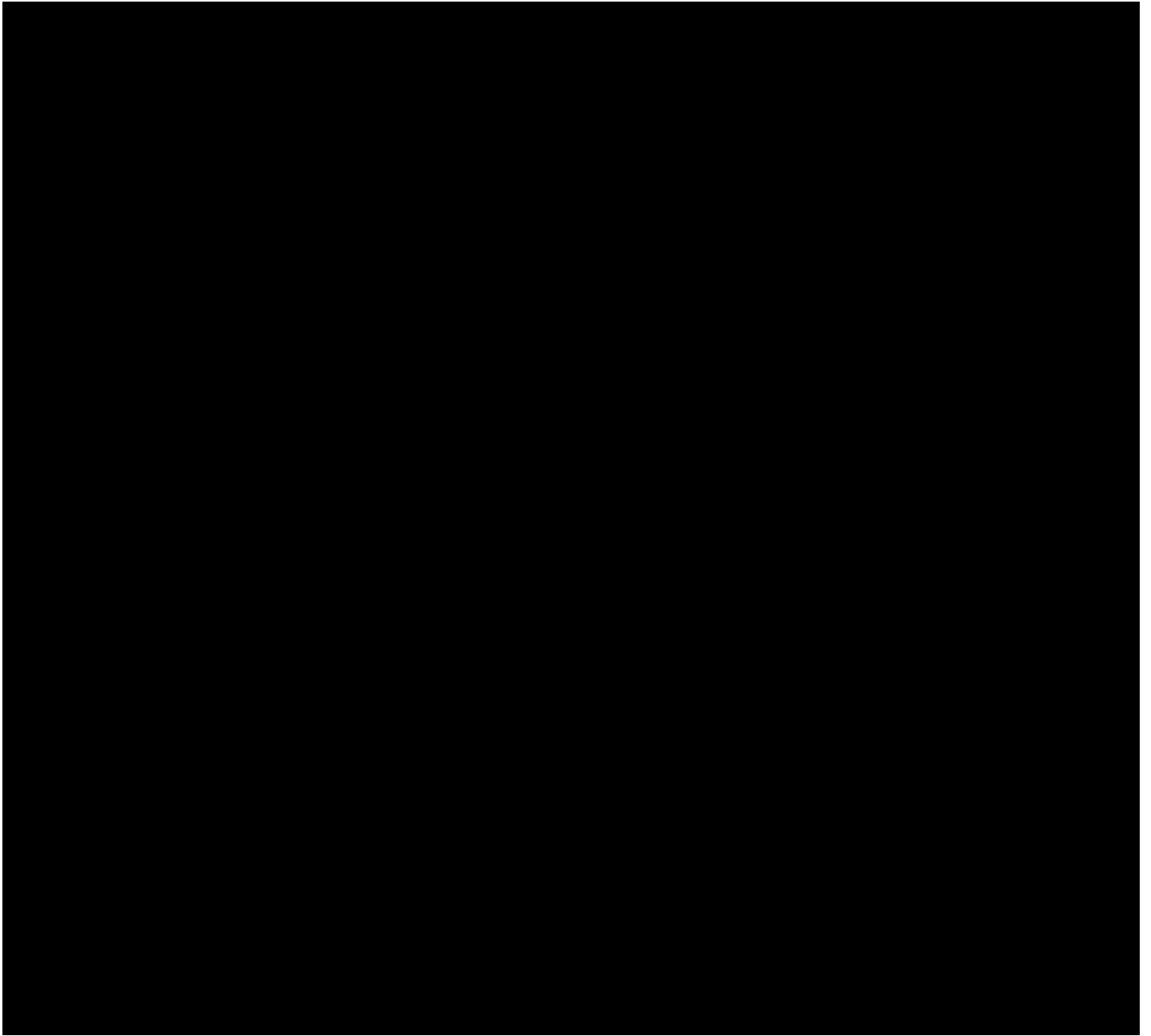
During the course of the review I noticed that none of the results, from Rogers Communications Canada Incorporated, contained any data usage. On October 22nd, 2018 I inquired with Rogers to confirm if the production orders results were missing data usage results. An employee from Rogers Communications Canada Incorporated advised that she would look into the matter and would provide the results if and when they are available.

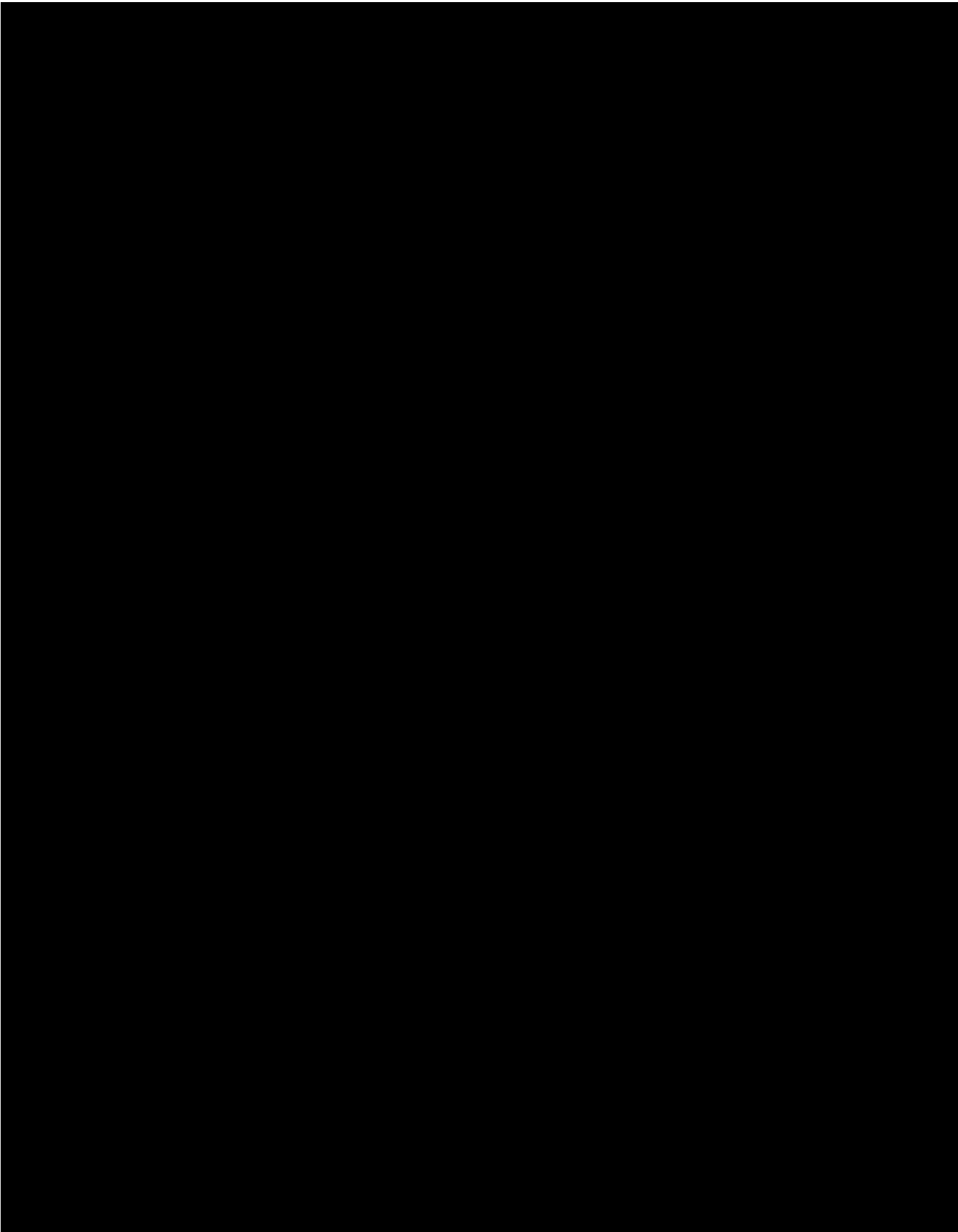
The production order results are listed below and have been compiled with all the available data from Freedom Mobile Incorporated, Bell Canada and Rogers Communications Canada Incorporated.



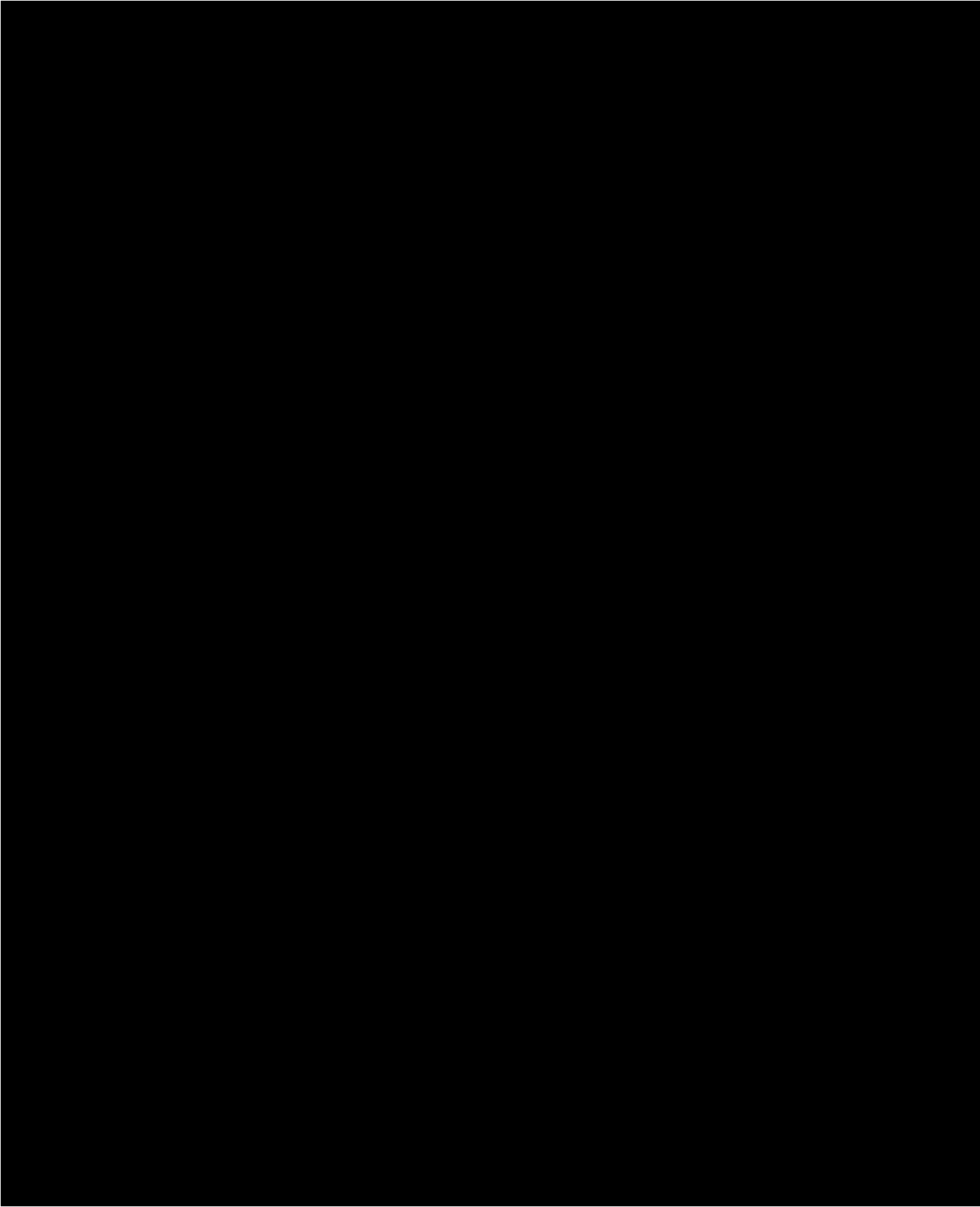


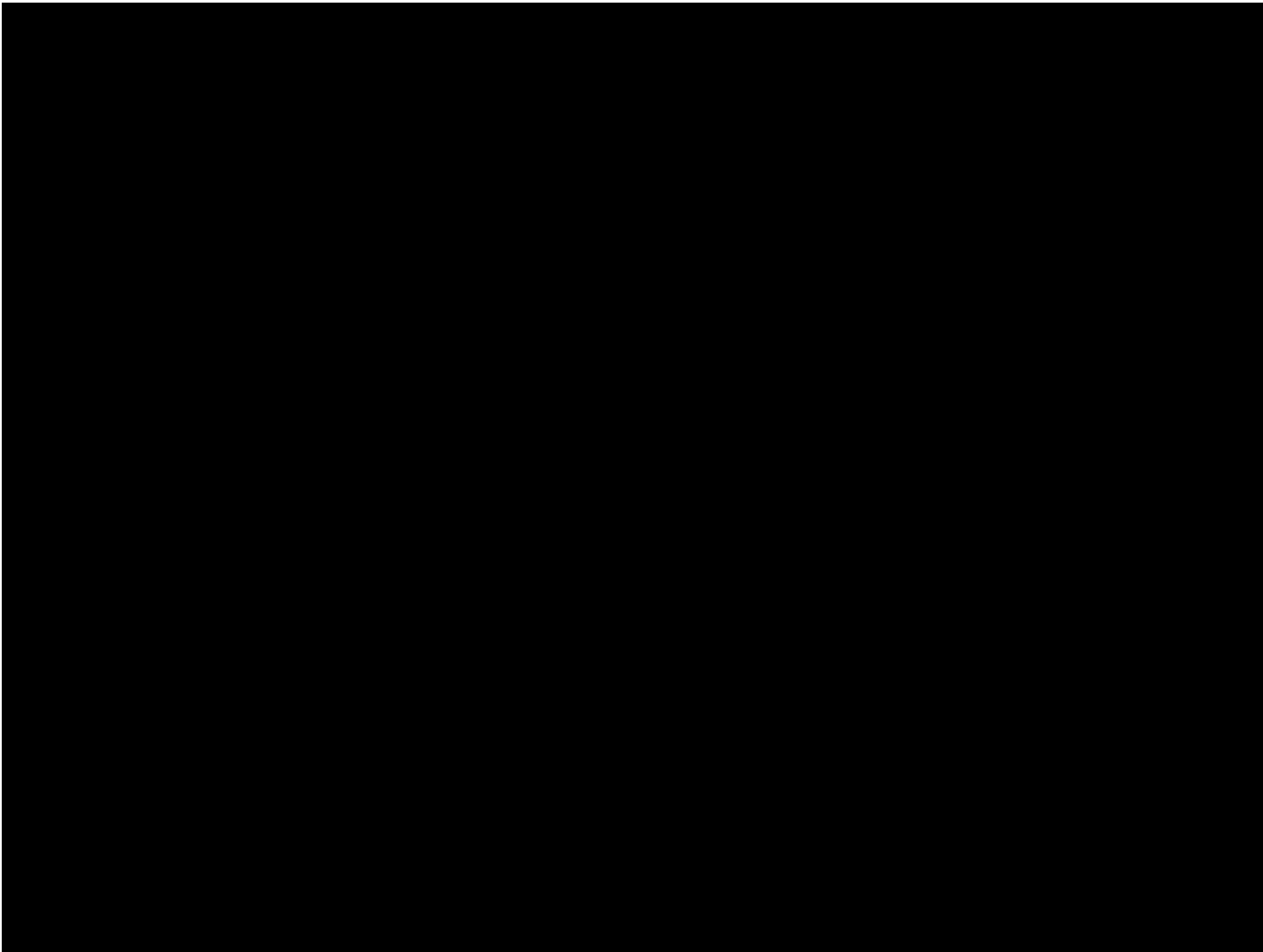






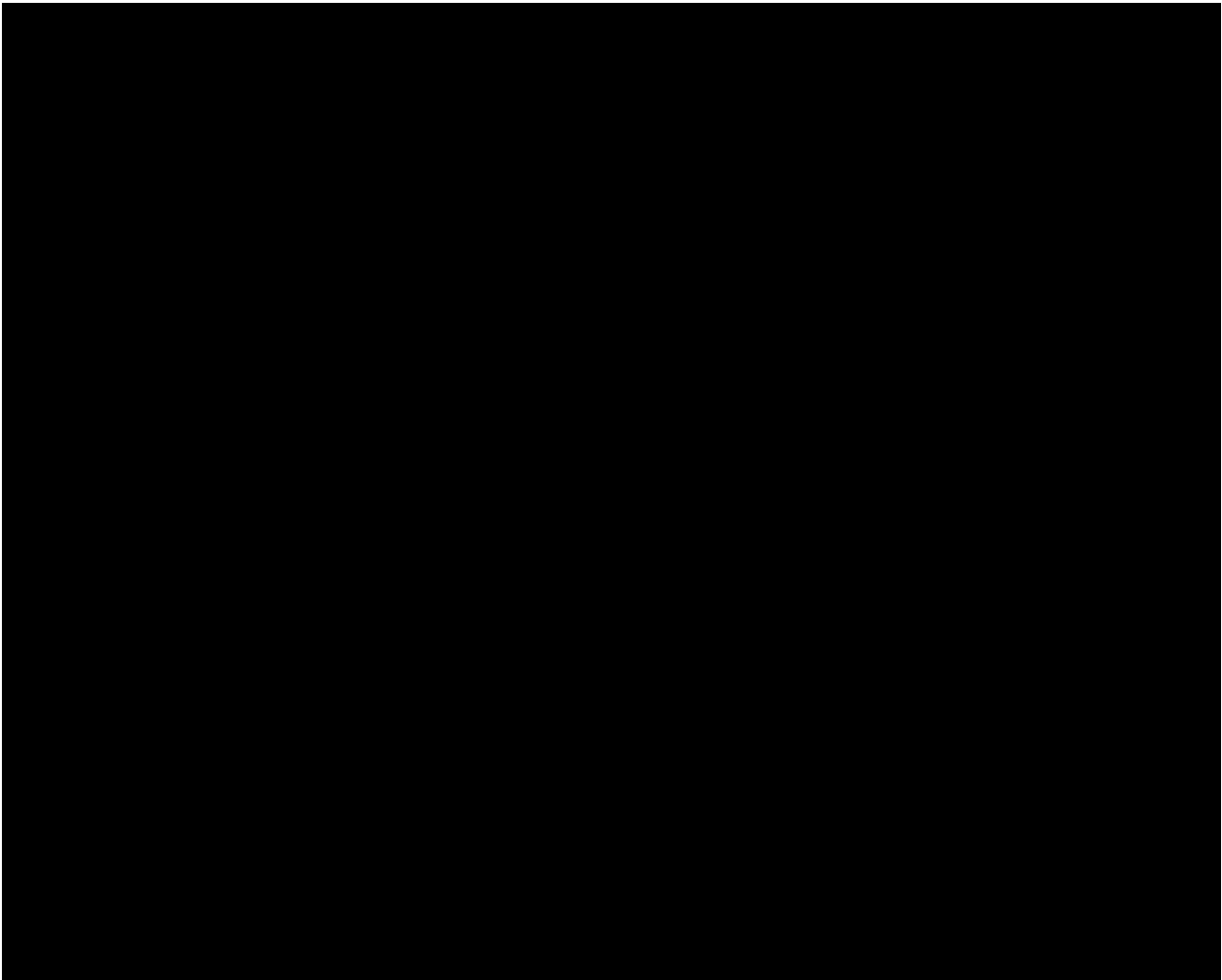
N
N
N

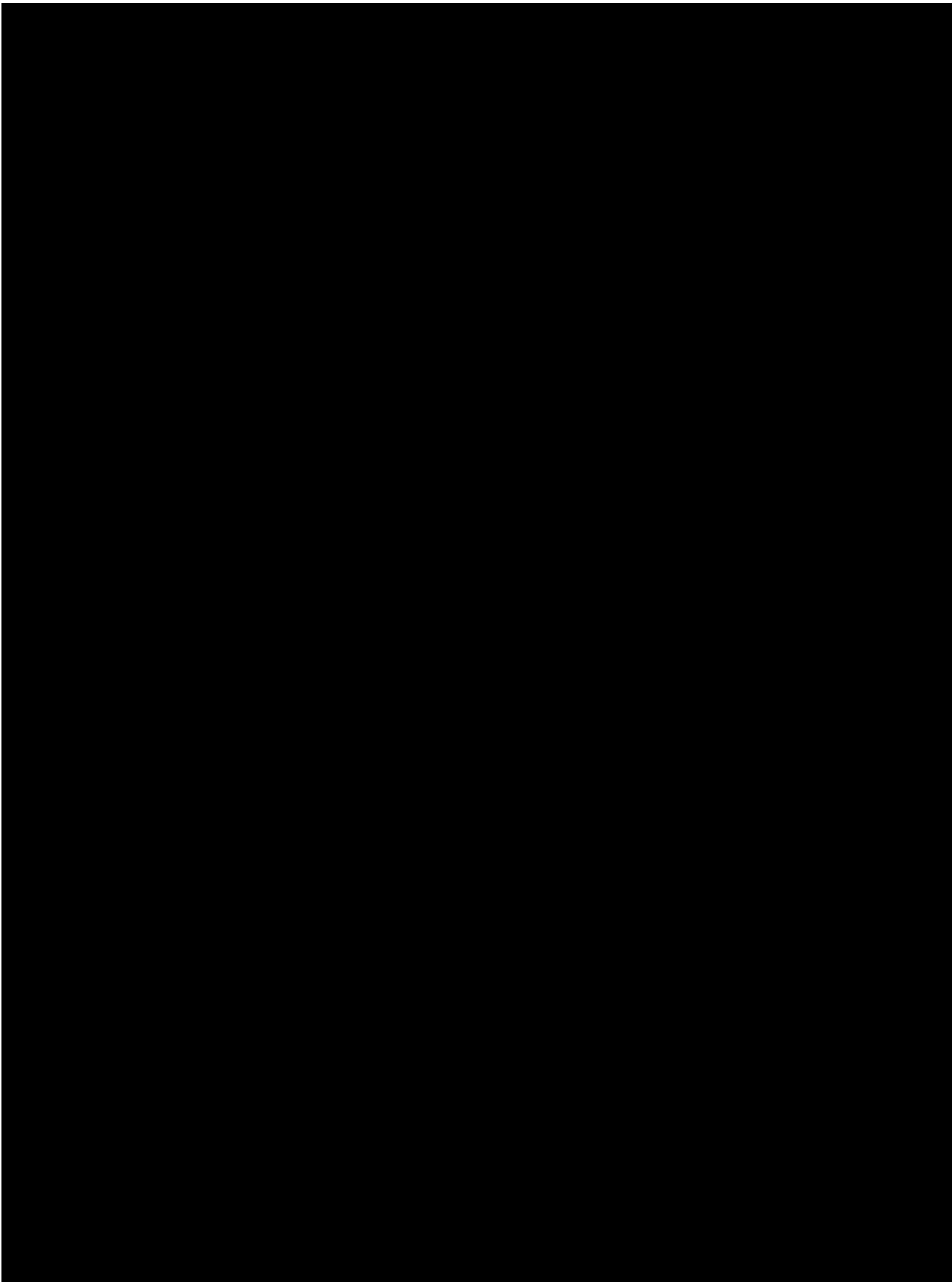


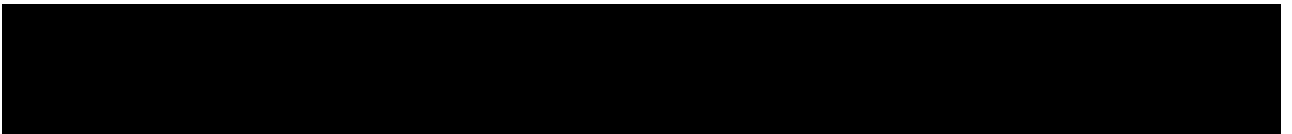
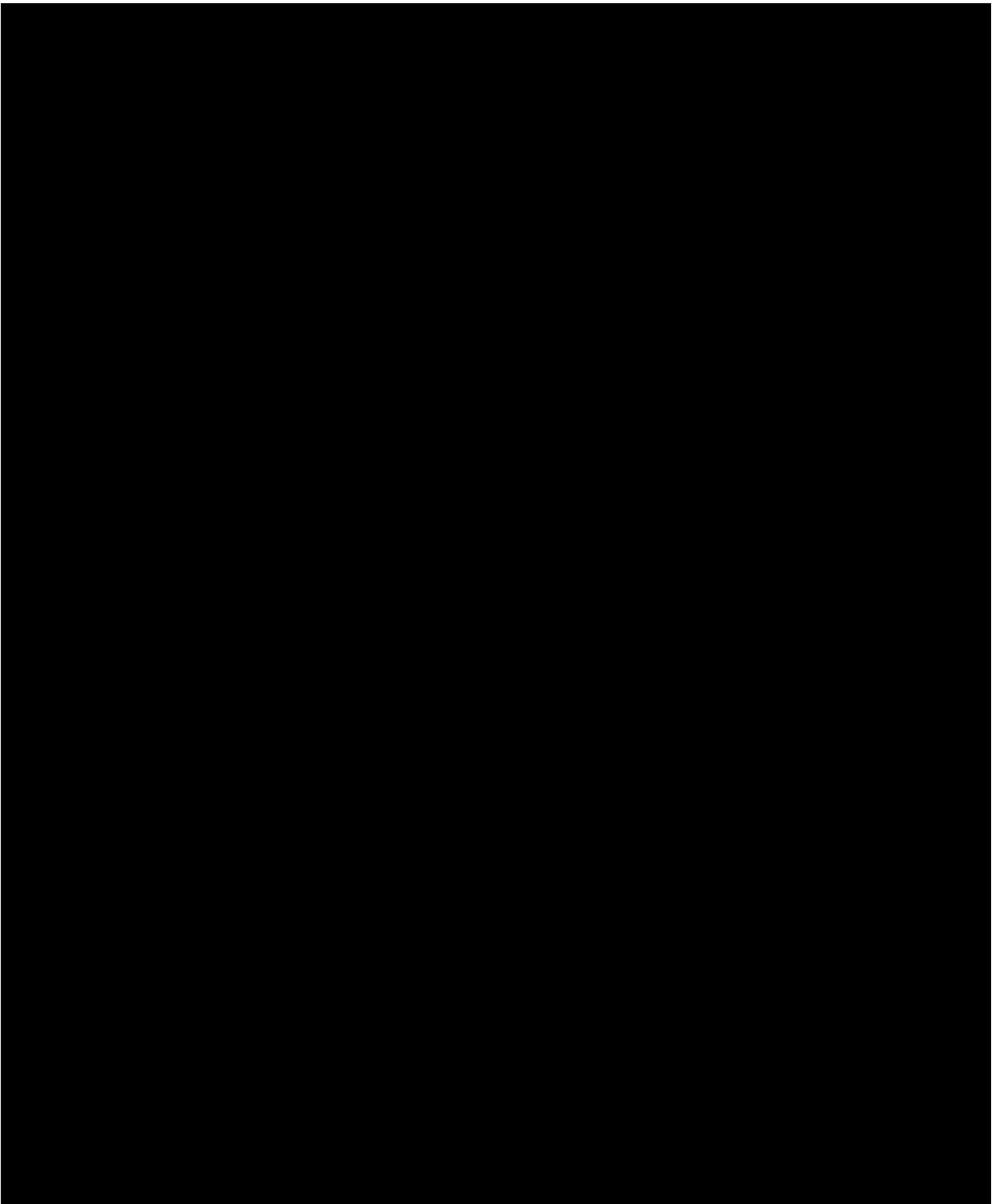


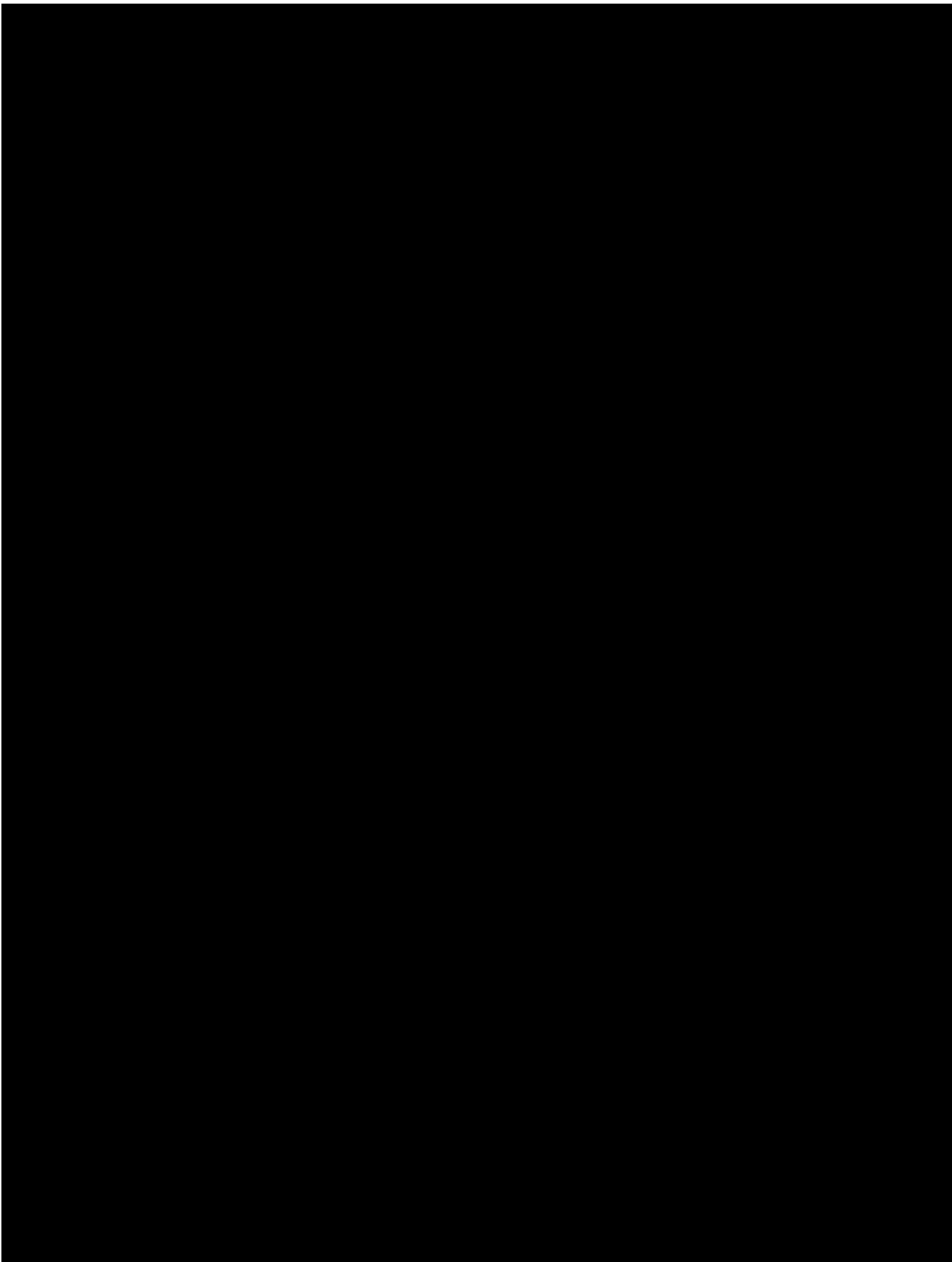


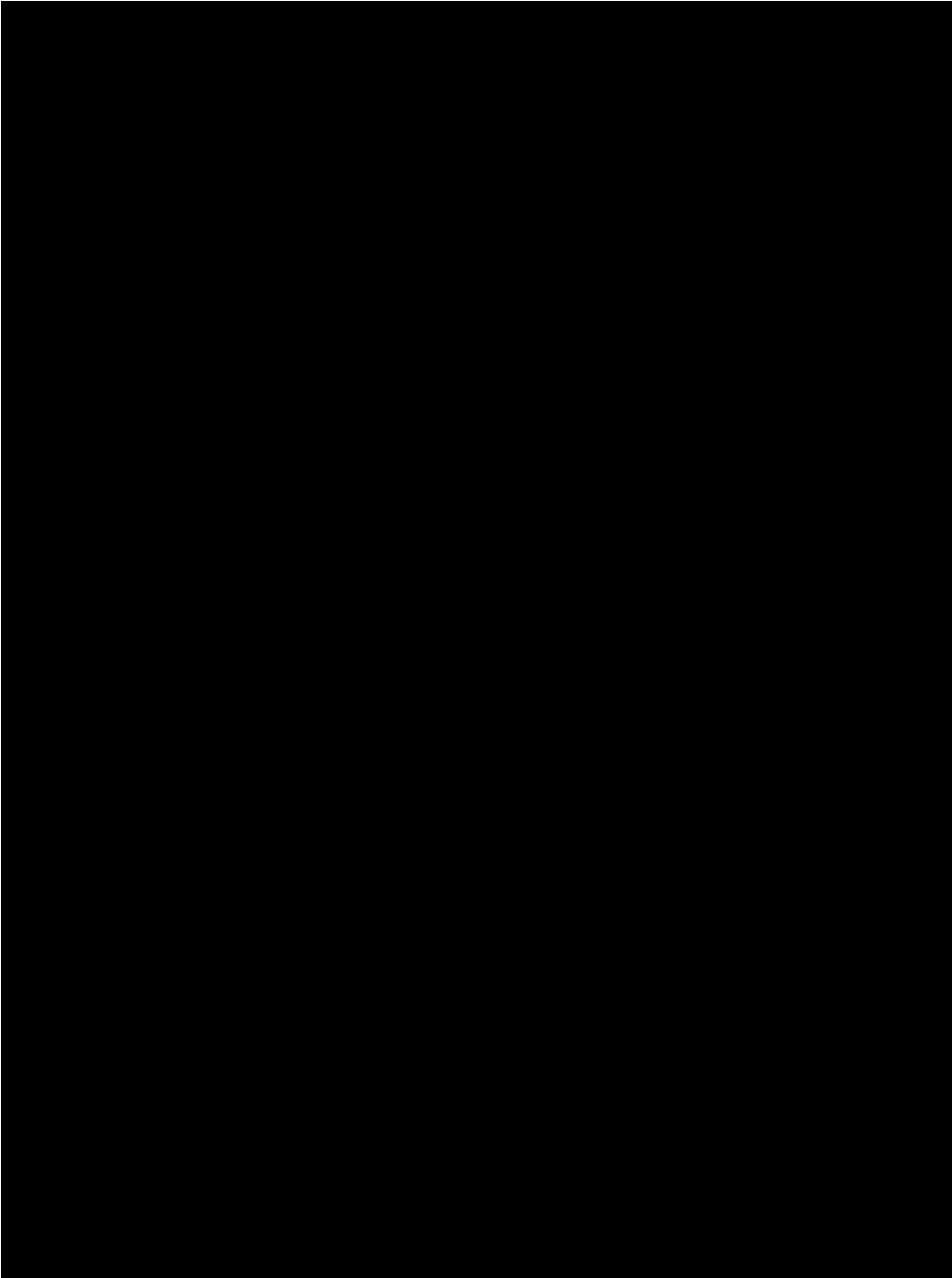
18. [Redacted]

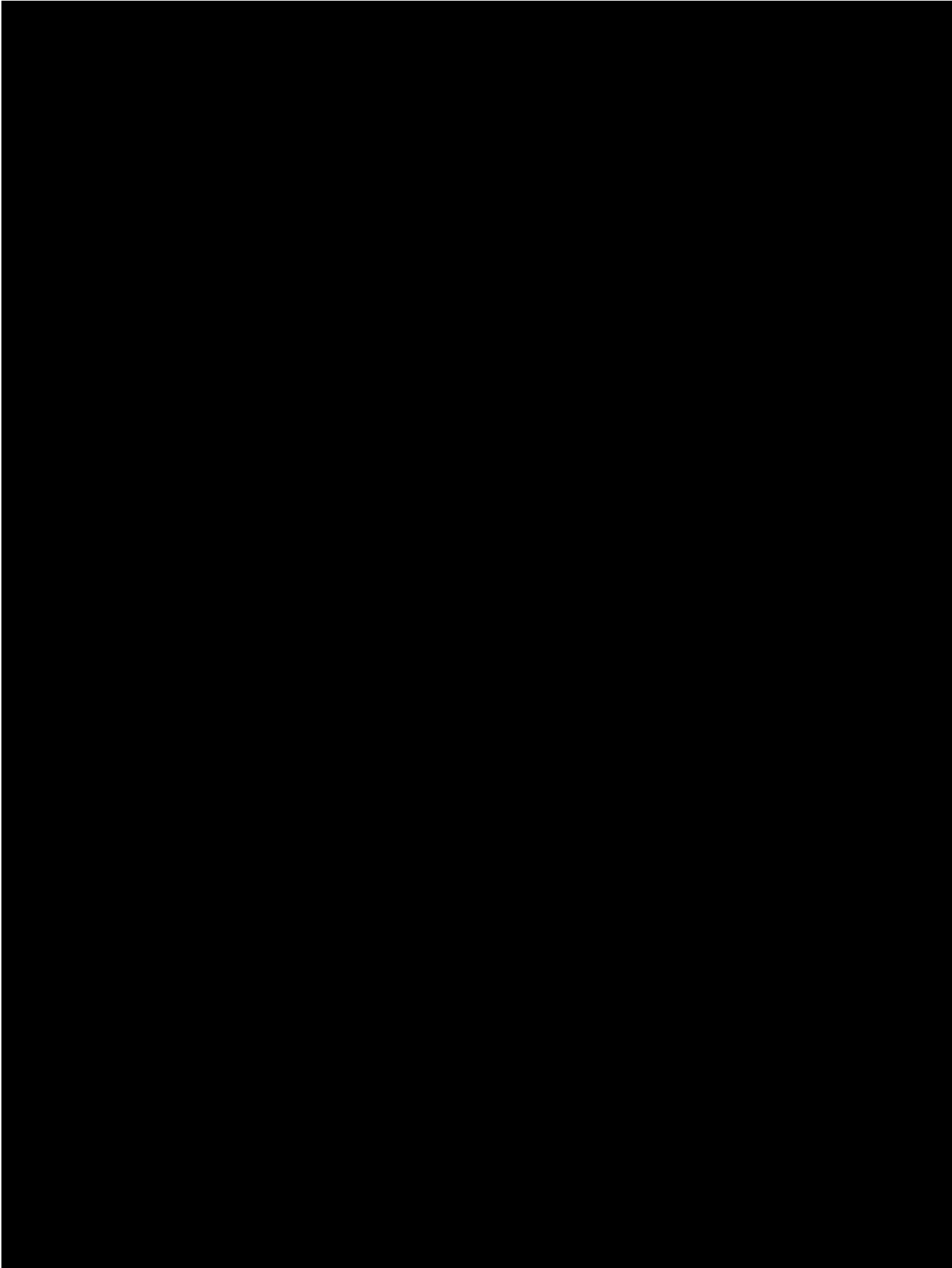


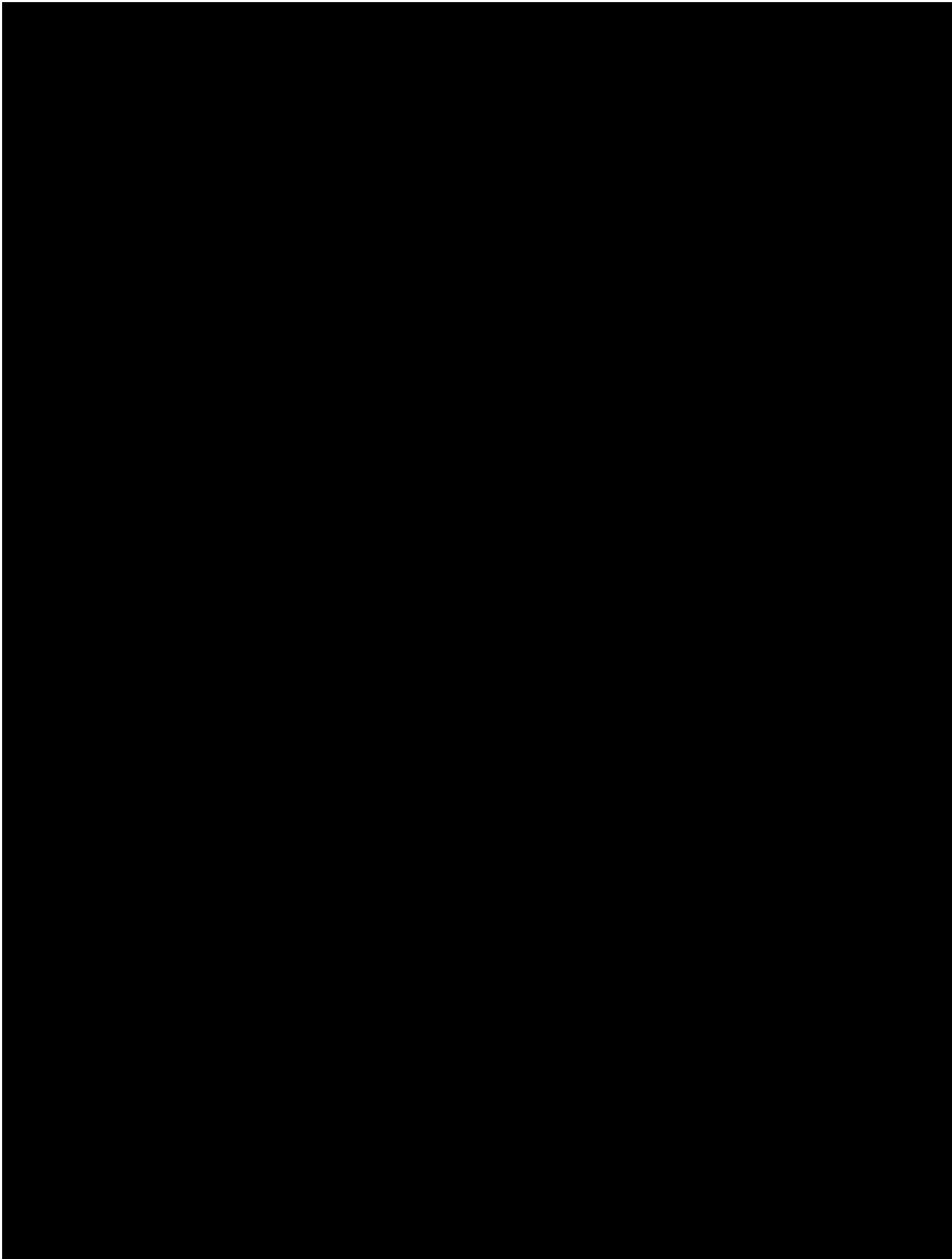


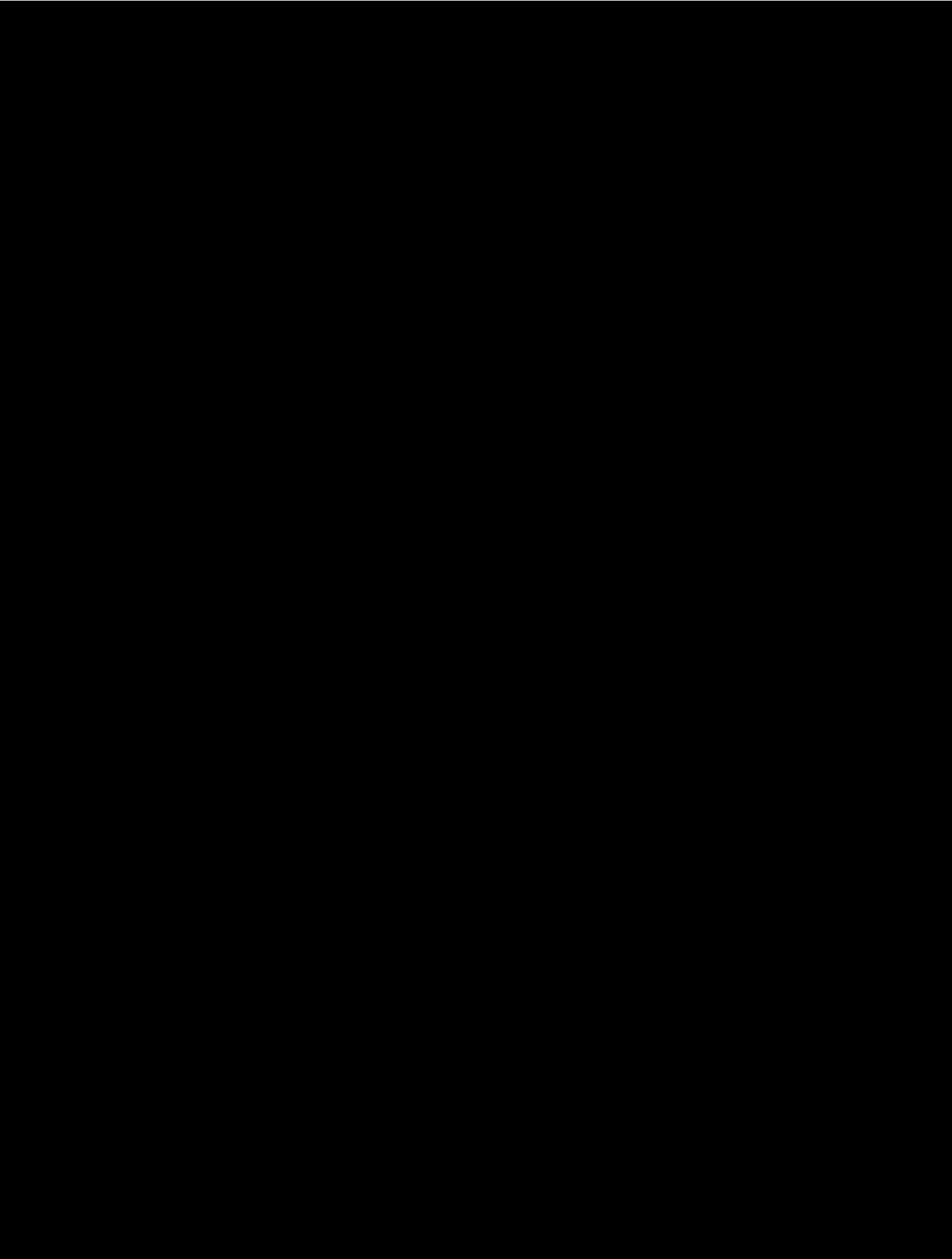


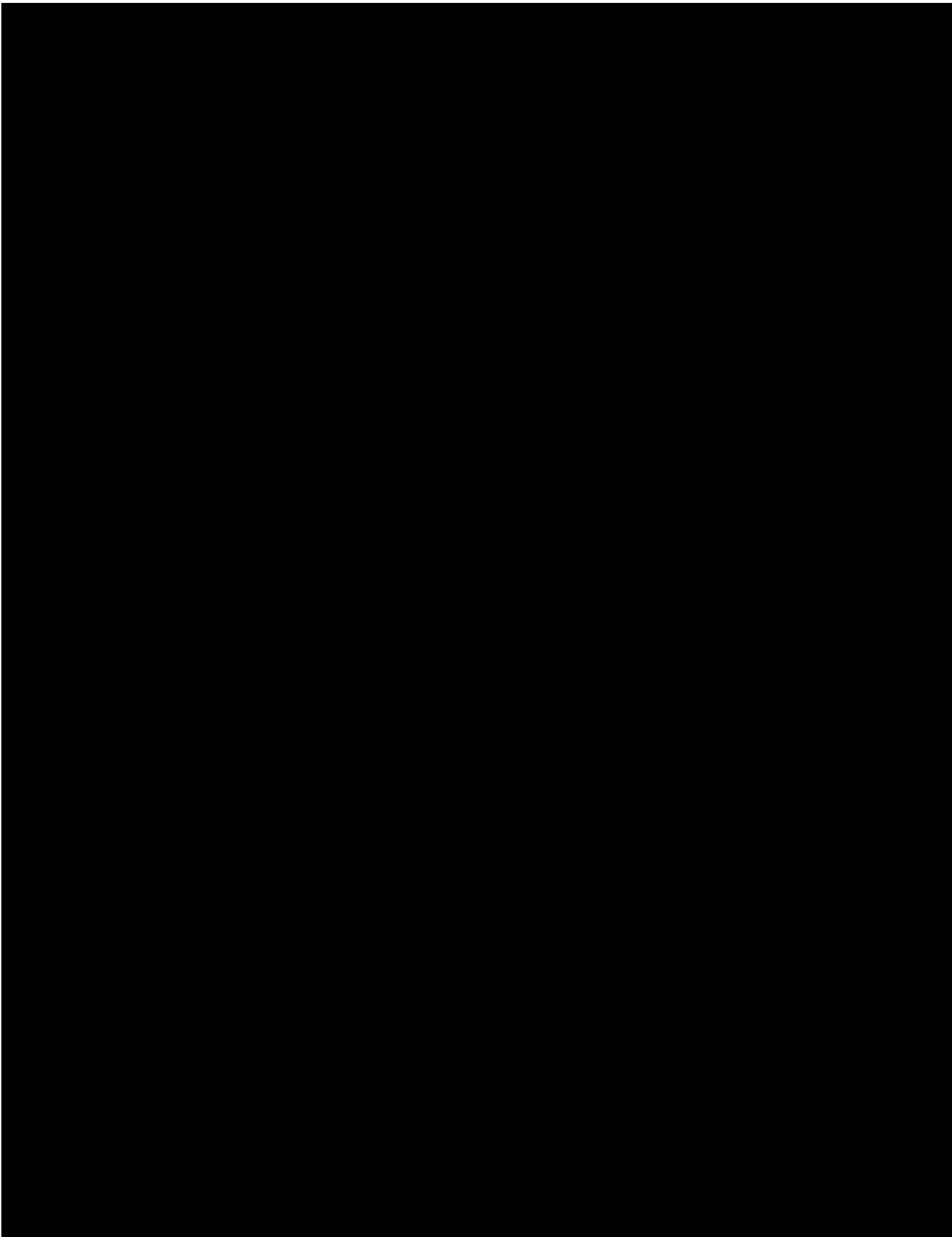


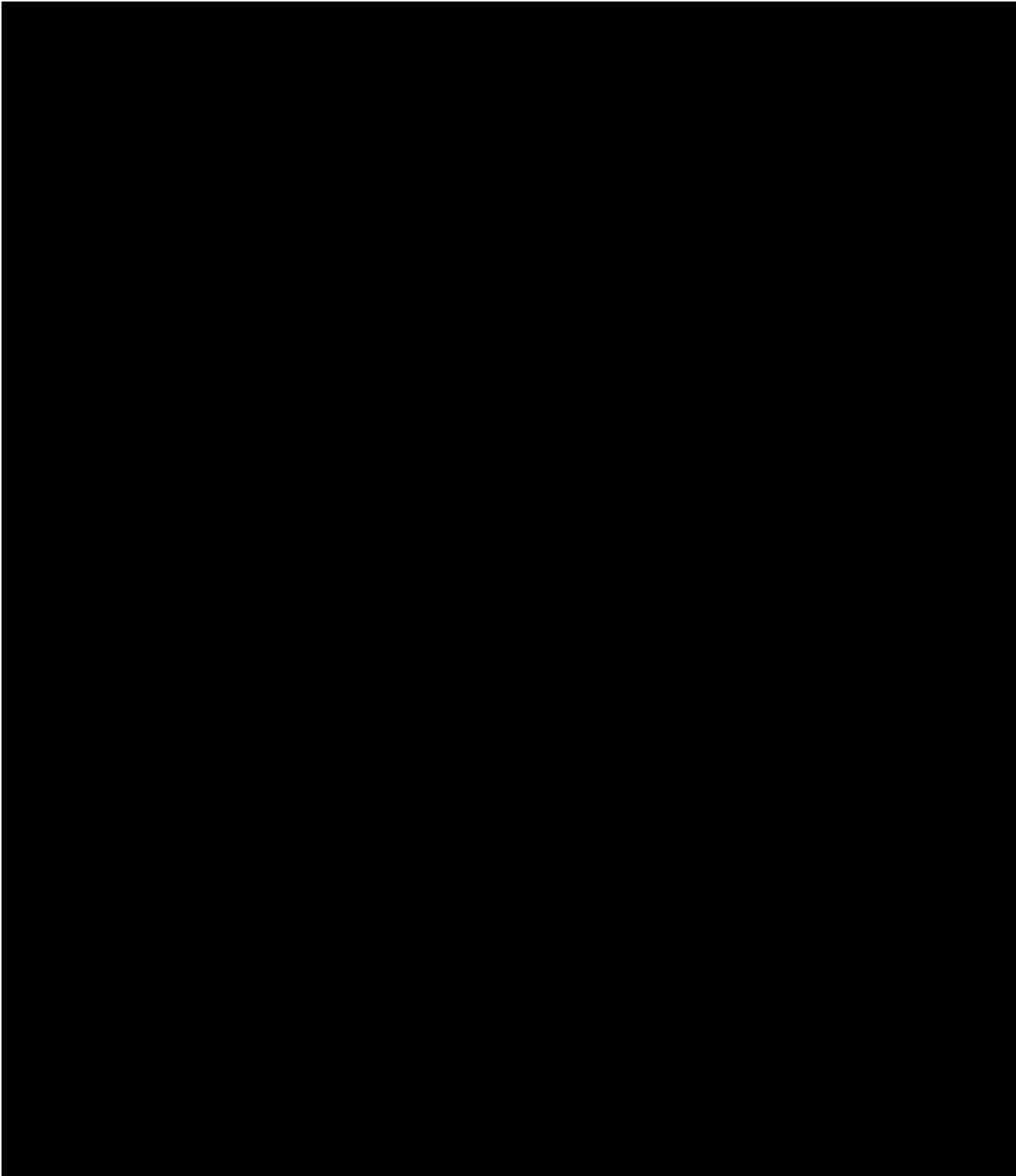


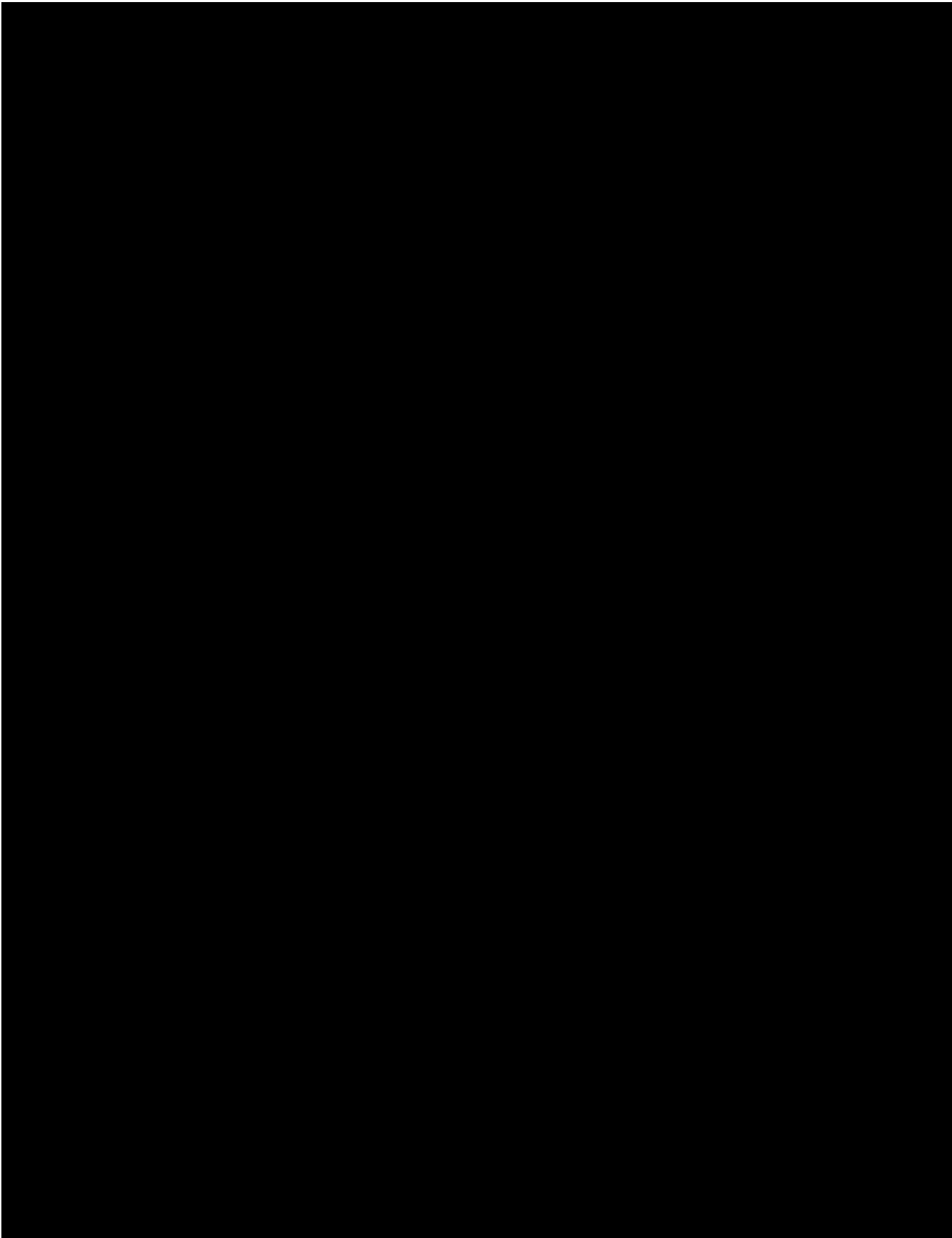


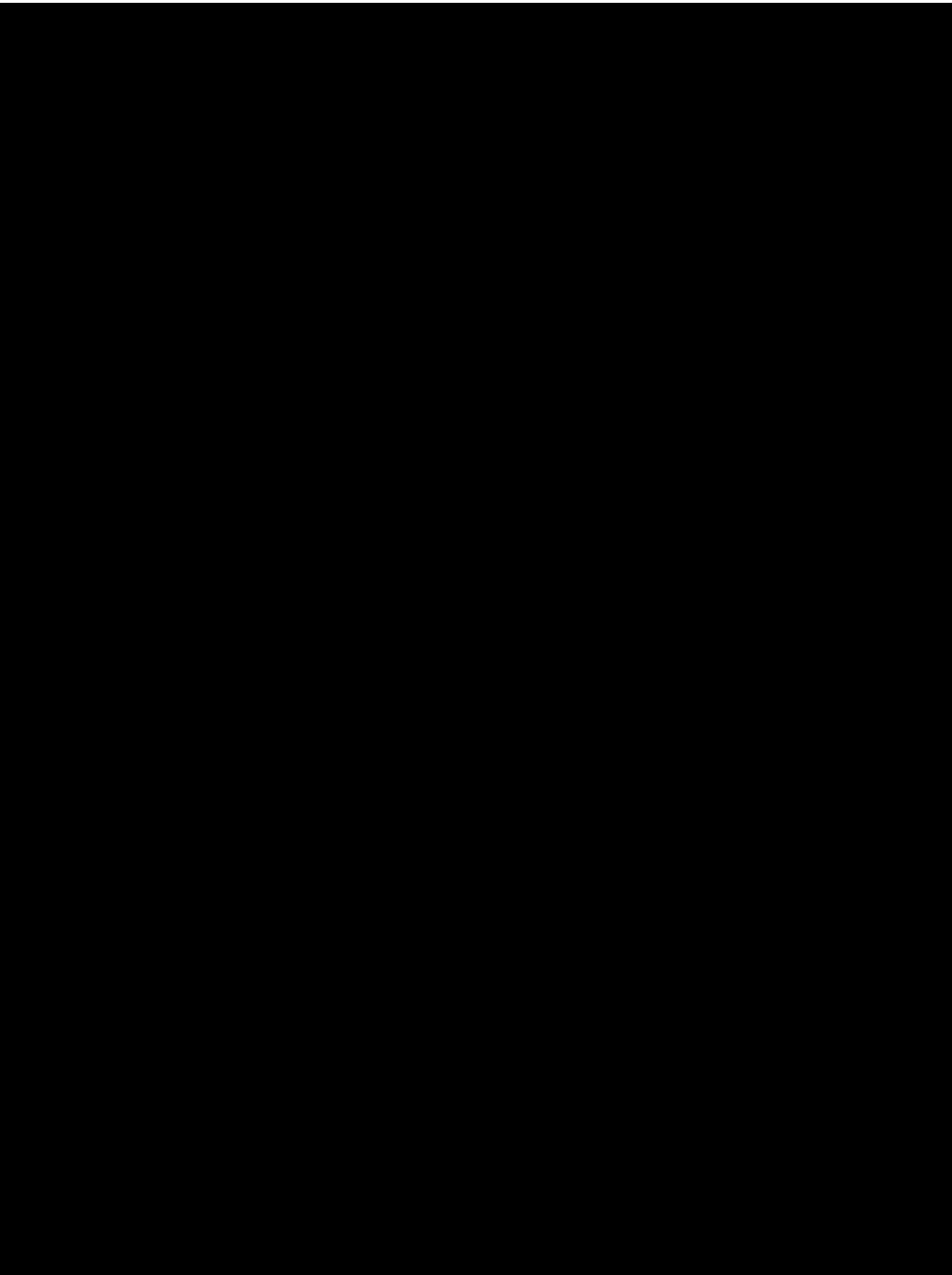


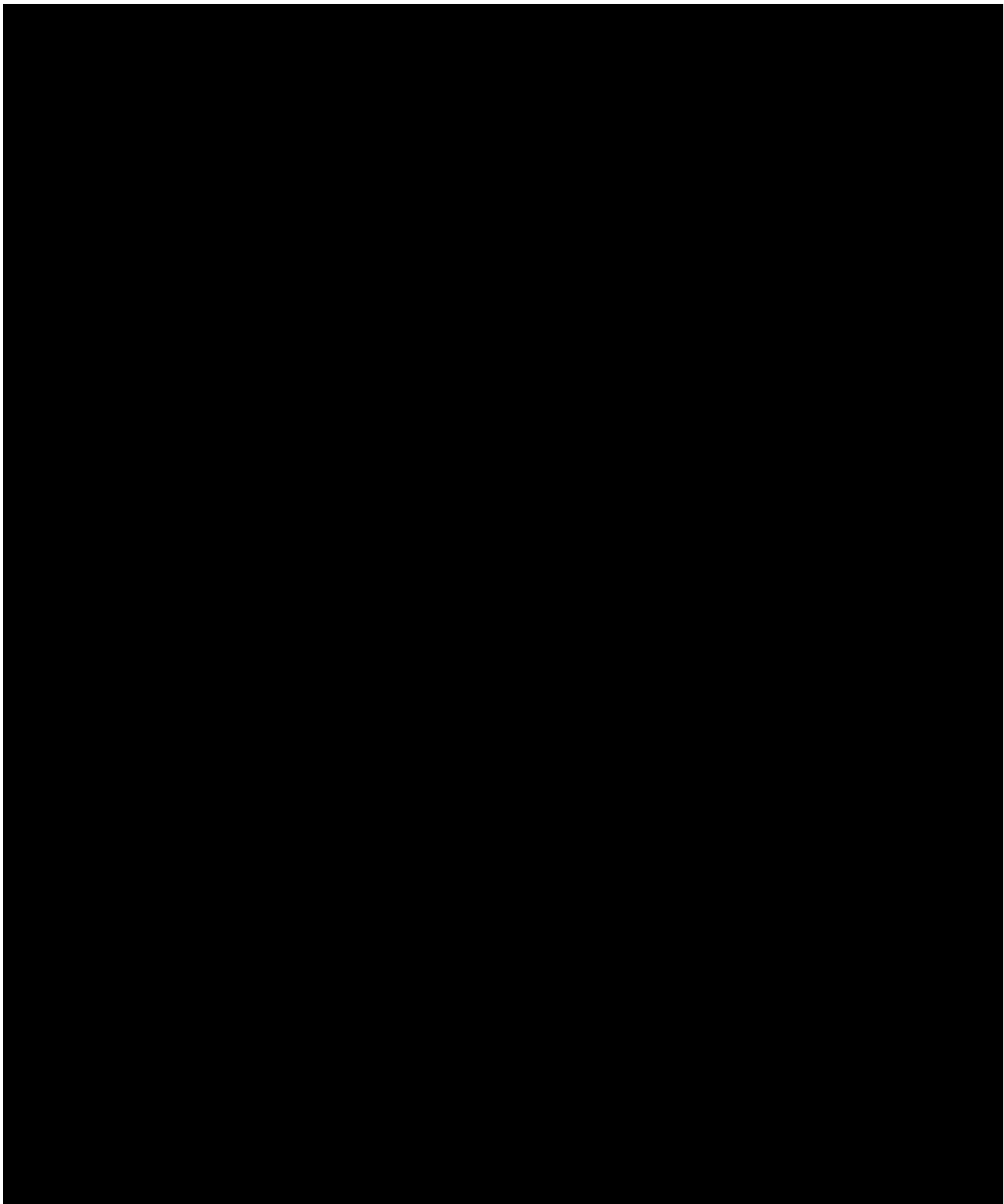








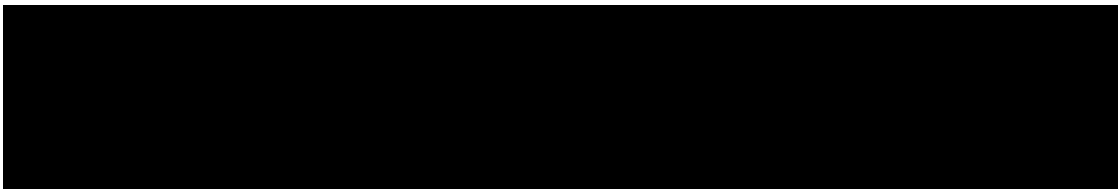




19. INVESTIGATIVE CANVASS OF AREA AROUND 50 OLD COLONY ROAD

(a) Canvass Instructions

On July 16th, 2018 I reviewed instructions provided by D/S GOMES for an investigative canvass that was conducted on January 20th, 2018. The investigative canvass covered the following areas:



The residents in the area were asked about Monday December 11th, 2017 to Friday December 15th, 2017. Residents were questioned as to whether they had any social events, activities or visitors that week. They were also asked if they were working from home that week, if they had any servicing done on their home that week and if there were any persons in their home while the resident was away.

Officers also canvassed and asked about cars that were associated to residences, video surveillance and Wifi access.

A series of video stills, taken from surveillance video, of people walking in the area were shown to residents to determine if anyone could identify the unidentified individuals pictured in the video stills.

(b) Canvass Results

i. Video Surveillance

On August 16th, 2018 I reviewed a Supplementary Report by DC THAYALAN dated February 8th, 2018, in regards to obtaining video surveillance around 50 Old Colony. From the report I learned that surveillance video was obtained by DC THAYALAN from [REDACTED] locations around 50 Old Colony Road.

Amongst the videos obtained was video surveillance relevant to this application, from [REDACTED]



ii. Canvass Summary

On August 20th, 2018 I reviewed a Supplementary Report by DC THAYALAN, dated August 20th, 2018 regarding the canvass results. I reviewed the report and learned the following:

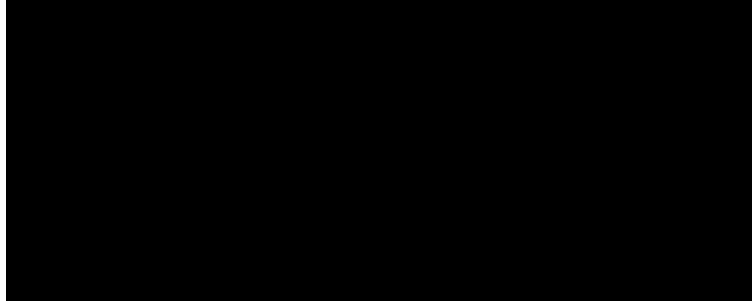
- I. An extensive canvass of the neighbourhood has failed to reveal any persons who could provide compelling information in relation to the deaths of the SHERMANS.
- II. A video canvass commencing on December 16th, 2017 had resulted in investigators obtaining video surveillance which identified several individuals in the area. There was one individual whose actions and behaviour as seen on video surveillance have caused this person to be elevated to a Person of Interest.

III. [REDACTED]

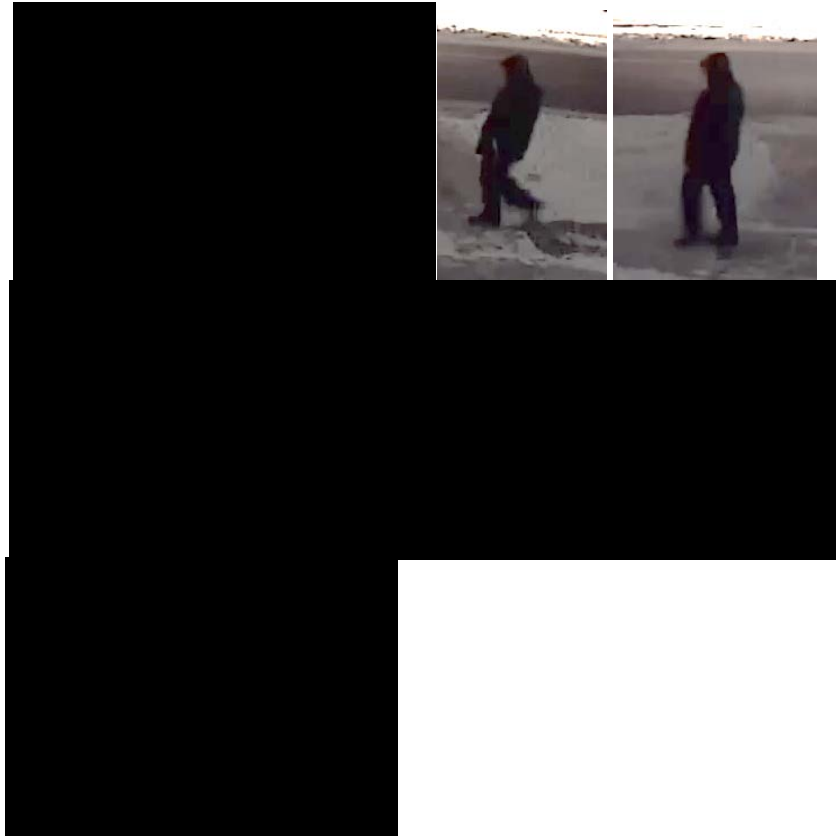
a. [REDACTED]

b. [REDACTED]

c.

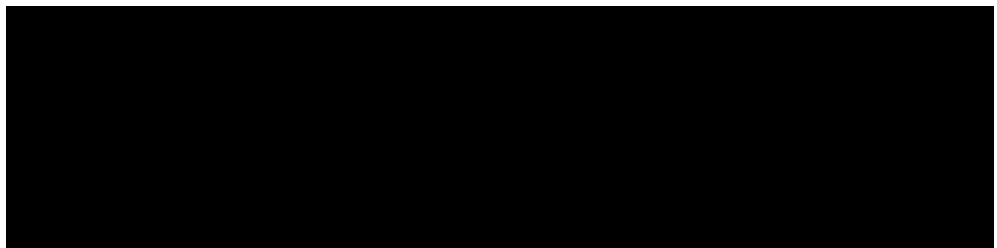


d.



(last three rows are all "d.")

All the persons depicted in the "foil" images were recognized by one or more persons as either themselves or someone they knew from the neighbourhood. The unknown individual depicted in "d." was not recognized by anyone.



- IV. An overall review of the video surveillance, by DC THAYALAN revealed that the unknown individual spent over [REDACTED] from [REDACTED] [REDACTED] on December 13th, 2017 in the area between [REDACTED] [REDACTED]
- V. An investigative canvass of residents from [REDACTED] [REDACTED] Officers were able to speak with all the residents of the addresses except for one address. None of the residents that were spoken to could recognize the unknown person or can account for the unknown person's presence during the time frame in question.
- Officers were unable to speak to the occupants of [REDACTED] Multiple attempts were made to contact the person(s) occupying the address without any success. Investigators believe the address was unoccupied.
- VI. Other persons that were seen walking in the area on surveillance video have been identified and accounted for.

20. MEDIA

(a) Toronto Police Service Press Conference

On January 26th, 2018 a press conference²⁸ was held where it was announced that the investigation in to the deaths of Bernard SHERMAN and Honey SHERMAN is a double homicide investigation and that Bernard and Honey SHERMAN were targeted.

On the same day, CEO of Apotex Inc., Jeremy DESAI announced his resignation from Apotex Inc.²⁹

(b) Bloomberg Businessweek Article

²⁸ <http://tpsnews.ca/stories/2018/01/sherman-deaths-ruled-homicide/>

²⁹ <https://www.thestar.com/news/gta/2018/01/26/apotex-president-and-ceo-jeremy-desai-resigns.html>

On October 30th, 2018 I reviewed a Bloomberg Businessweek article titled, “The Unsolved Murder of an Unusual Billionaire”³⁰ written by Matthew CAMPBELL. [REDACTED]

[REDACTED] The article was dated October 24th, 2018.

(c) Brian GREENSPAN and the Private Investigation Group

i. Press Conference by Brian GREENSPAN

On October 26th, 2017 the SHERMAN family lawyer, Brian GREENSPAN, announced, at a press conference³¹ that they would be offering a reward of up to \$10,000,000 for information that would lead to the apprehension and prosecution of those responsible for the murders of Bernard SHERMAN and Honey SHERMAN. In addition to the reward Brian GREENSPAN also stated that the actions of the members of the Toronto Police Service during the course of this investigation, “...fell well below that standard of how a reasonable officer under similar circumstances should have acted.” Brian GREENSPAN goes on to list all the mistakes that he and the private investigators believe that the Toronto Police Service had committed in this investigation.

ii. Toronto Star article by Kevin DONOVAN

On October 31st, 2018 I reviewed an online article by Kevin DONOVAN, Chief Investigative Reporter for the Toronto Star. In the article Kevin DONOVAN states the following:

- I. Brain GREENSPAN is quoted as saying that they wanted to, “...light a fire under the Toronto Police.”
- II. In launching this new “initiative” Brian GREENSPAN is taking direction from the SHERMAN children, Jonathon, Alex, Lauren and Kaelen.
- III. The following criticisms of the investigation were listed in the article:

³⁰ <https://www.bloomberg.com/features/2018-apotex-billionaire-murder/?srnd=businessweek-v2>

³¹ <https://www.youtube.com/watch?v=jwrDSvRZwkM>

- a. Locks to the house were not checked for tampering
- b. Carpets in the home were not vacuumed for evidence.
- c. People who were known to be in the SHERMAN home have not yet been fingerprinted.
- d. Early on in the investigation Toronto Police officers made comments that left the, “wrong impression that this was a self - inflicted crime, either a suicide or a murder-suicide”.

- IV. Toronto Police Chief SAUNDERS responded to the criticisms.
- V. A reward of up to \$10,000,000 will be offered and a review panel, set up by Brian GREENSPAN, will review the tips. Chief SAUNDERS was invited to provide an officer to join the review panel, however, the terms of reference would have to be seen first before any decision is made.

21. [REDACTED]

[REDACTED]

22. CONSTRUCTION OF TIMELINE FOR HONEY SHERMAN’S MOVEMENTS AND ACTIONS ON DECEMBER 13TH, 2017

In the construction of the timeline for Honey SHERMAN’s movements and actions I have reviewed several video logs created by other officers for their review of surveillance video that was seized from businesses and residences. Many video stills were taken from the videos and incorporated in the video logs created by officers and I have only incorporated those stills that I believe are relevant to this application. Any video that may detract from my grounds has also been incorporated. In most cases I have circled the subject of the video in colour for ease of locating and identifying the subjects.

(a) Sheila STANLEY’s statement

In her statement to police which has been summarized previously summarized in this Information To Obtain, Sheila states that she last saw Honey SHERMAN when she left 50 Old Colony Road at **2:40 PM on December 13th, 2017.**

(b) Video from [REDACTED]

On July 3rd, 2018 I reviewed a Video Log for surveillance video from [REDACTED]
The video log was created by DC ZLOBICKI. From the video log I learned the following:

i.

ii.

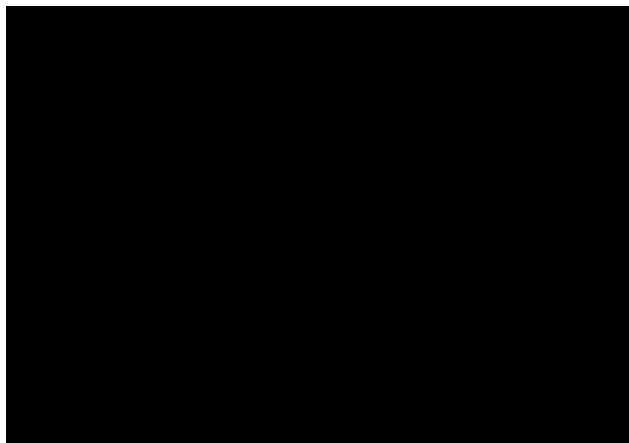
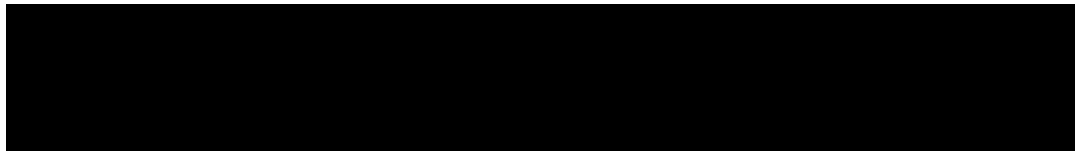
iii.

iv.

v. DC ZLOBICKI viewed the video from December 13th, 2017 [REDACTED]
[REDACTED] to December 14th, 2017 at [REDACTED]

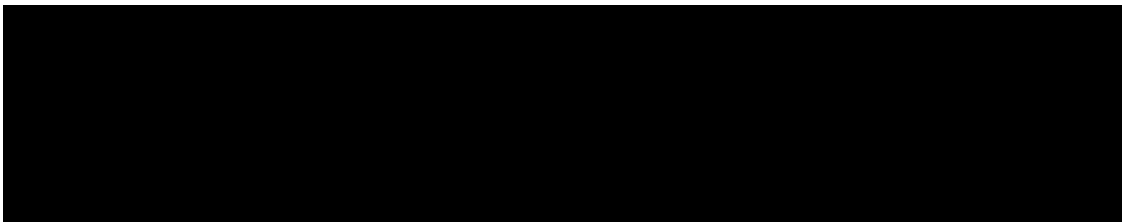
The following video stills with the associated descriptions are from the video log
of [REDACTED]

i.



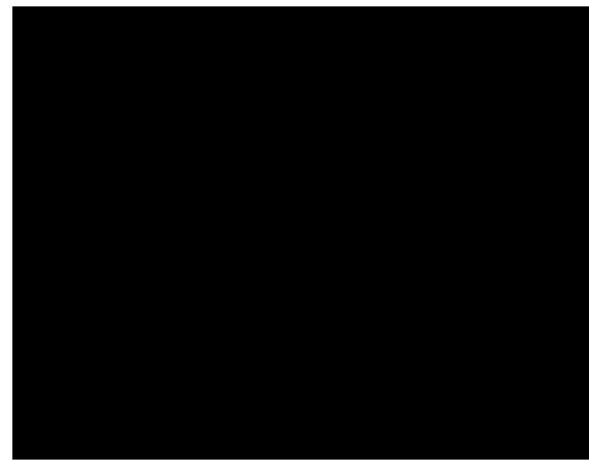
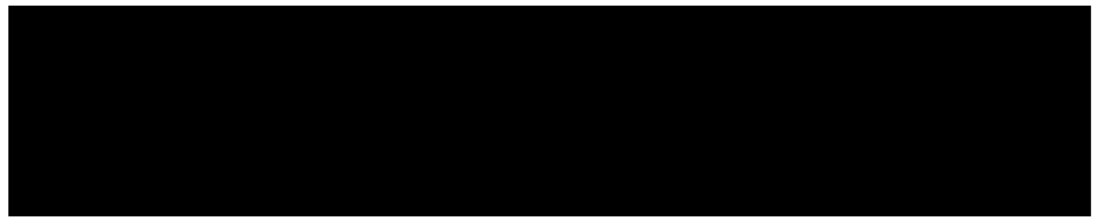
(c) Video Surveillance at Apotex Inc.

i.

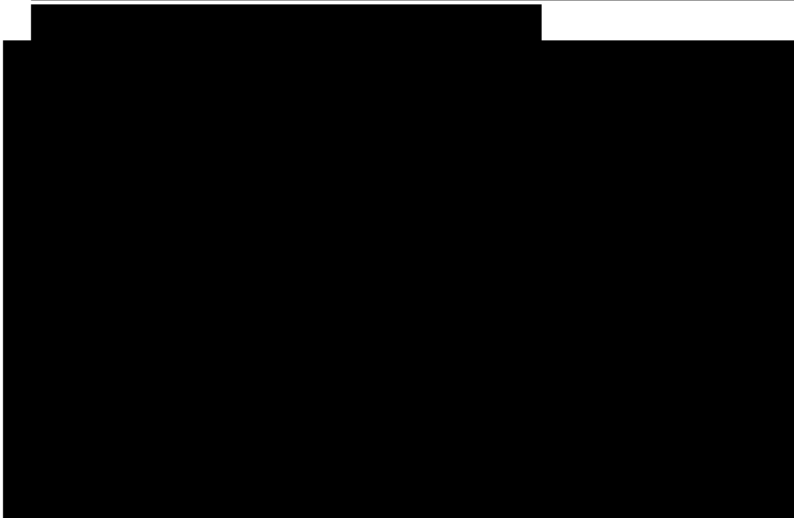




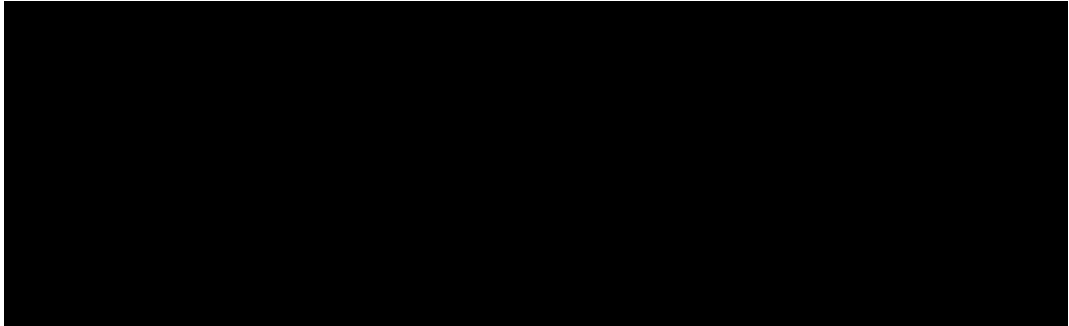
ii.



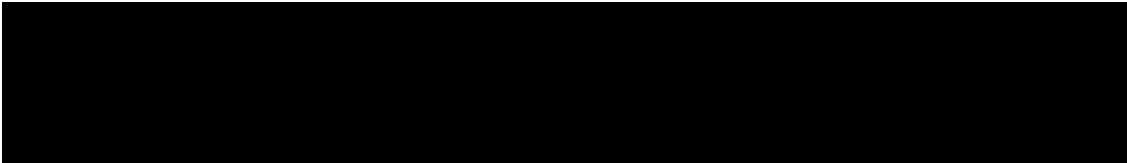
iii.



- I.
- II.
- III.



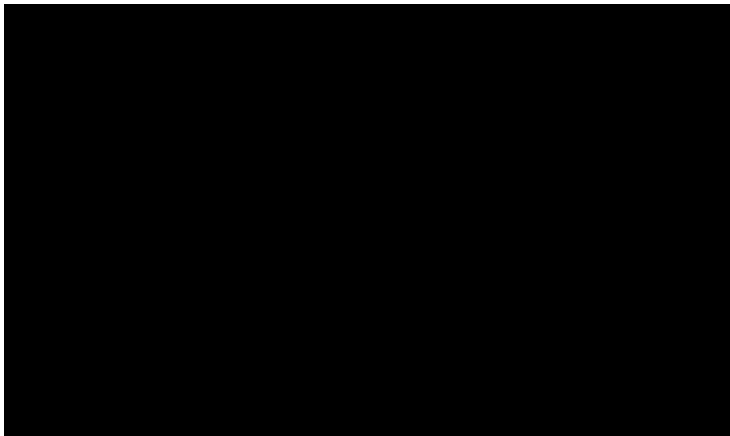
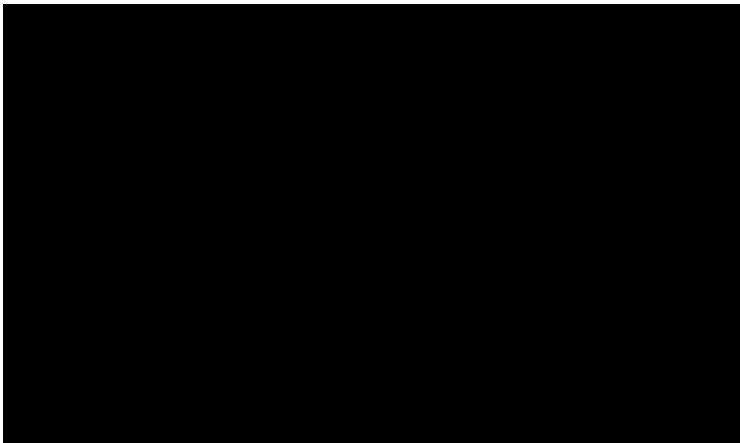
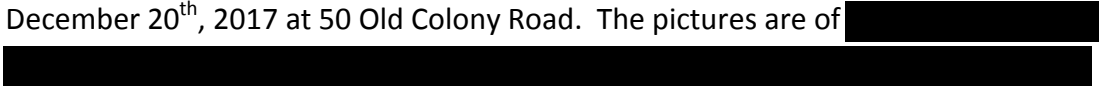
- iv.



(d)



On January 10th, 2018 I reviewed the following Cumulus pictures taken by DC SOUCY on December 20th, 2017 at 50 Old Colony Road. The pictures are of



[REDACTED]

On January 10th, 2018 I reviewed a video log created by DC DE OLIVEIRA for video obtained from [REDACTED]

[REDACTED] From the video log, I obtained the following information and video stills:

i. The time on the video is accurate.

ii. [REDACTED]

iii. [REDACTED]

iv. [REDACTED]

v. [REDACTED]

(e) [REDACTED]

On March 28th, 2018 I reviewed a Supplementary Report dated January 3rd, 2018 for Task #213 completed by Det. TAVARES in regards to [REDACTED]

[REDACTED]
[REDACTED] I reviewed the report and learned the following:

i. [REDACTED]

ii. [REDACTED]

iii. [REDACTED]

iv. [REDACTED]

v. [REDACTED]

On April 10th, 2018 I reviewed Cumulus photo number [REDACTED] taken on December 21st, 2017 by DC LANGILLE. The photo is [REDACTED]
[REDACTED]
[REDACTED]

On April 4th, 2018 I reviewed a Video Chronology of the [REDACTED]
[REDACTED]
[REDACTED]

[Redacted]

i.

[Redacted]

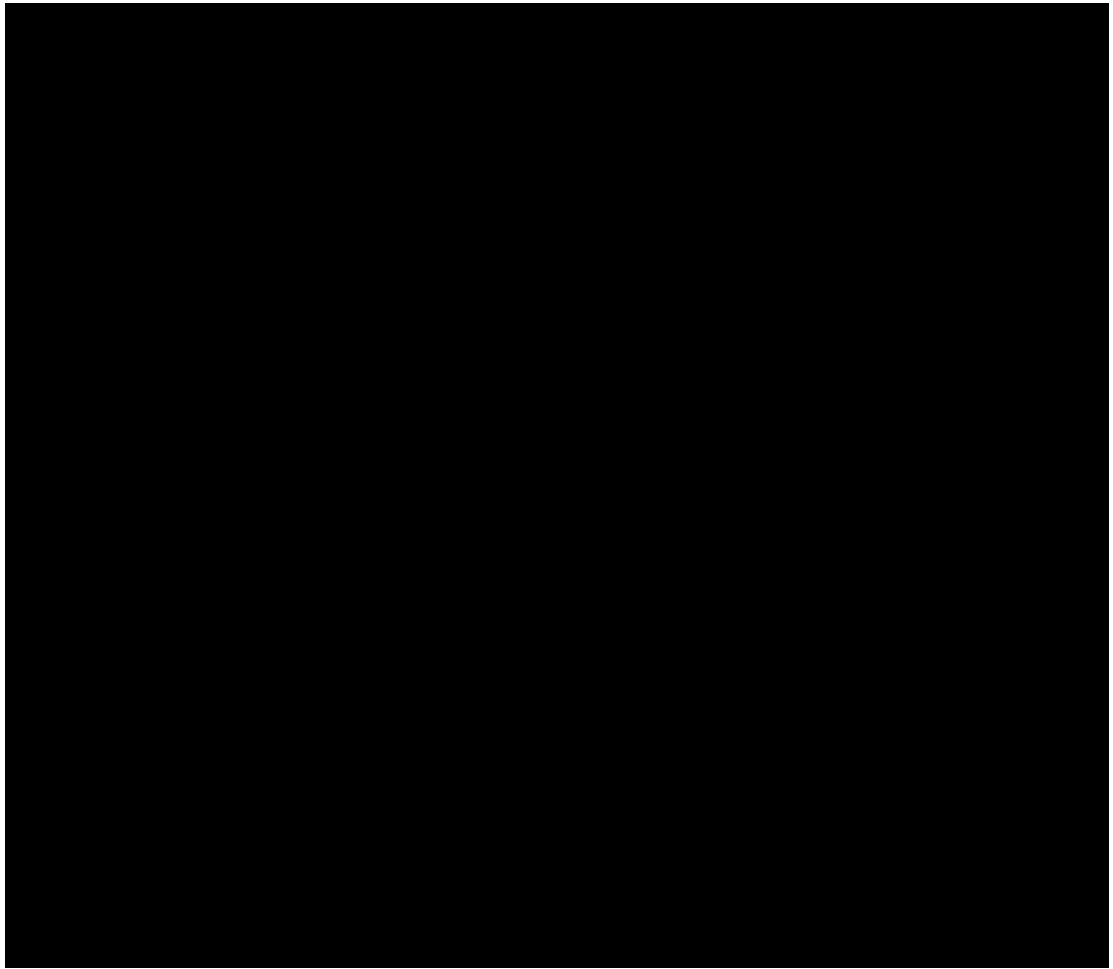
ii.

iii.

[Redacted]

iv.

v.



(f)

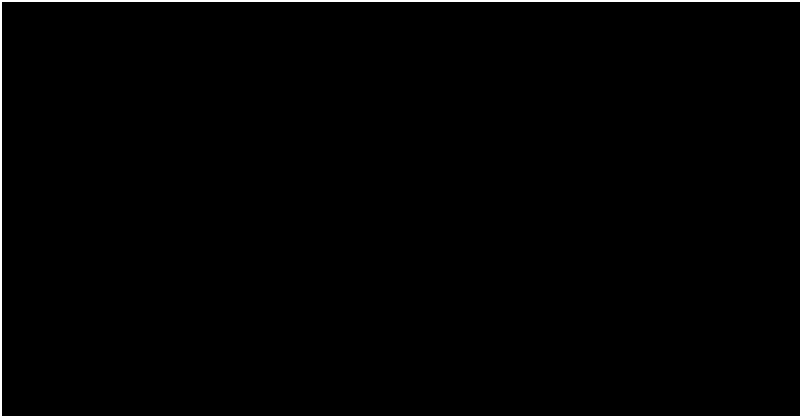
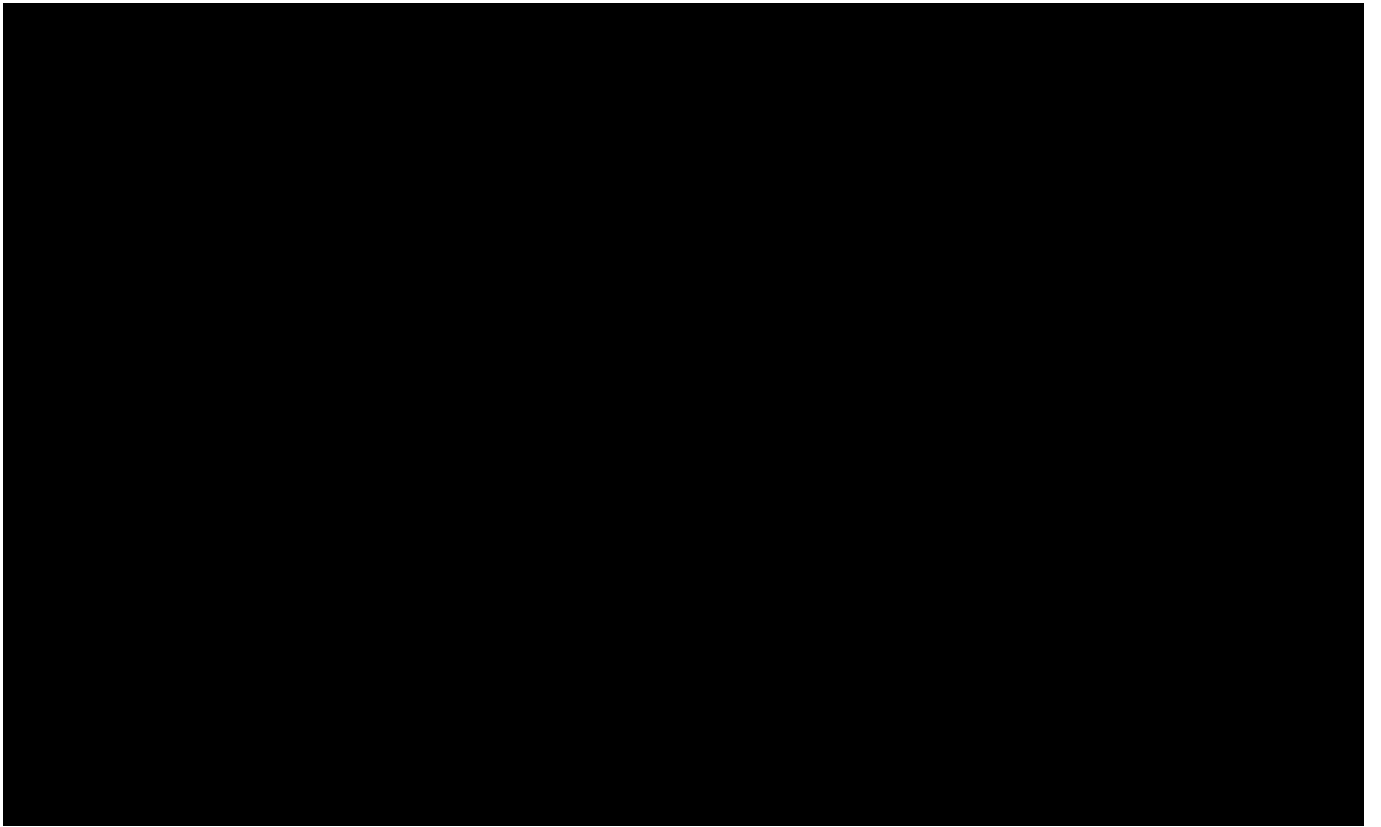
On April 3rd, 2018 I reviewed a Supplementary Report completed by DC DEVINE on March 28th, 2018. The report was for DC DEVINE's review of



I have reviewed the Supplementary Report and have summarized it below. Any images included in my summary are from DC DEVINE's Supplementary Report.

i.

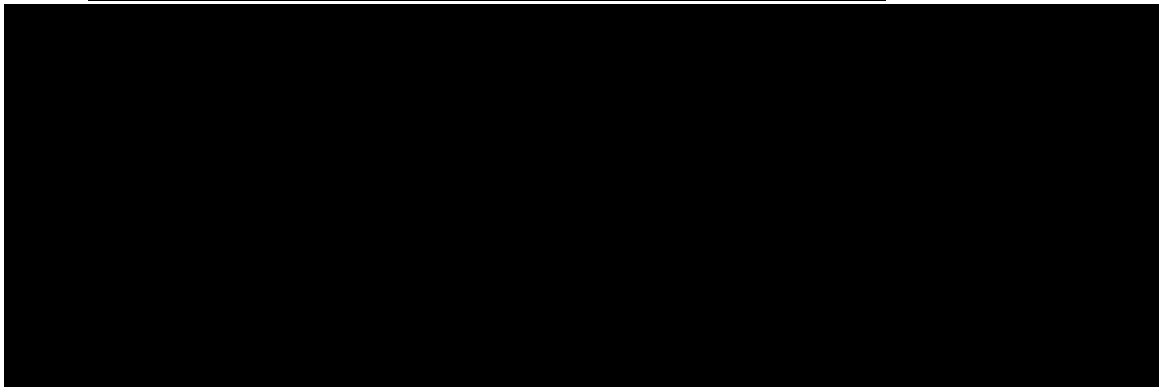




ii.

iii.

iv.



[Redacted]

v.

[Redacted]

[Redacted]

vi.

[Redacted]

[Redacted]

vii.

[Redacted]

[Redacted]

[REDACTED]

viii. [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

(g) [REDACTED]

On July 4th, 2018 I reviewed the video log, created by DC PICKETT for the review of [REDACTED]
[REDACTED] and learned the following:

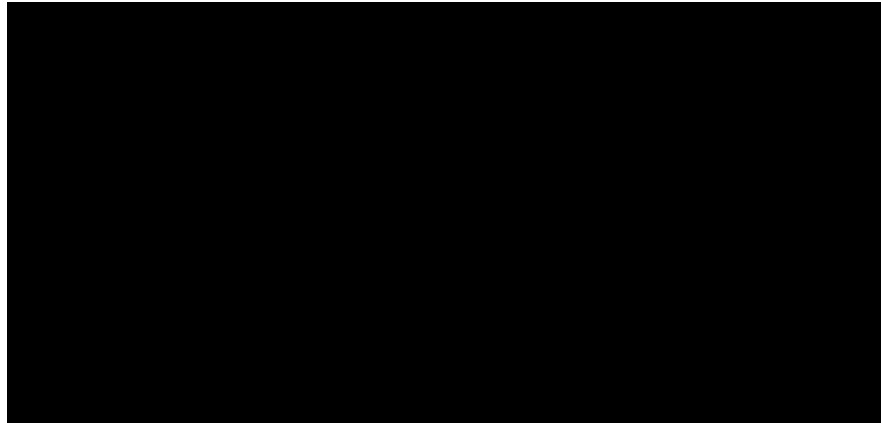
i. [REDACTED]
[REDACTED]

ii.

iii.

iv.

v.



i.



ii.

[REDACTED]

iii.

[REDACTED]

23. CONSTRUCTION OF TIMELINE FOR BERNARD SHERMAN'S MOVEMENTS AND ACTIONS ON DECEMBER 13TH, 2017

In the construction of the timeline for Bernard SHERMAN's movements and actions I have reviewed several video logs created by other officers for their review of surveillance video that was seized from businesses and residences. Many video stills were taken from the videos and incorporated in the video logs created by officers and I have only incorporated those stills that I believe are relevant to this application. Any video that may detract from my grounds has also been incorporated. In most cases I have circled the subject of video in colour for ease of locating and identifying the subjects of the respective videos.

(a) [REDACTED]

On July 3rd, 2018 I reviewed a Video Chronology created by DC THAYALAN for the movements [REDACTED]

[REDACTED] and have learned the following:

i. [REDACTED]

ii. The Video Chronology was created by DC THAYALAN and relies upon other Video Chronologies and work product created by DC THOMAS, DC PICKETT and DC ZLOBICKI.

iii. [REDACTED]

iv. All the times noted are actual times, as many of the time stamps as seen in the video stills are known to be inaccurate and have been compensated for.

v. [REDACTED]

The following video stills with the associated descriptions are from the video log created by DC THAYALAN that tracks the movements of [REDACTED]

[REDACTED]

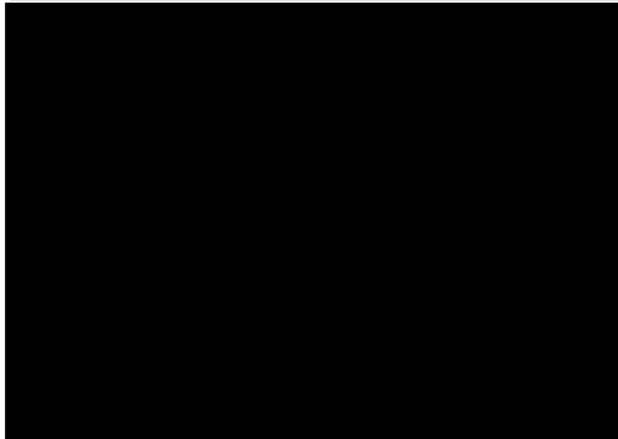
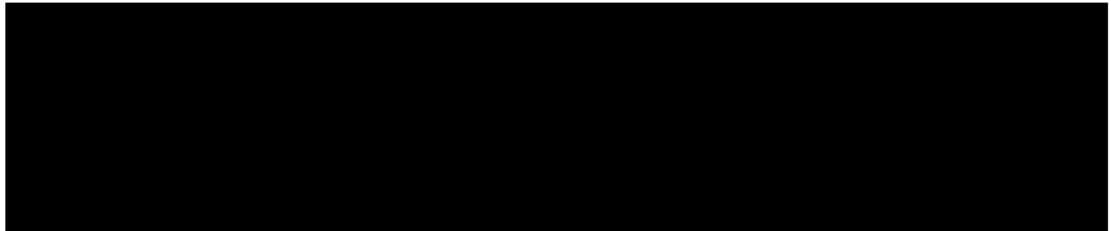
i. [REDACTED]

[REDACTED]



(b) Video Surveillance at Apotex Inc.

i.



ii.



iii.

[REDACTED]

[REDACTED]

[REDACTED]

iv.

[REDACTED]



v.



(c) Video from [redacted]

The following video stills with the associated descriptions are from the [redacted]
[redacted]

i.

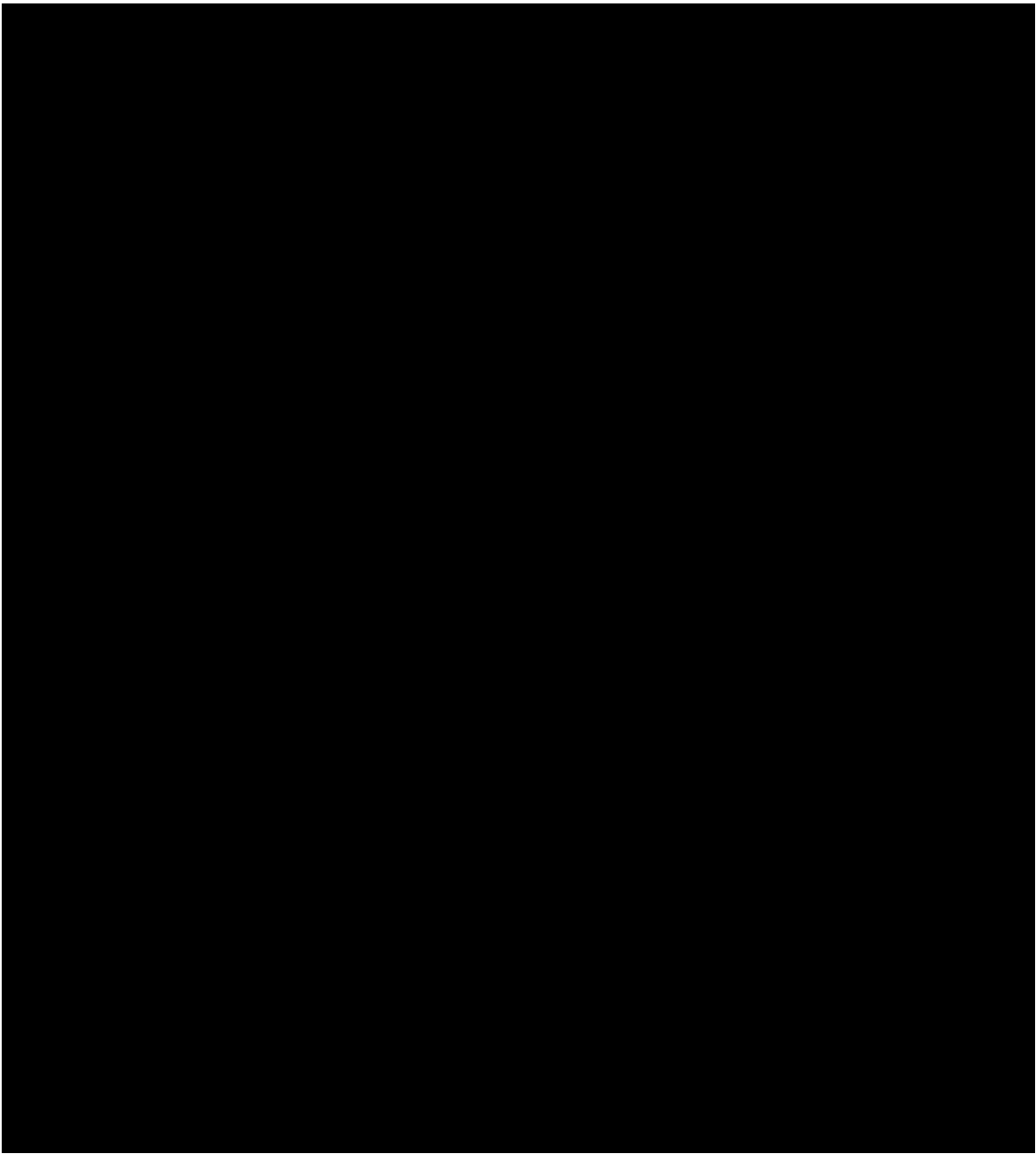




24. CONSTRUCTION OF TIMELINE FOR UNKNOWN PERSON WALKING IN THE AREA OF 50 OLD COLONY ROAD

On July 4th, 2018 I reviewed a video chronology, completed by DC PICKETT and DC THAYALAN for the unknown person referred to earlier, who was walking on Old Colony Road. I learned the following from the video chronology:

- i. The video chronology was created by DC PICKETT and updated by DC THAYALAN.
- ii. The time frame encompassed by the video chronology is [REDACTED]
- iii. The video chronology utilized video from the following locations: [REDACTED]
- iv. All the video surveillance were seized by DC THAYALAN and all the videos had time discrepancies in relation to actual time. The times that are stated in the video chronology have been adjusted to reflect the actual time.
- v. The maps and "Streetview" images have been taken from the video chronology and were originally taken from Google Maps. The maps with labels have been provided below for ease of reference.



The following stills have been taken from DC PICKETT's and DC THAYALAN's video chronology:



[Redacted]

vi.

[Redacted]

[Redacted]

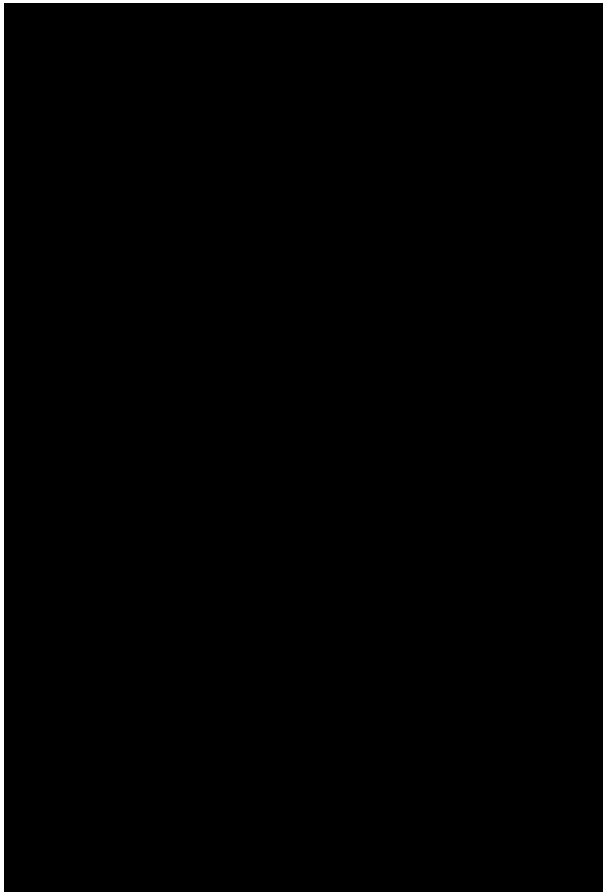
vii.

[Redacted]

[Redacted]

viii.

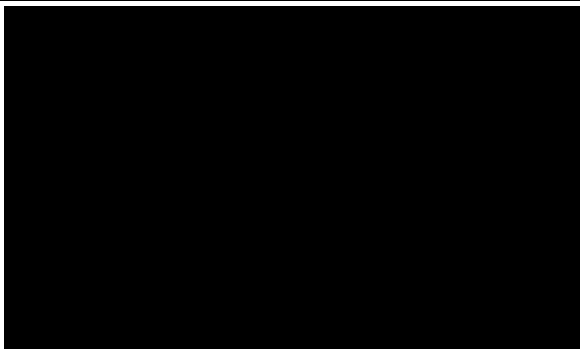
[Redacted]



ix.



x.



xi.

[Redacted]

[Redacted]

xii.

[Redacted]

[Redacted]

xiii.

[Redacted]

[Redacted]

xiv.

[Redacted]

[Redacted]

xv.

[Redacted]

[Redacted]

xvi.

[Redacted]

[Redacted]

xvii.

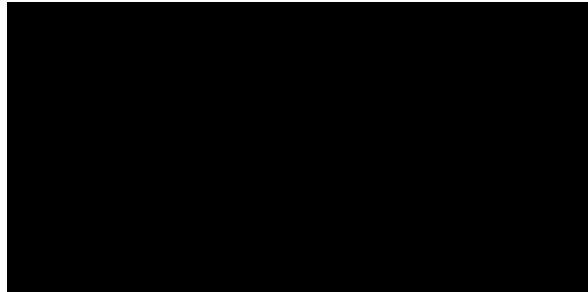
[Redacted]



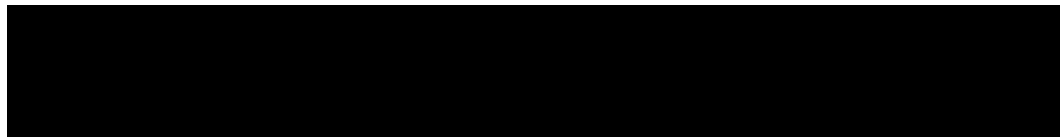
xviii.



xix.

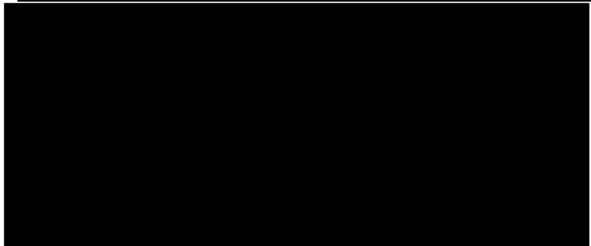
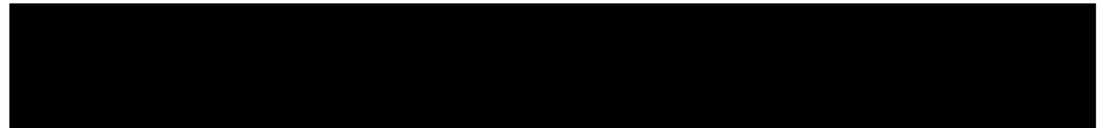


xx.





xxi.

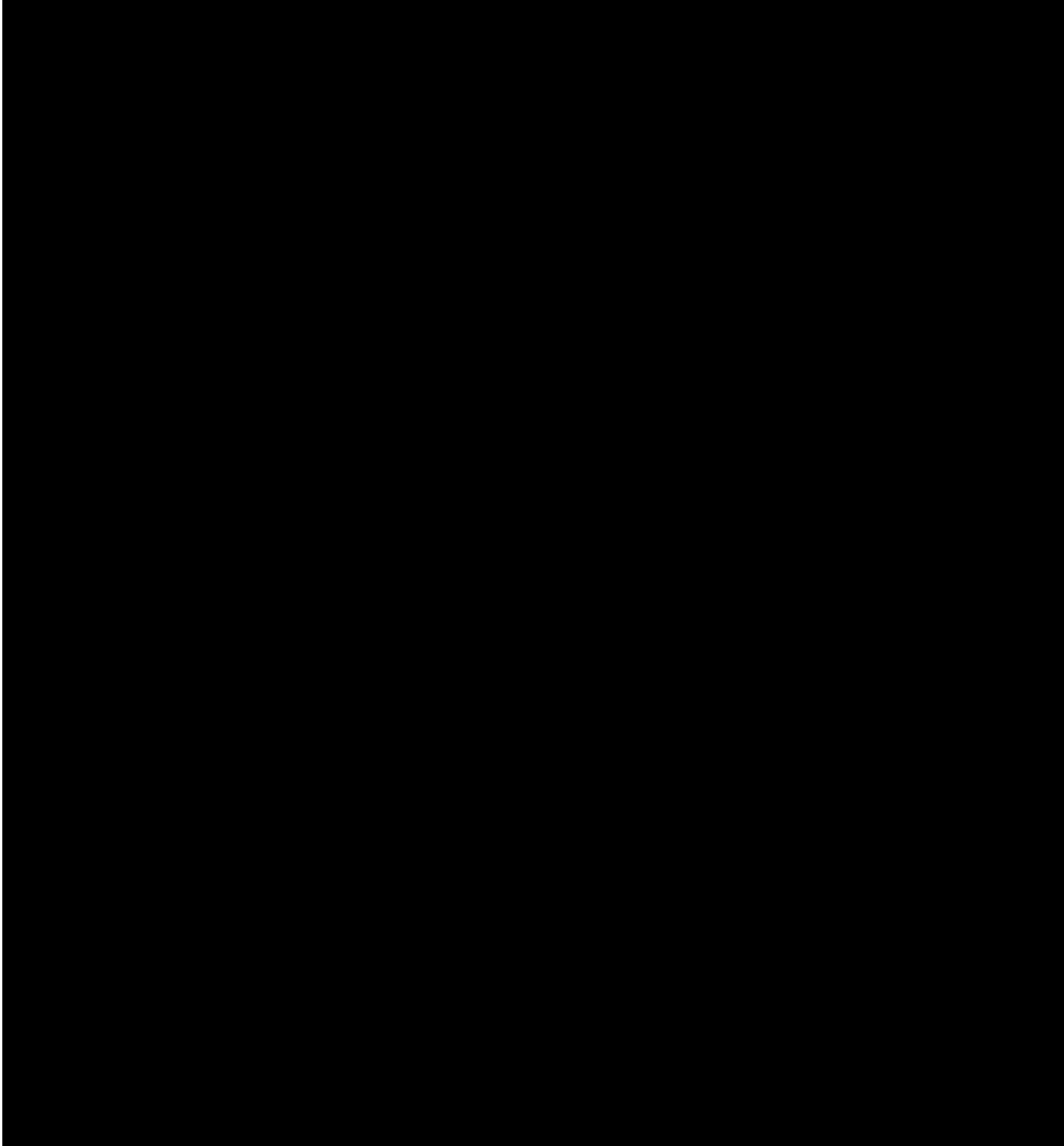


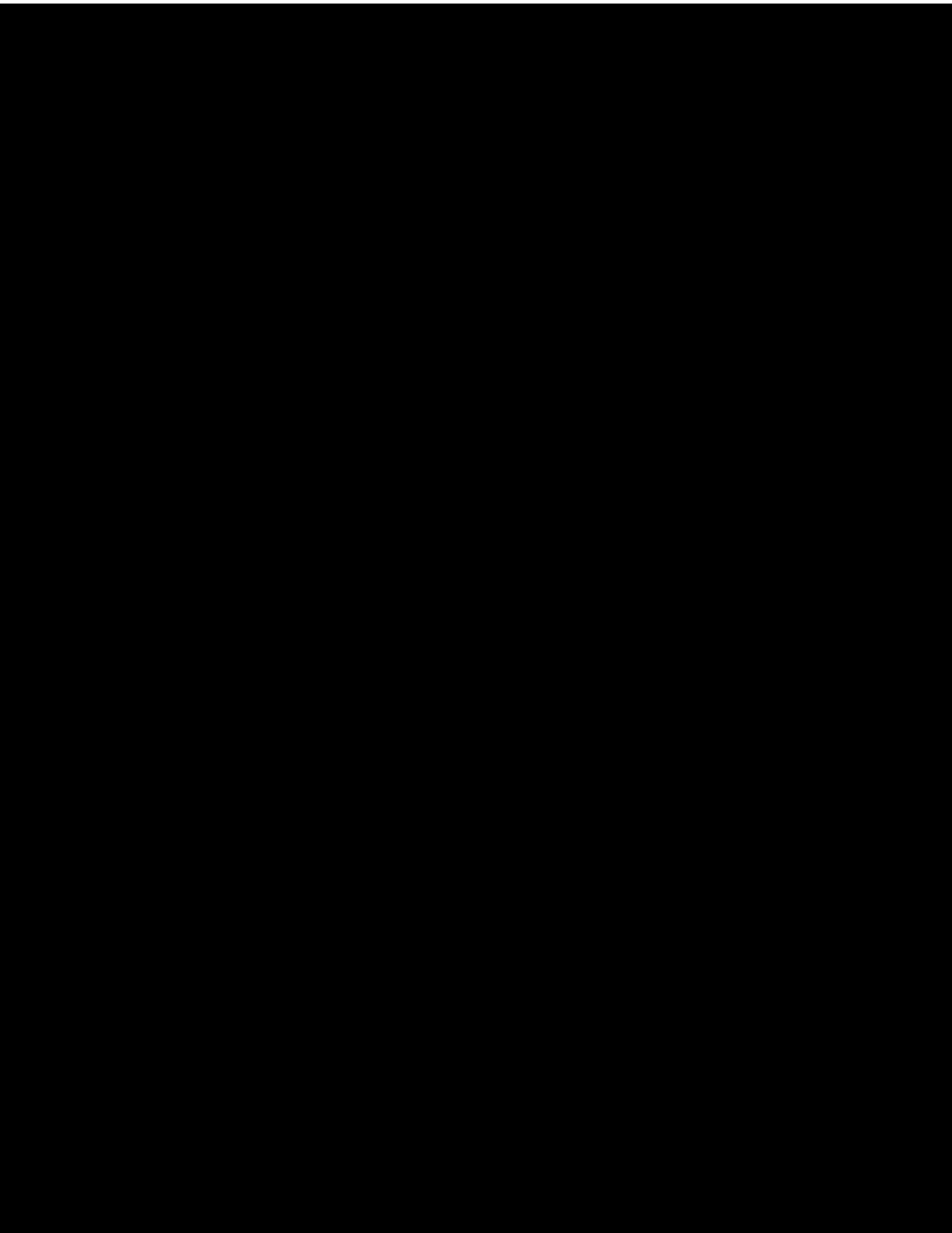
xxii.

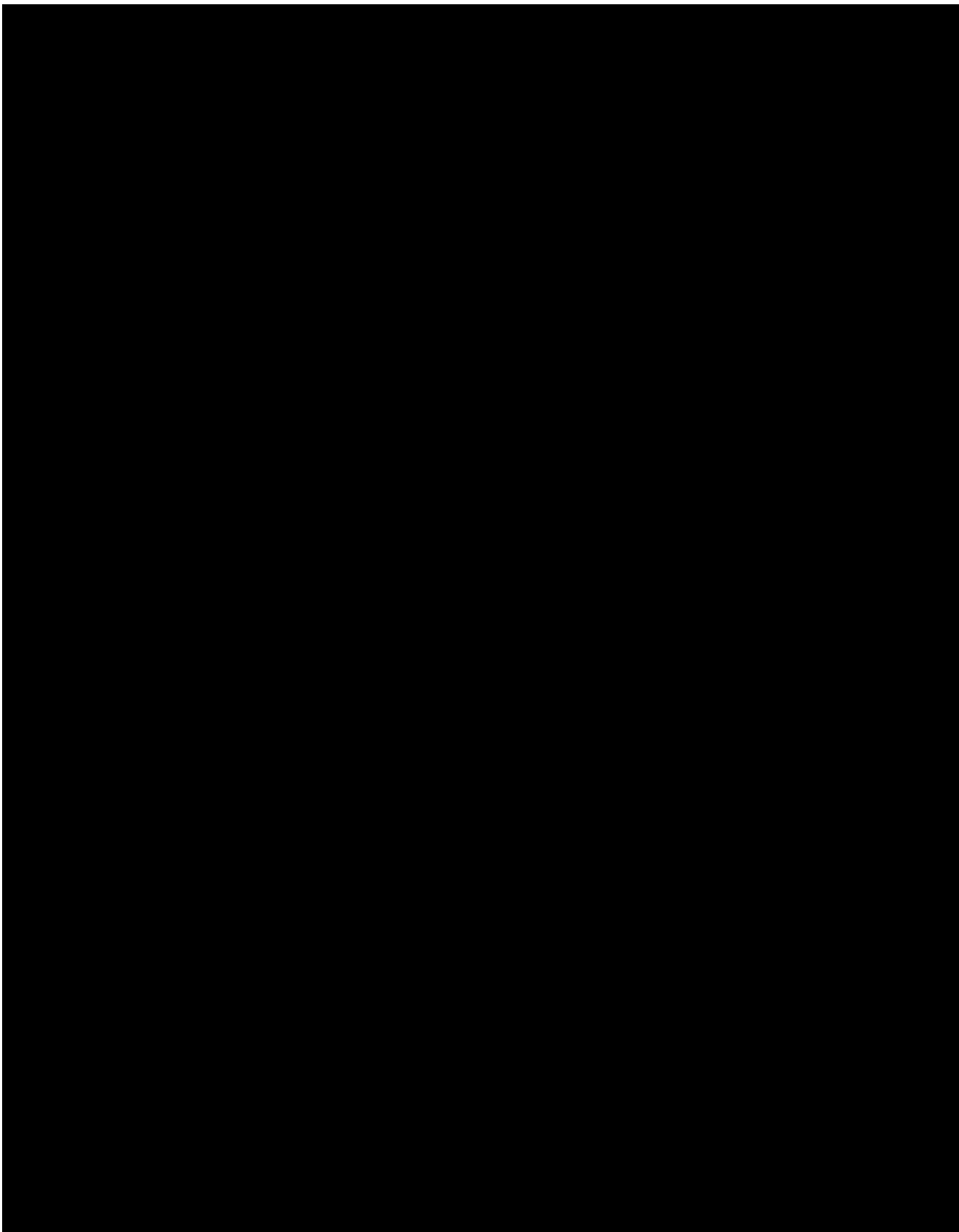


25. CONSOLIDATED TIMELINE FOR THE EVENTS OF DECEMBER 13TH, 2017

The following is a consolidated timeline for the known movements of Honey SHERMAN, Bernard SHERMAN and the unknown person walking on Old Colony Road for December 13th, 2017.

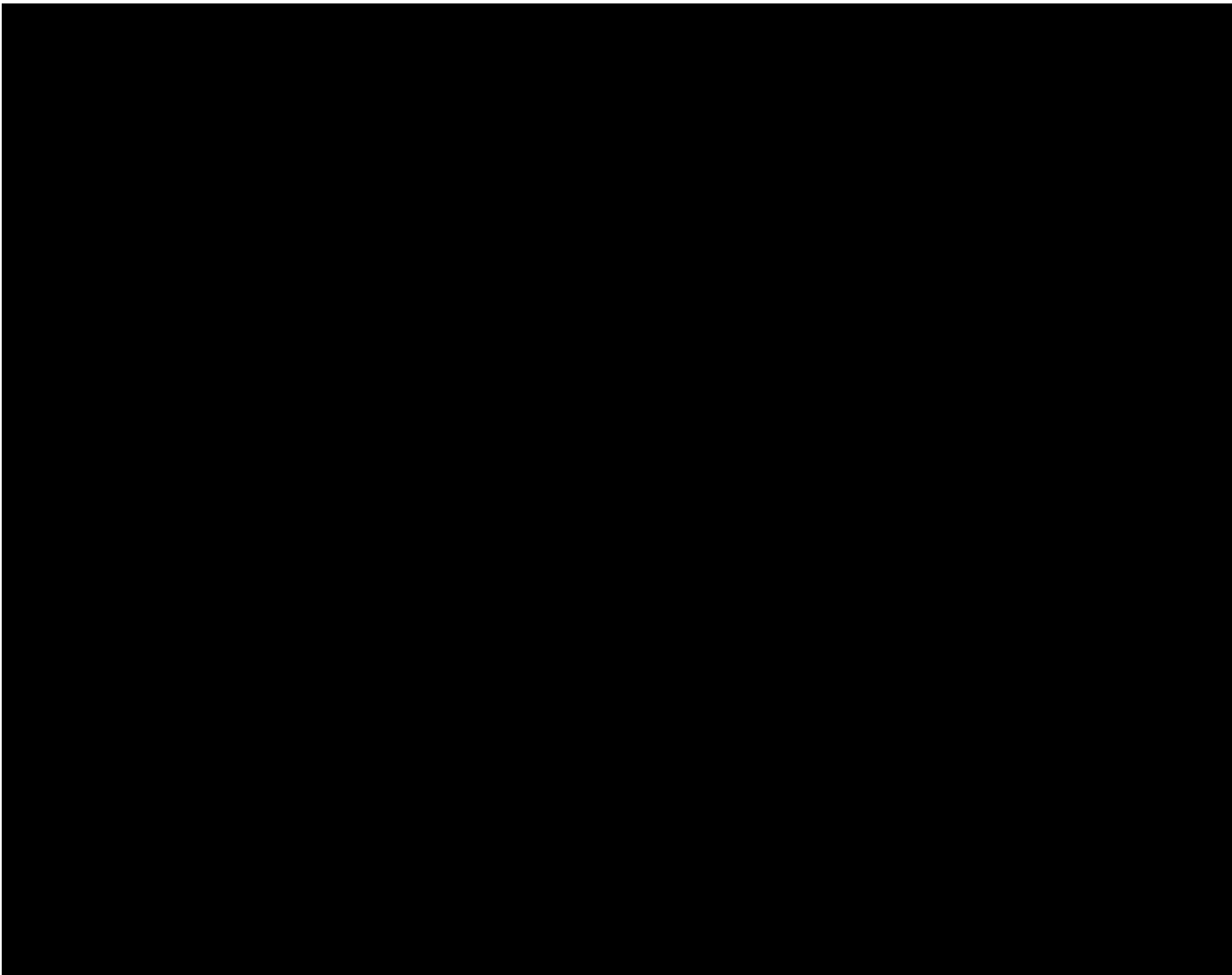


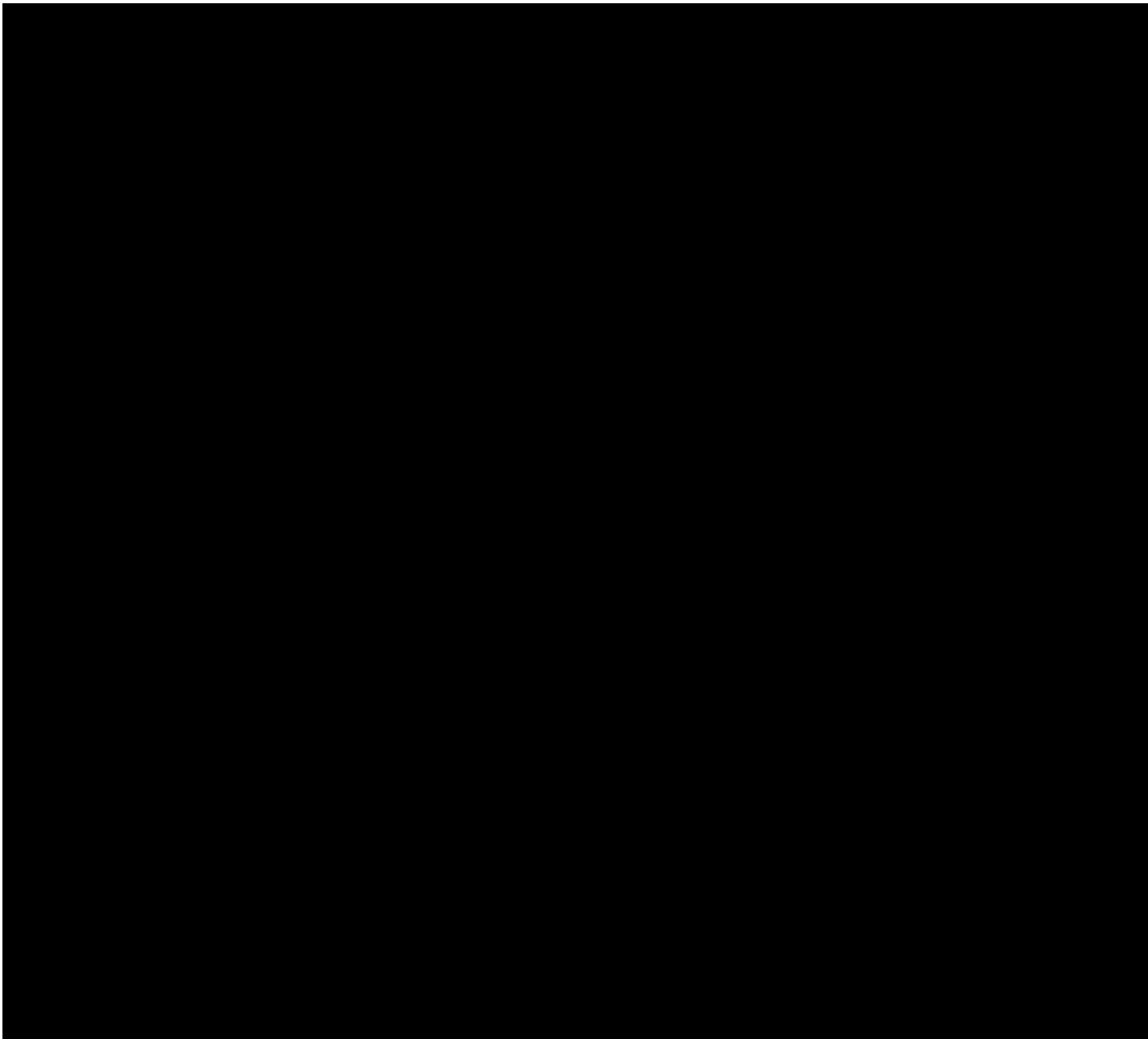




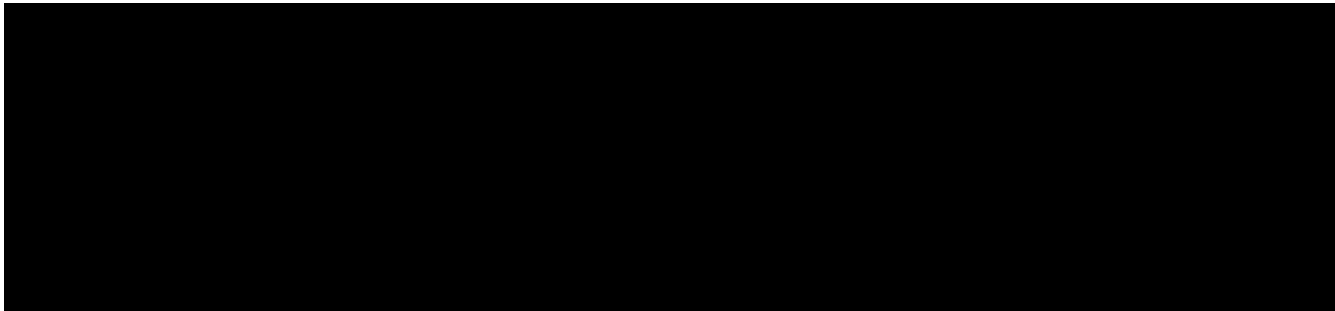


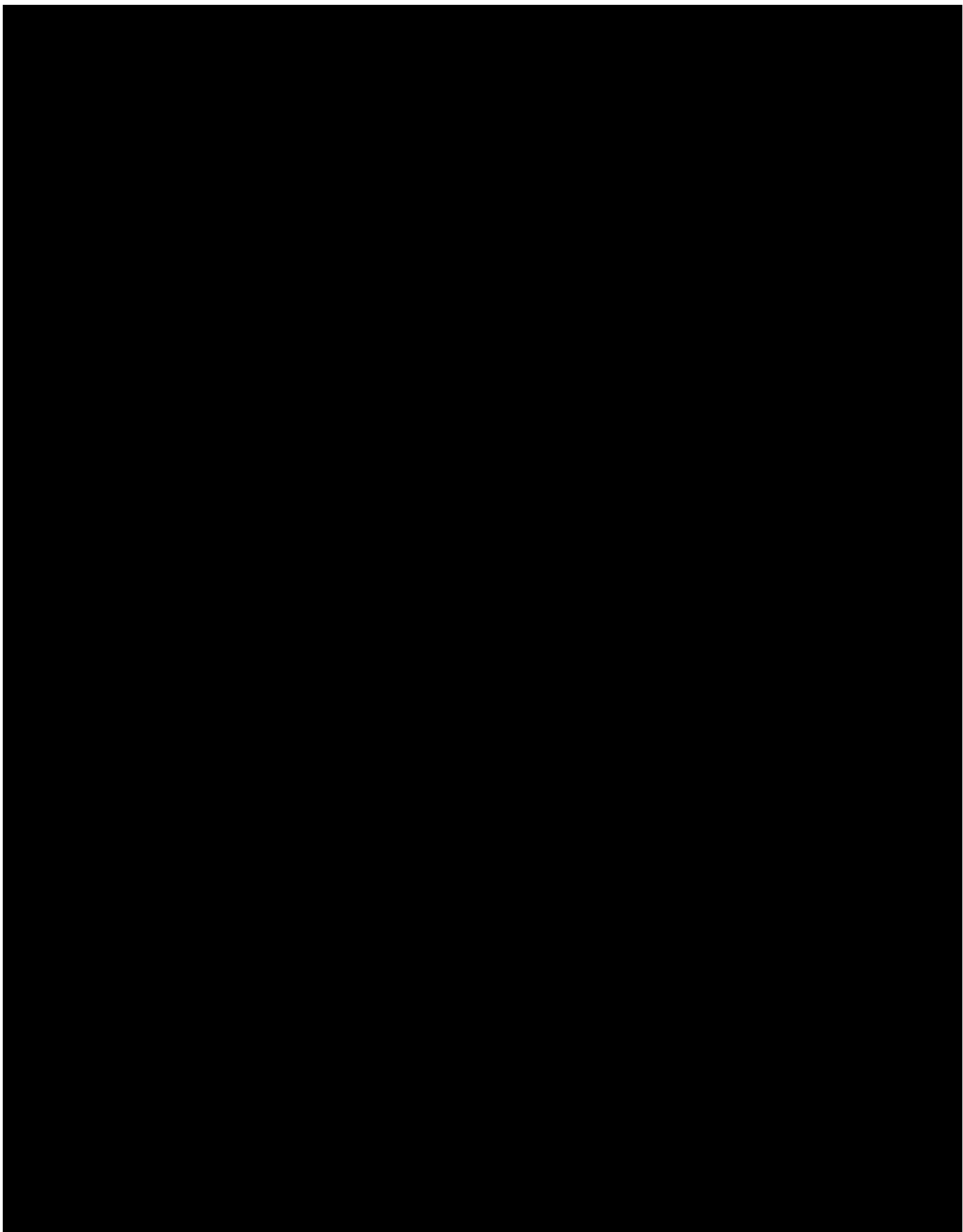
26. 

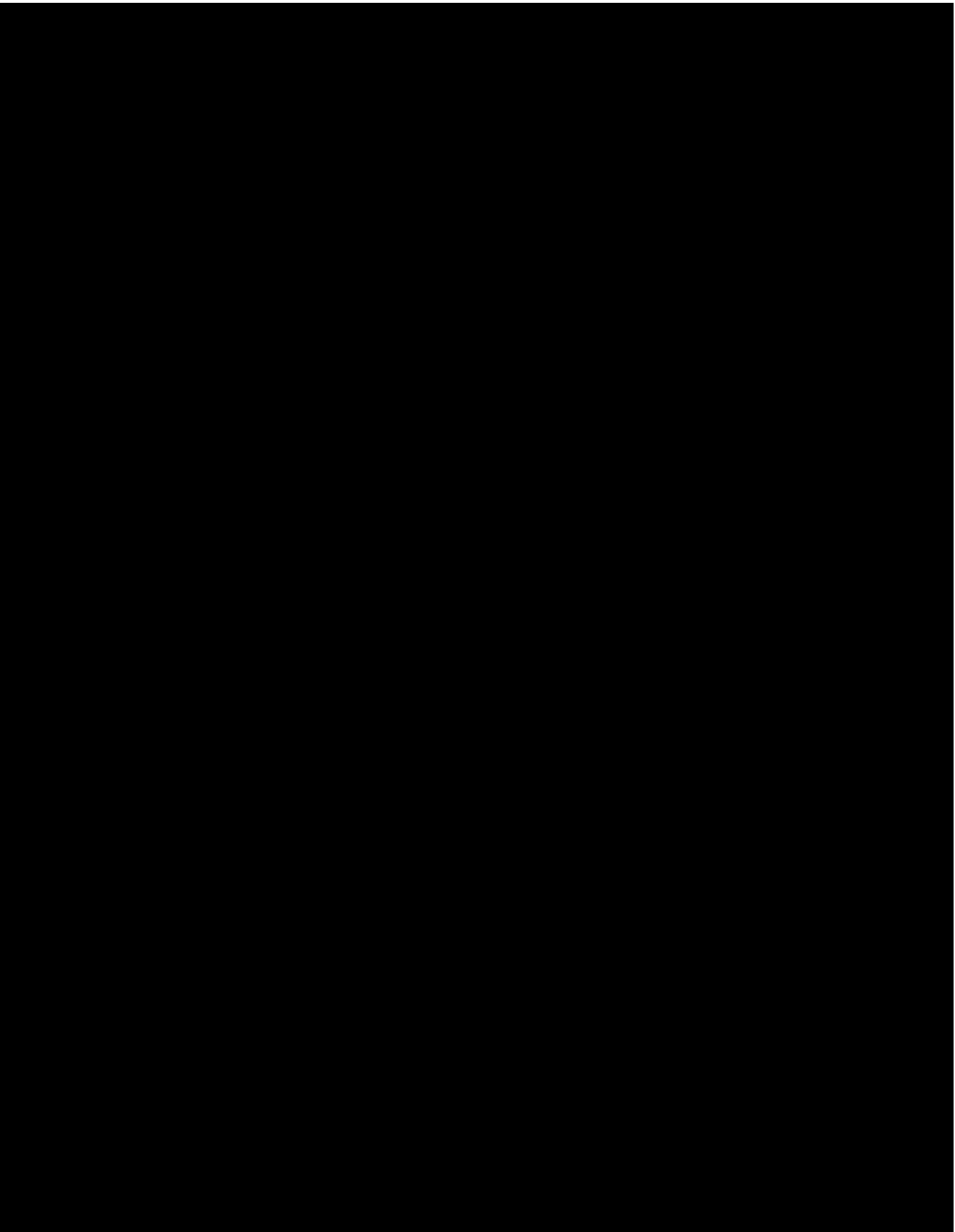


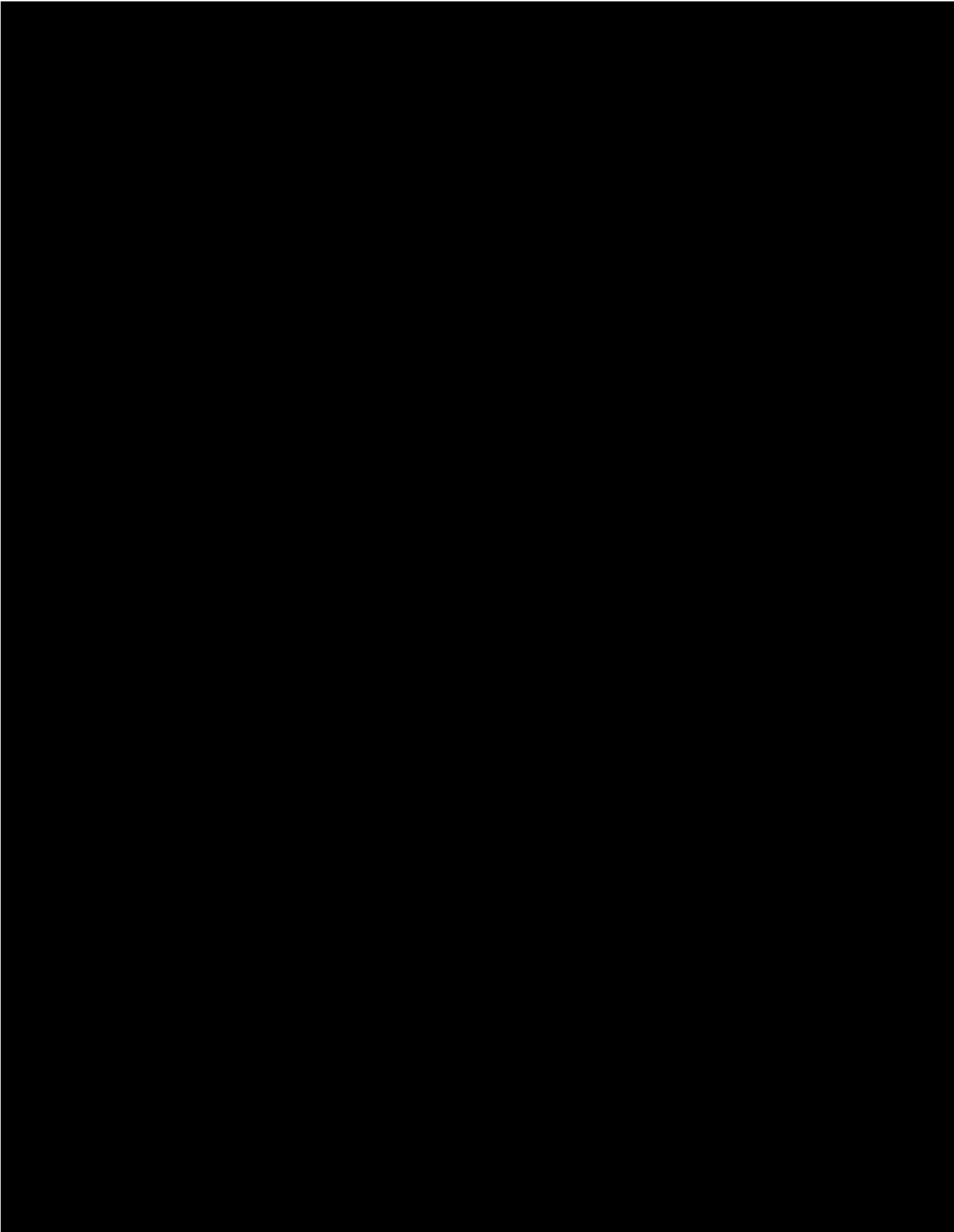


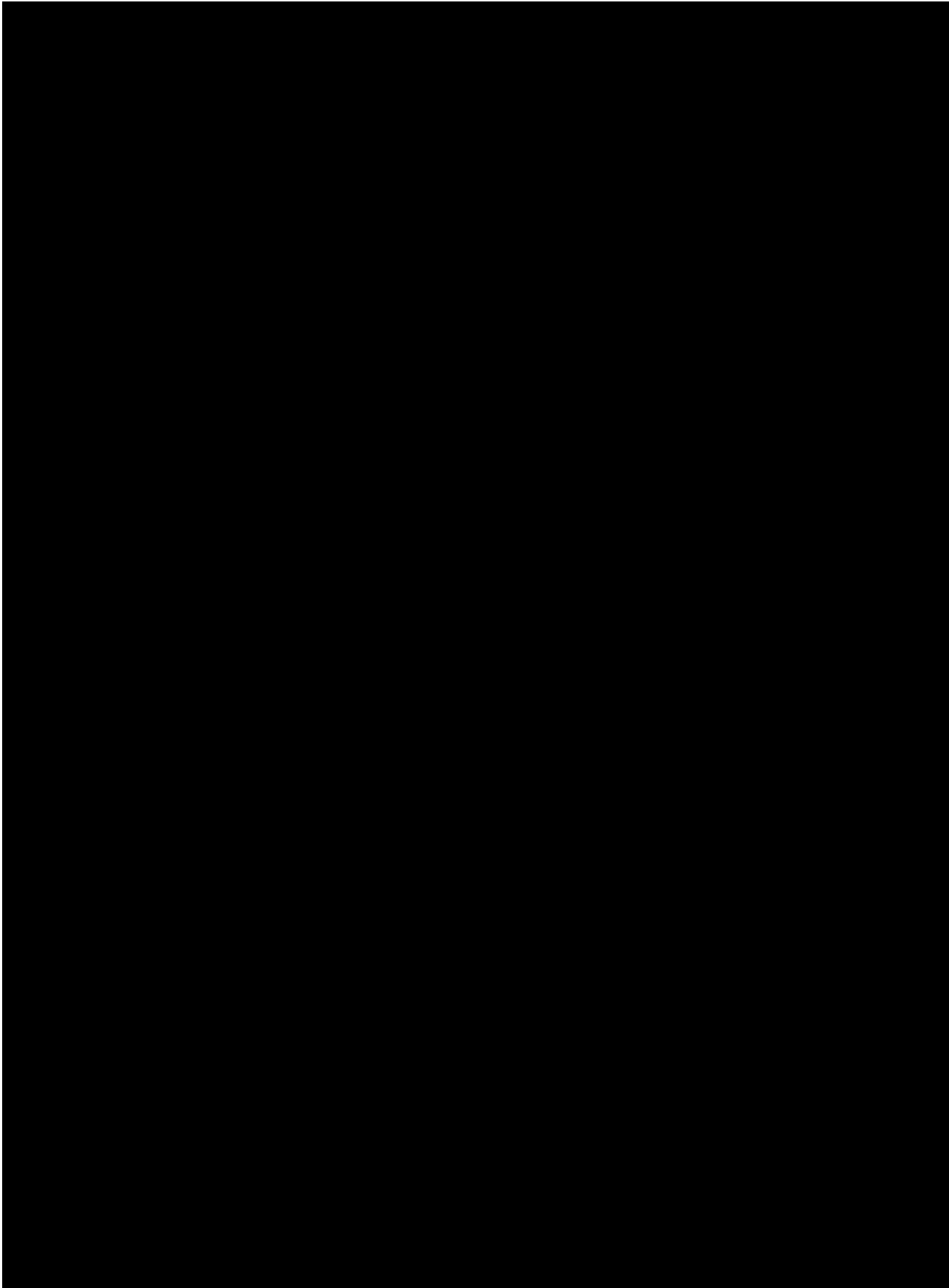
27. [Redacted]
[Redacted]

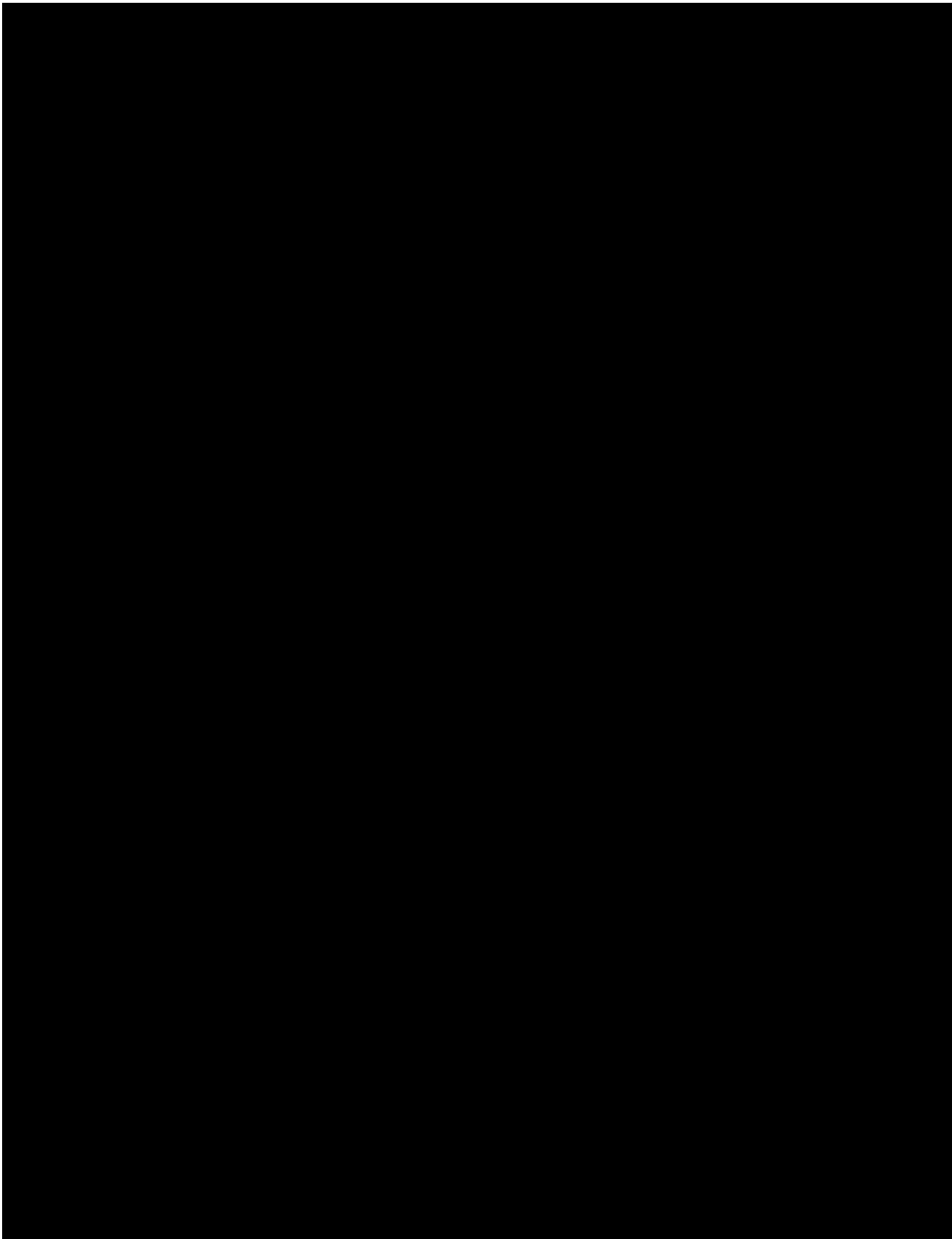


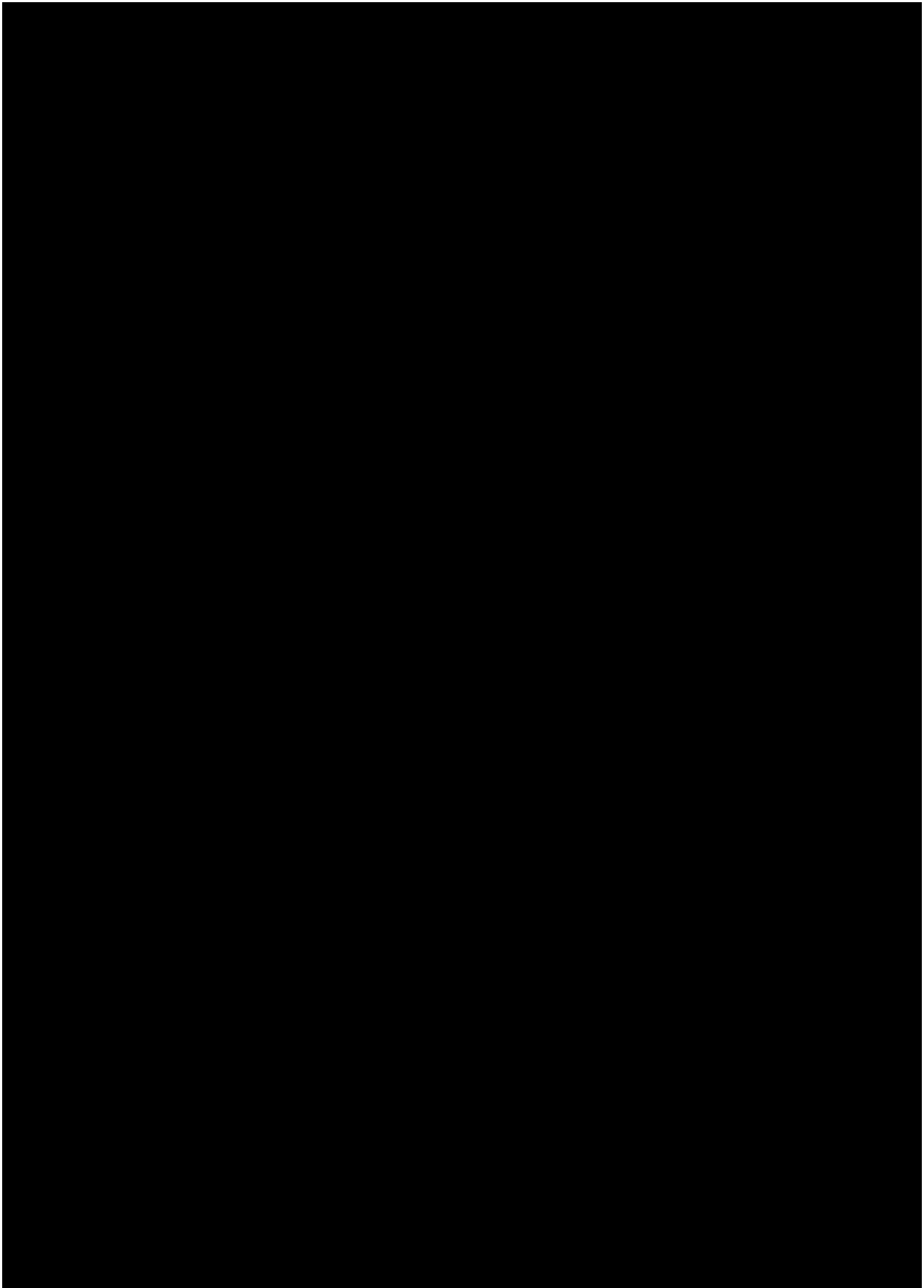


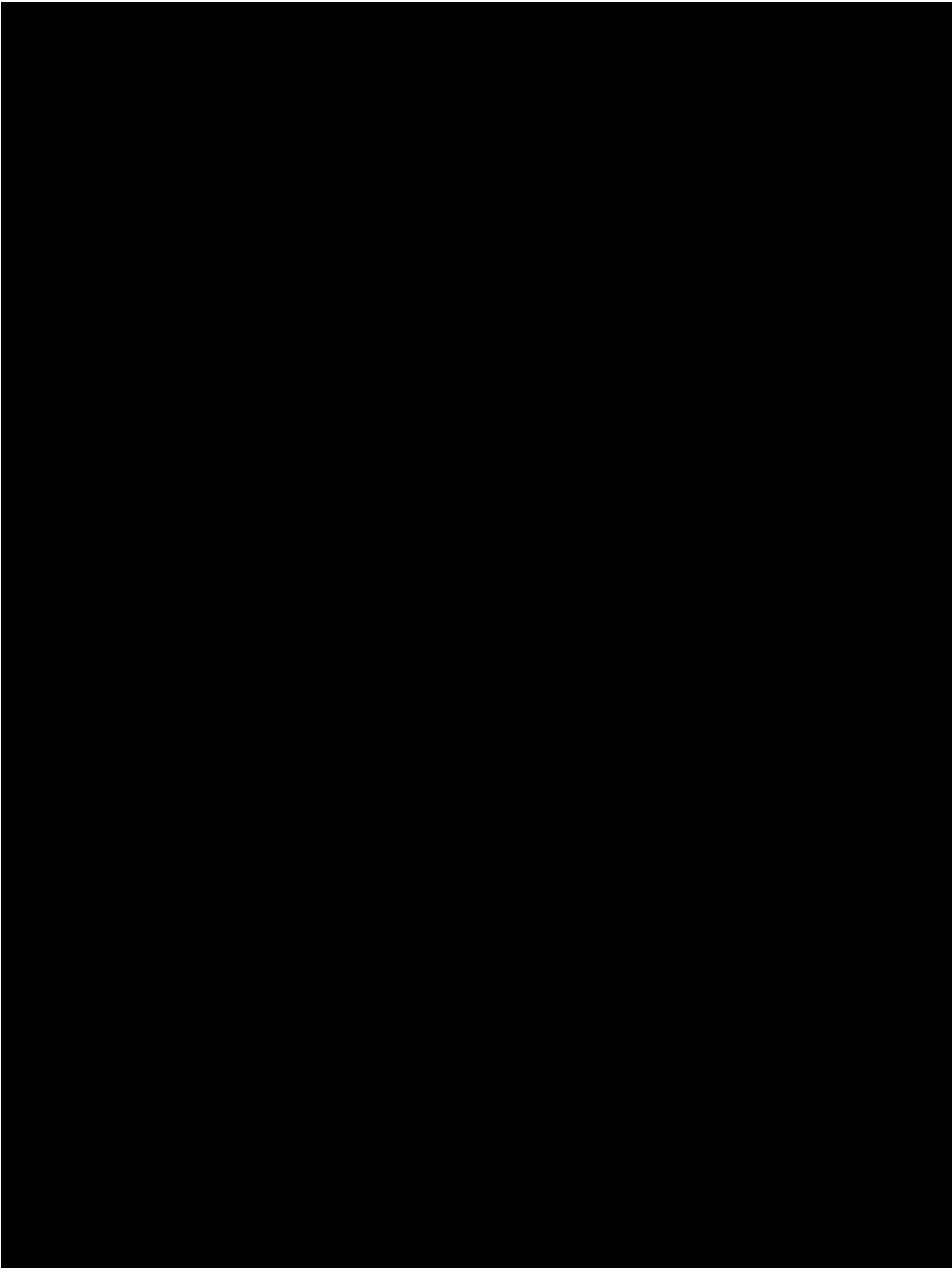


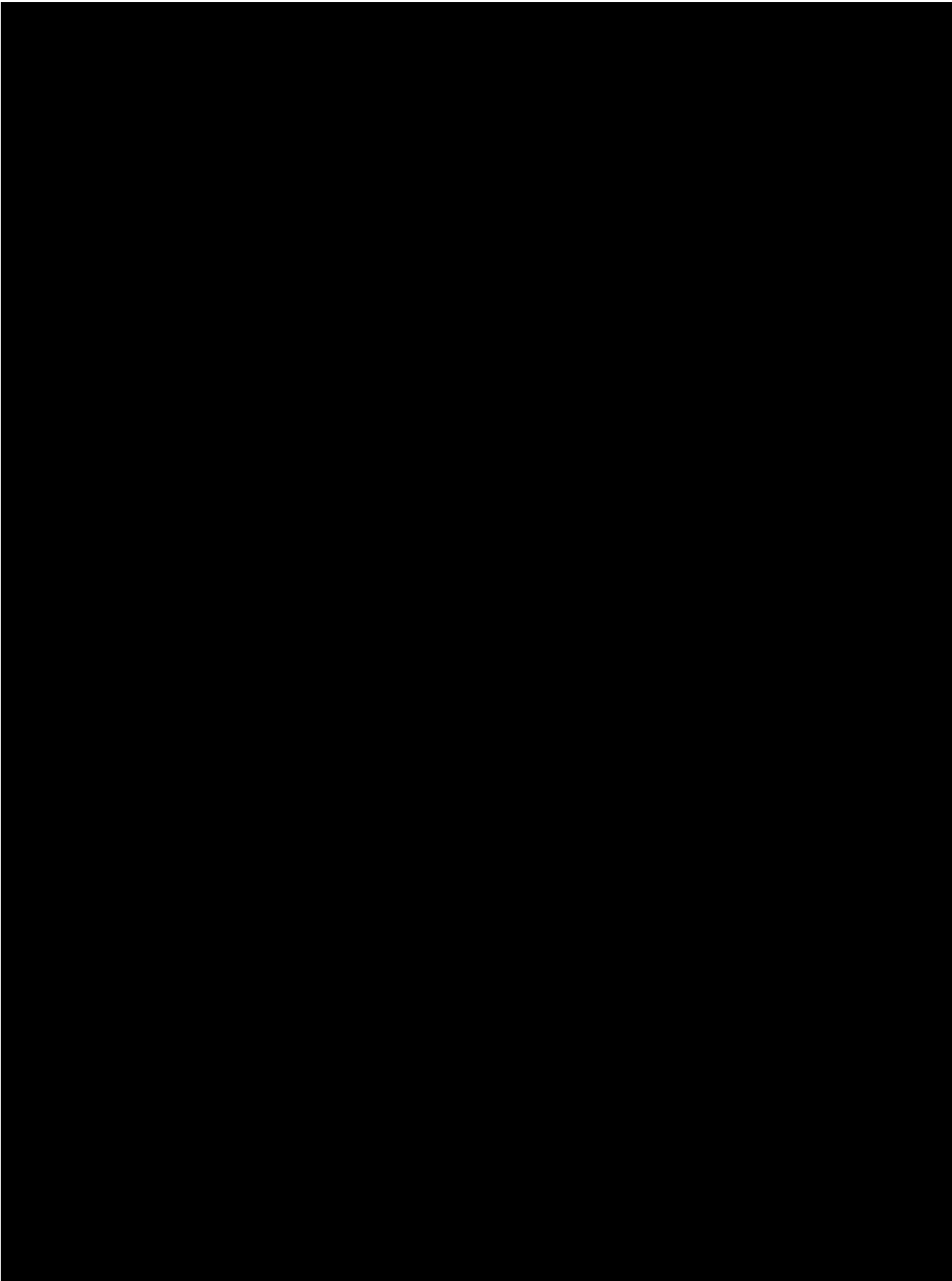


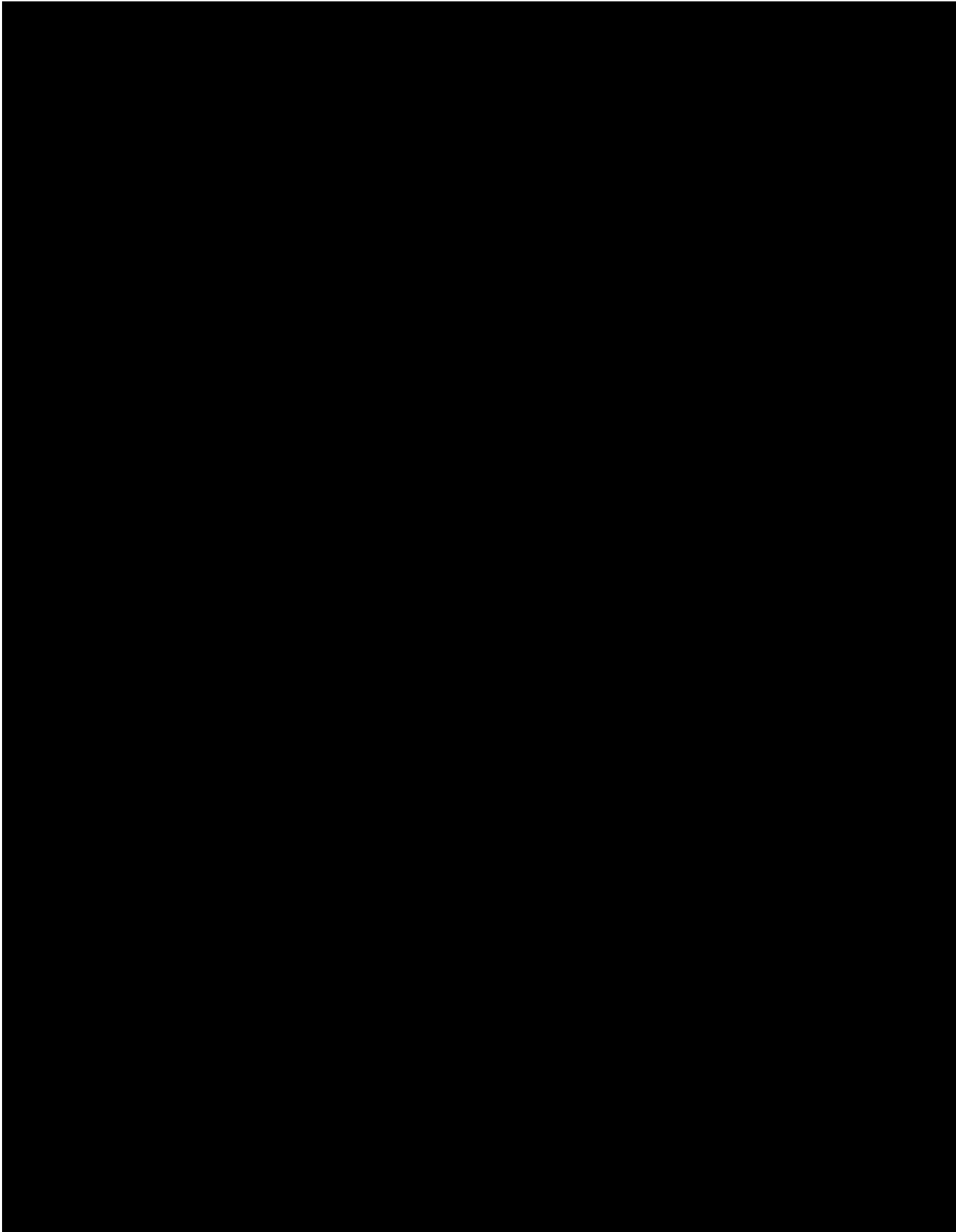


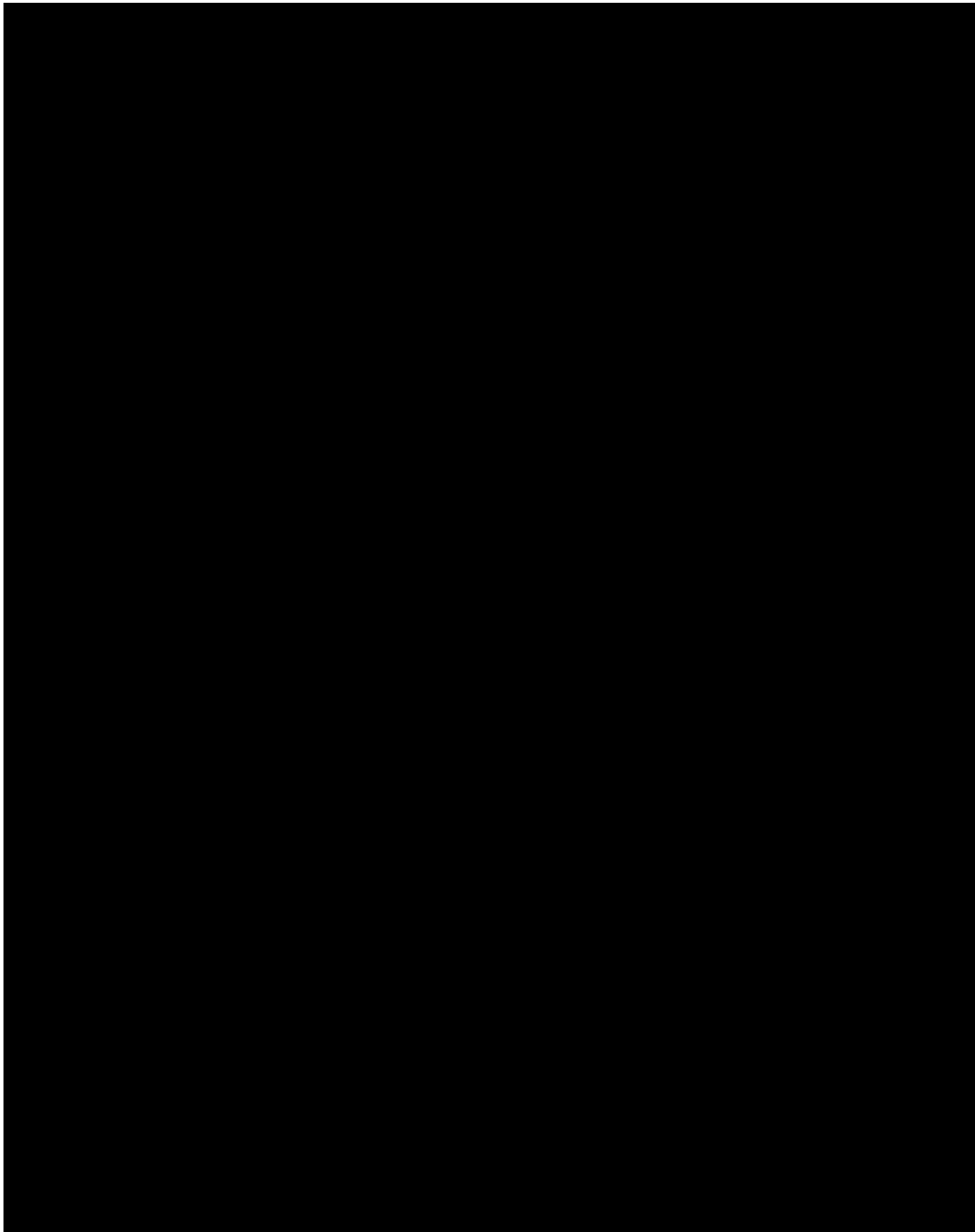


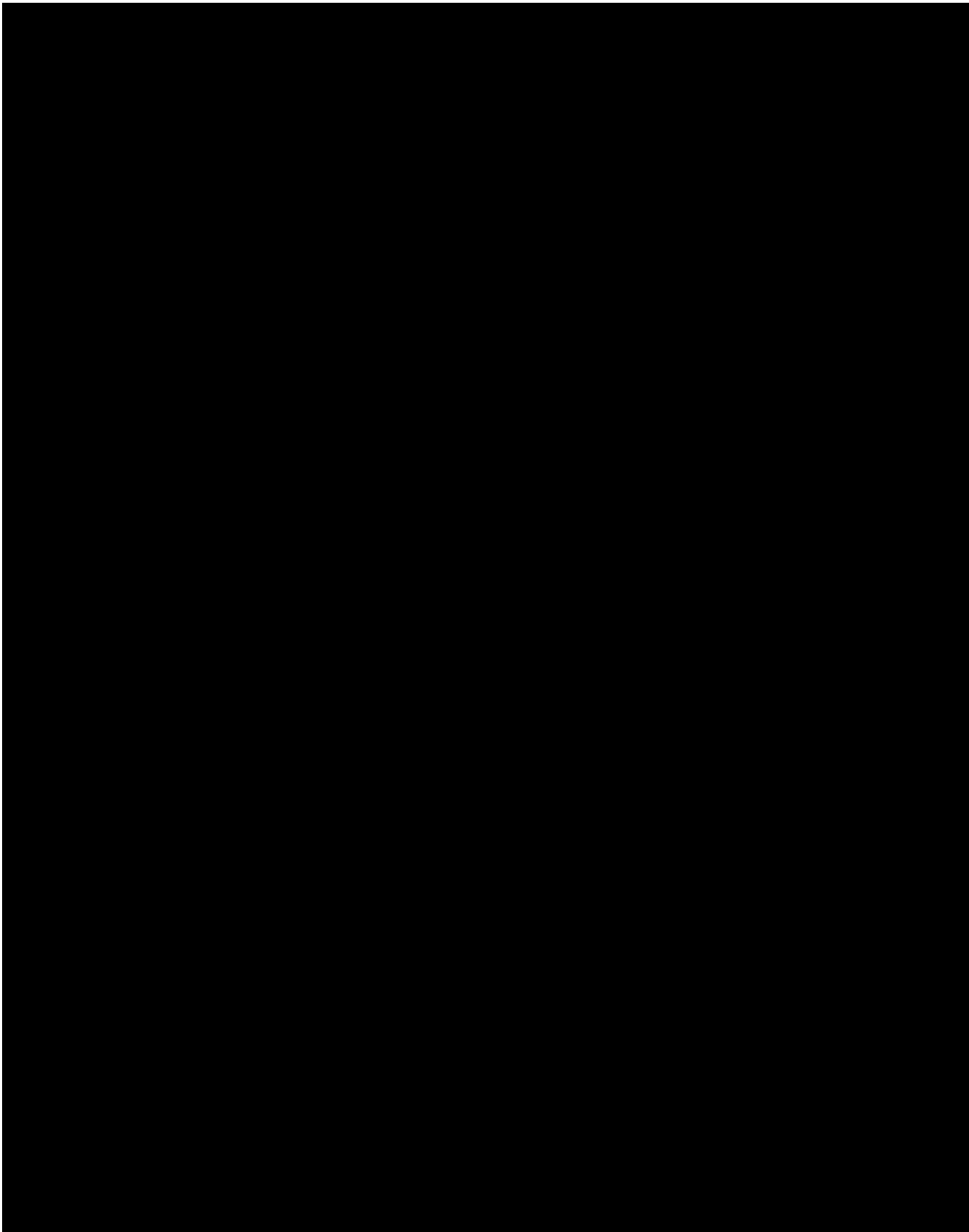


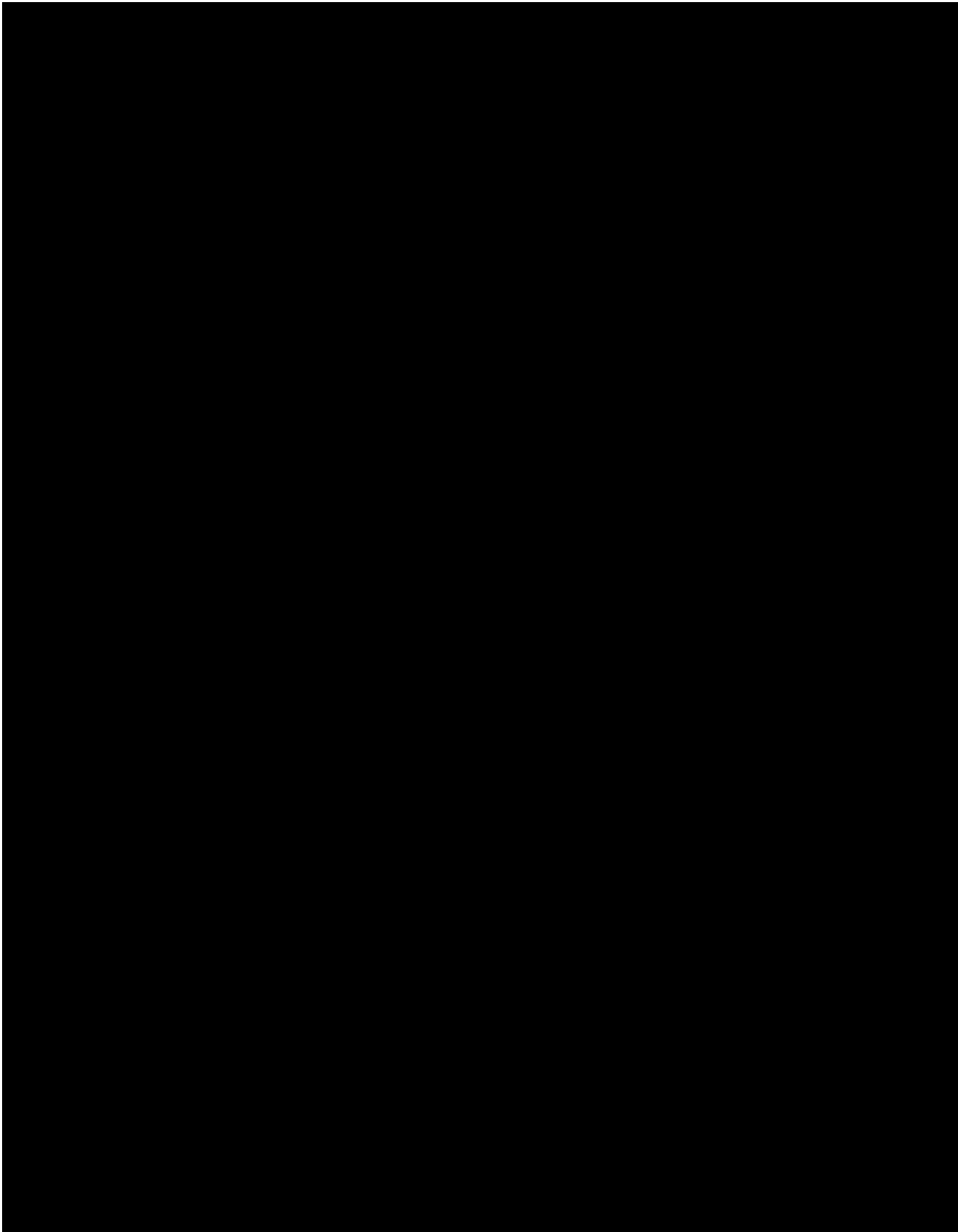


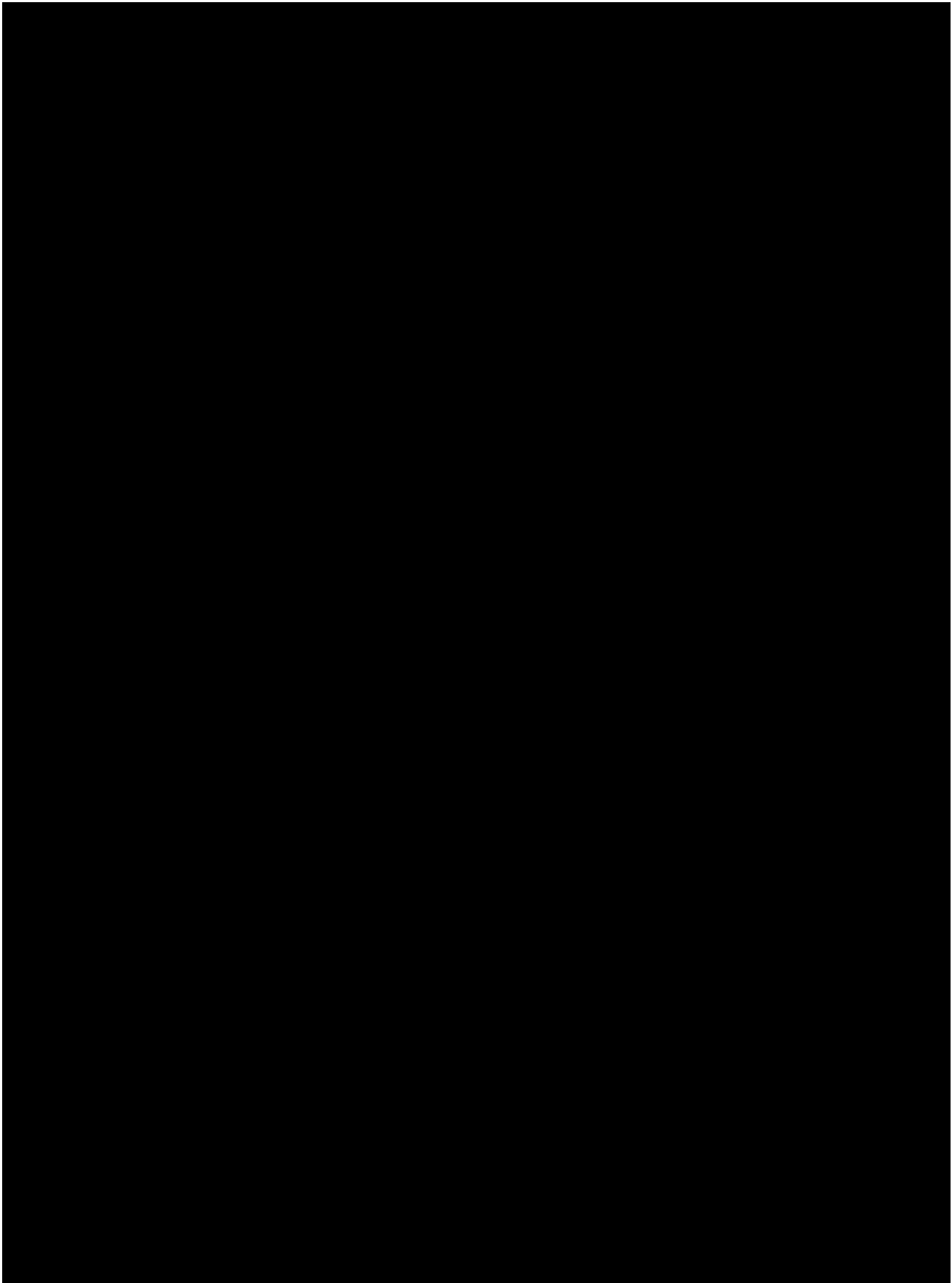


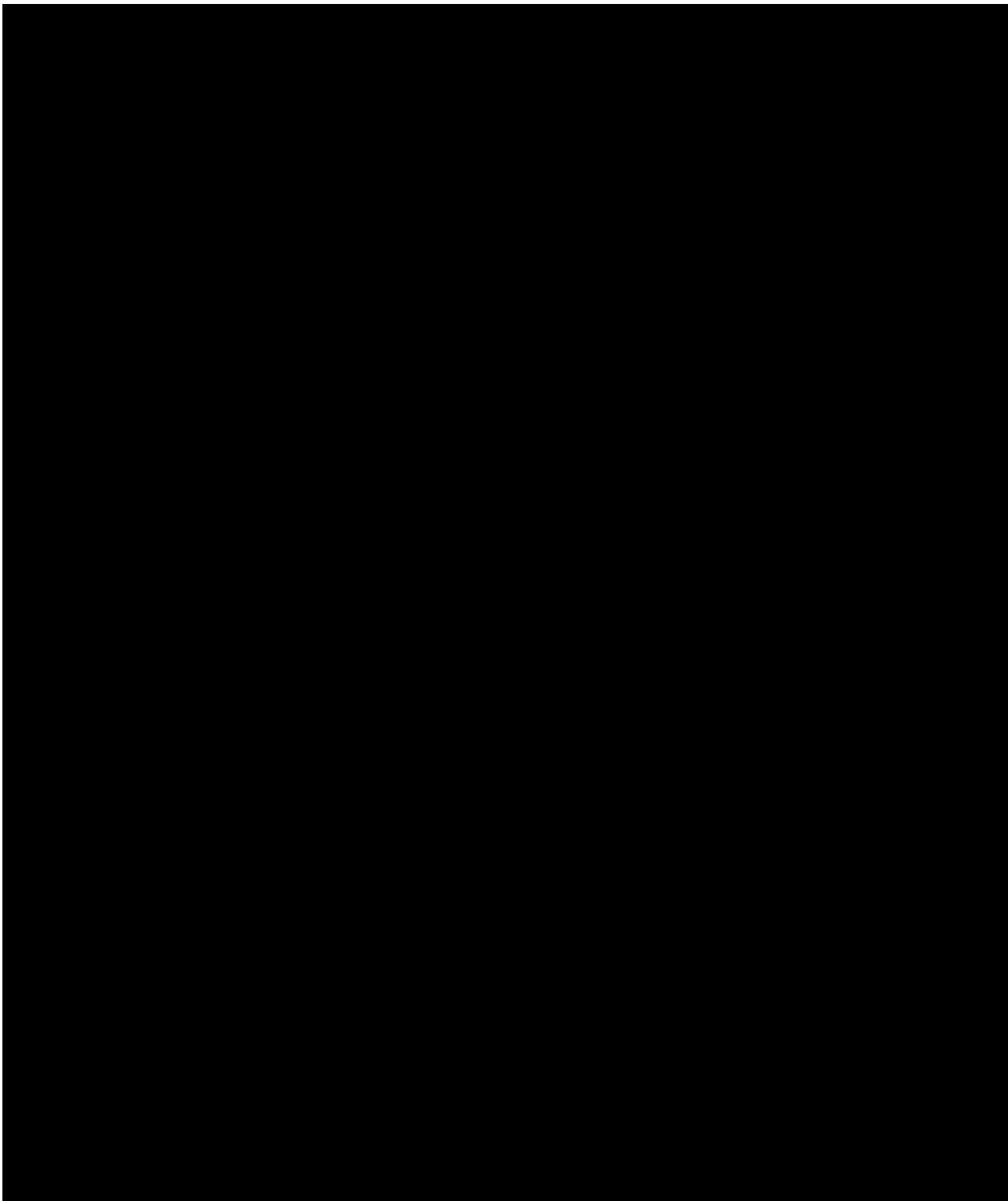


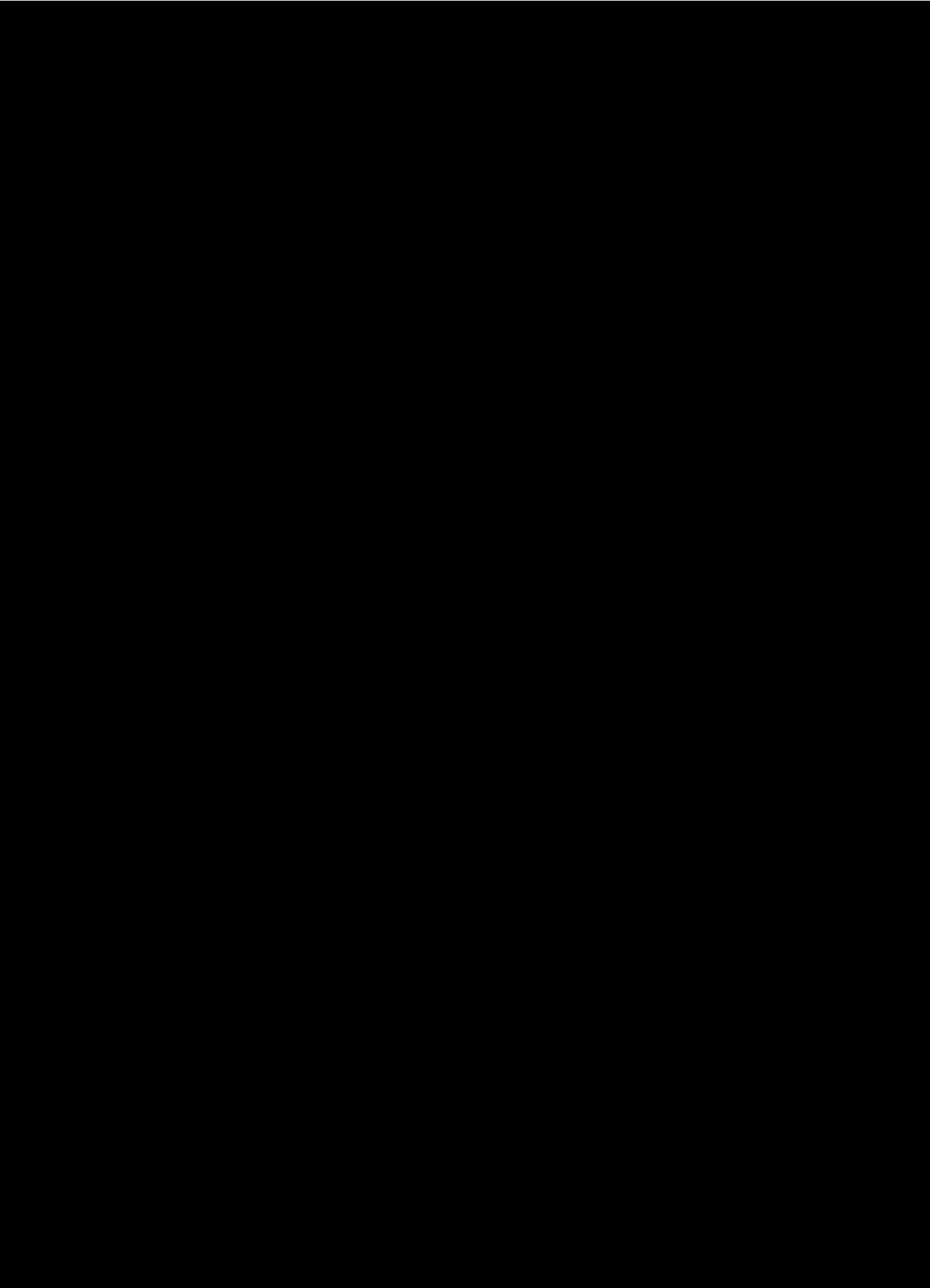


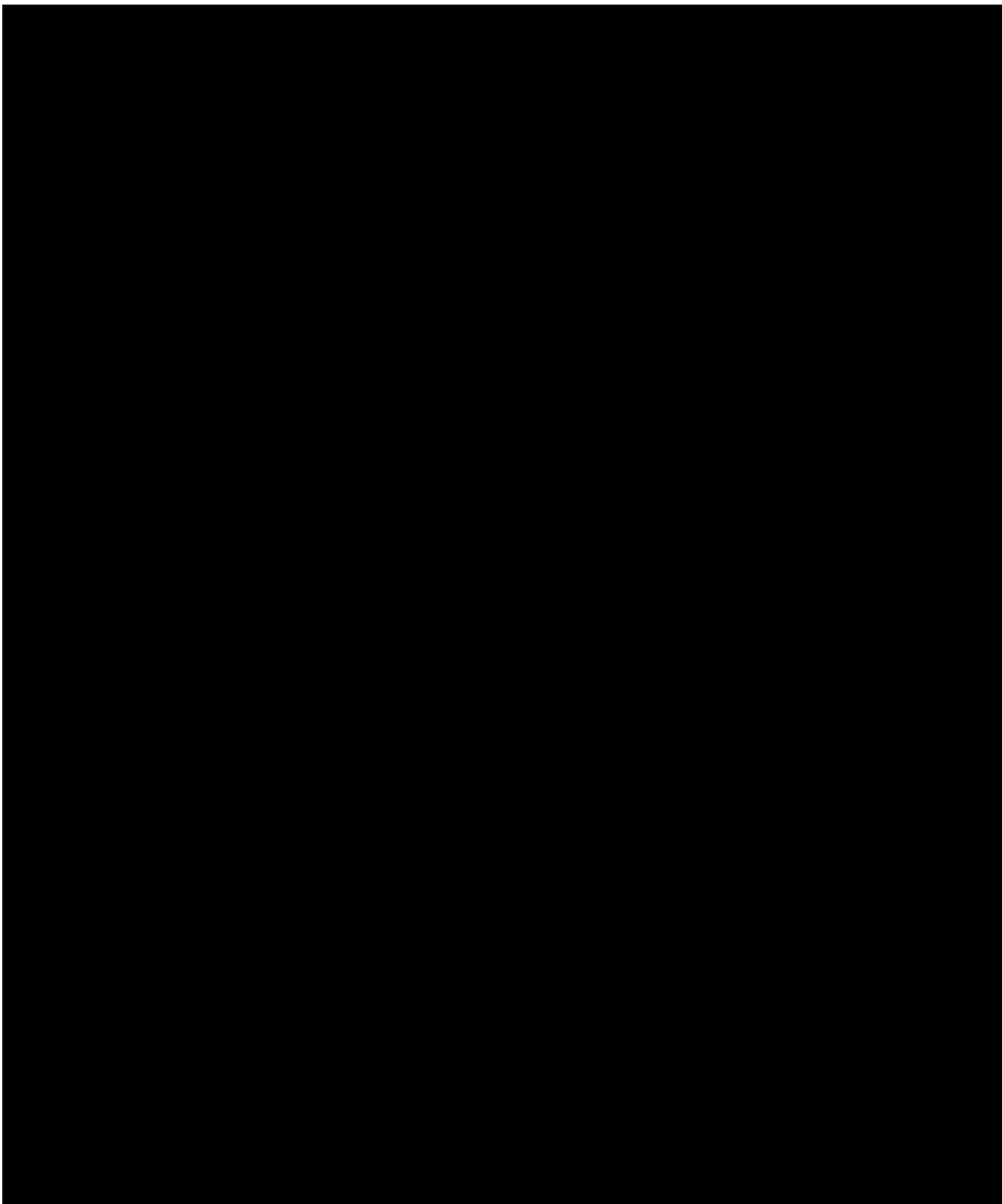


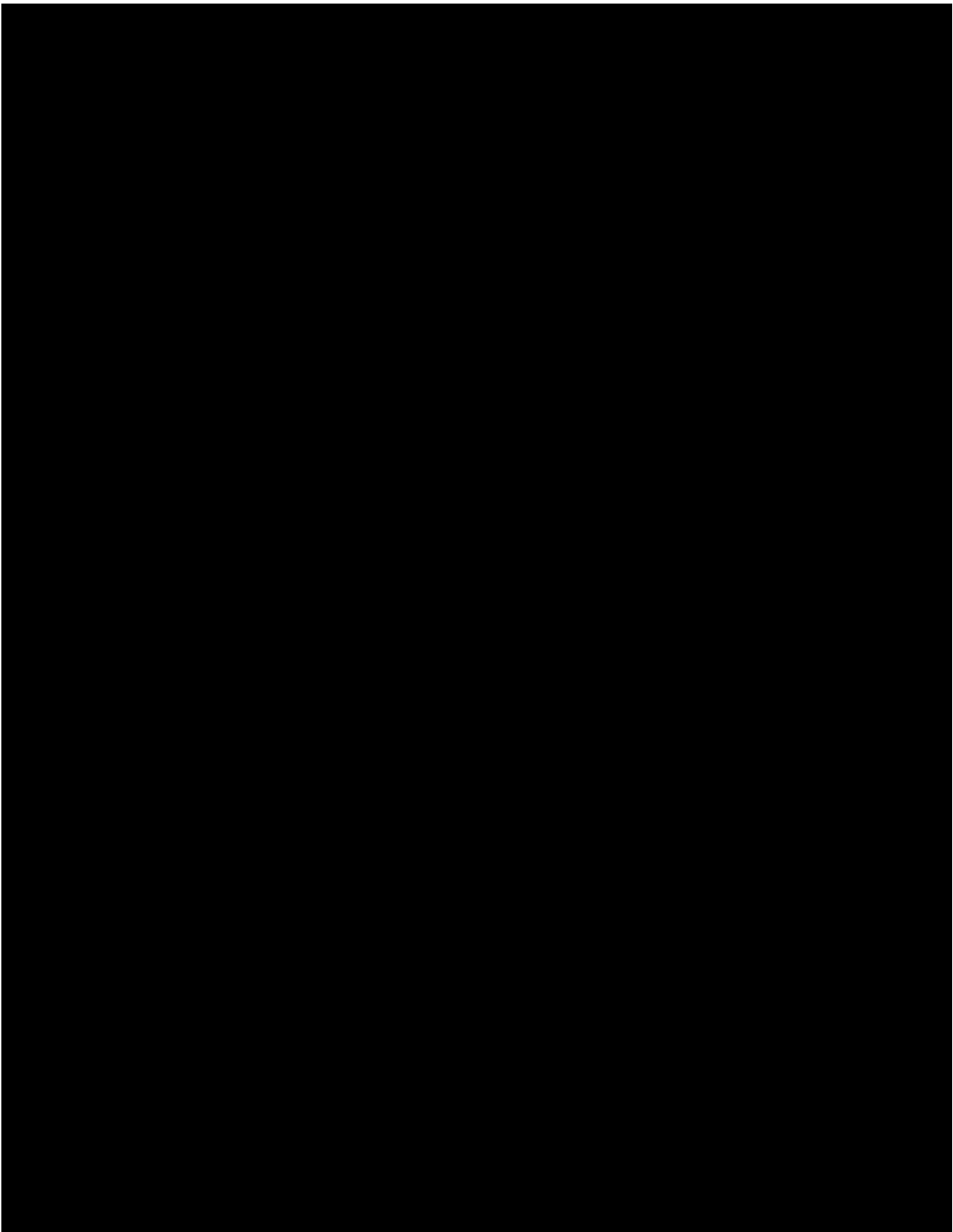


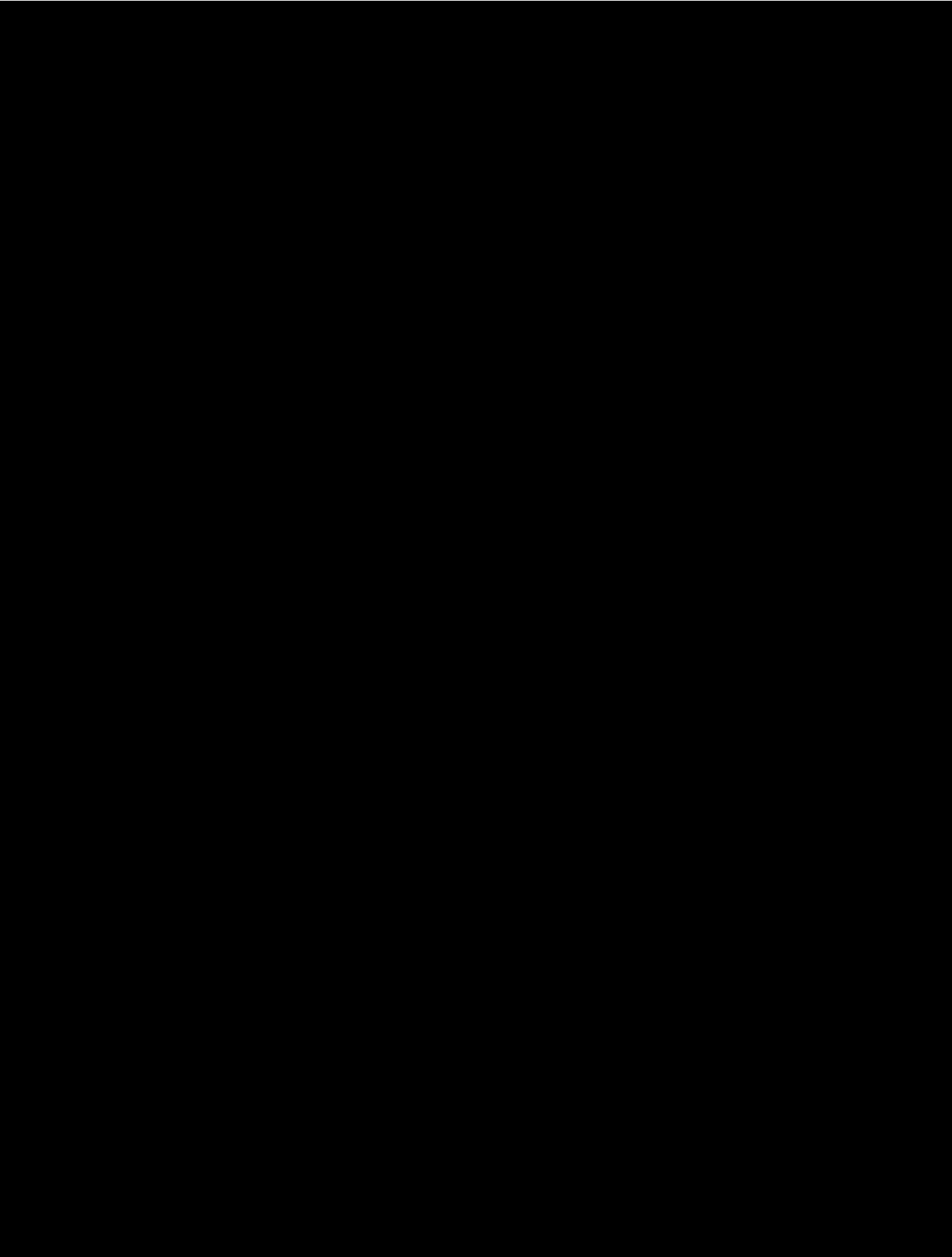


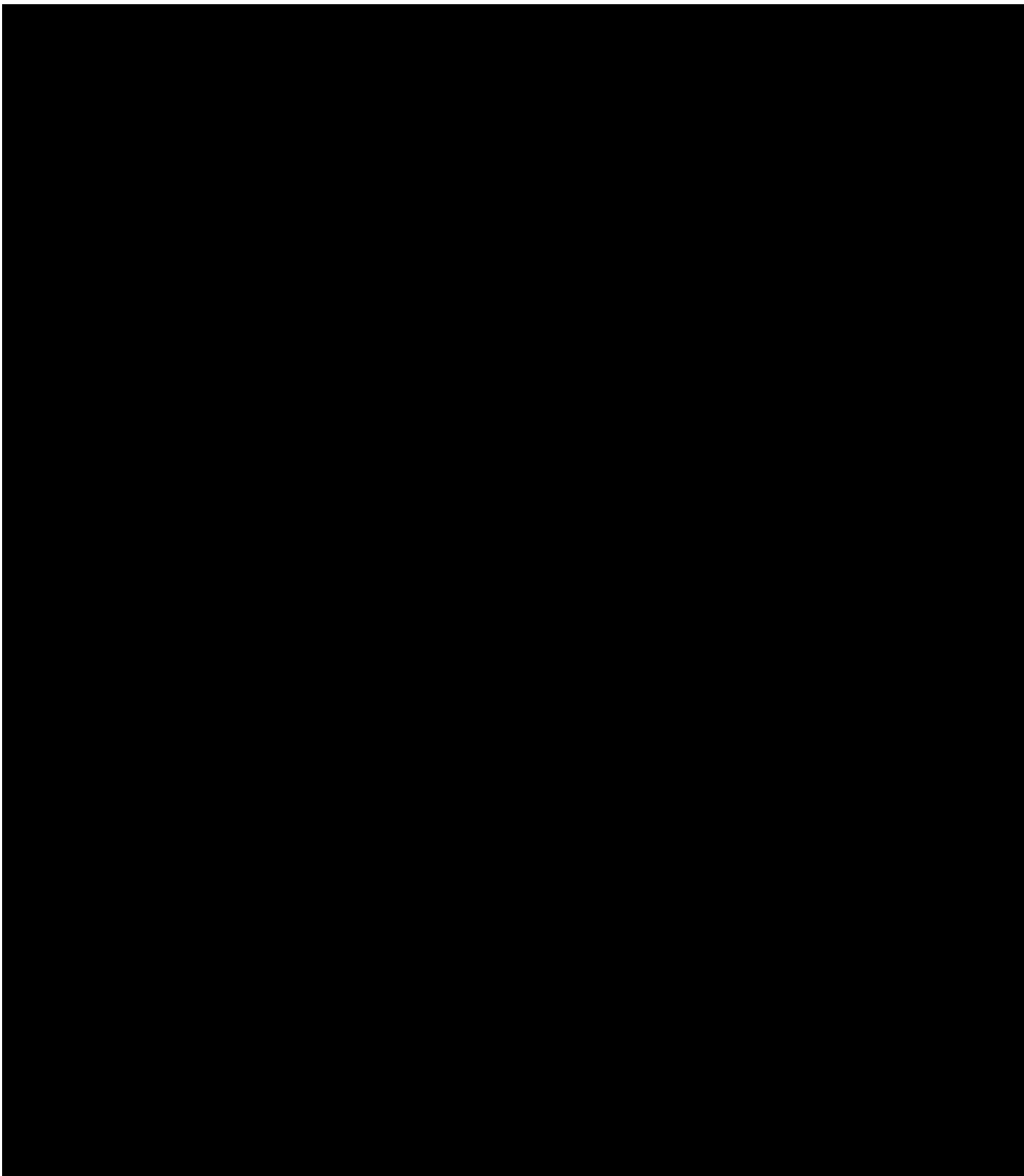


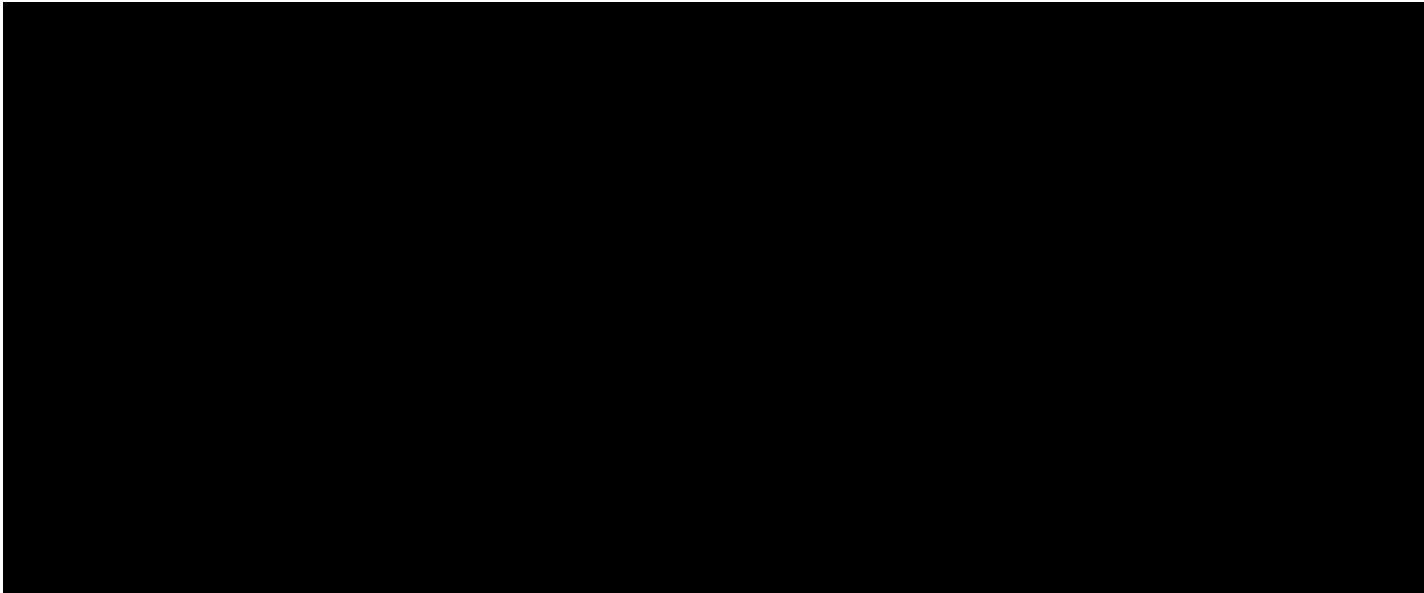




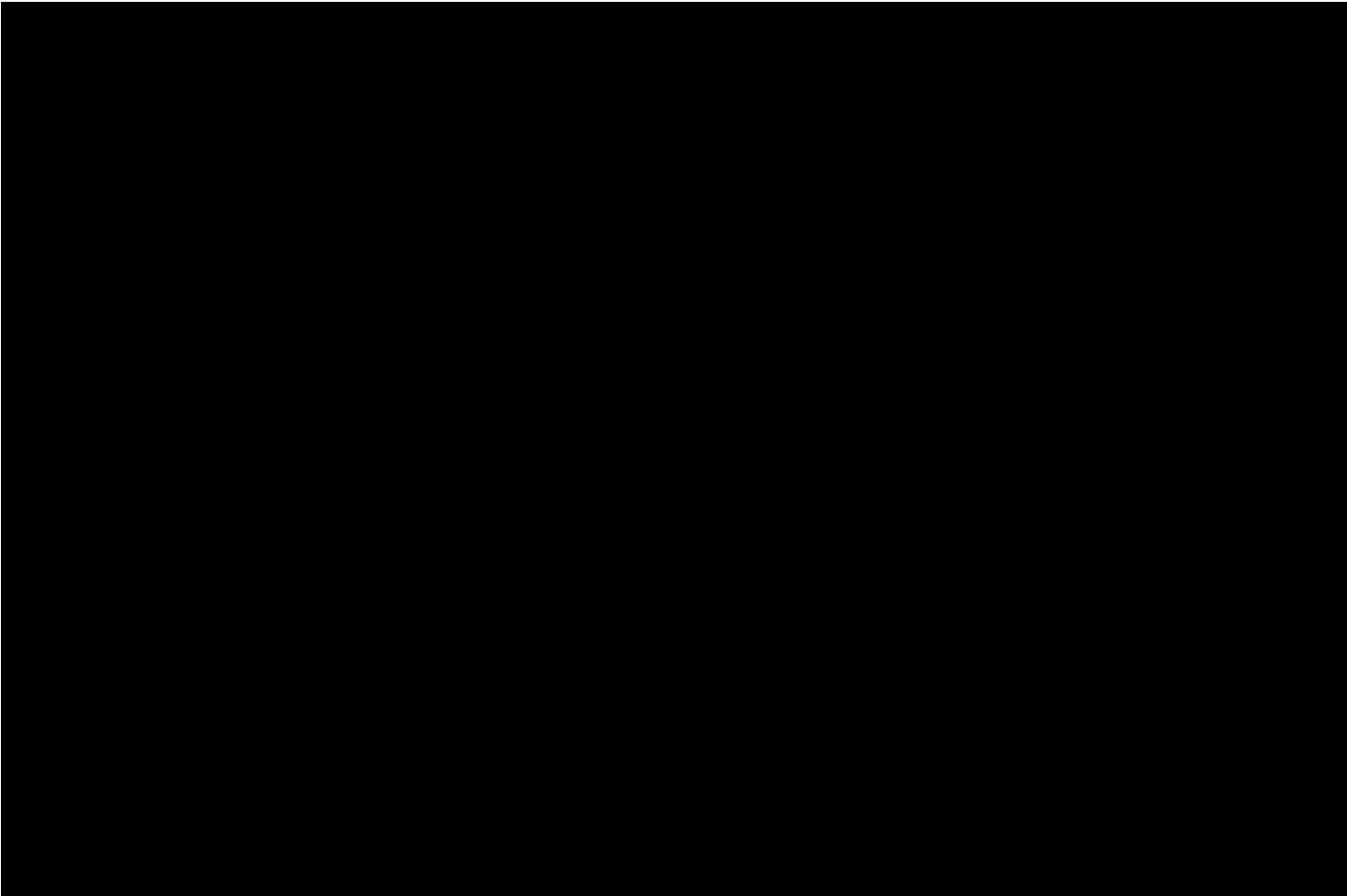


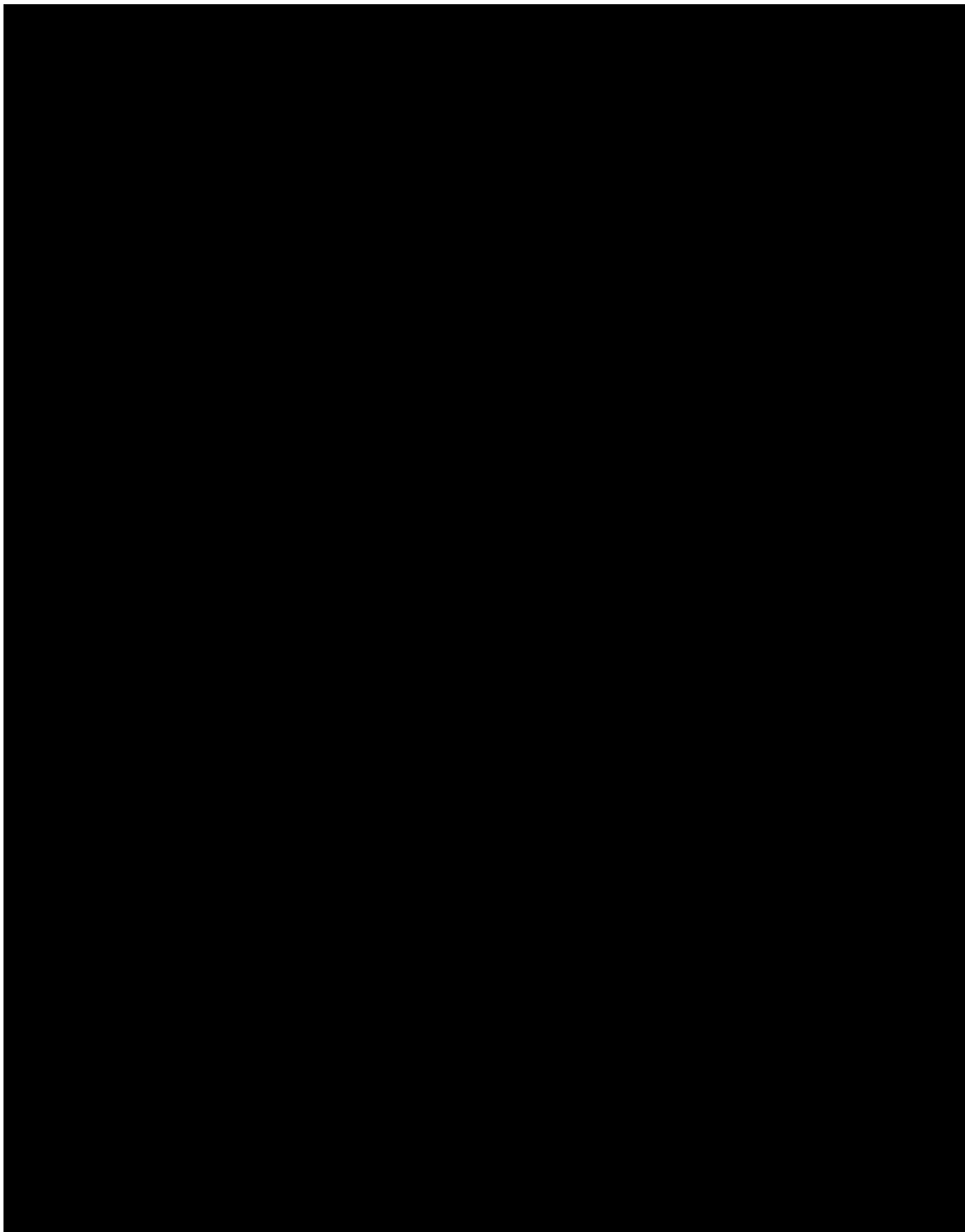


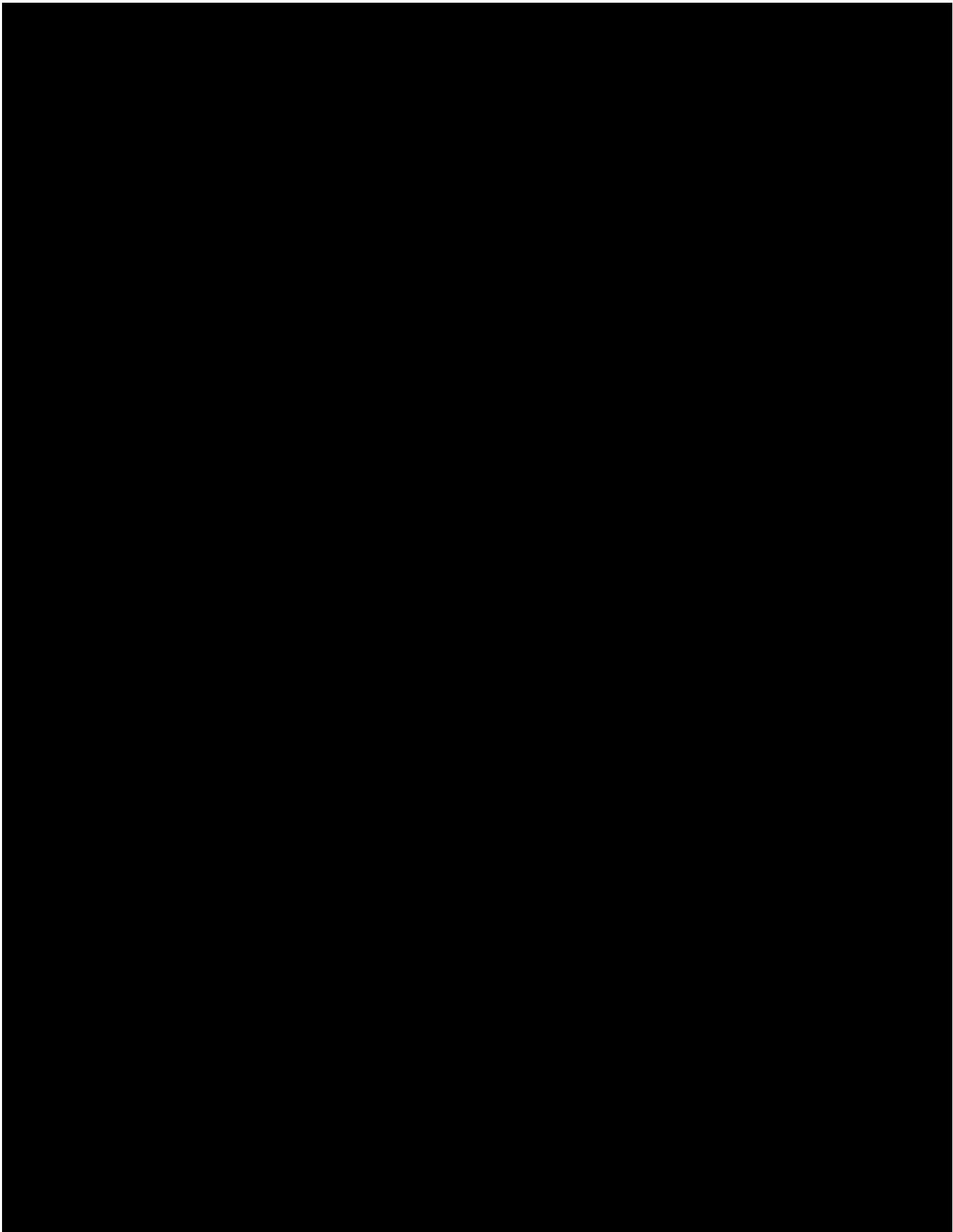


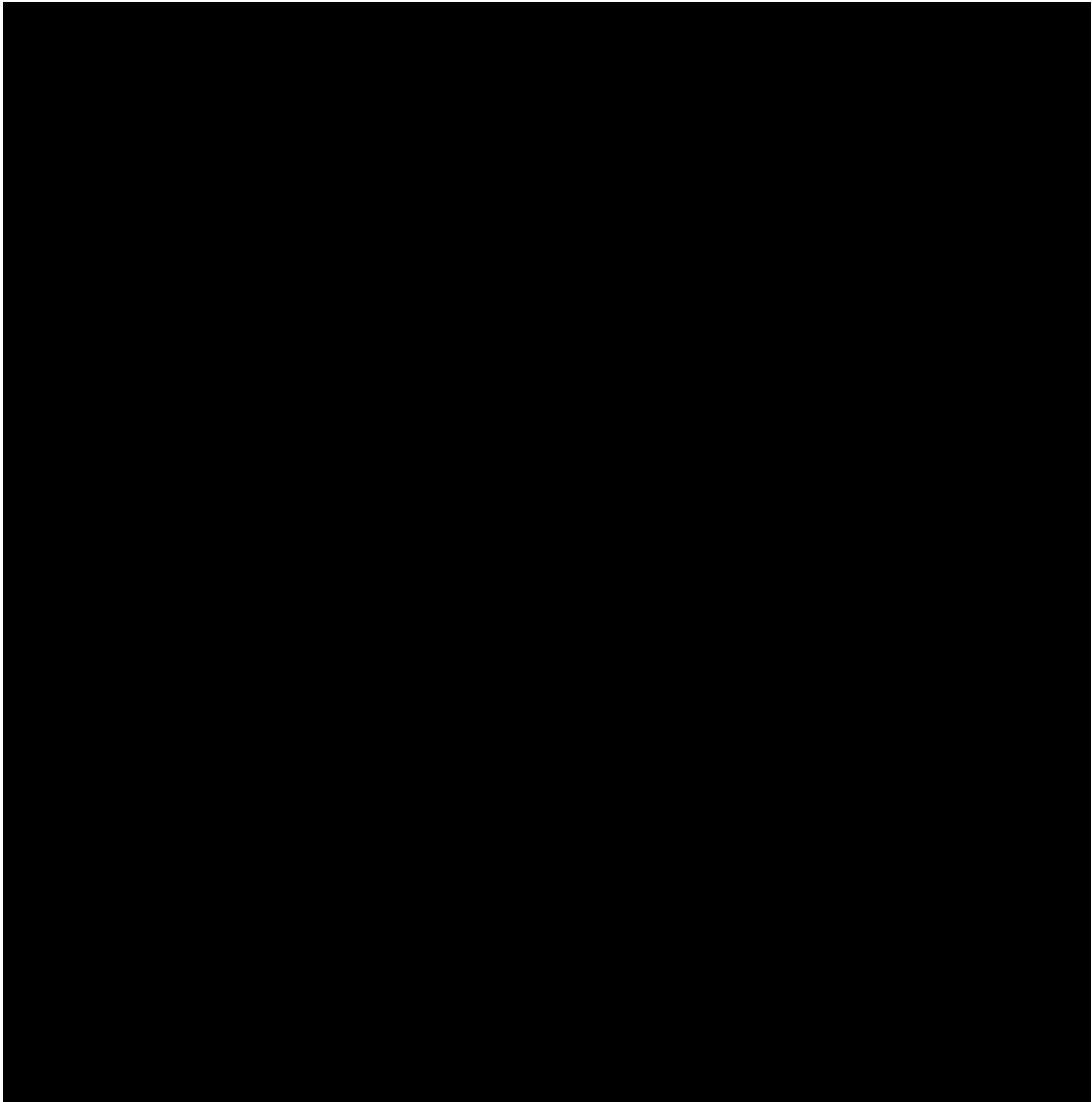


28.

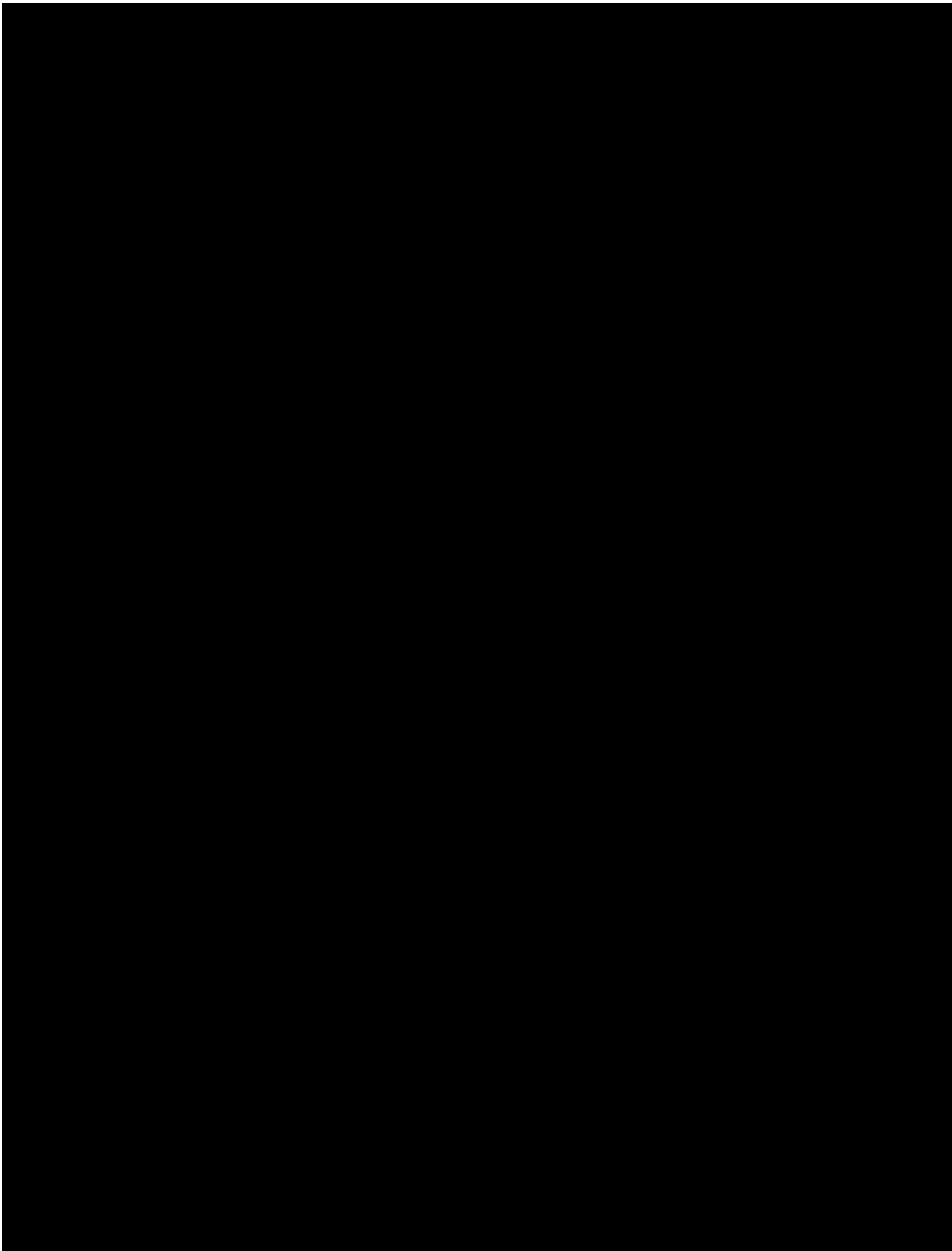


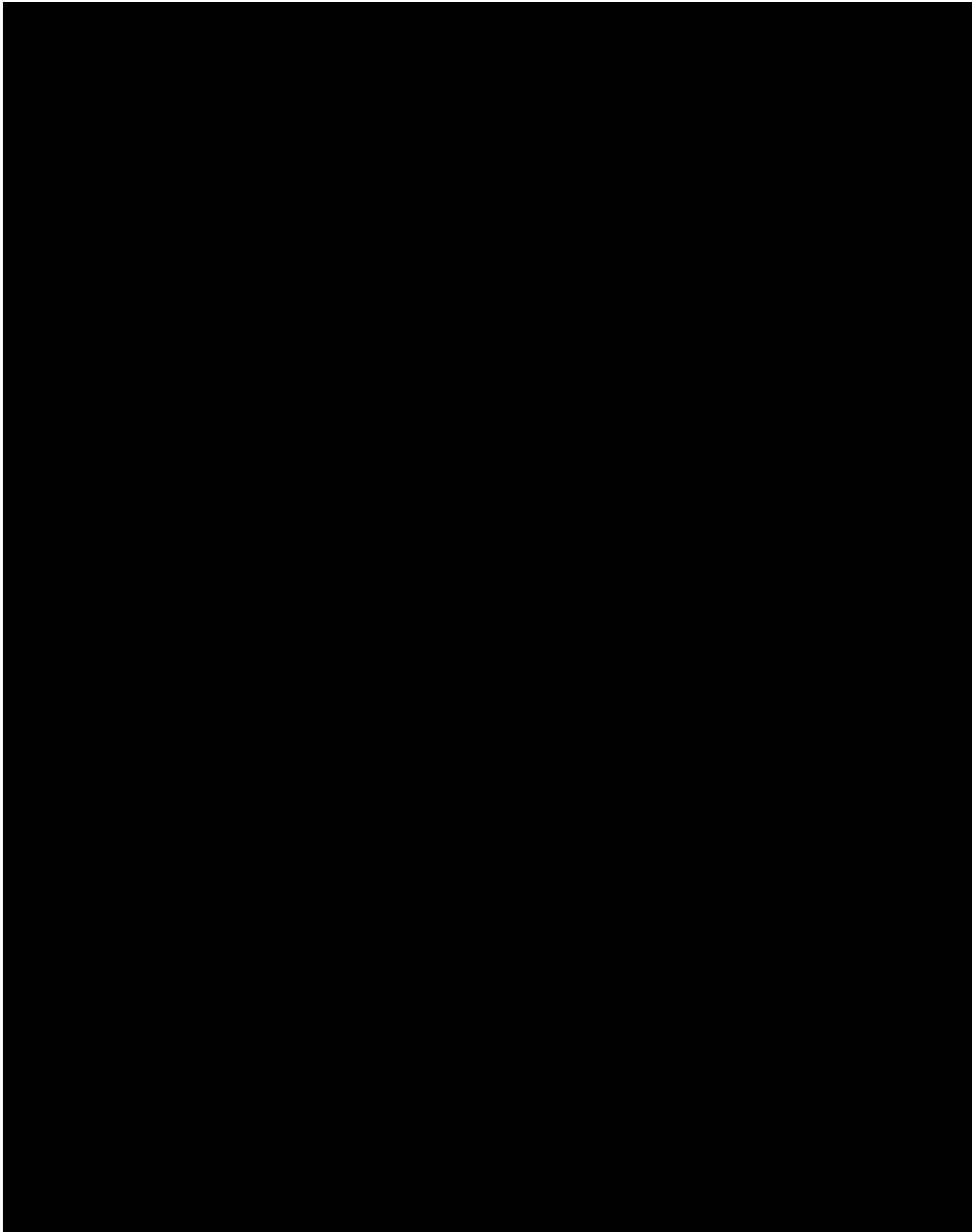


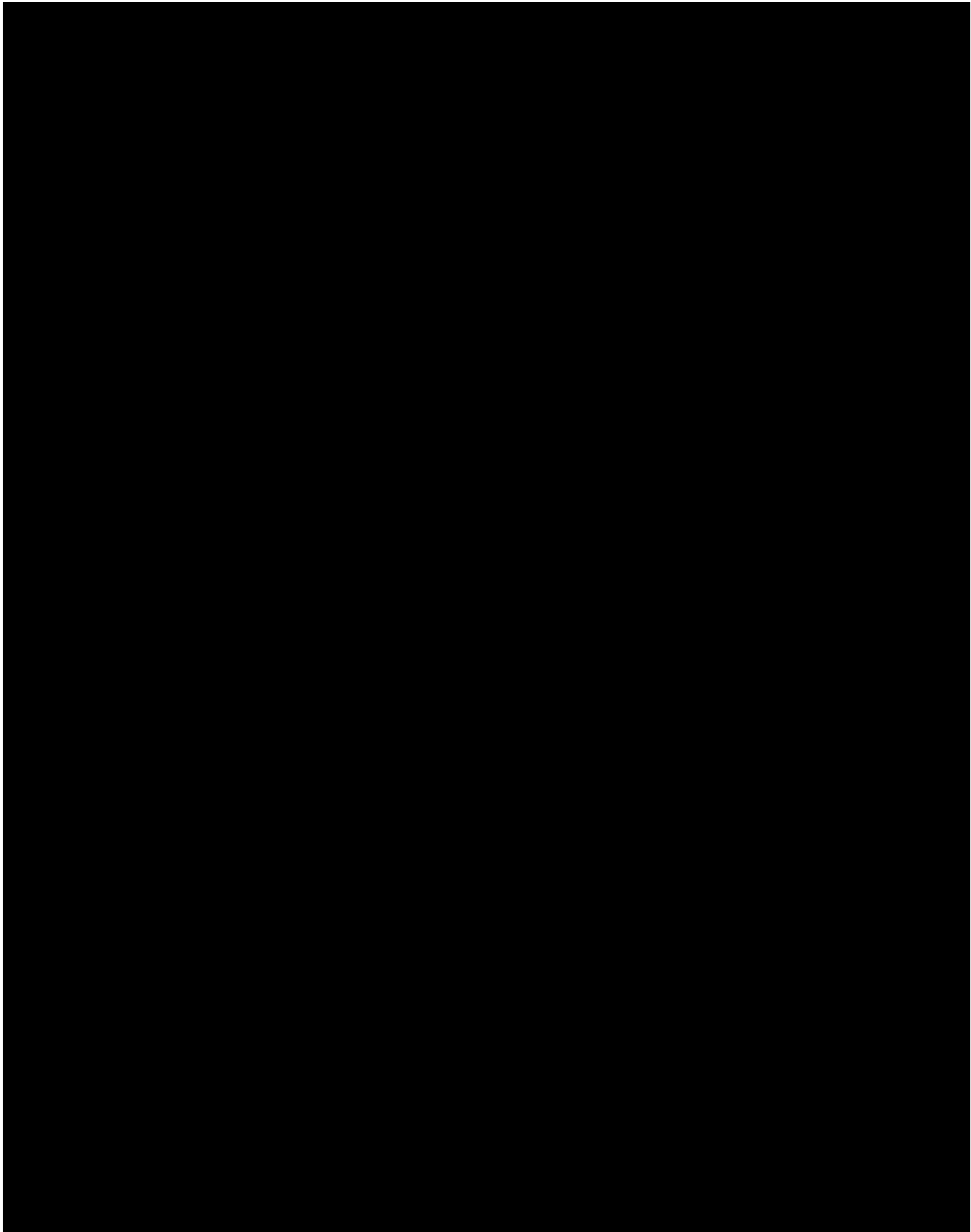


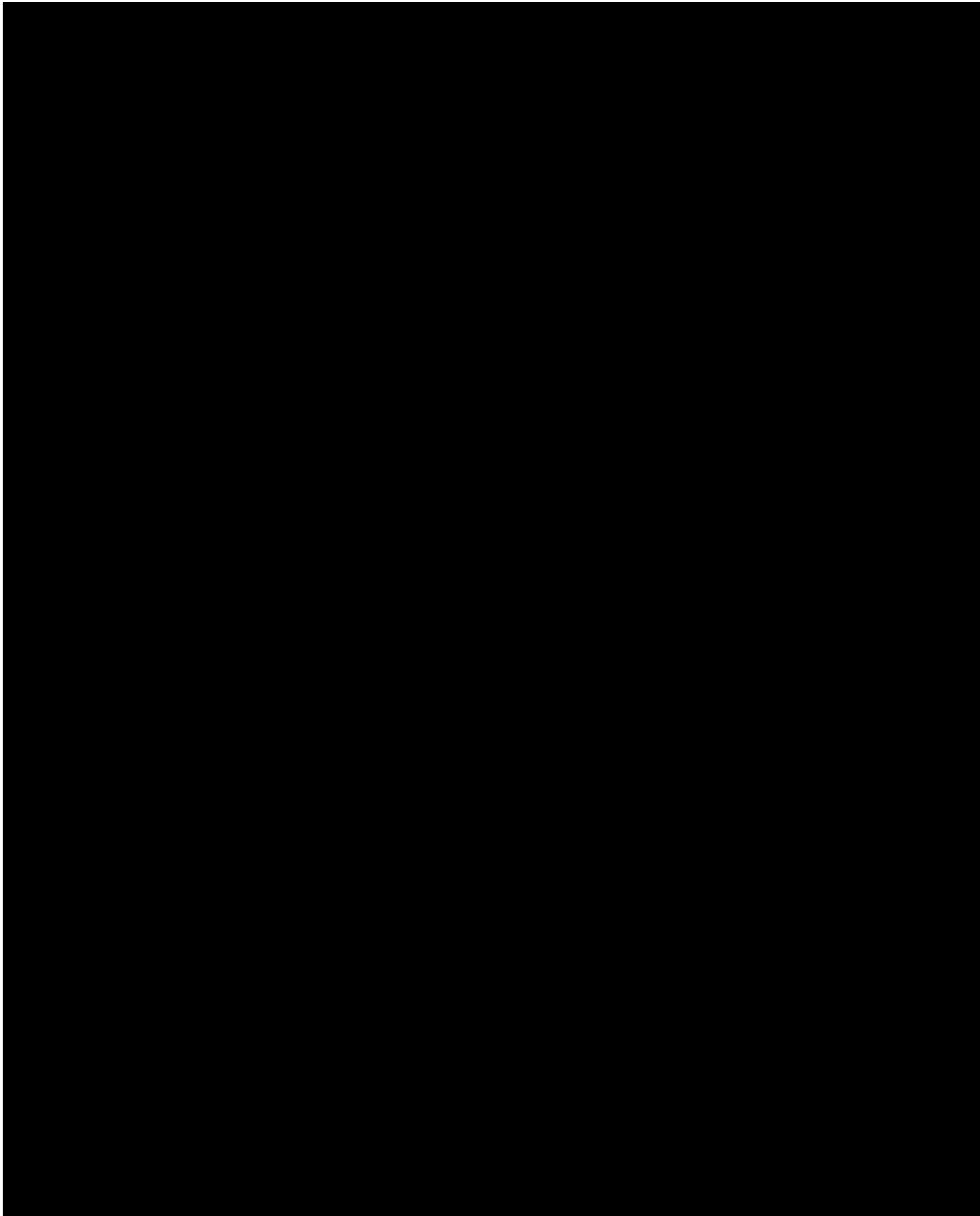


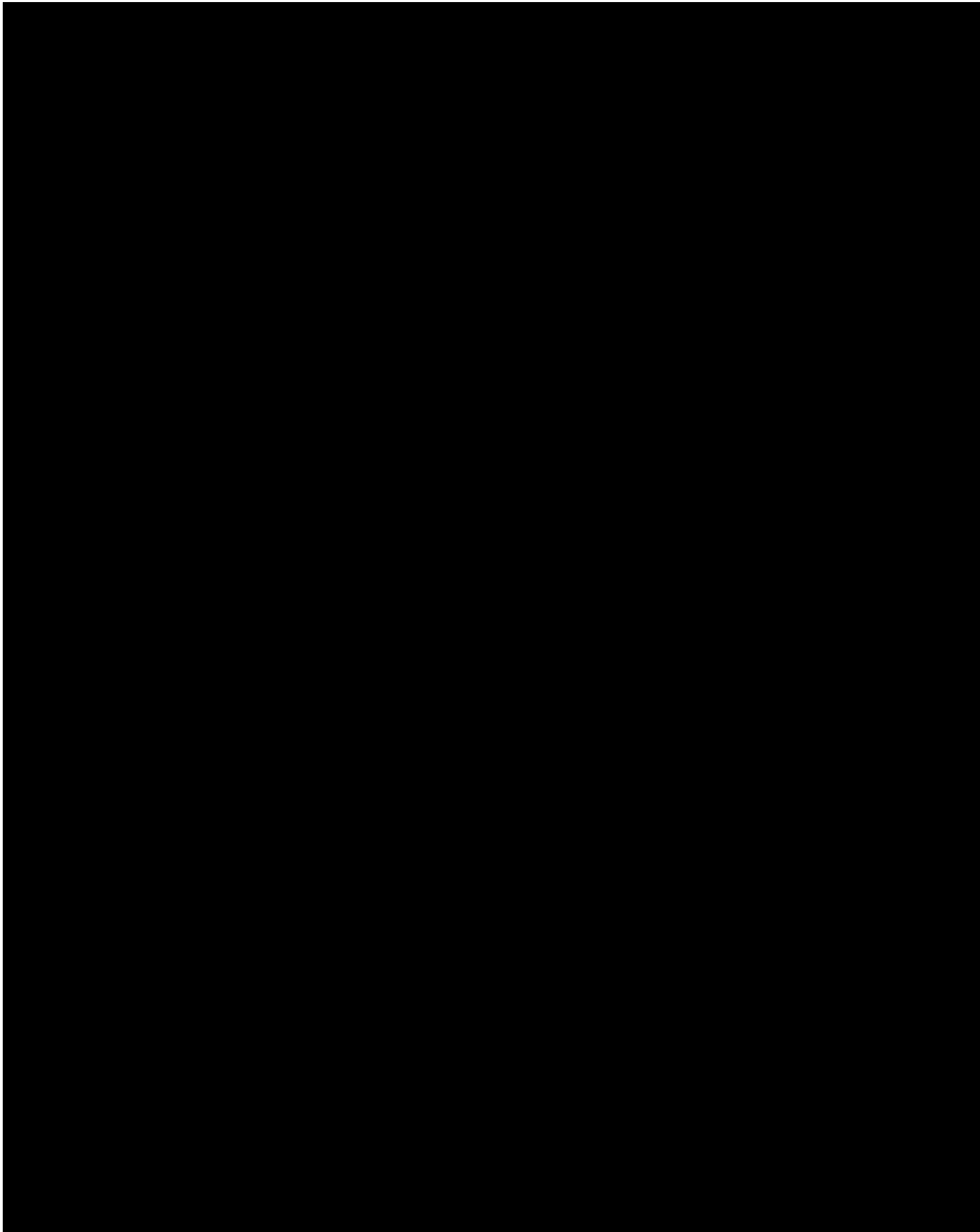


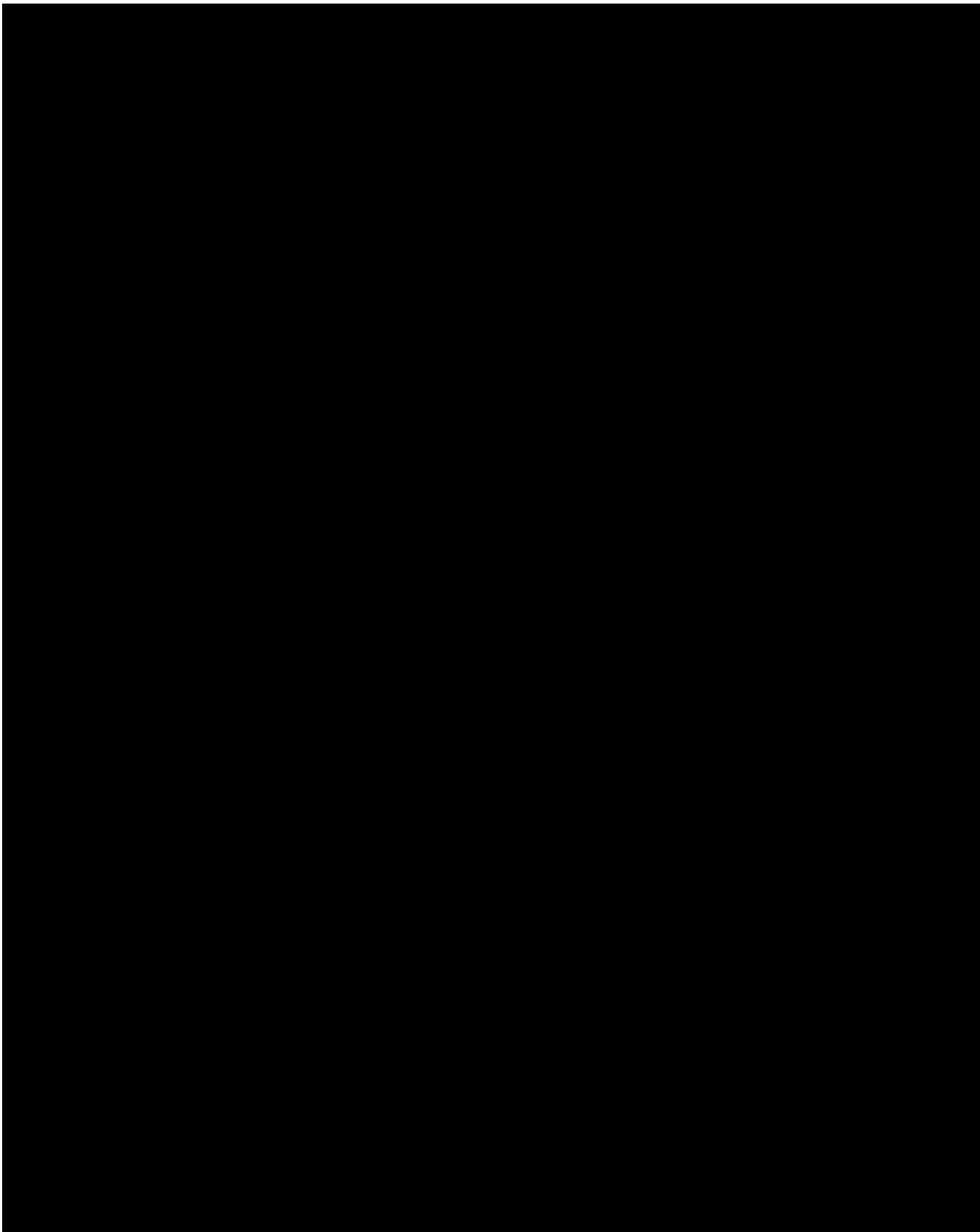


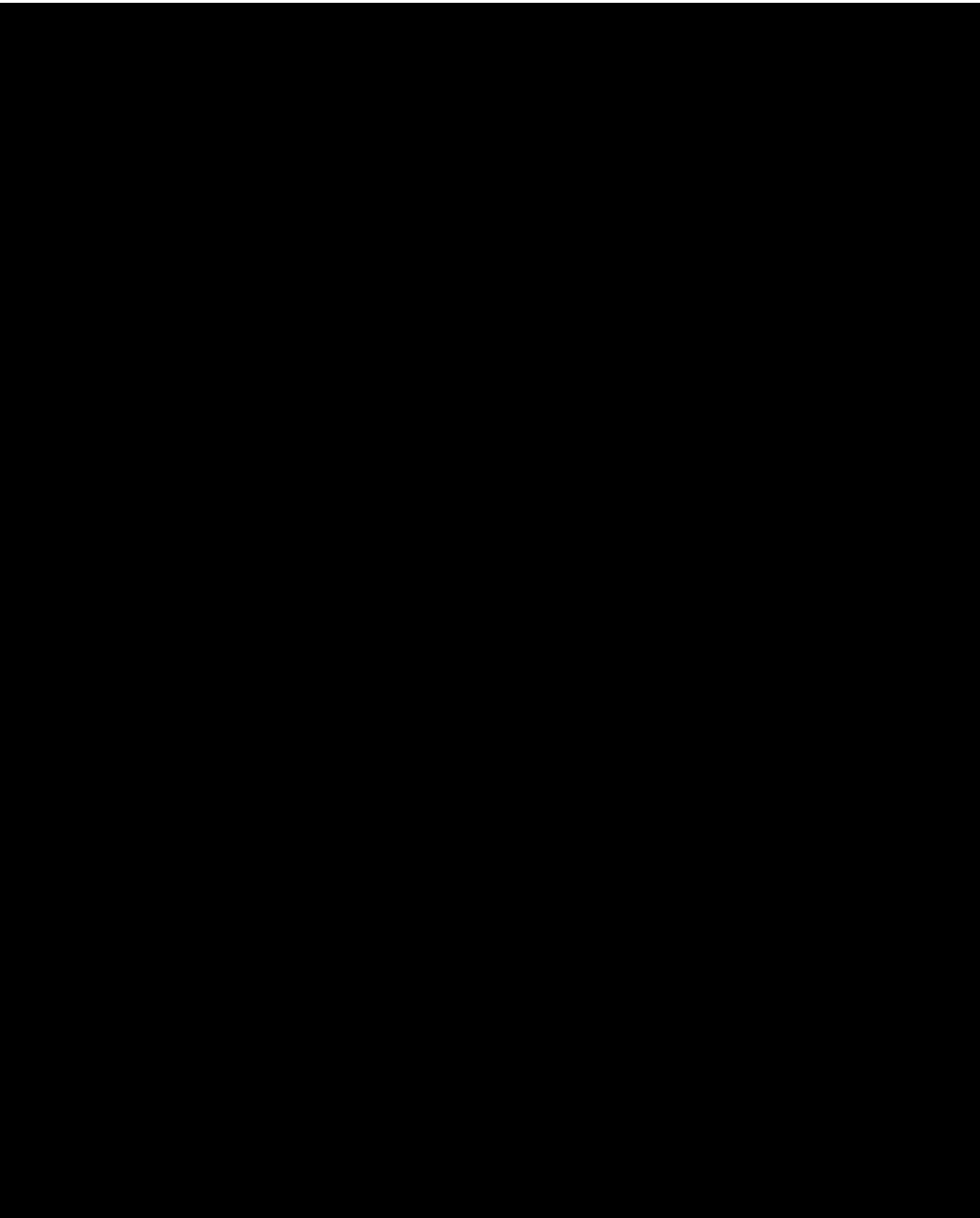


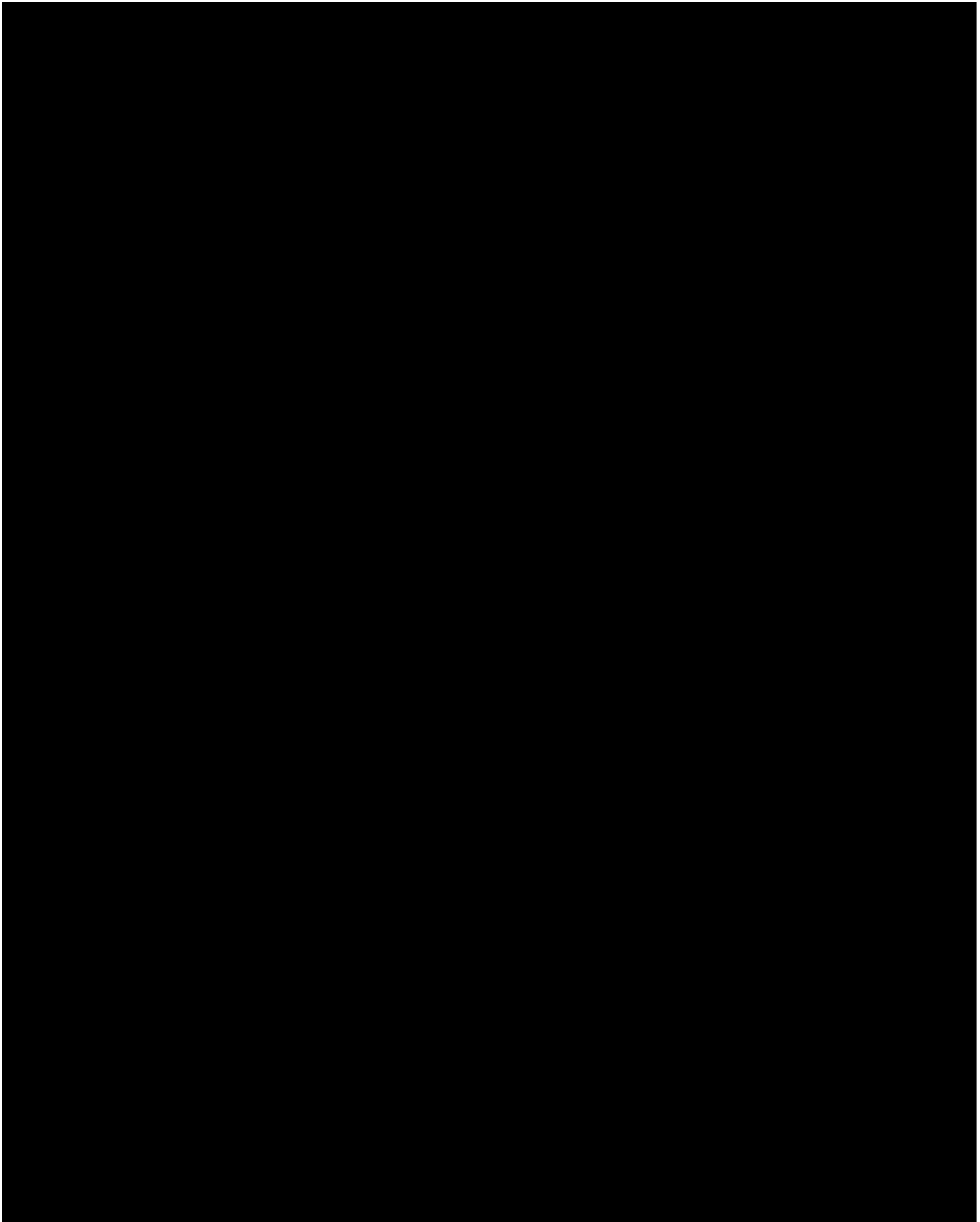


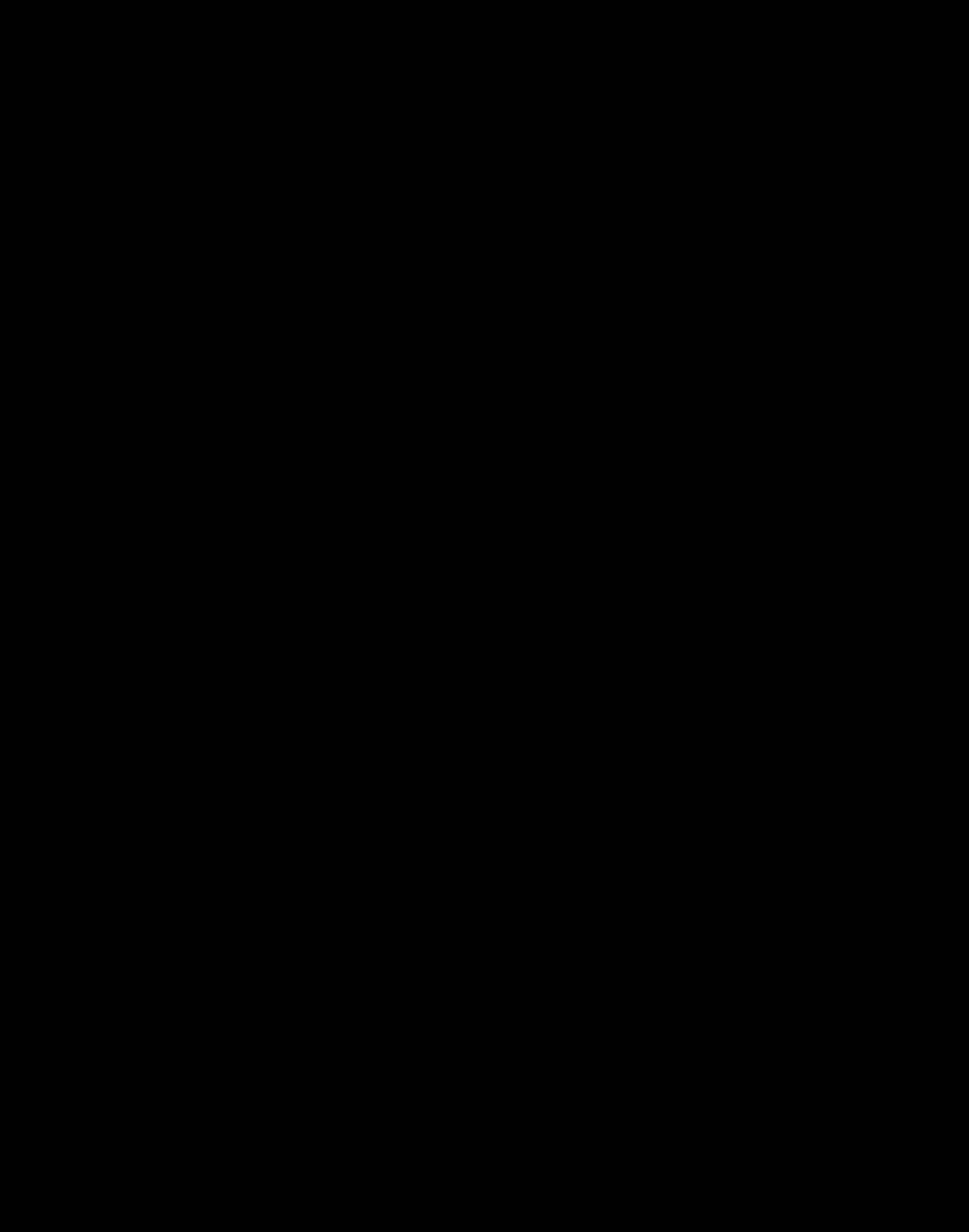


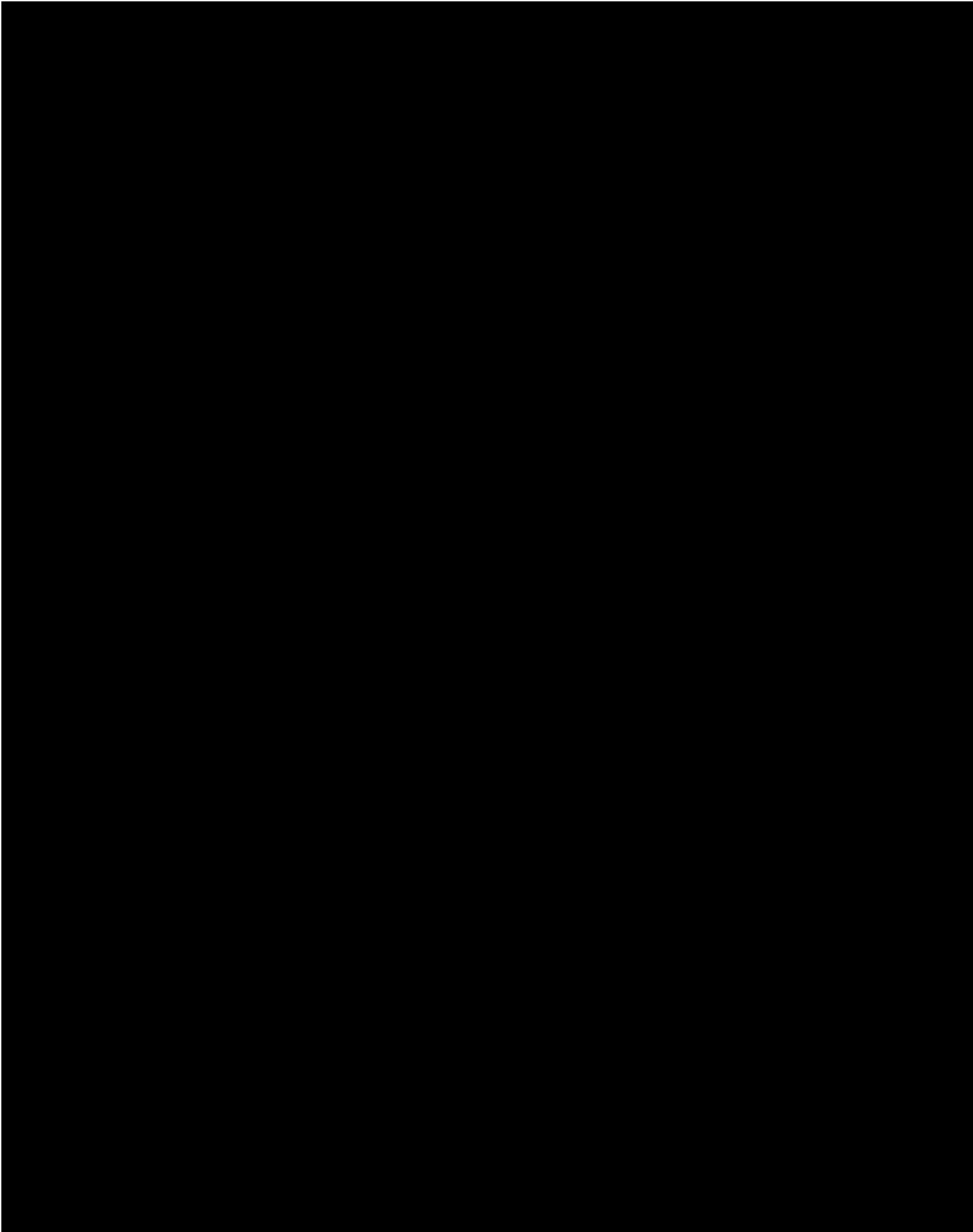


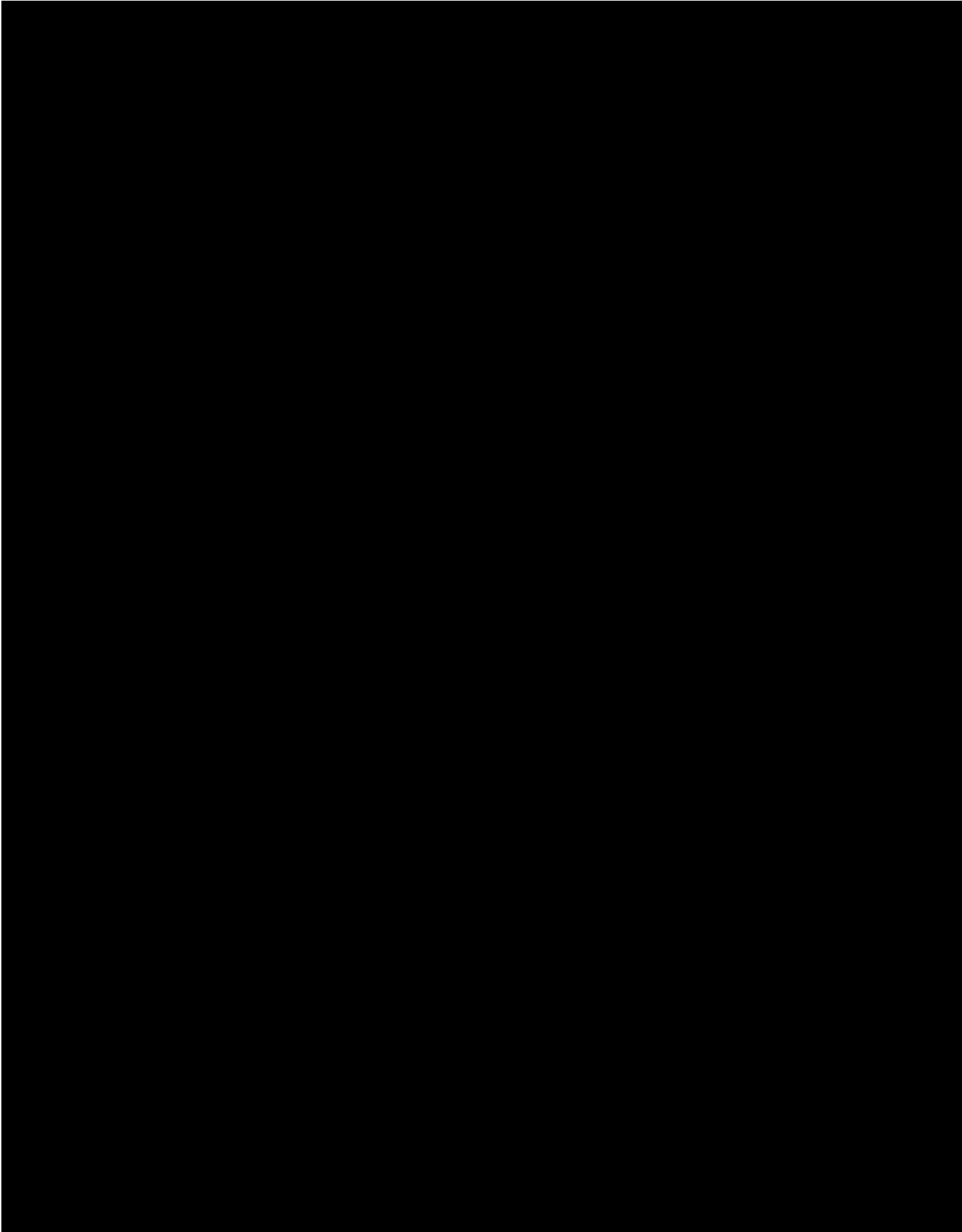


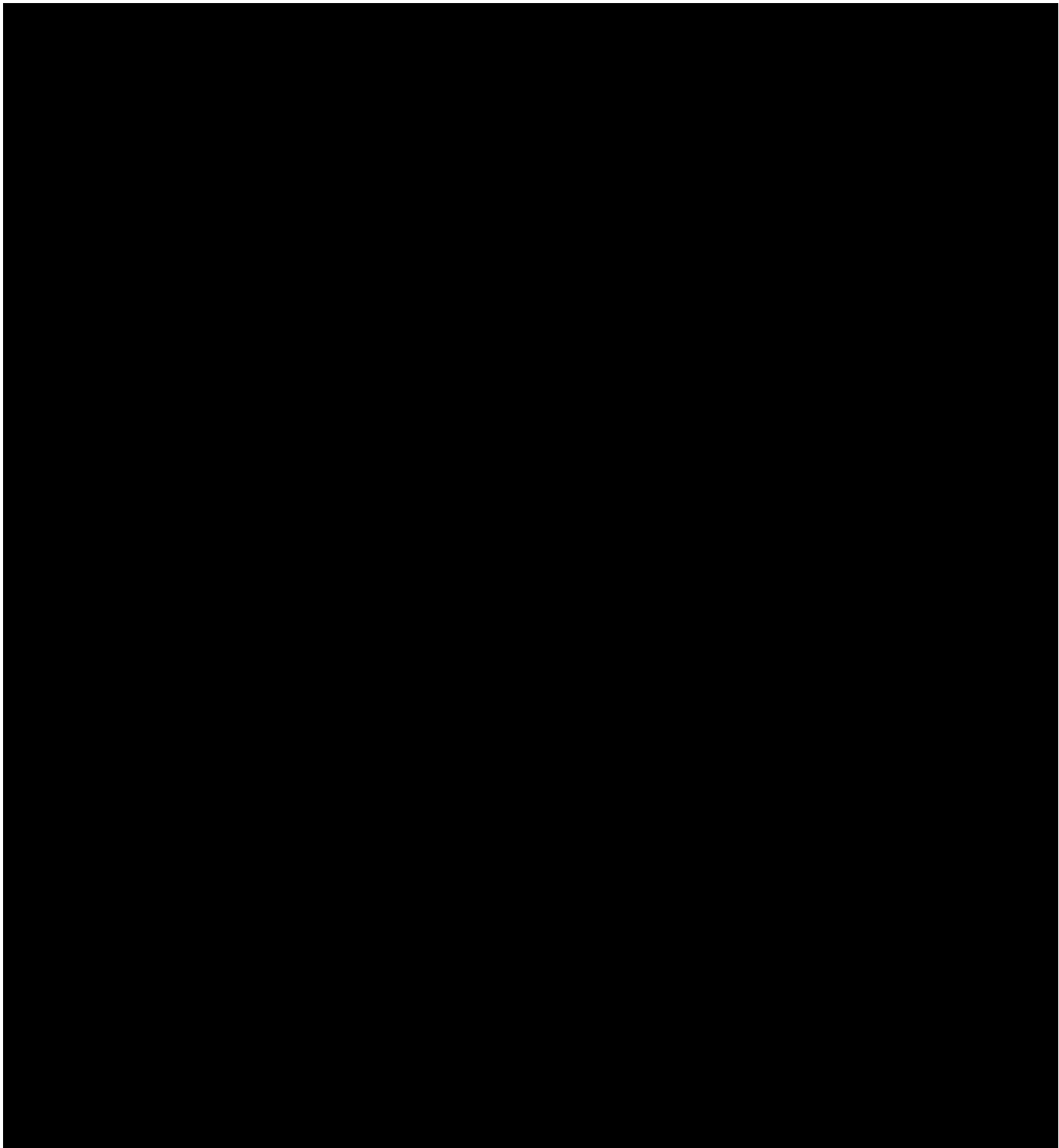




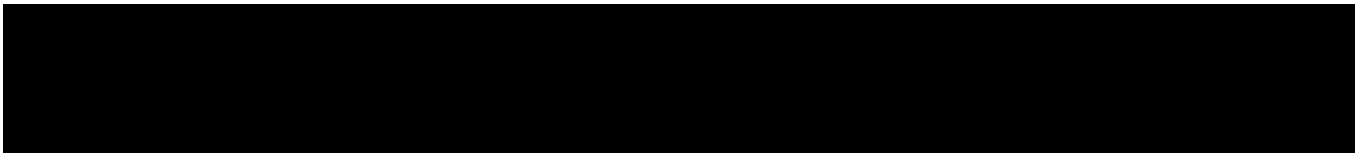


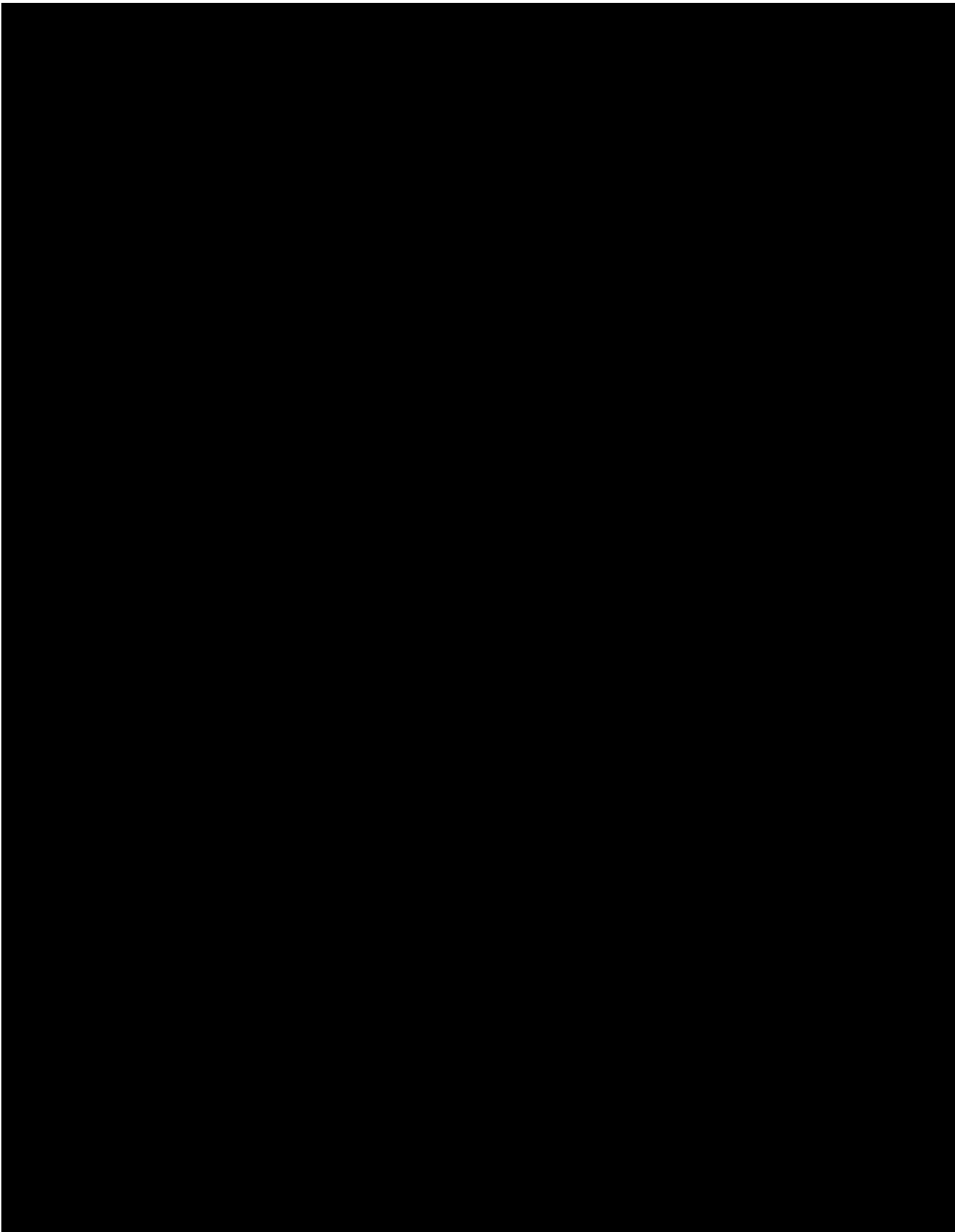


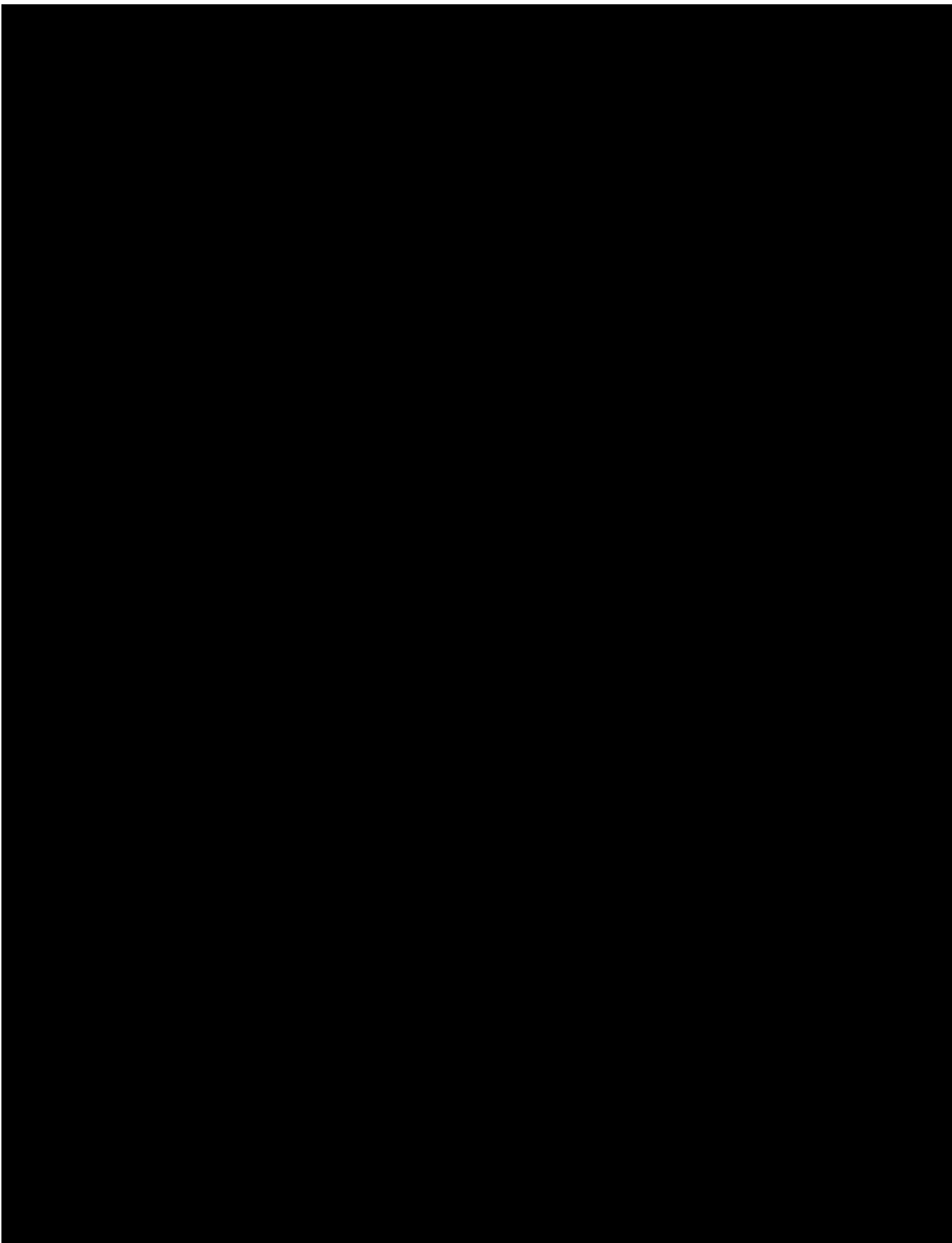


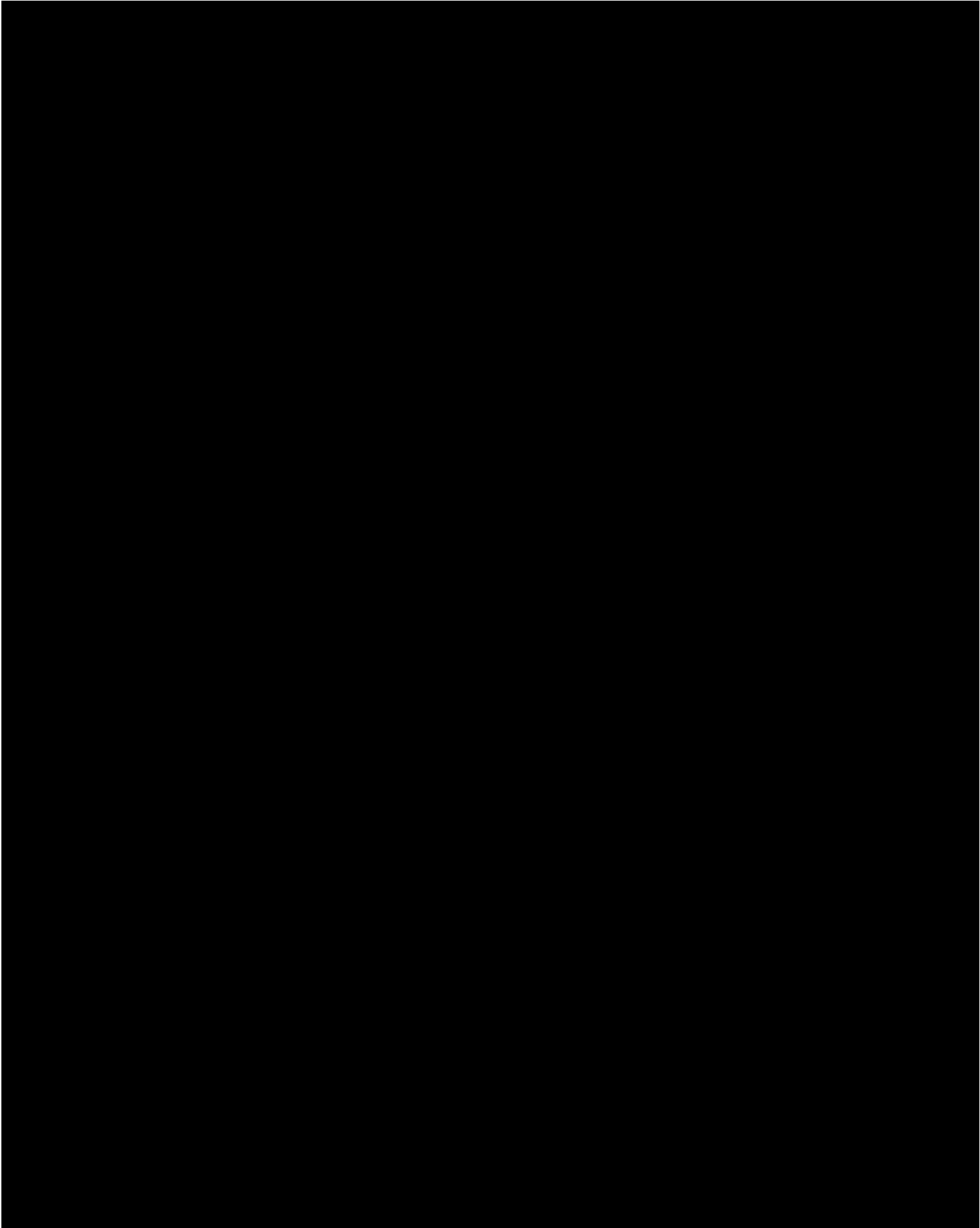


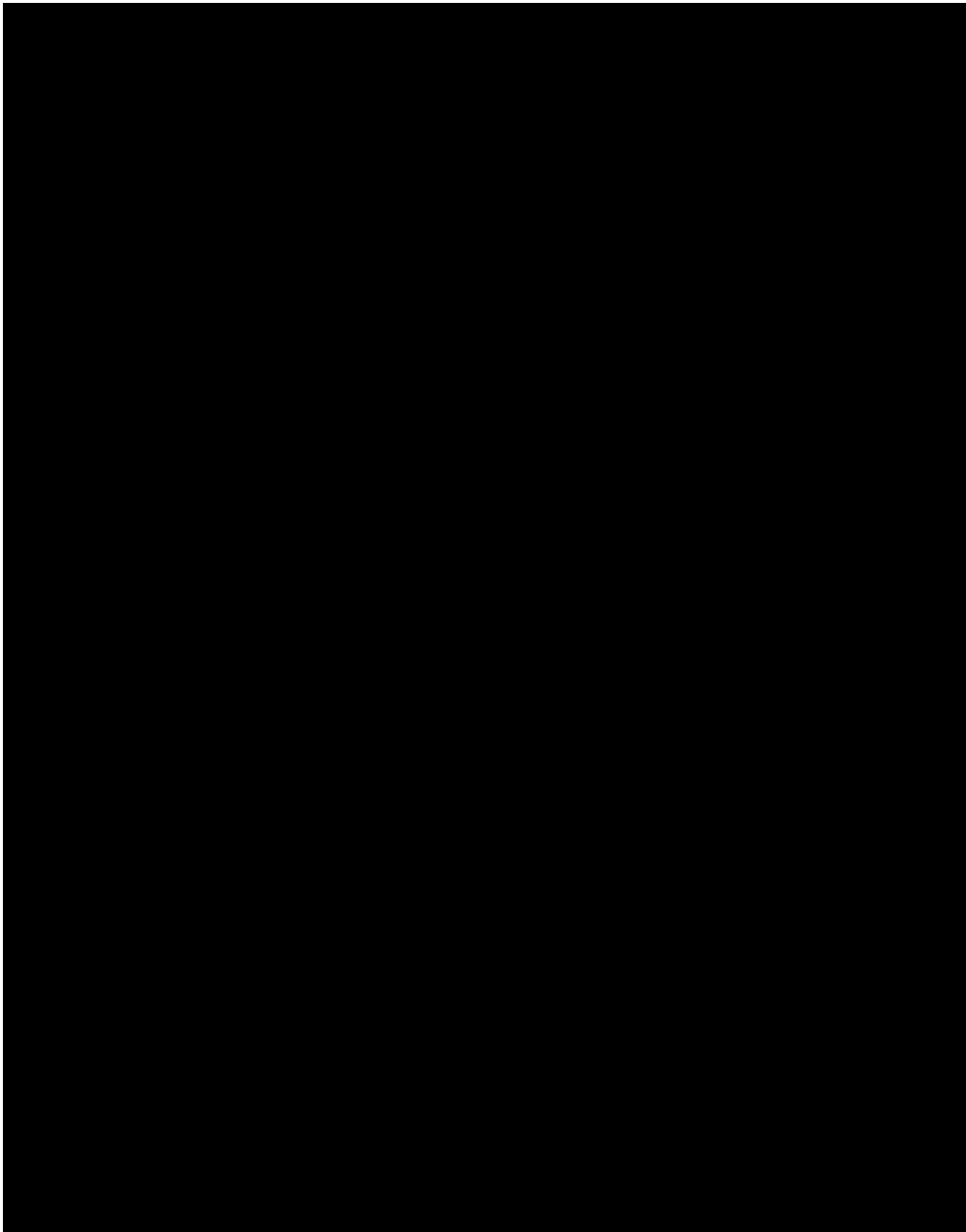
29. [Redacted]

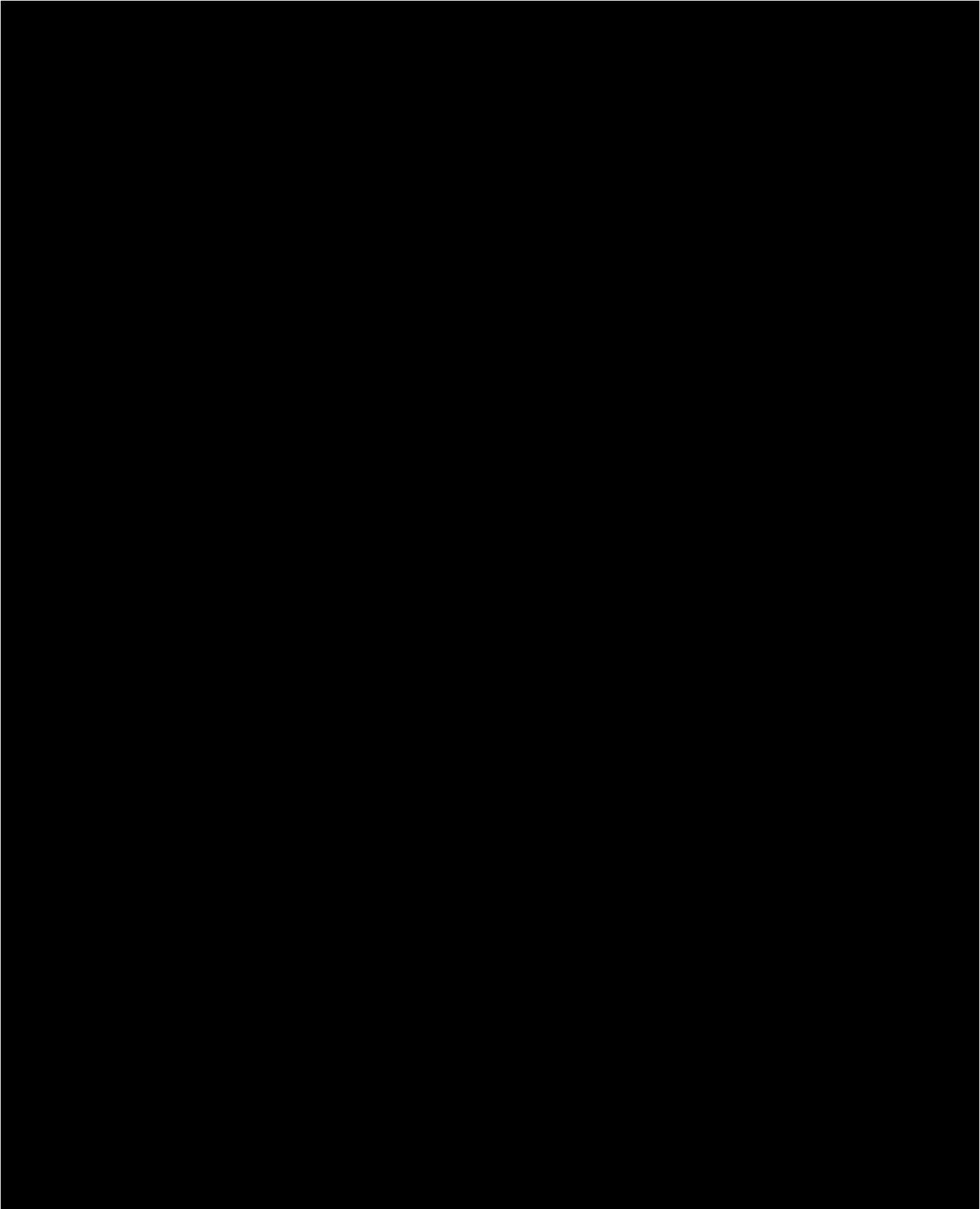


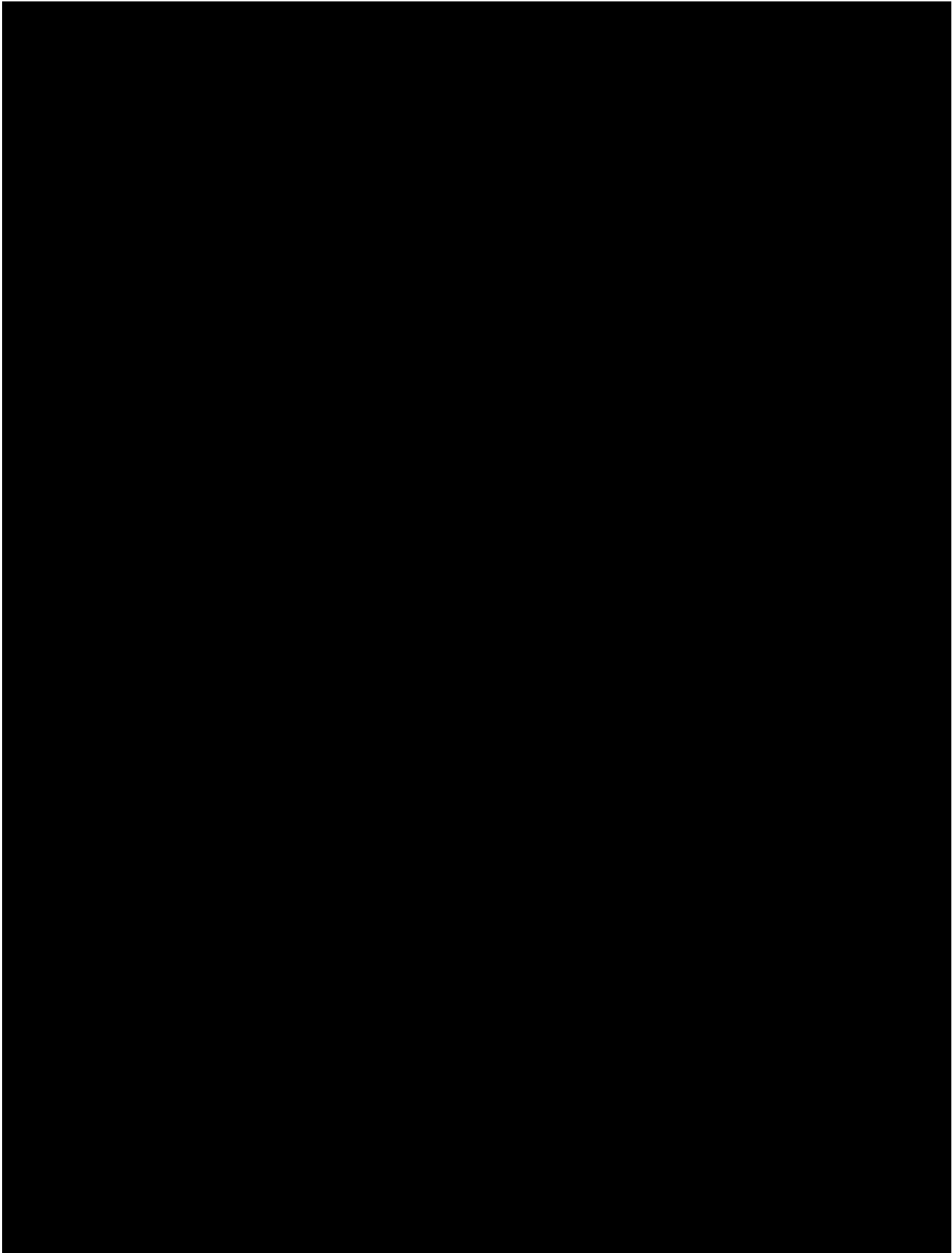


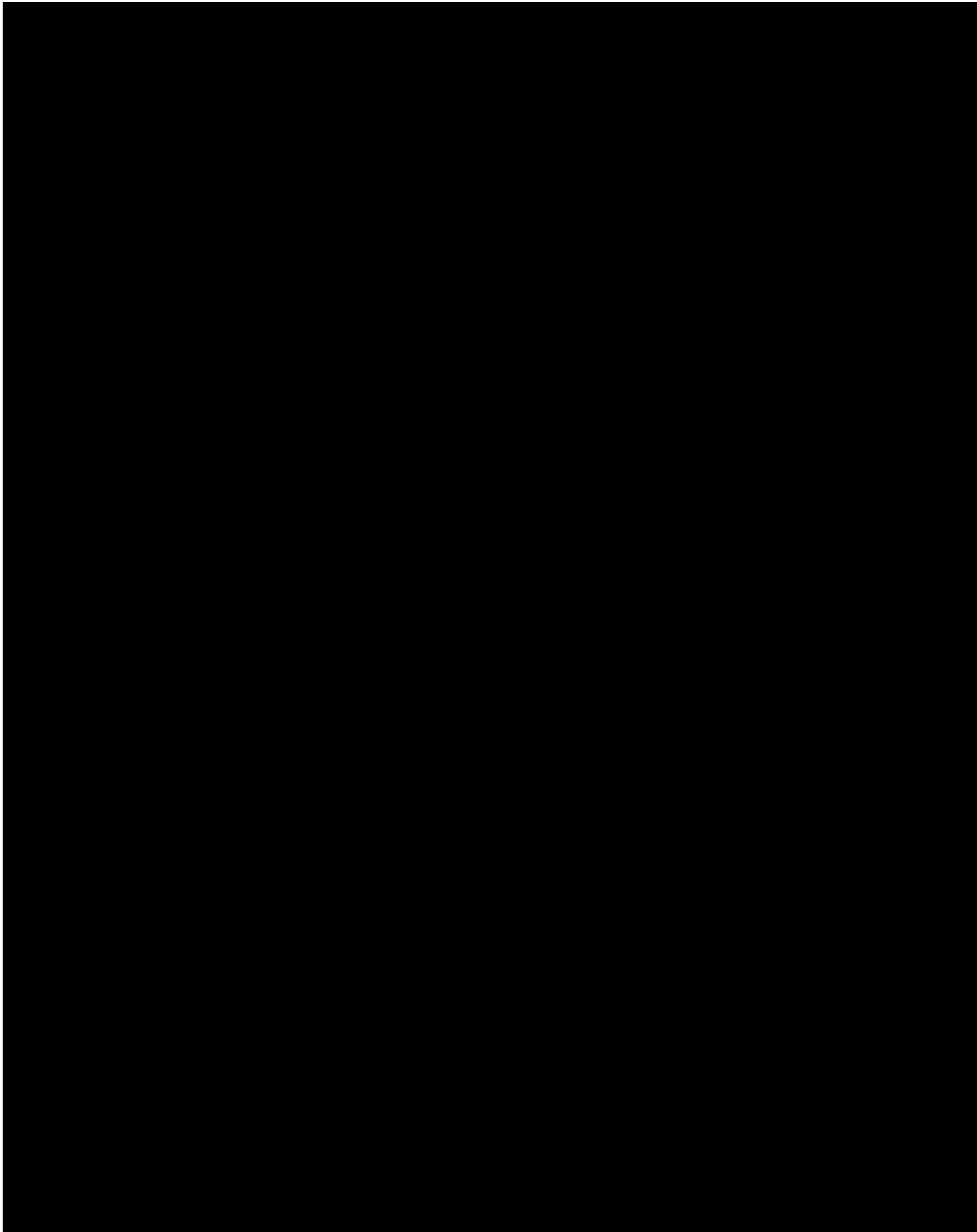


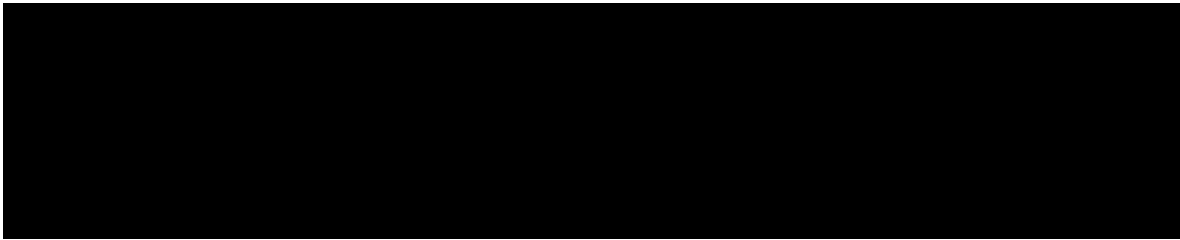




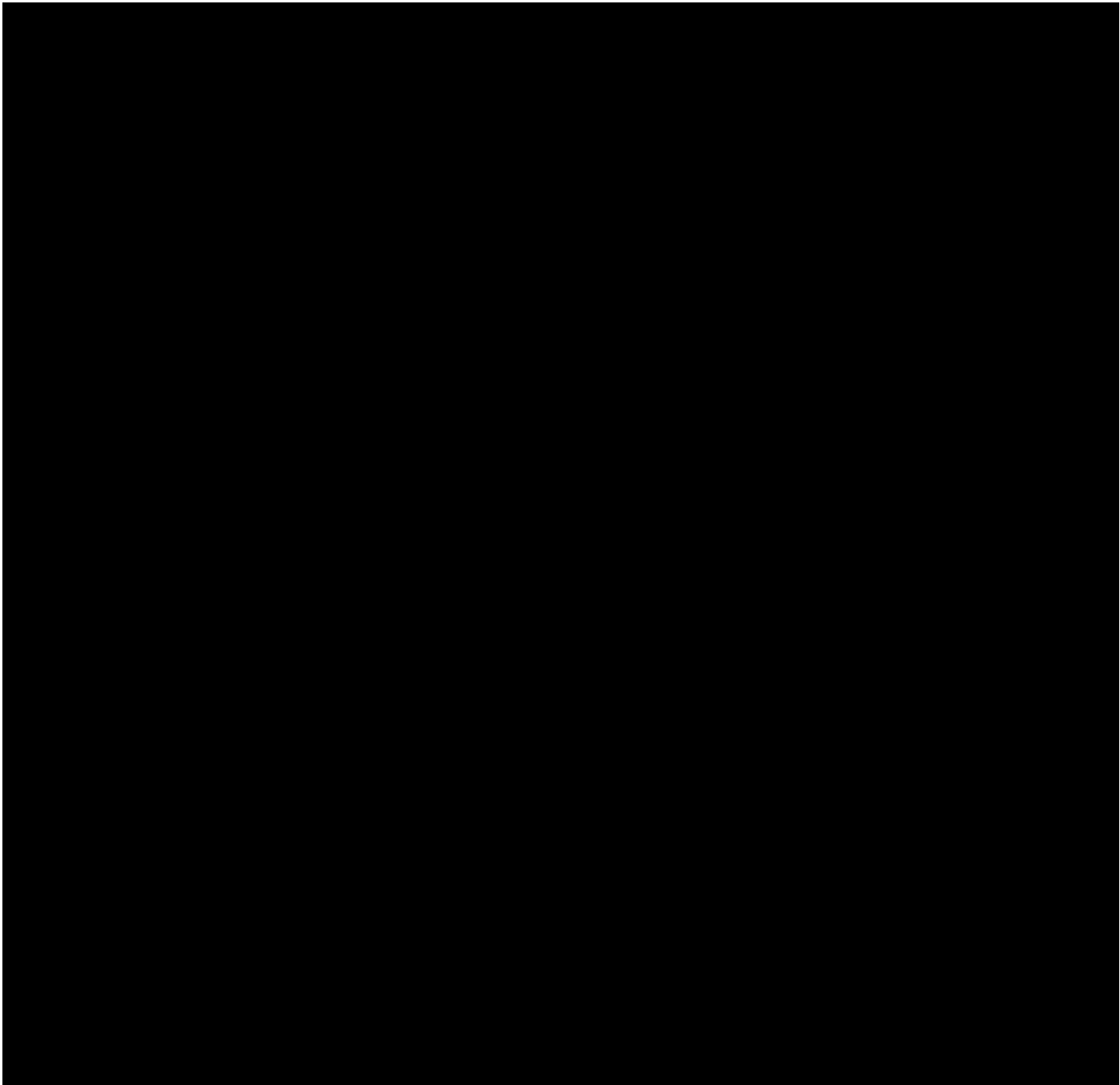


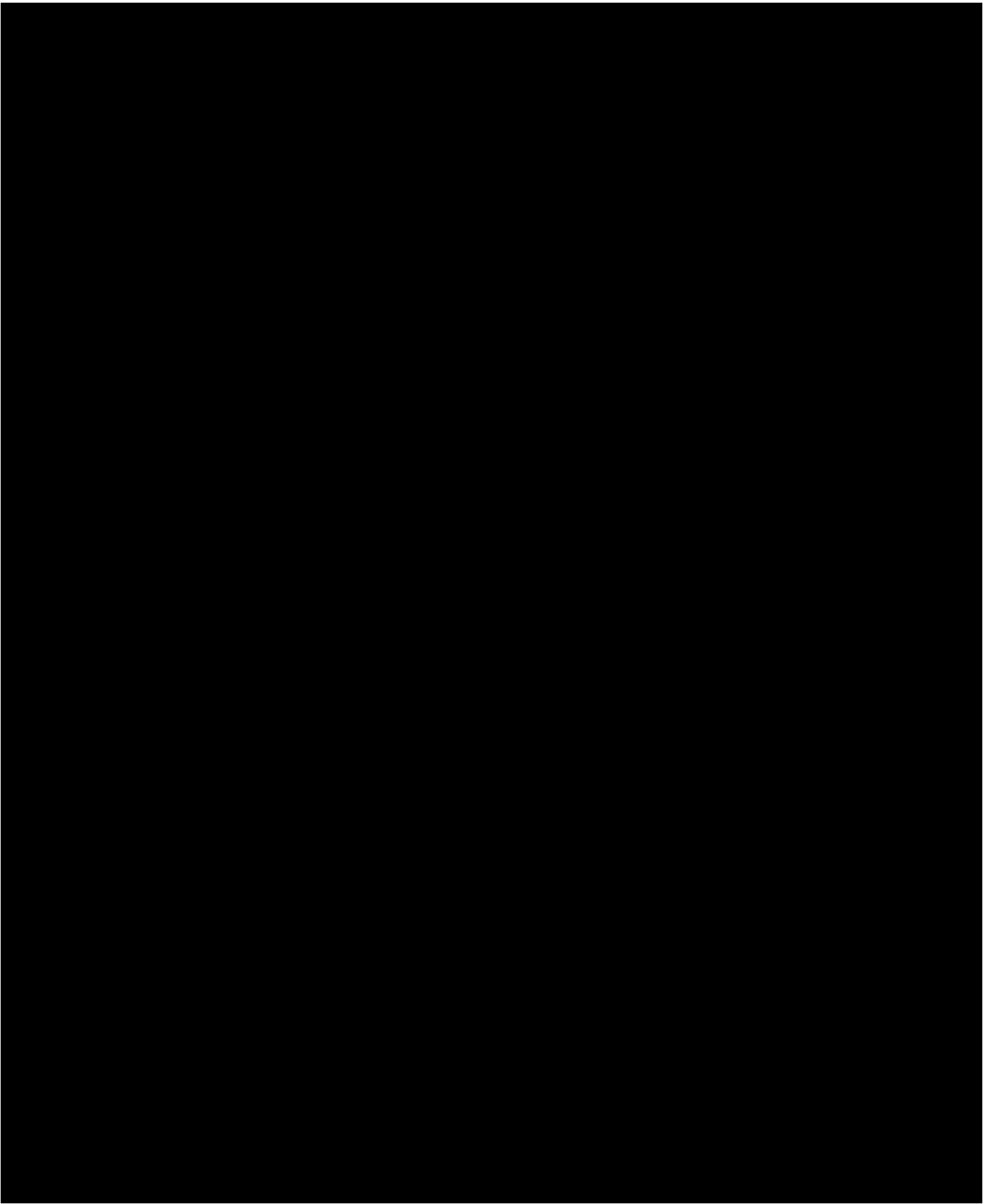


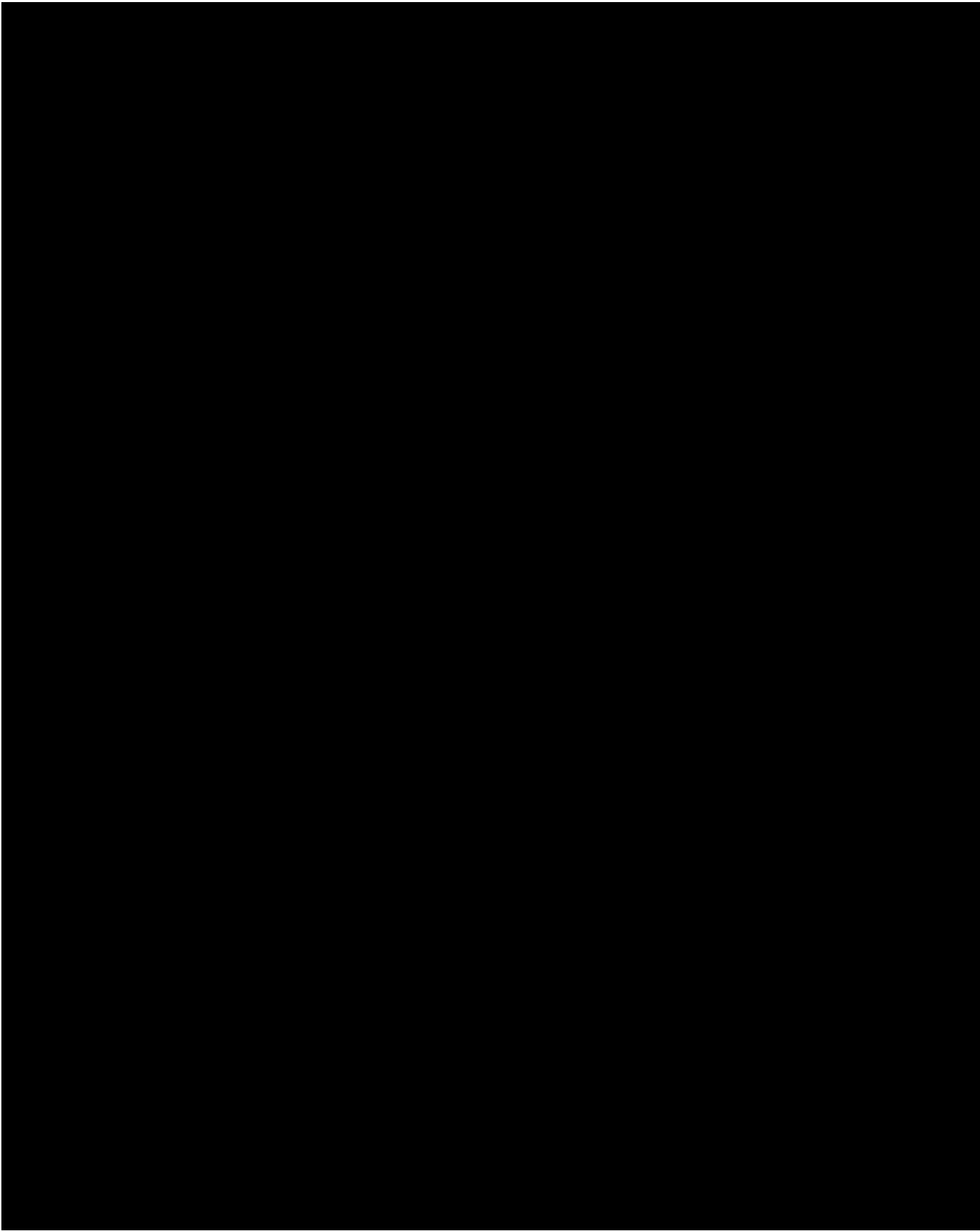


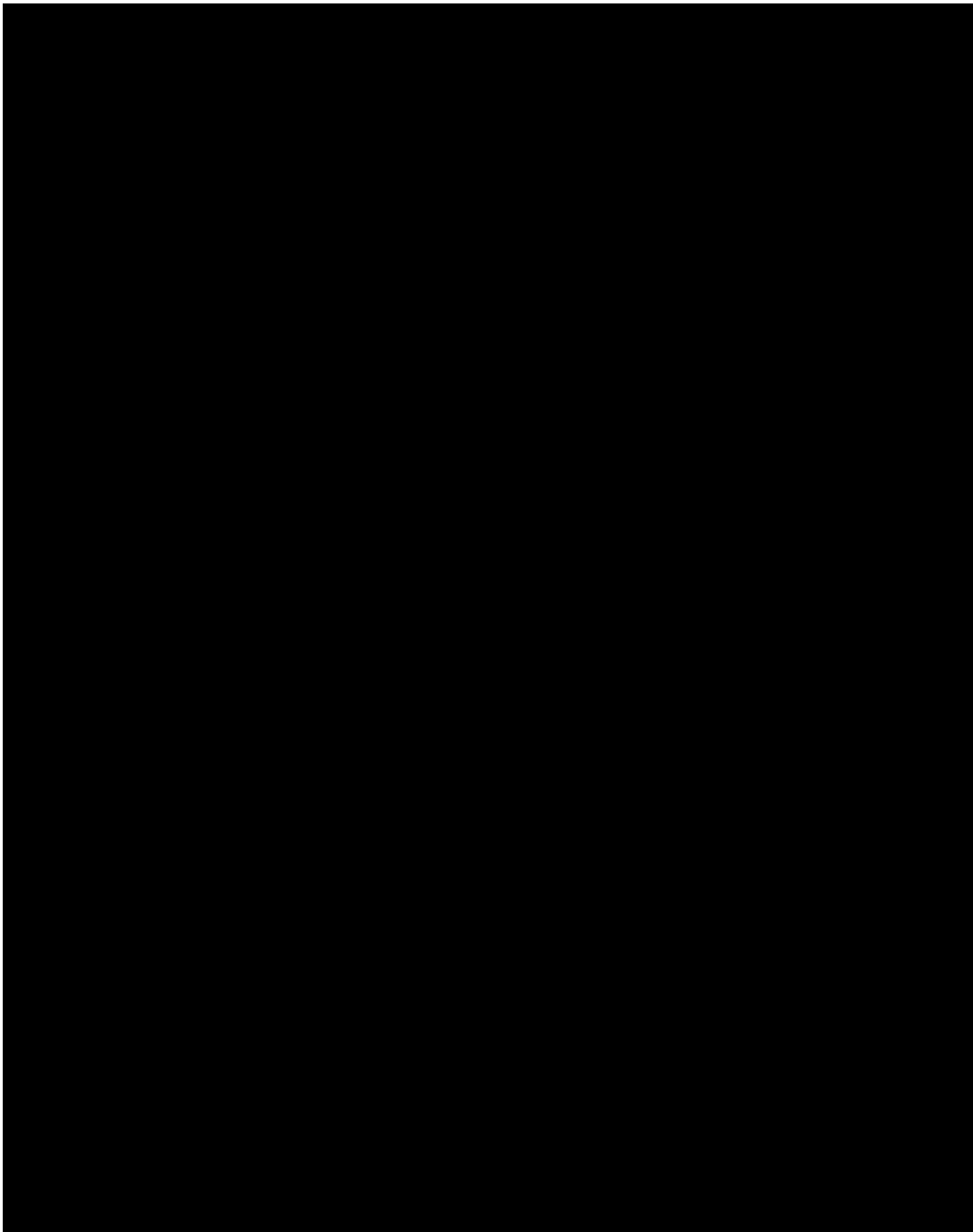


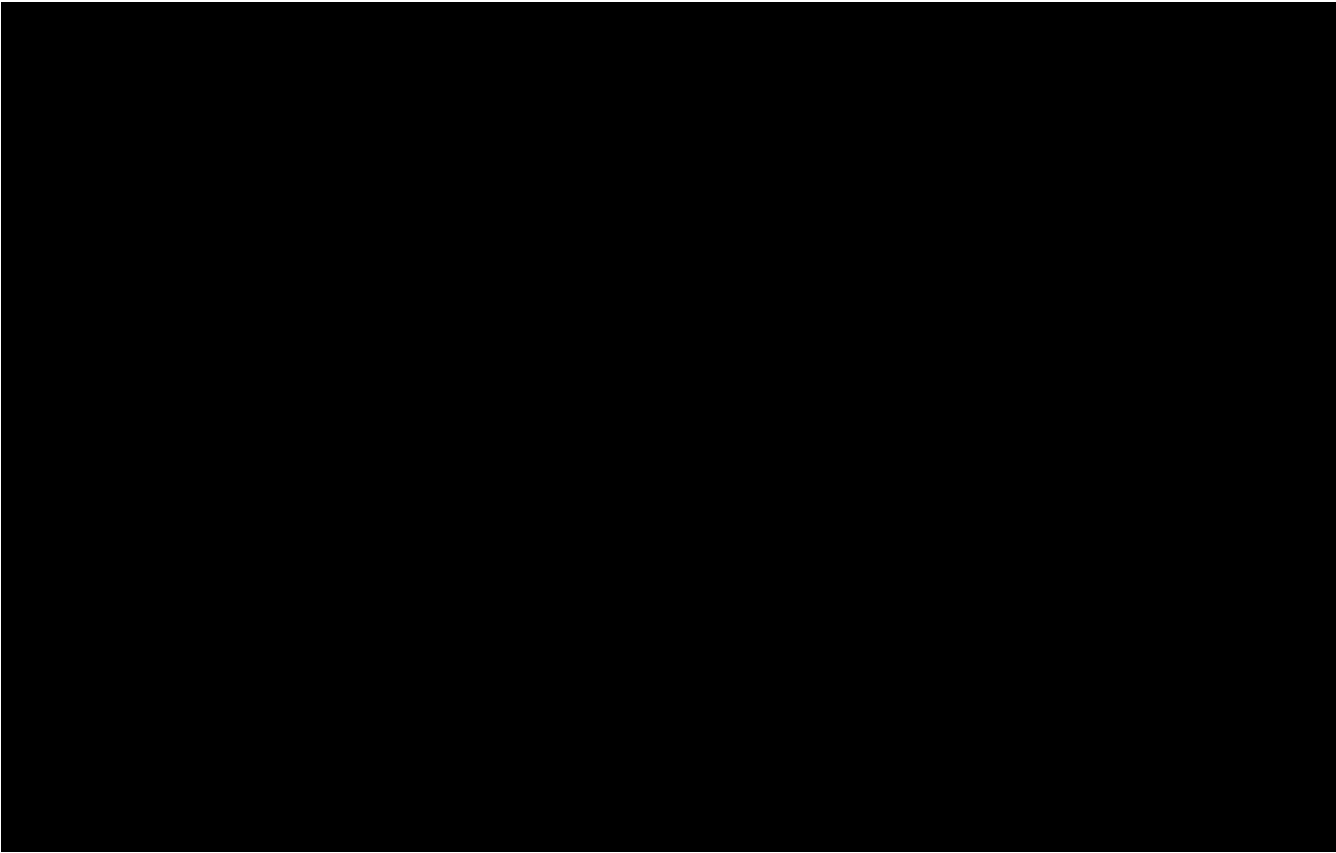
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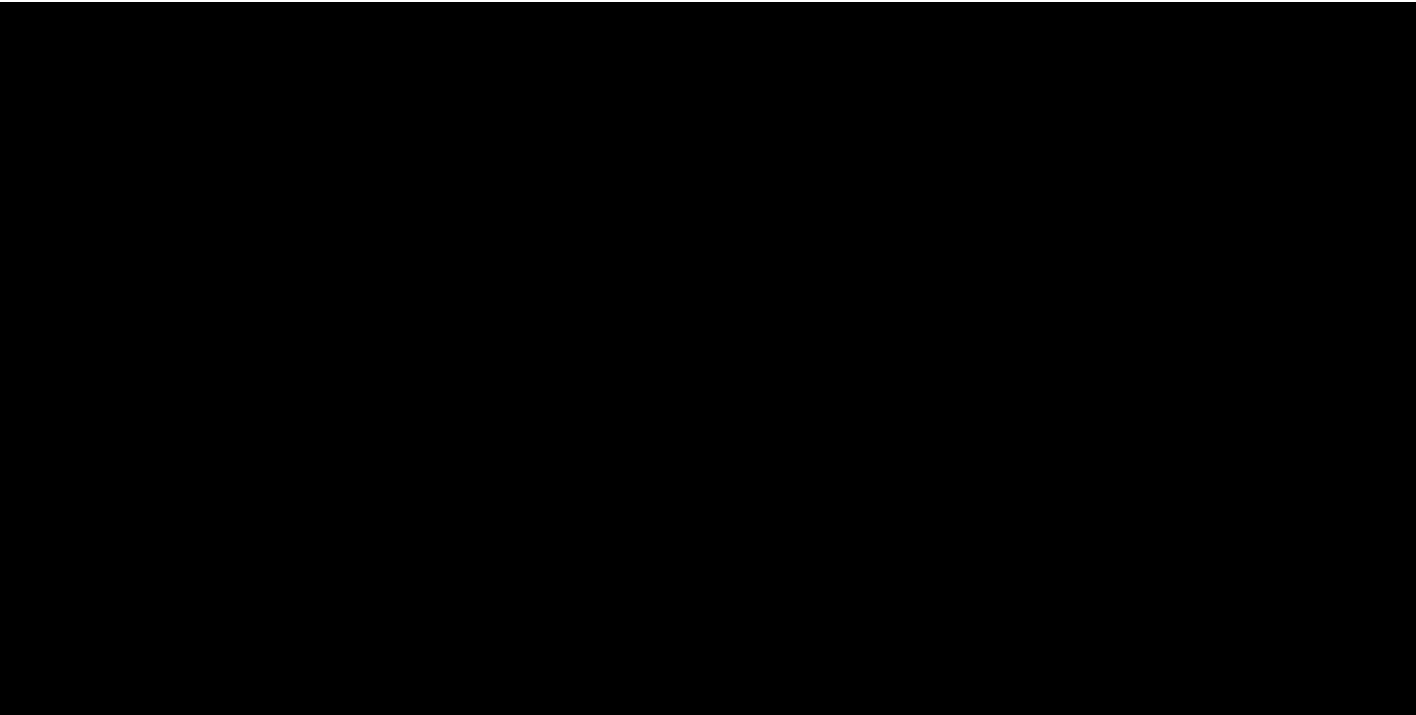


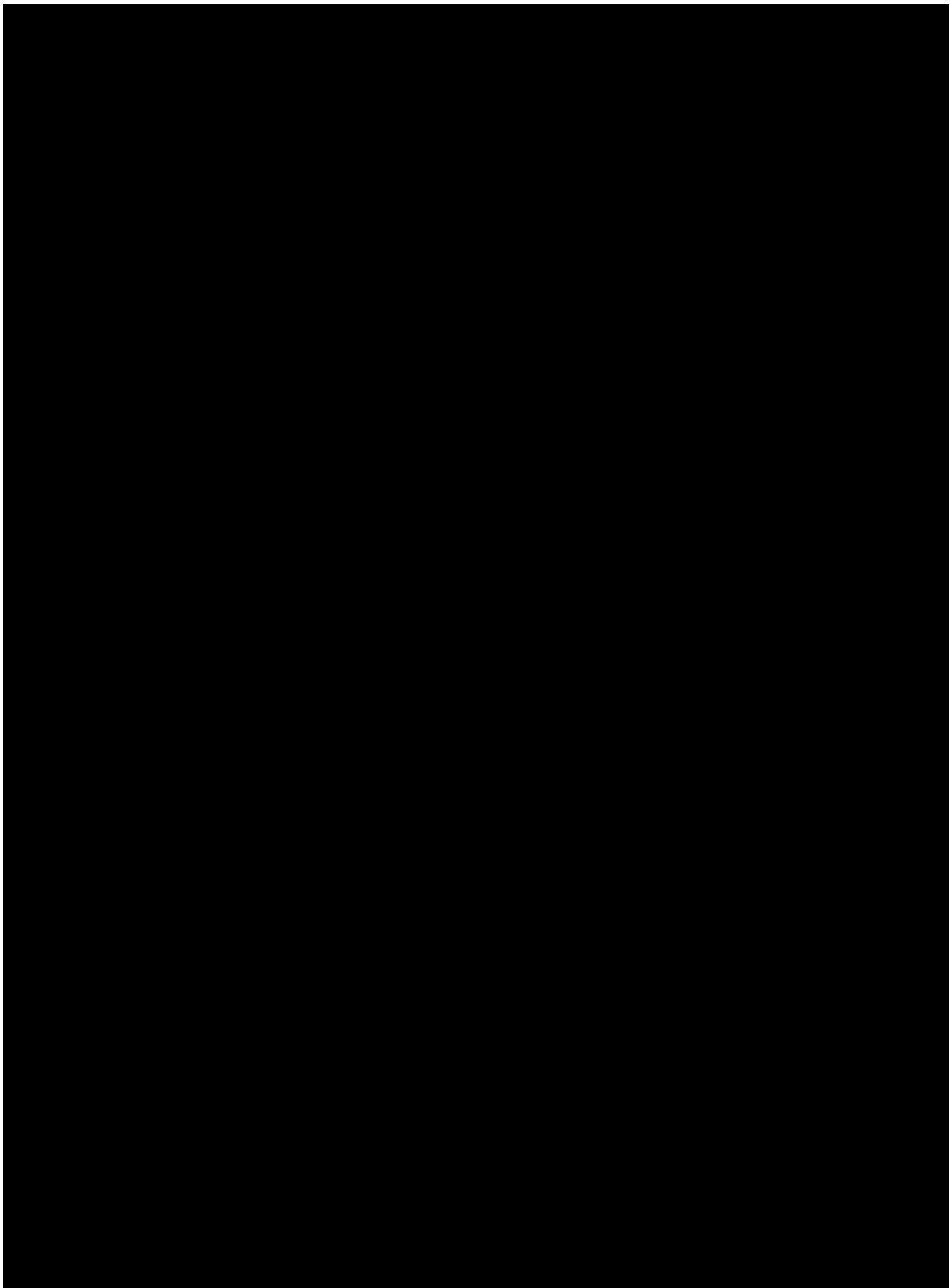


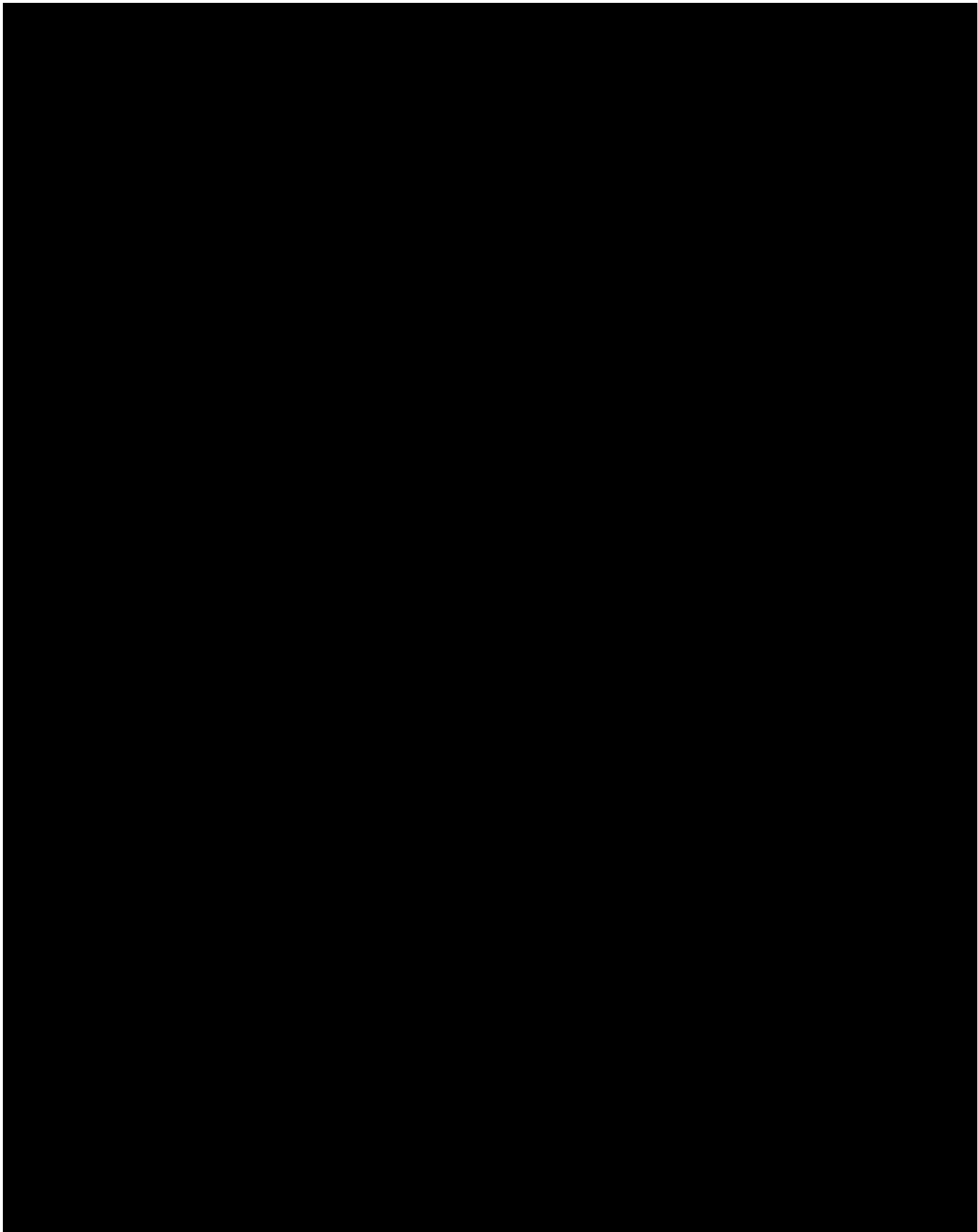


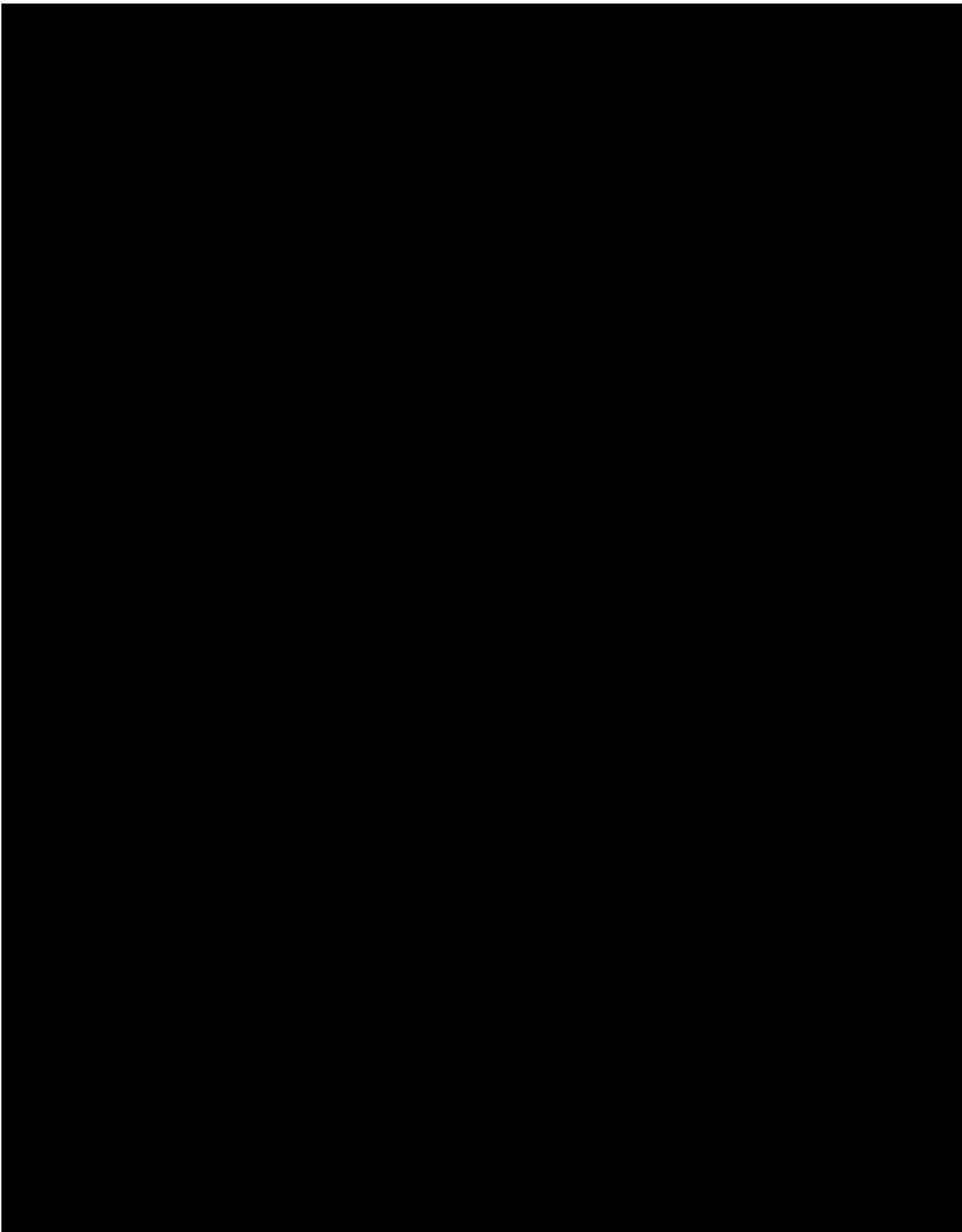


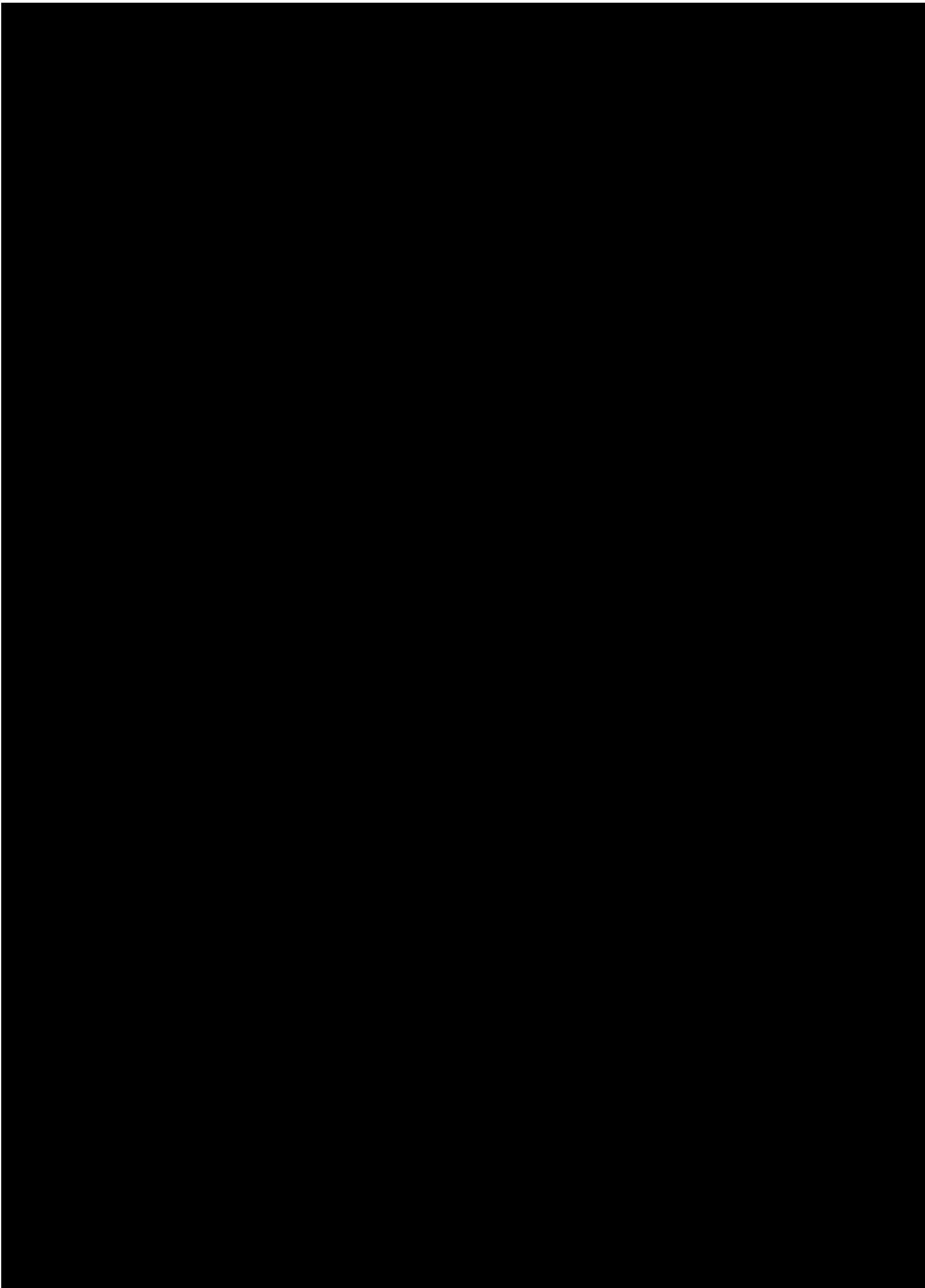
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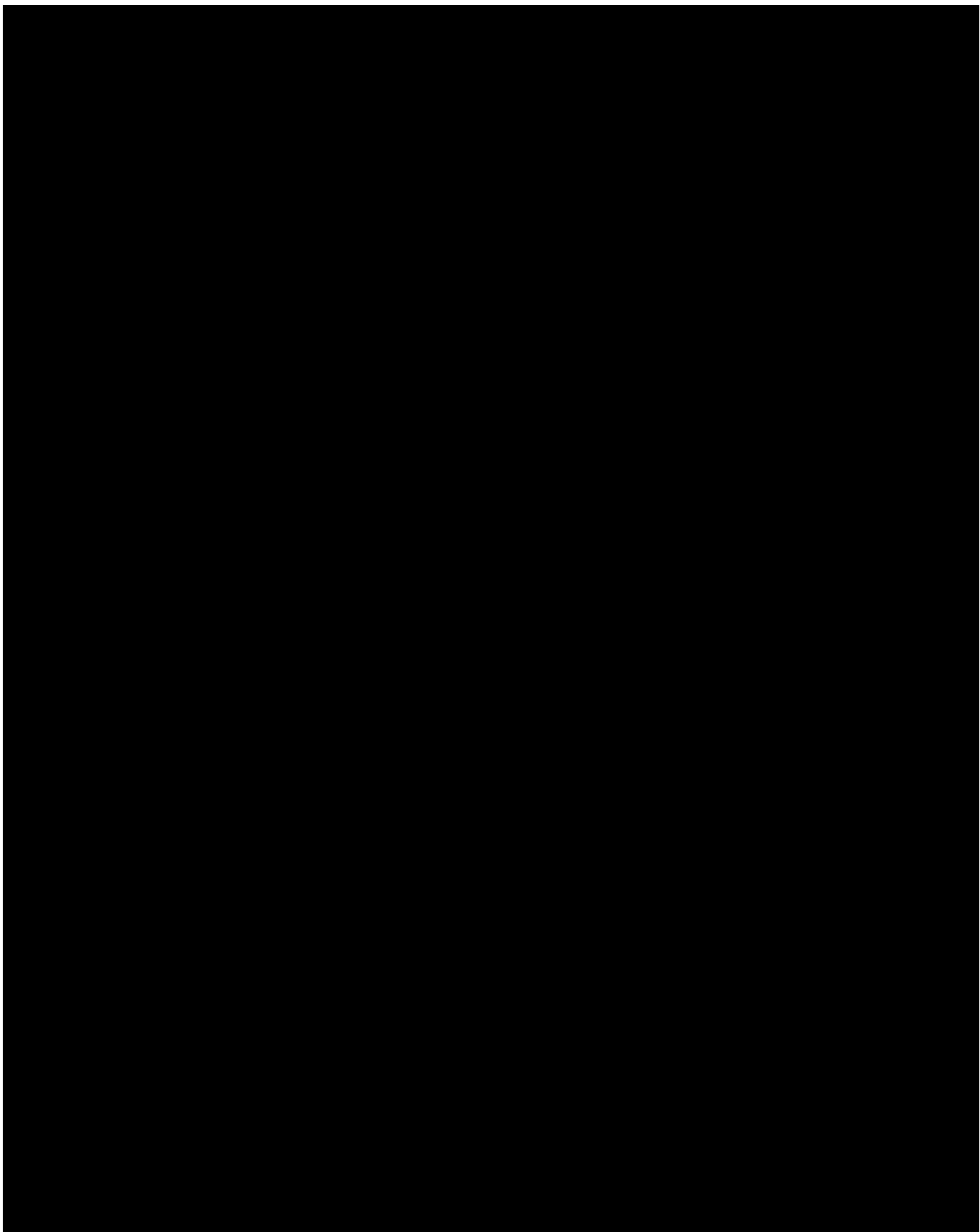


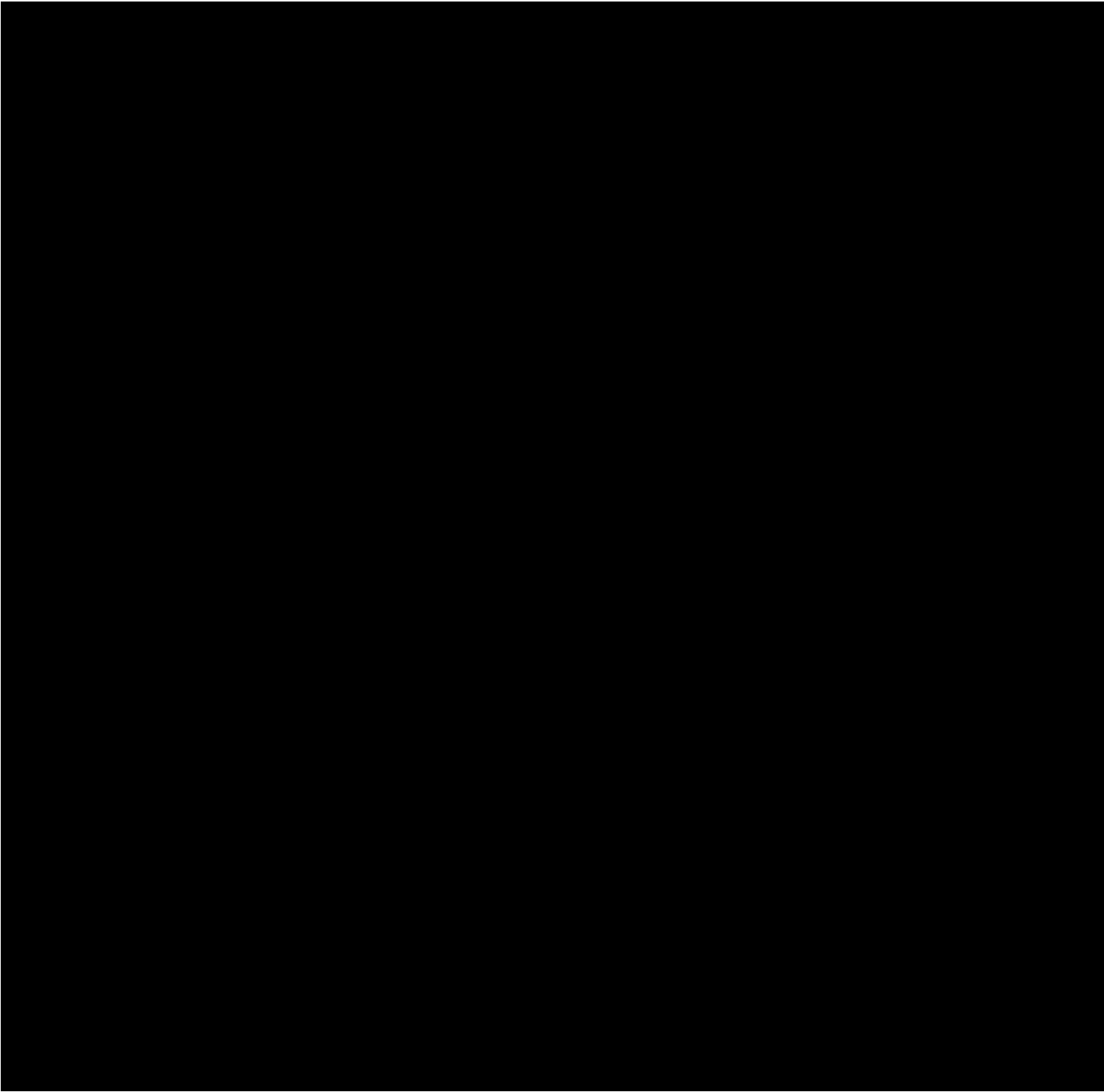






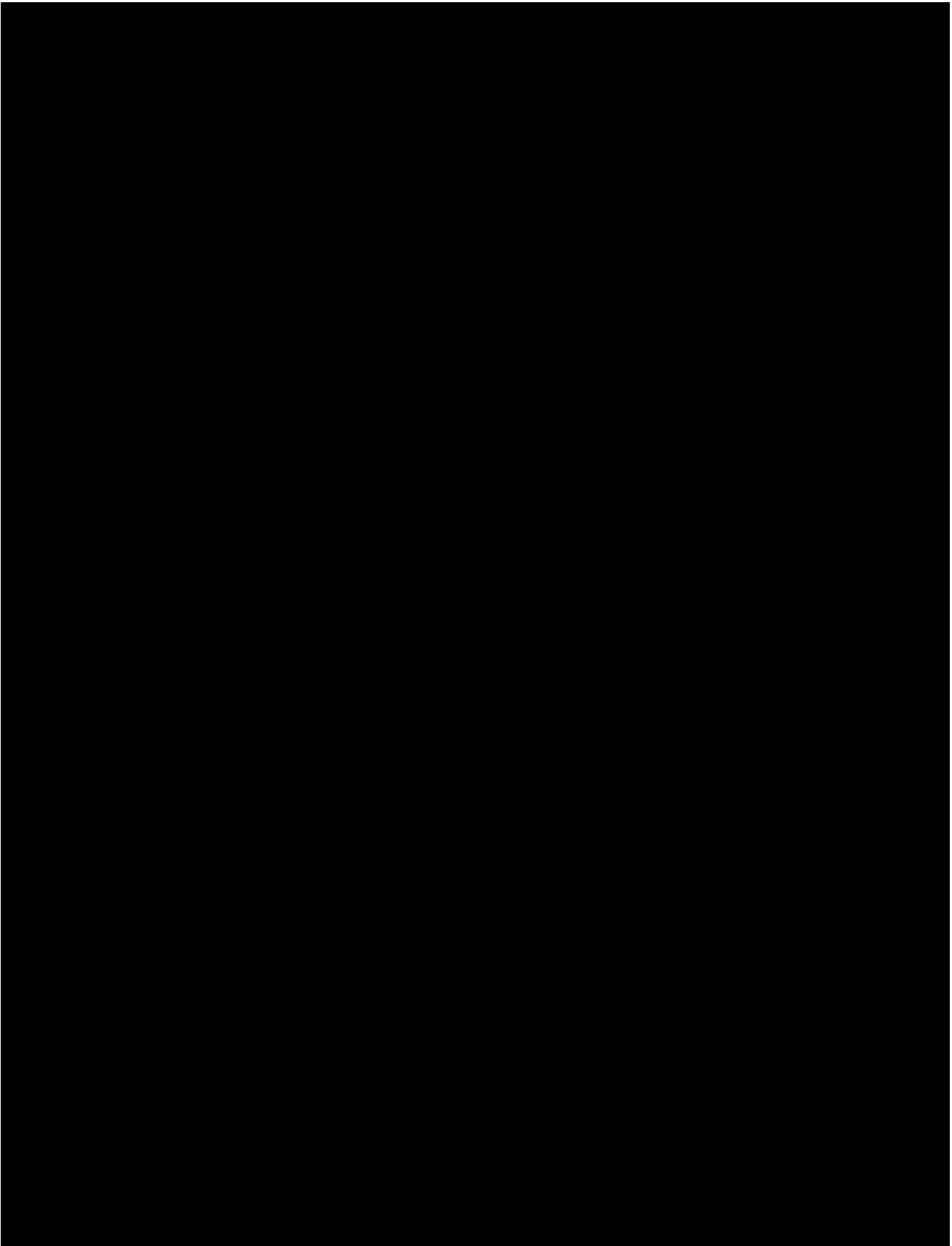


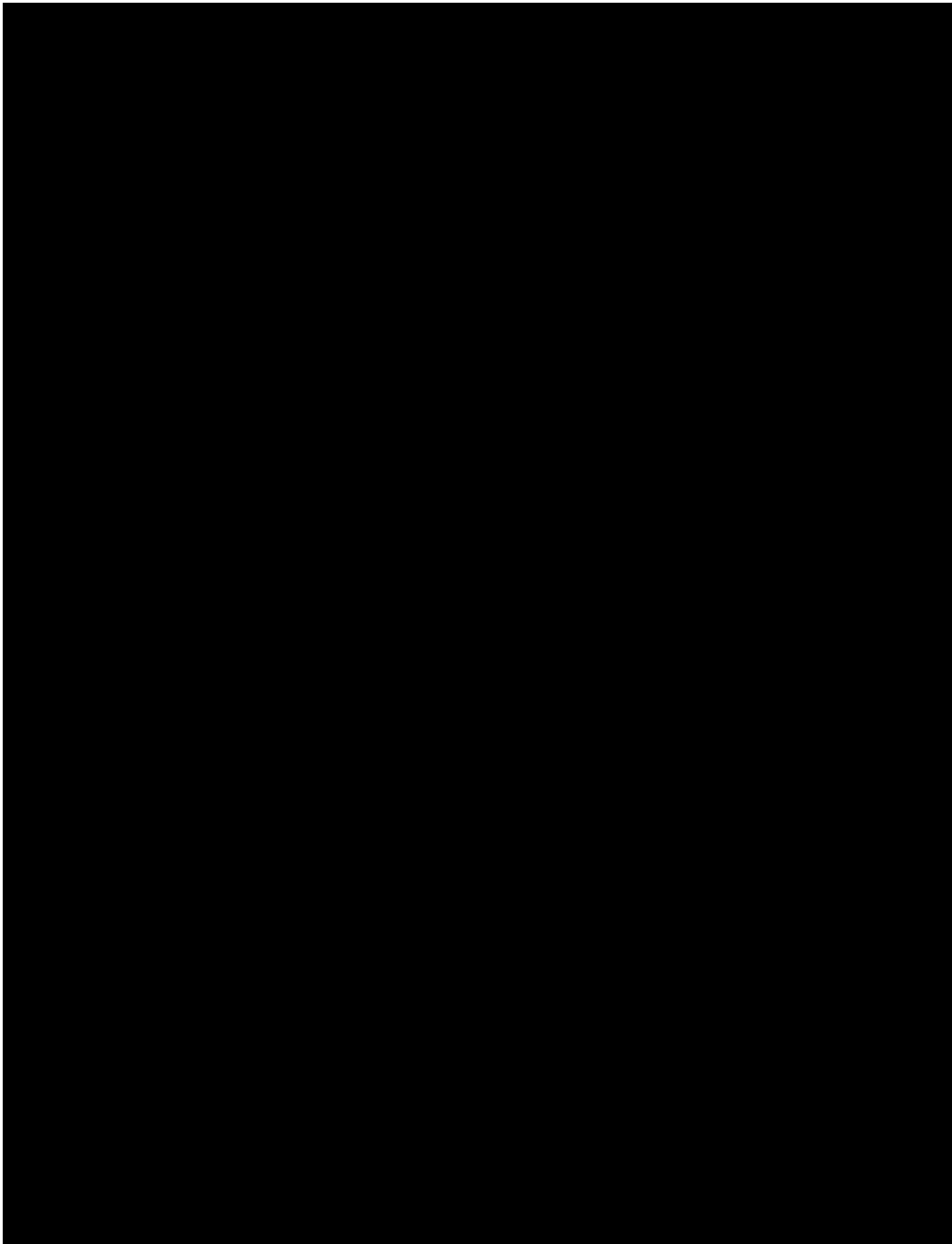


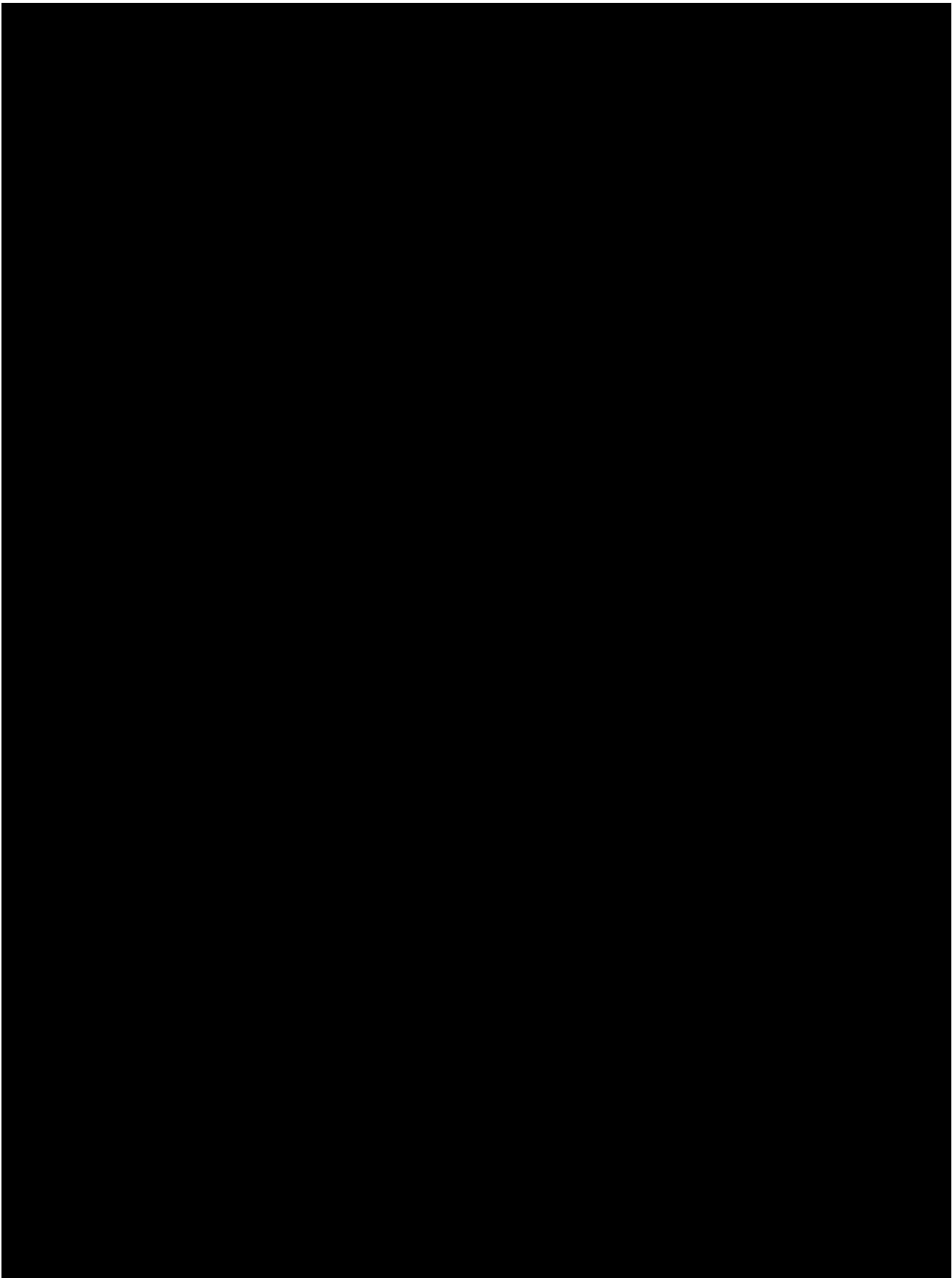


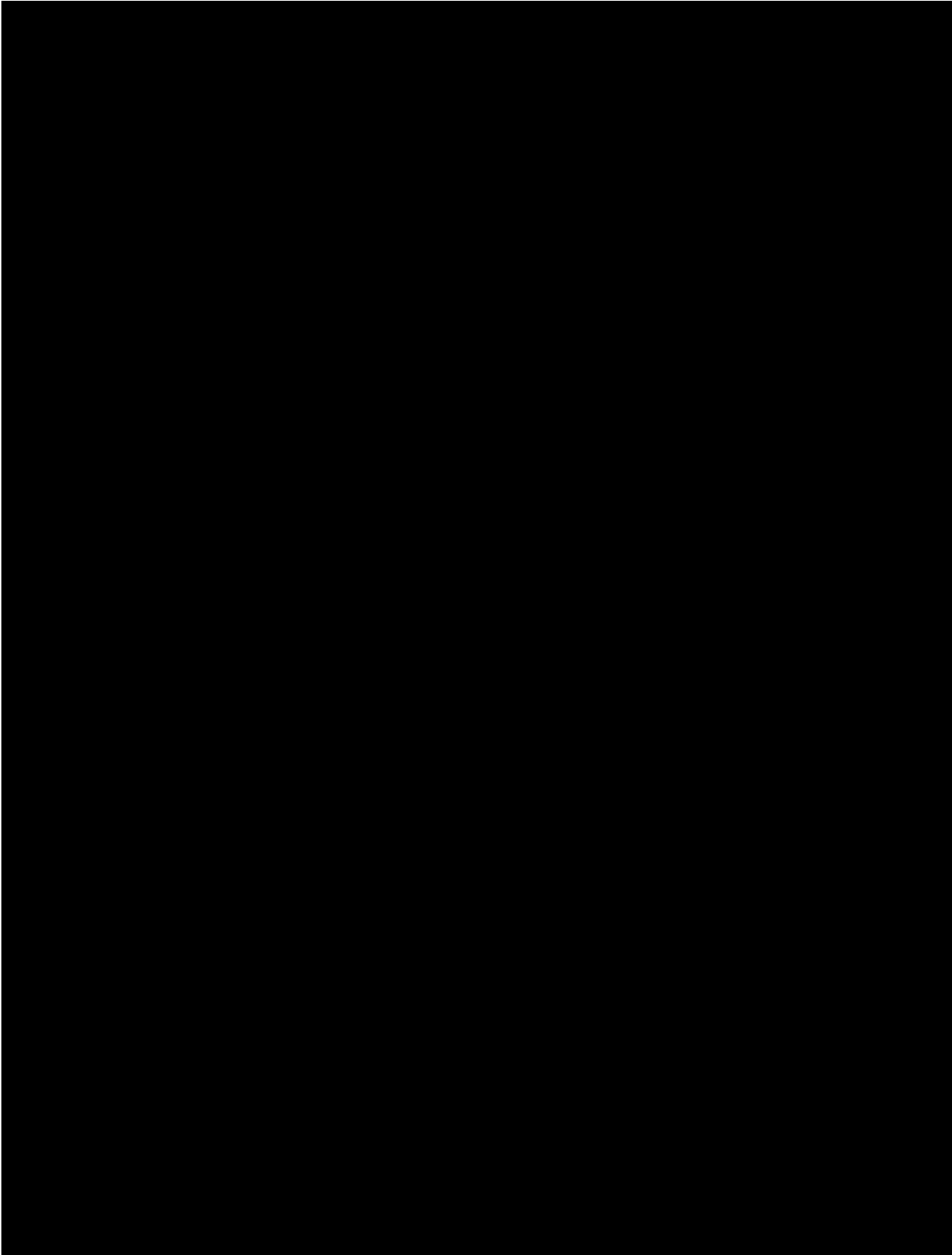
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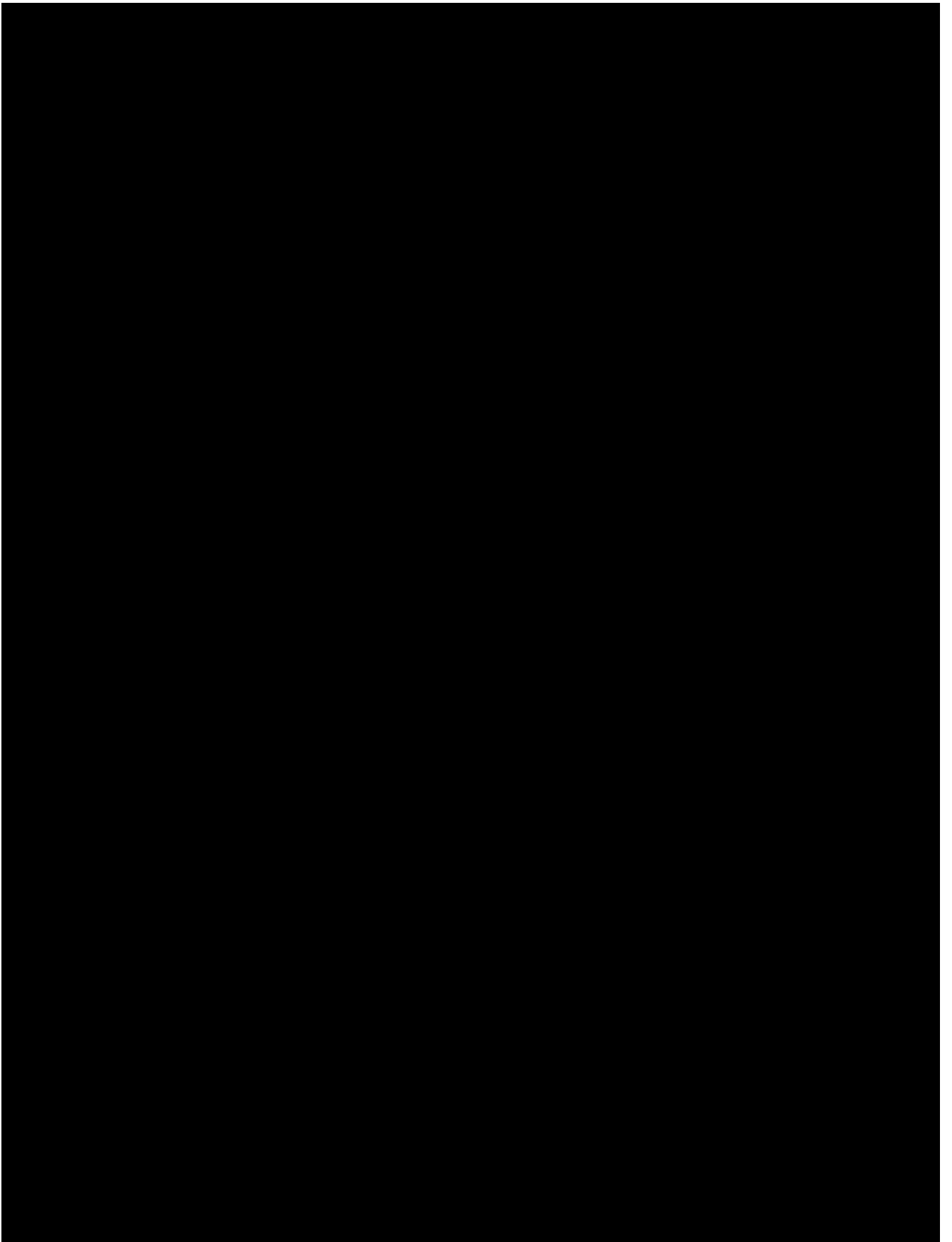
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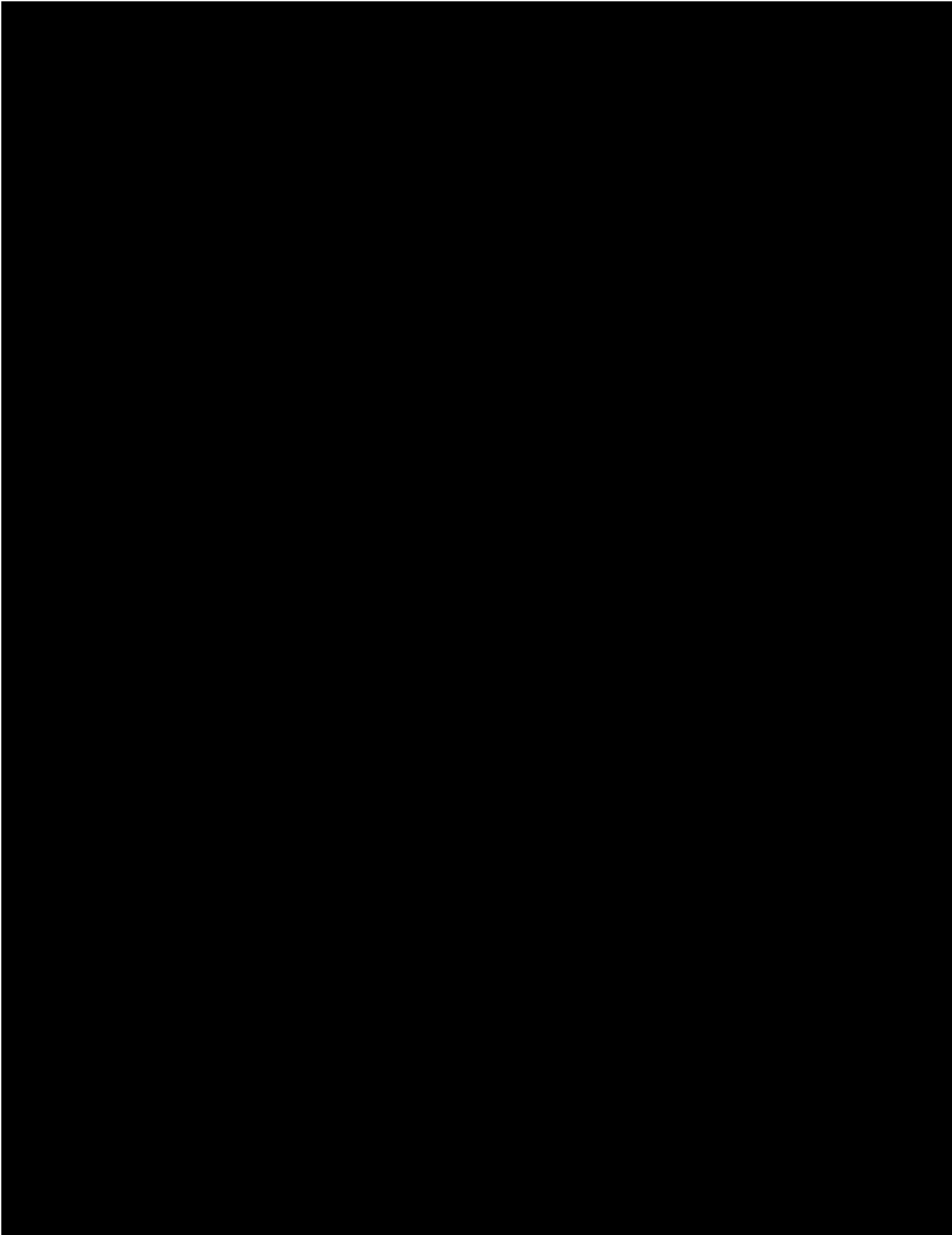


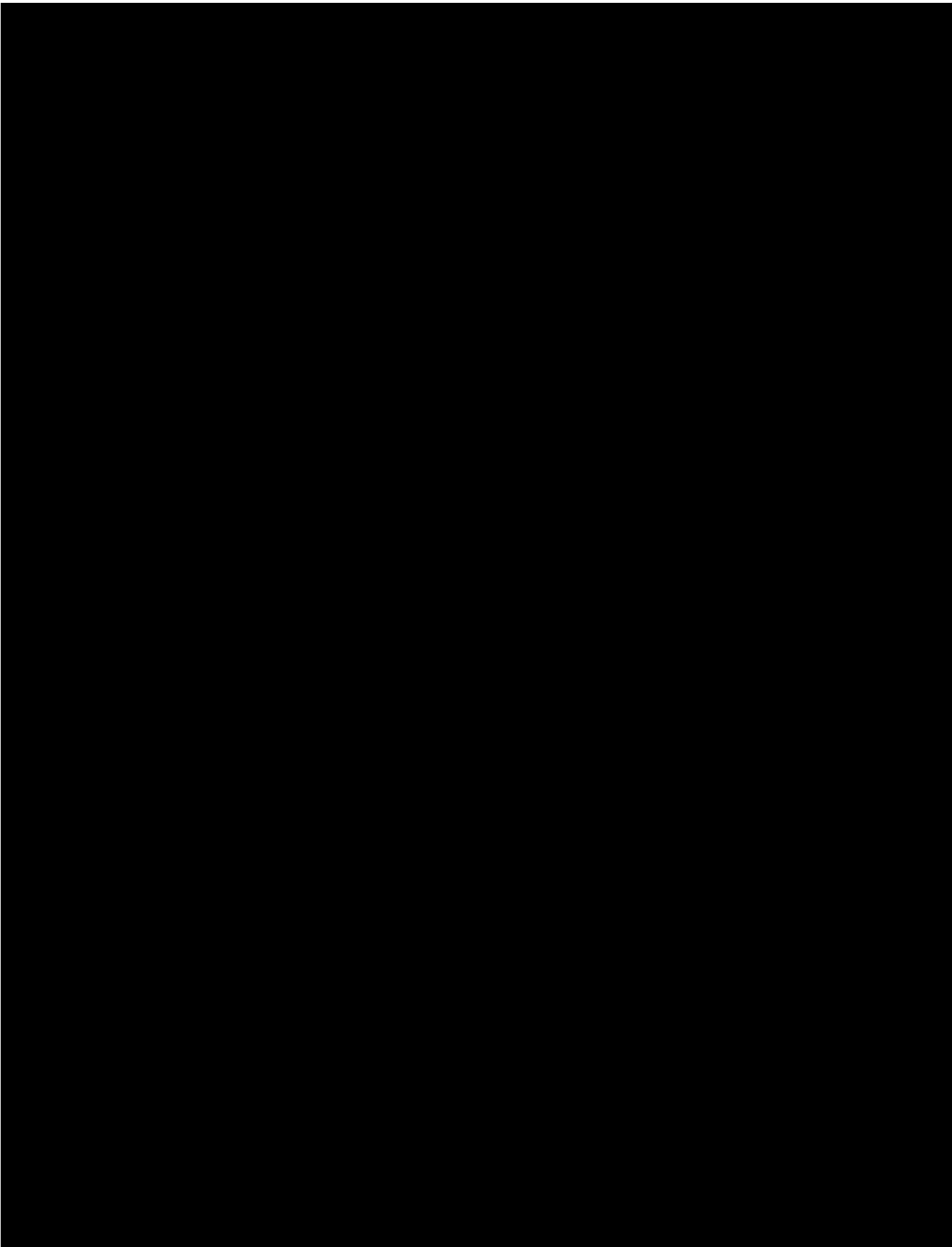


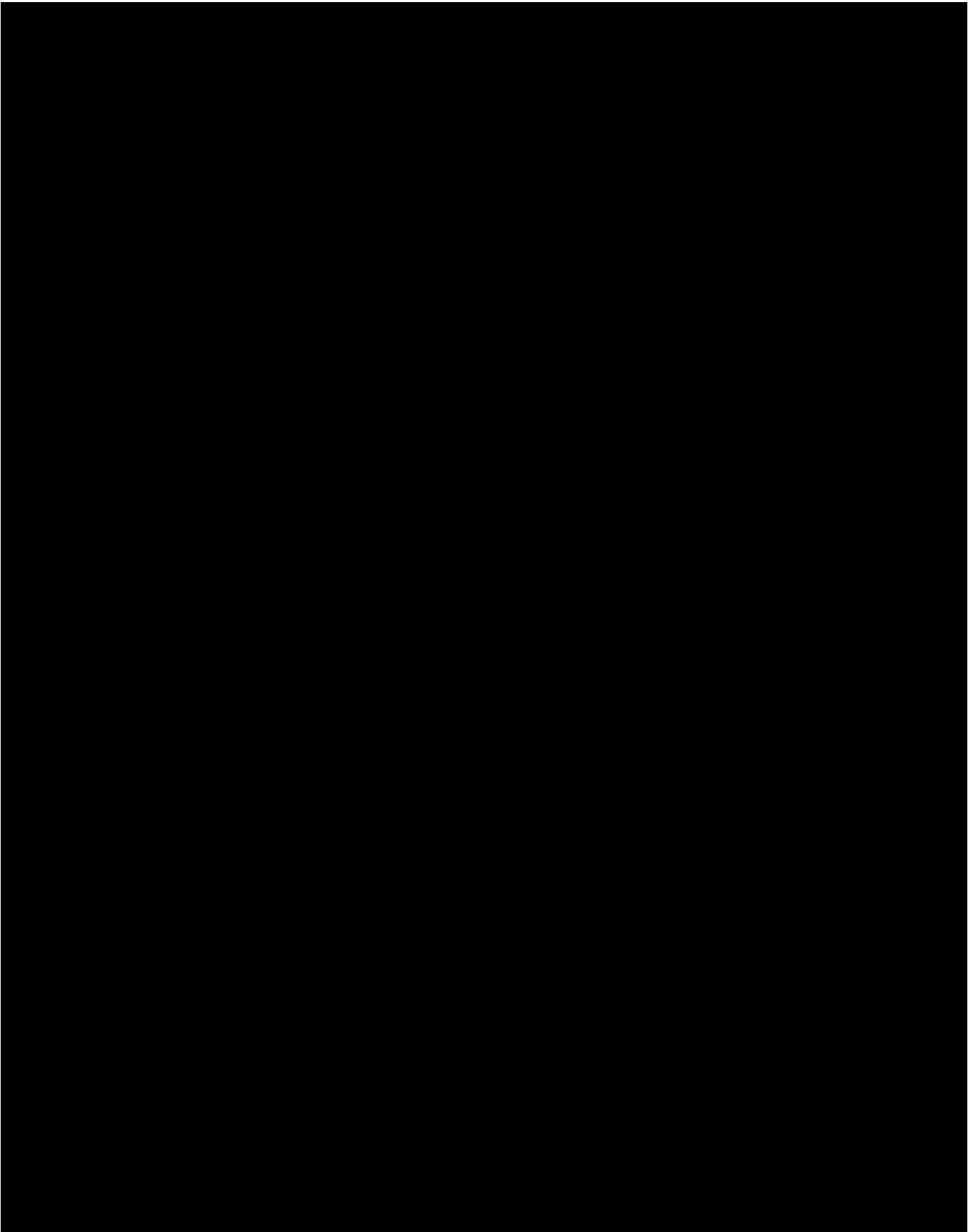


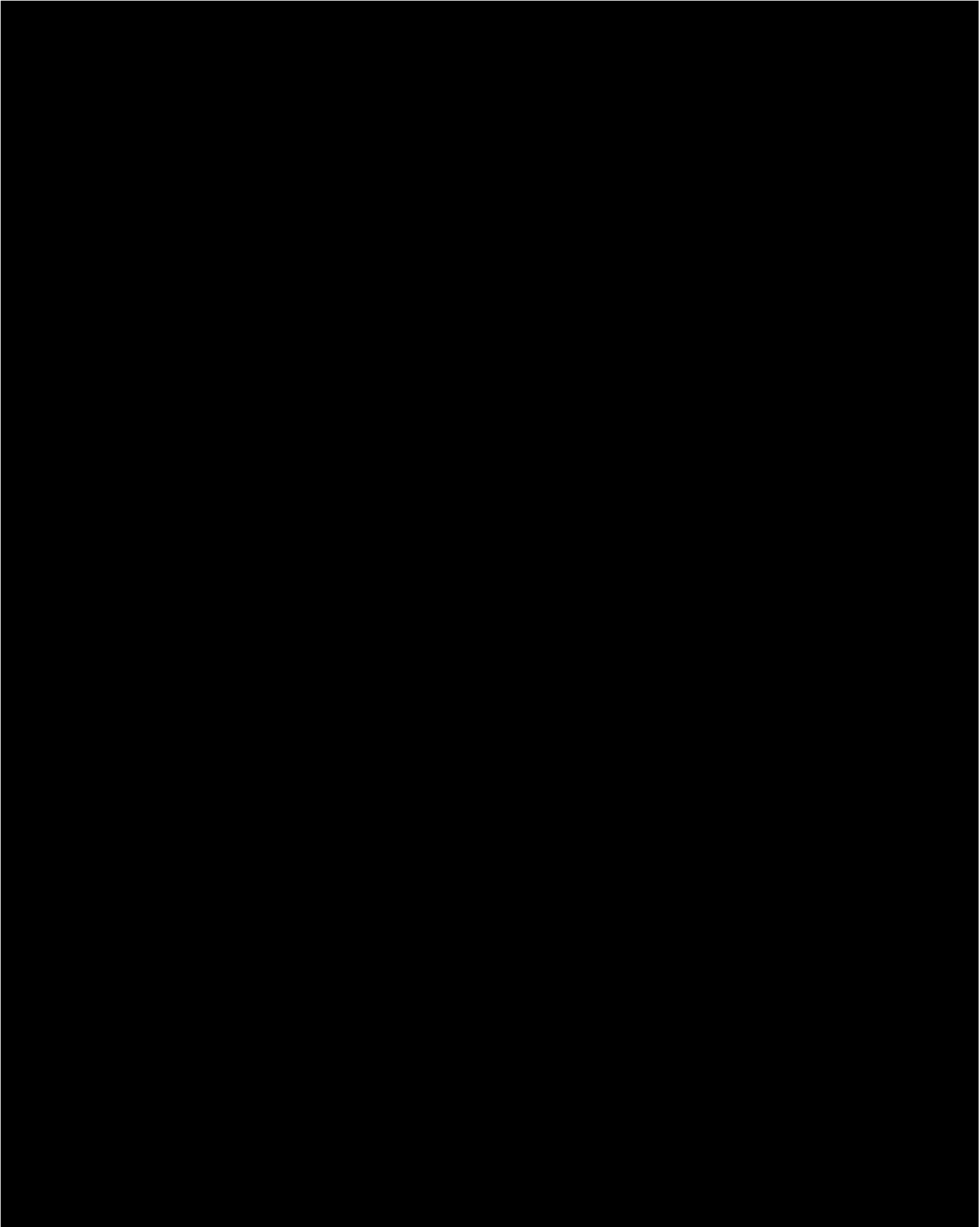


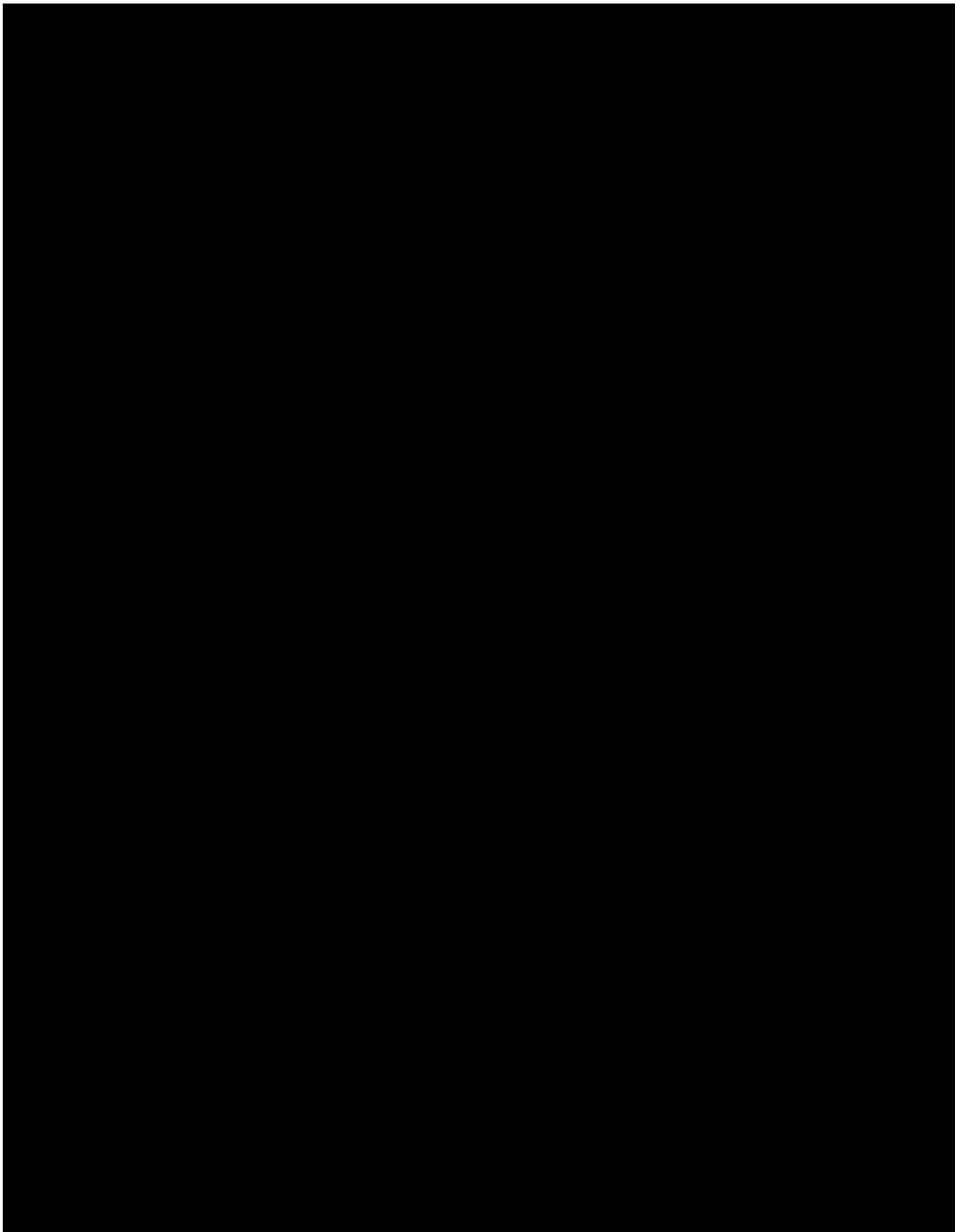


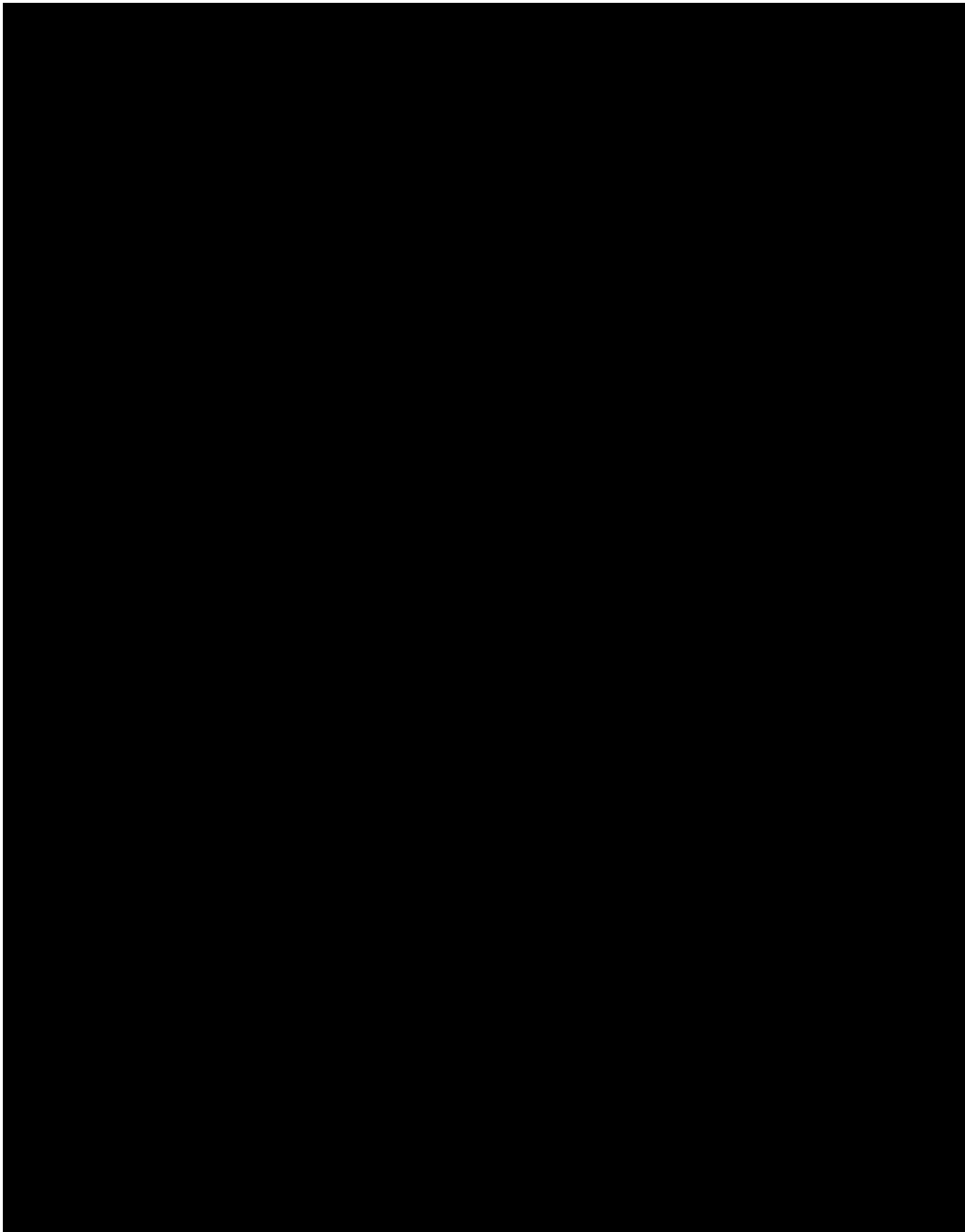


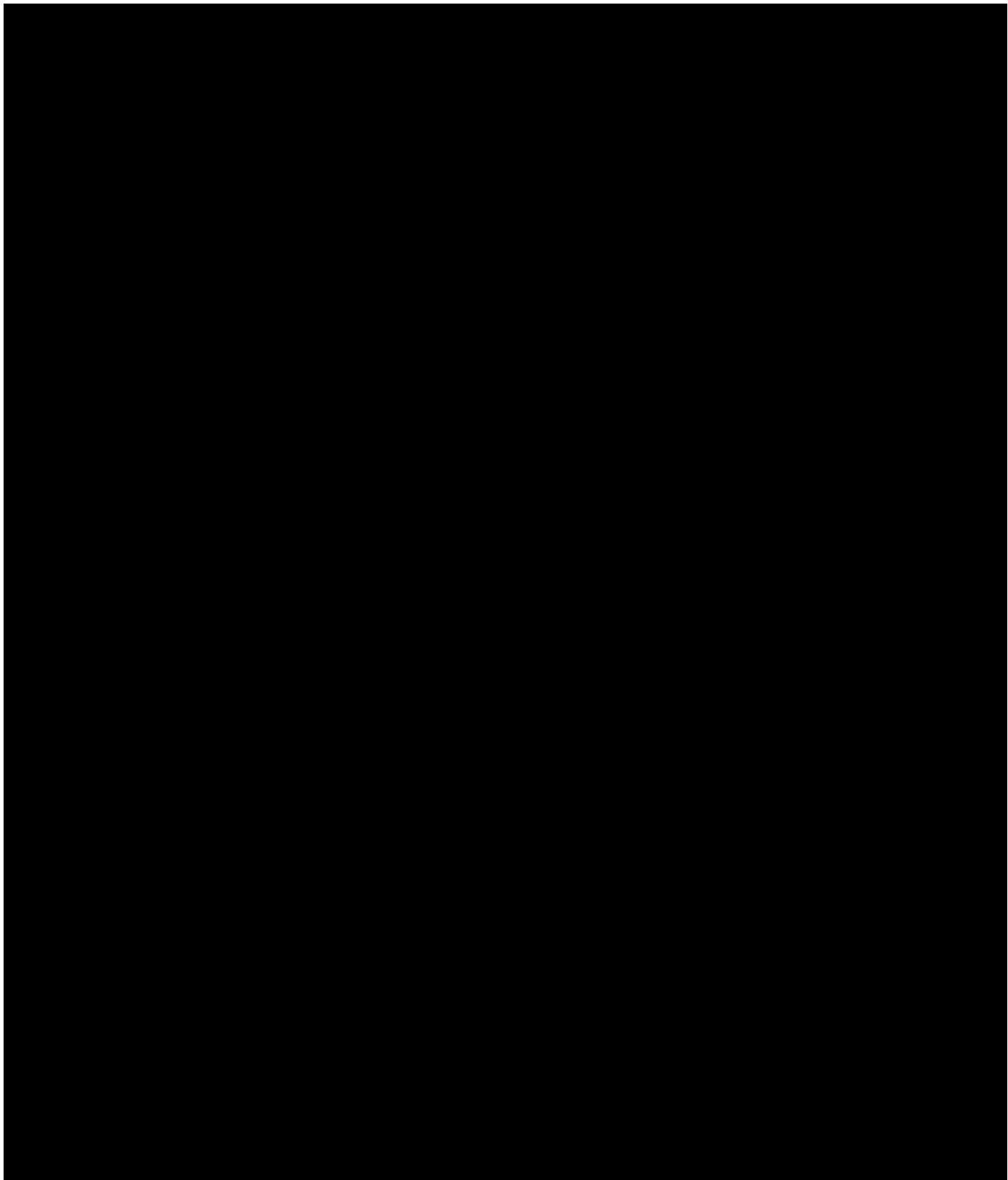


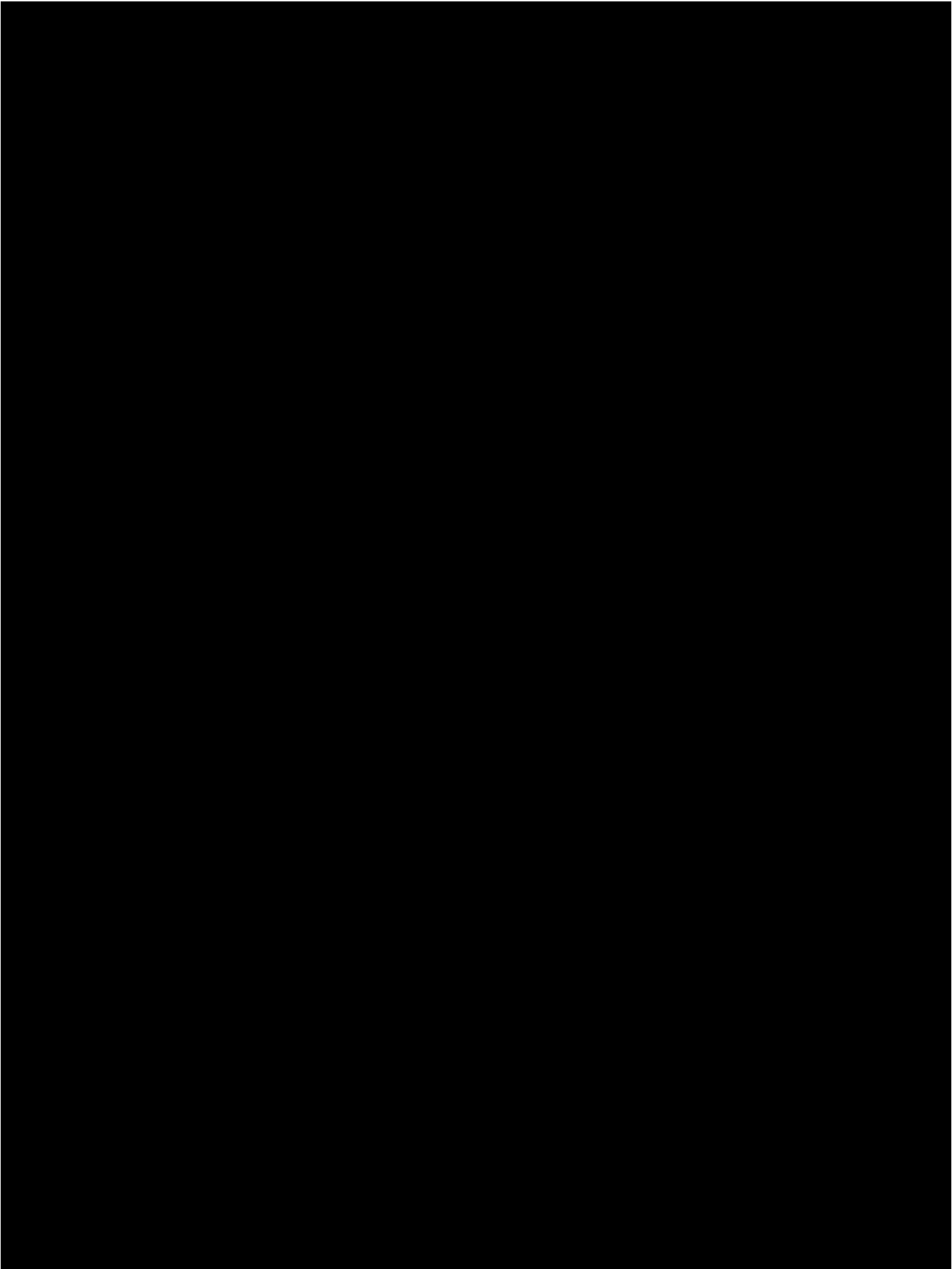


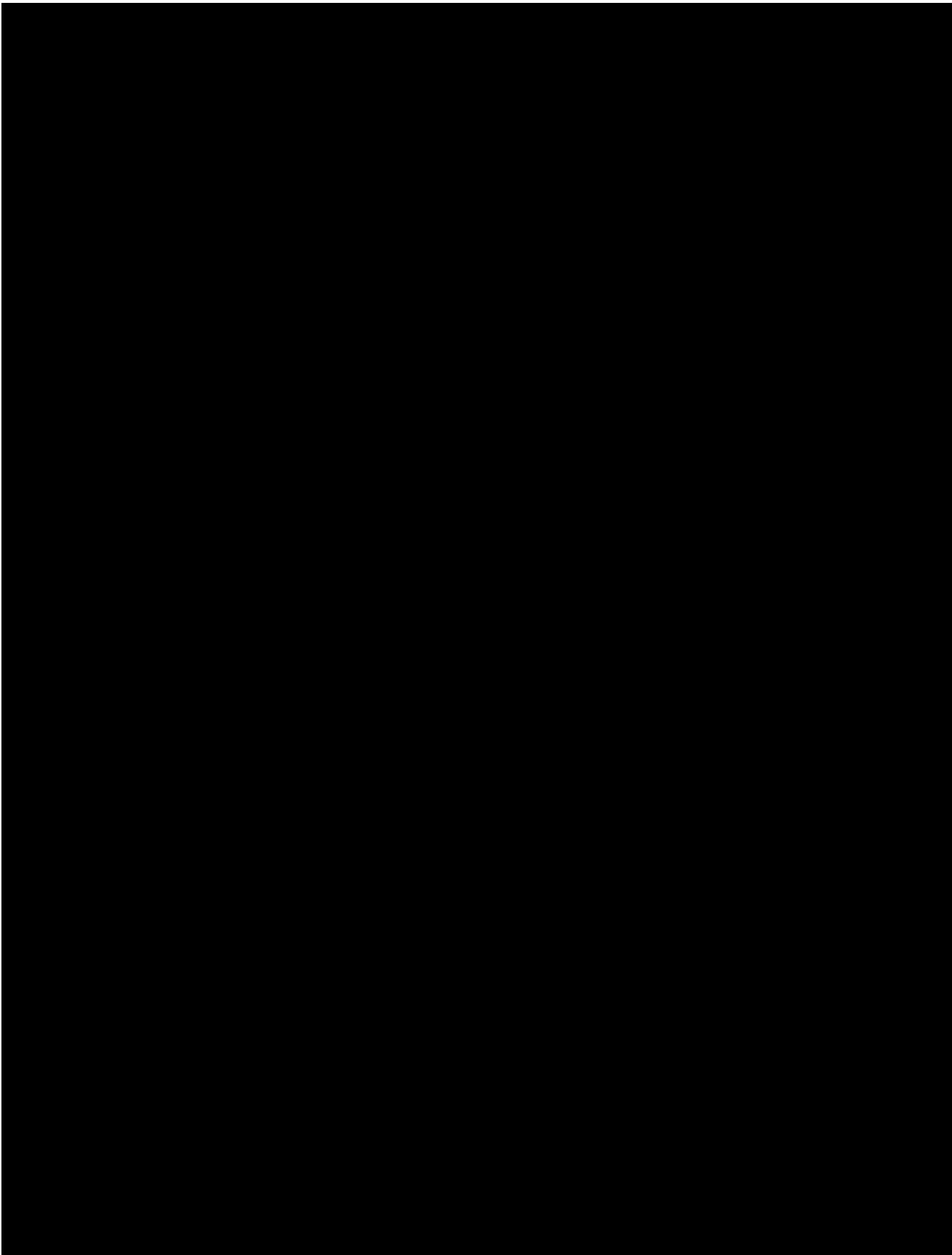


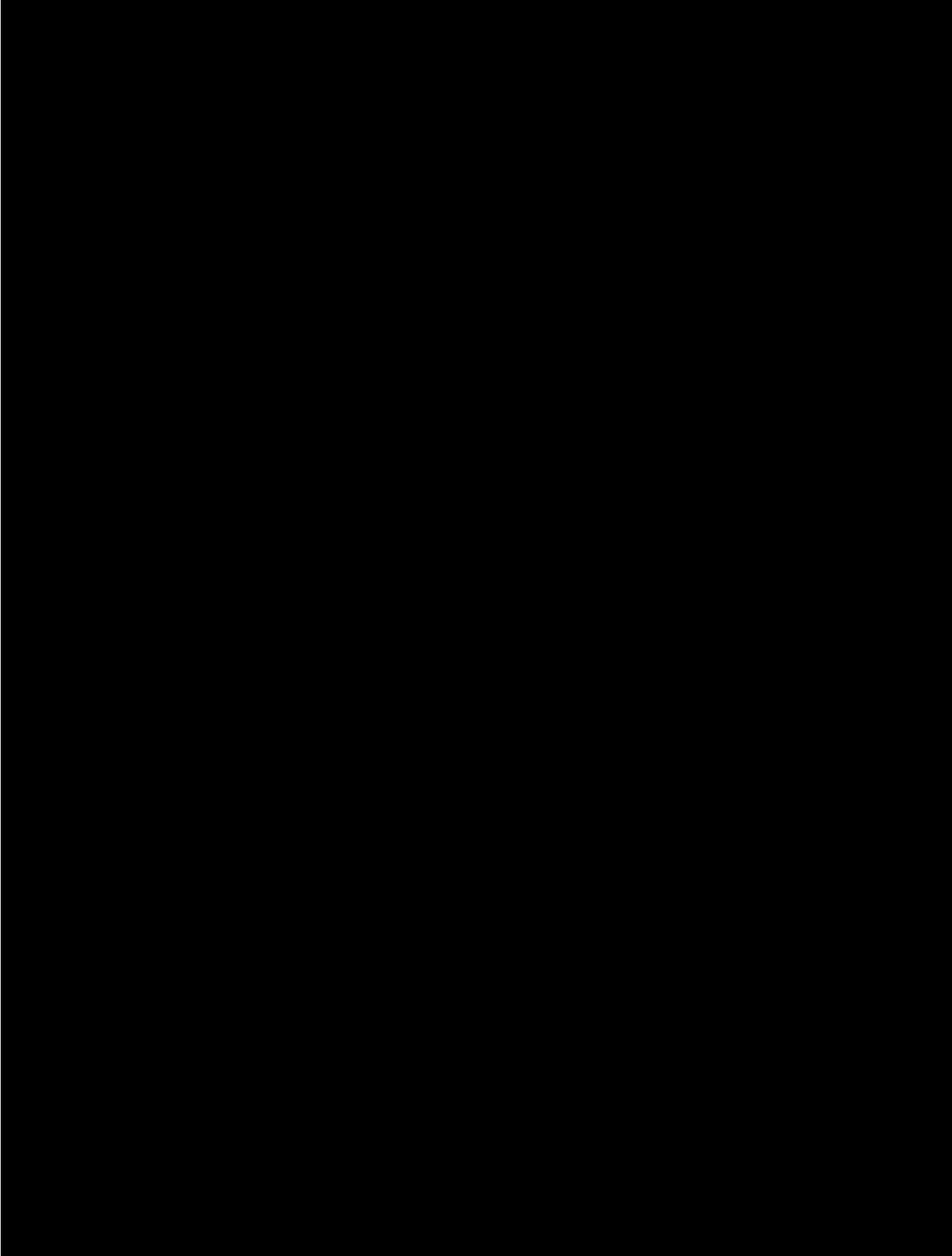


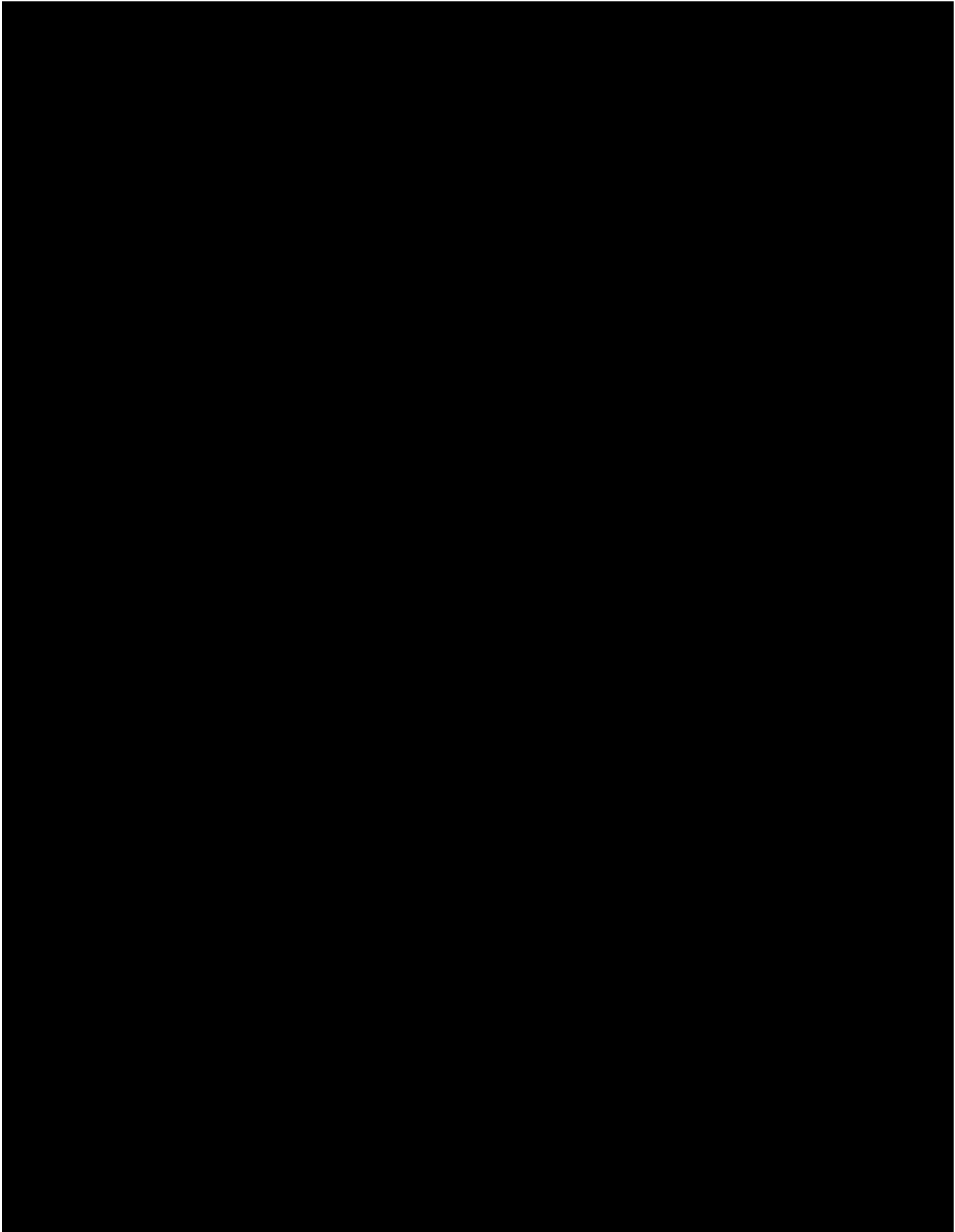


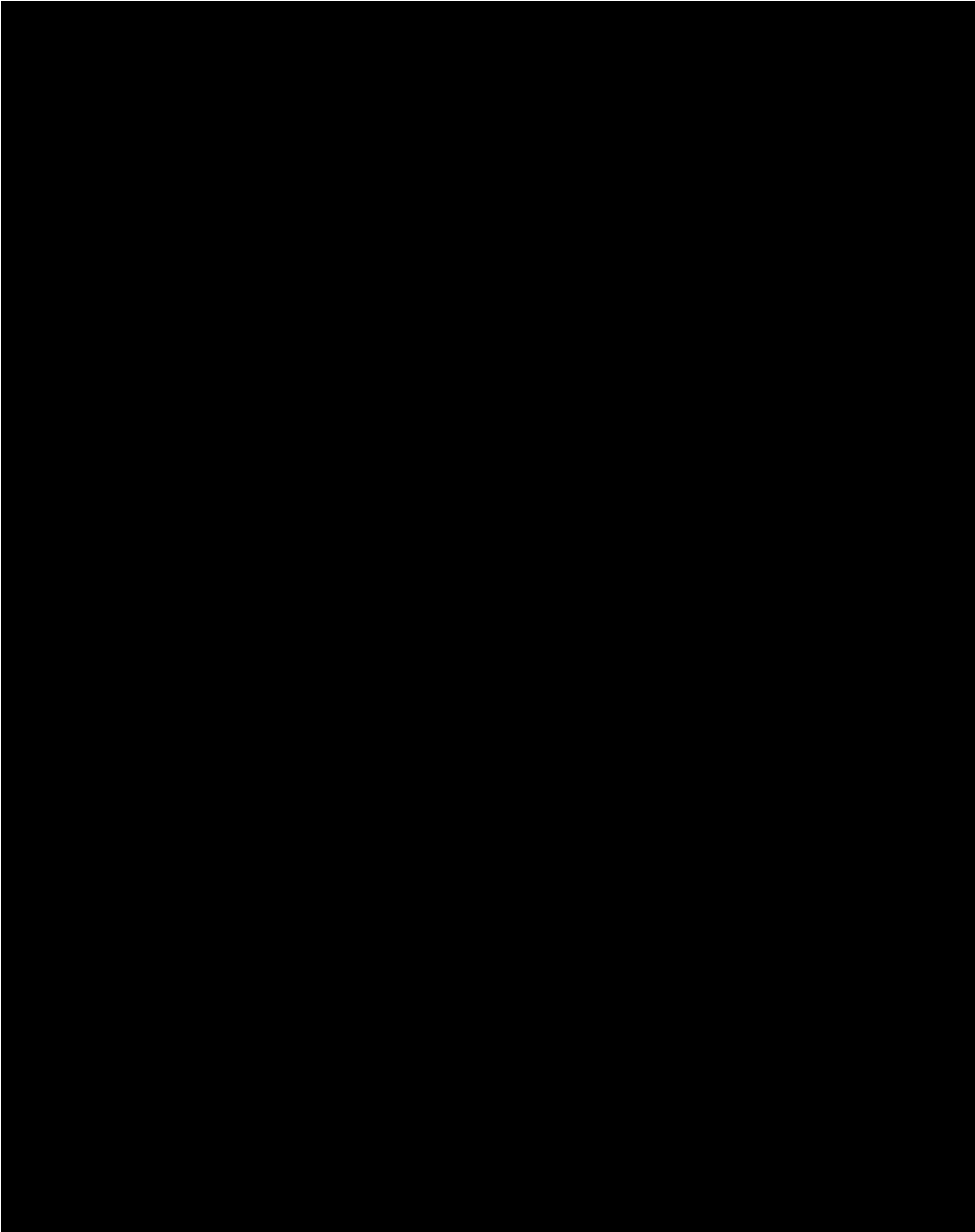


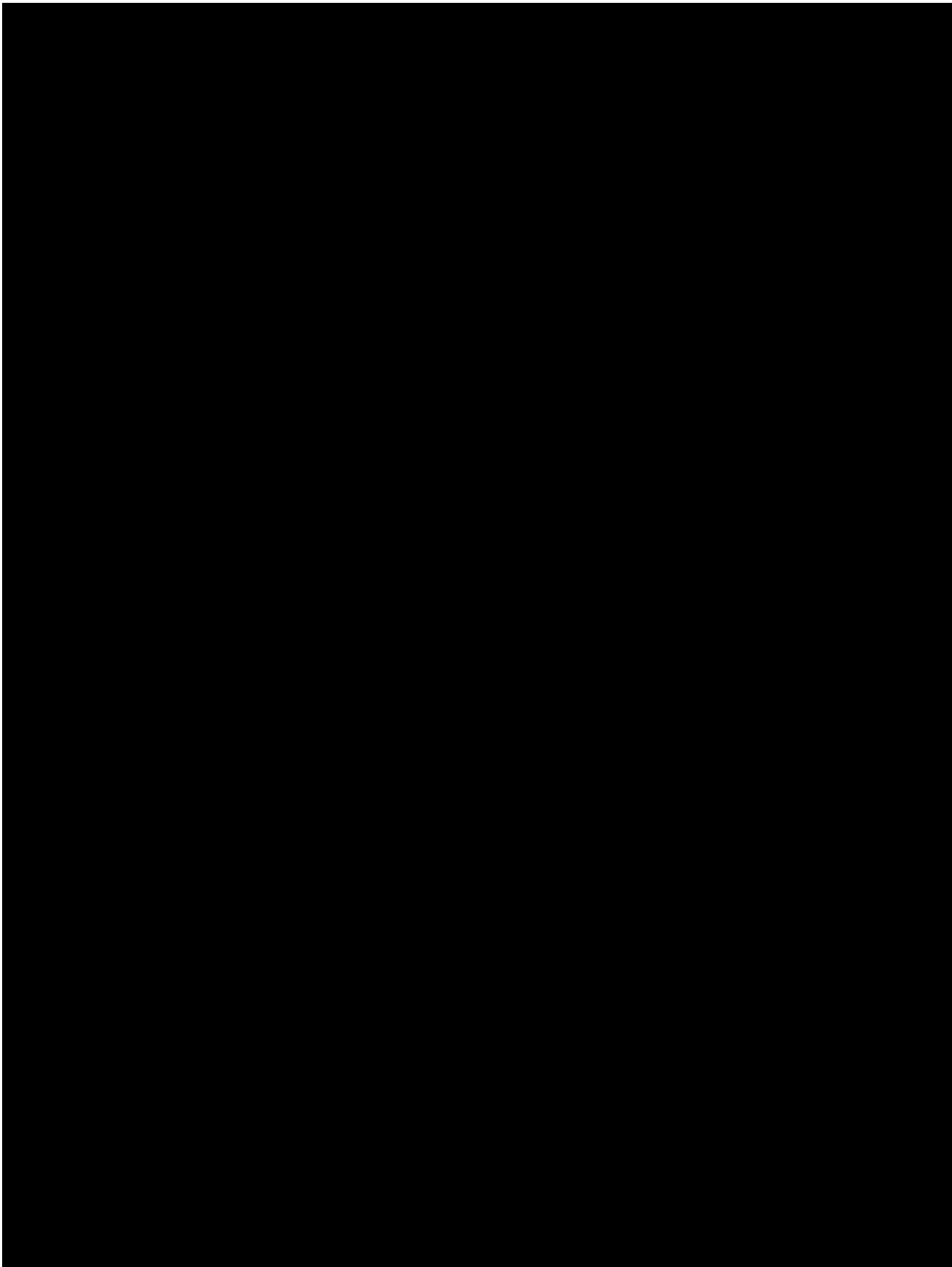


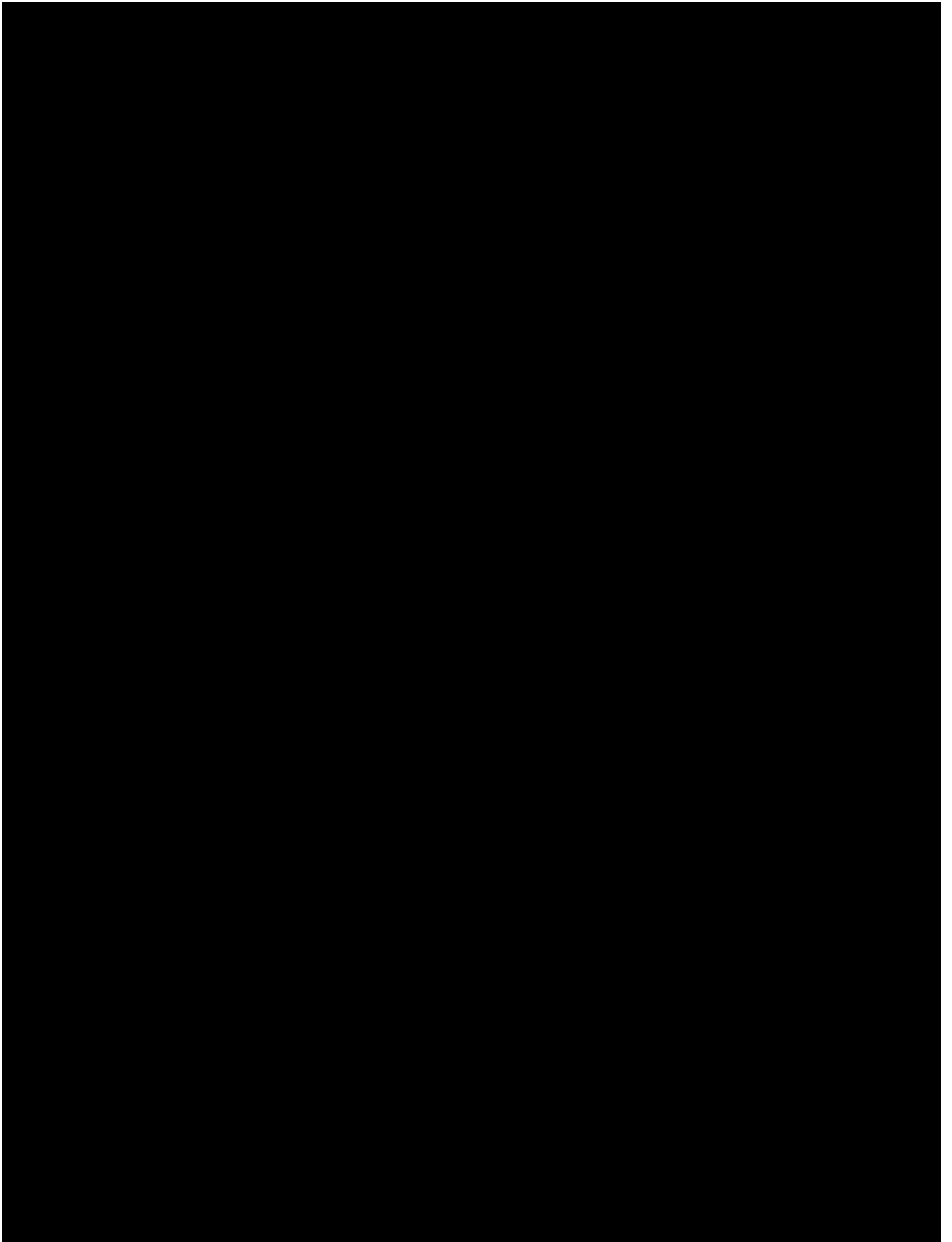


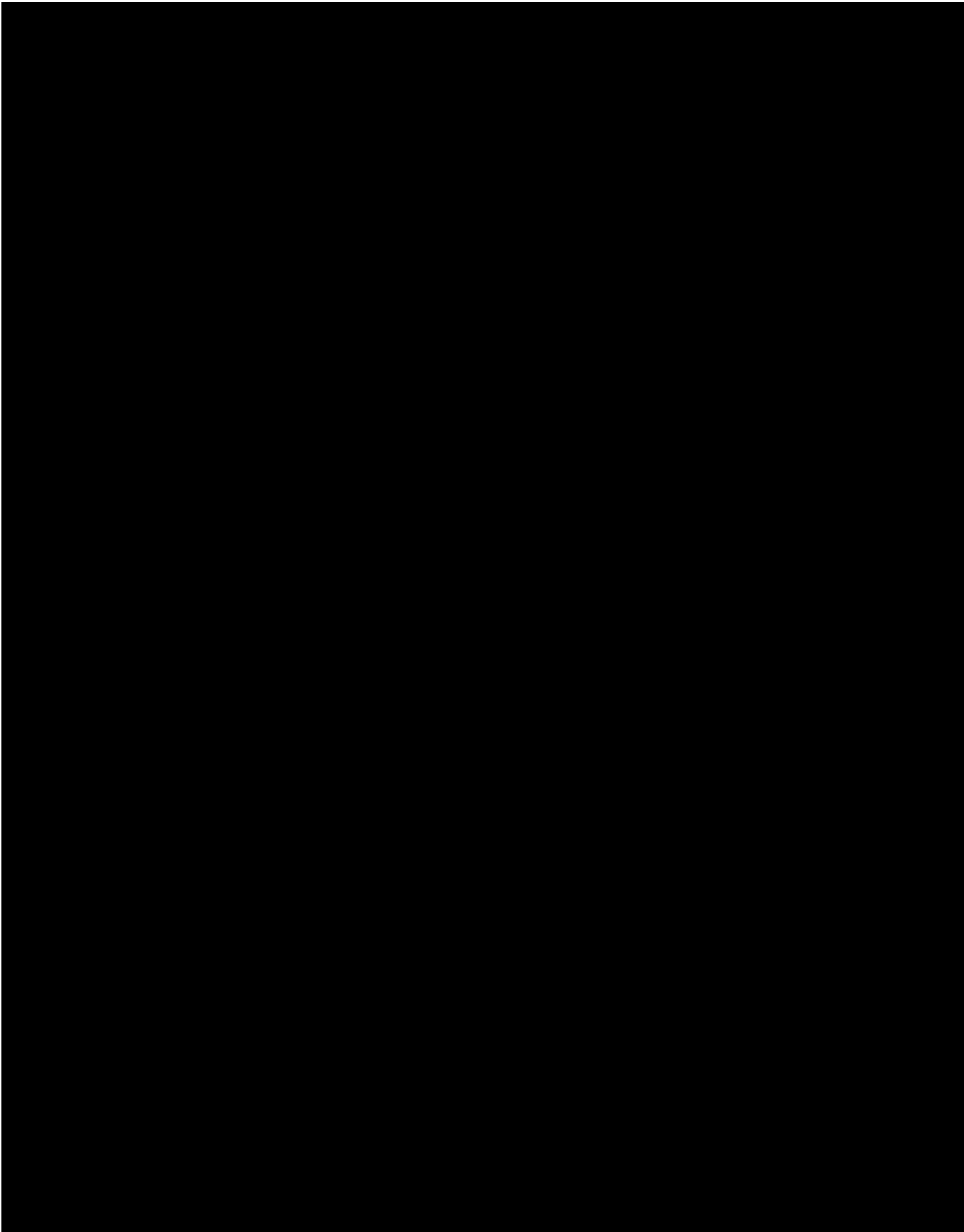


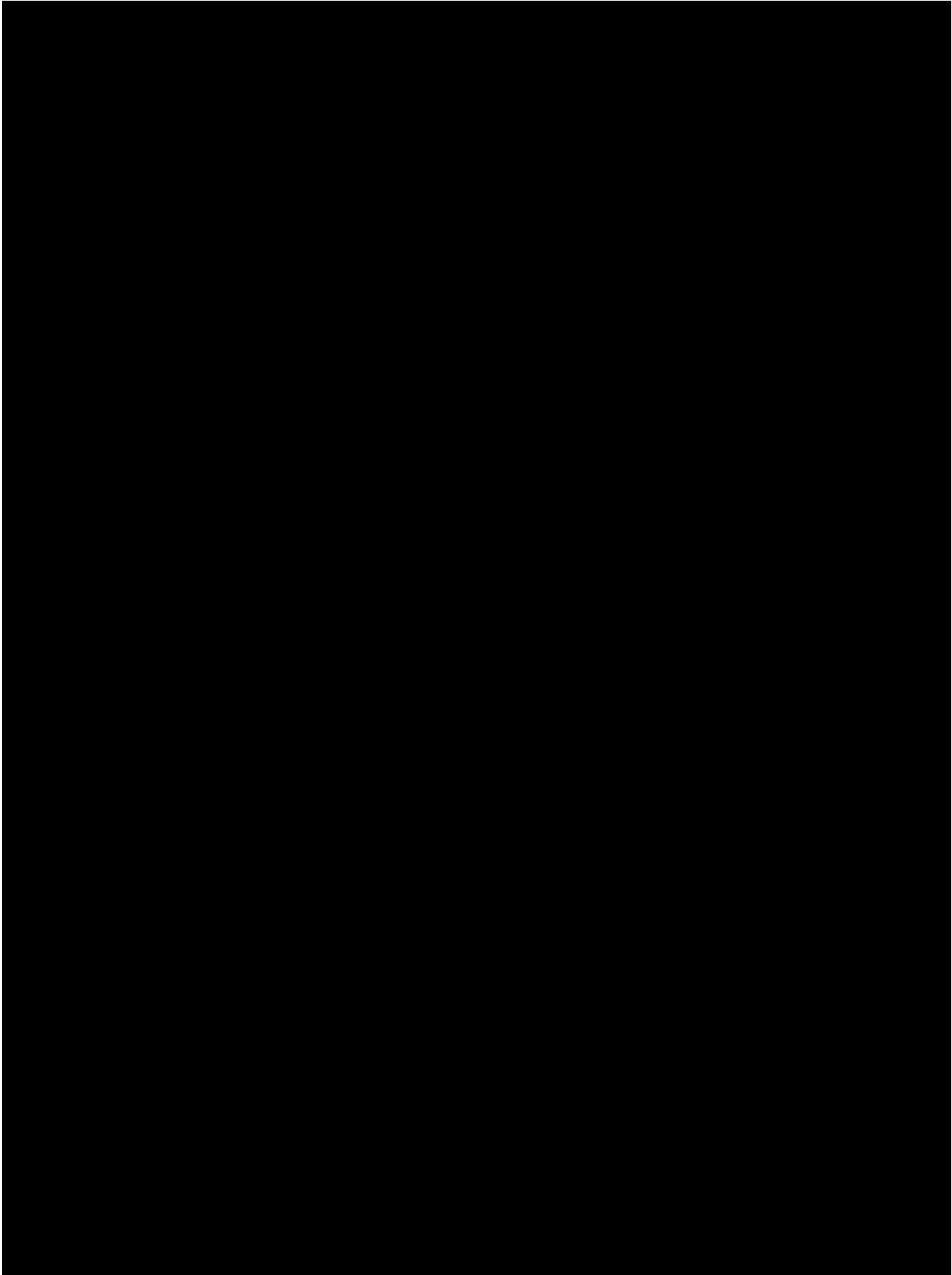


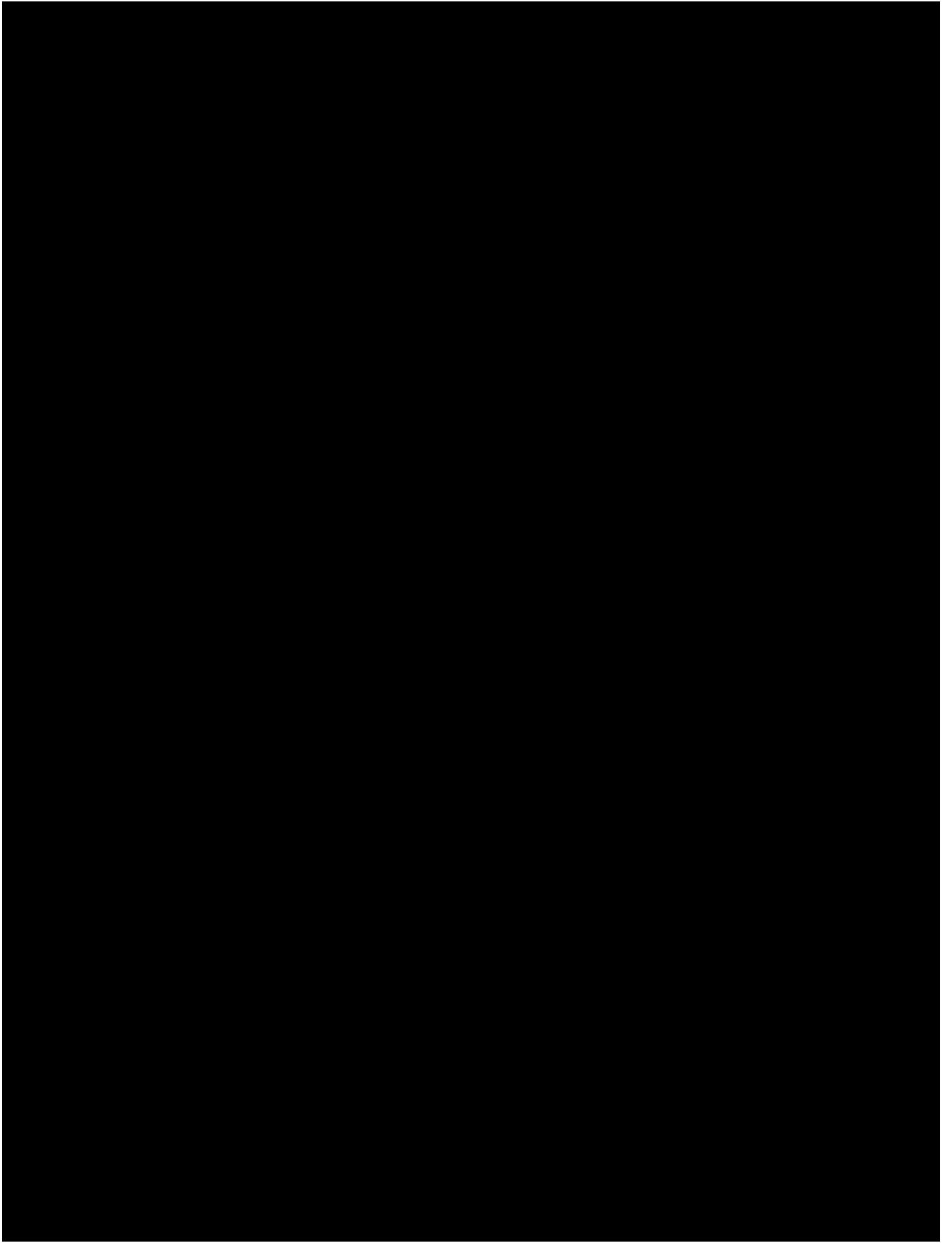


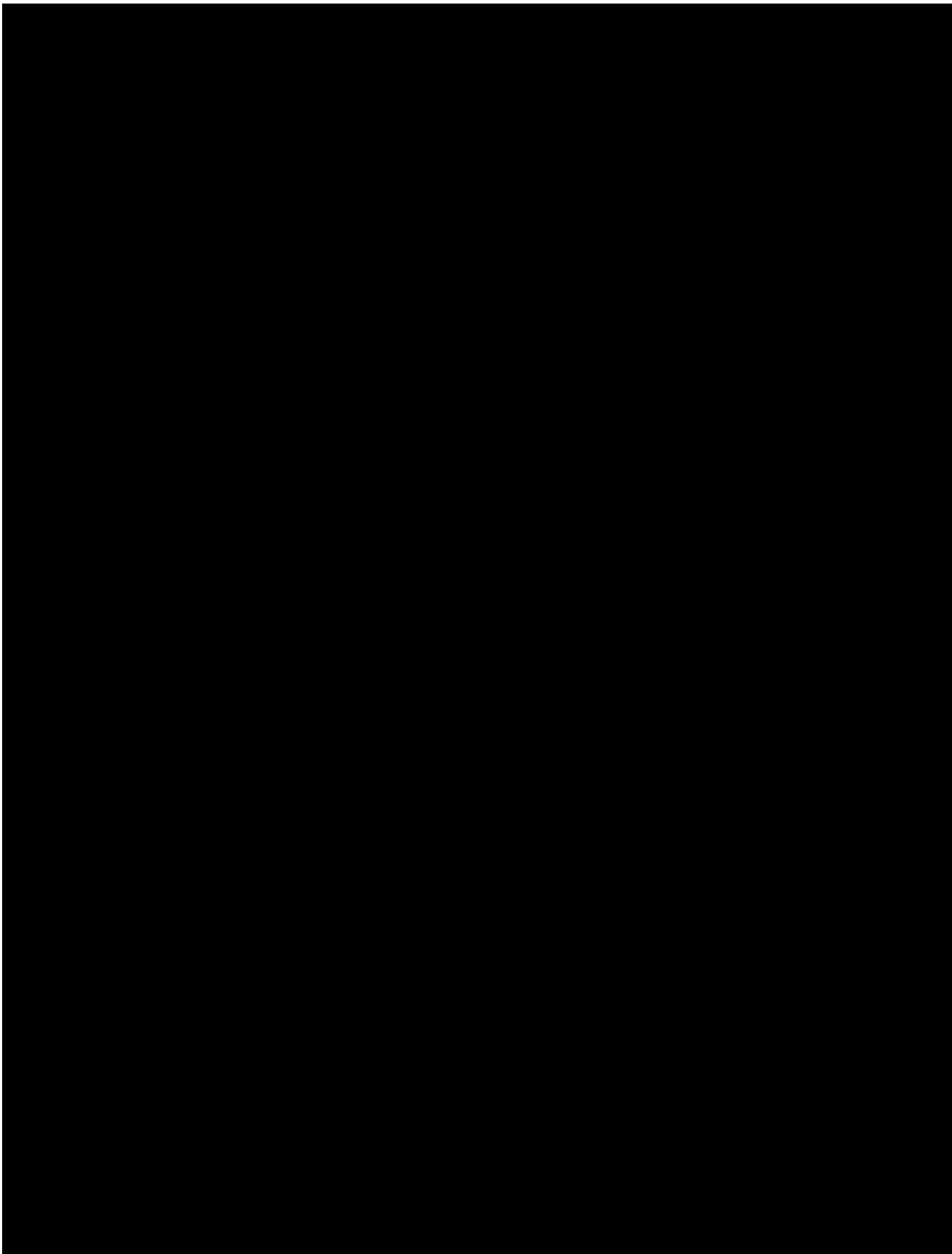


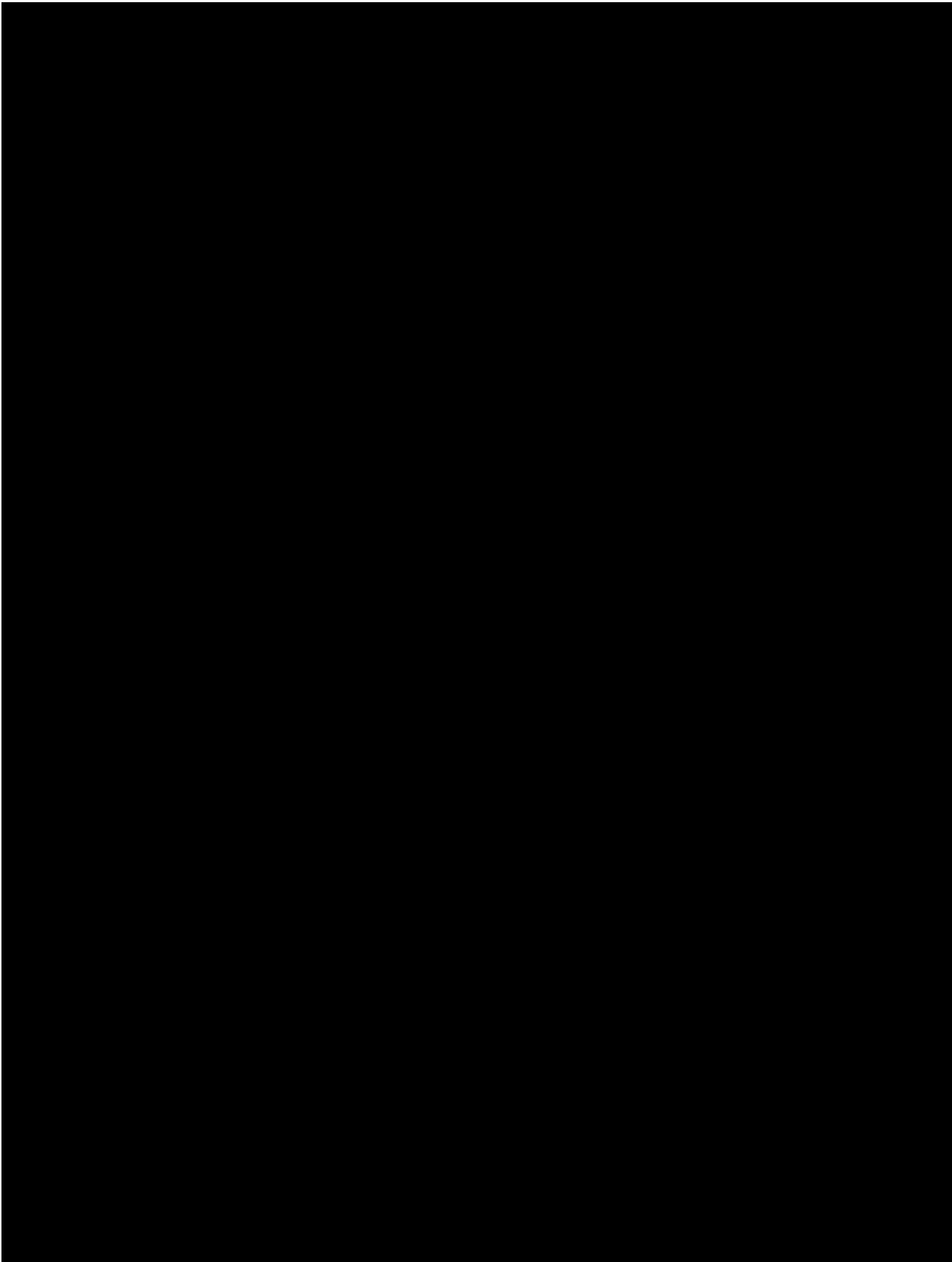


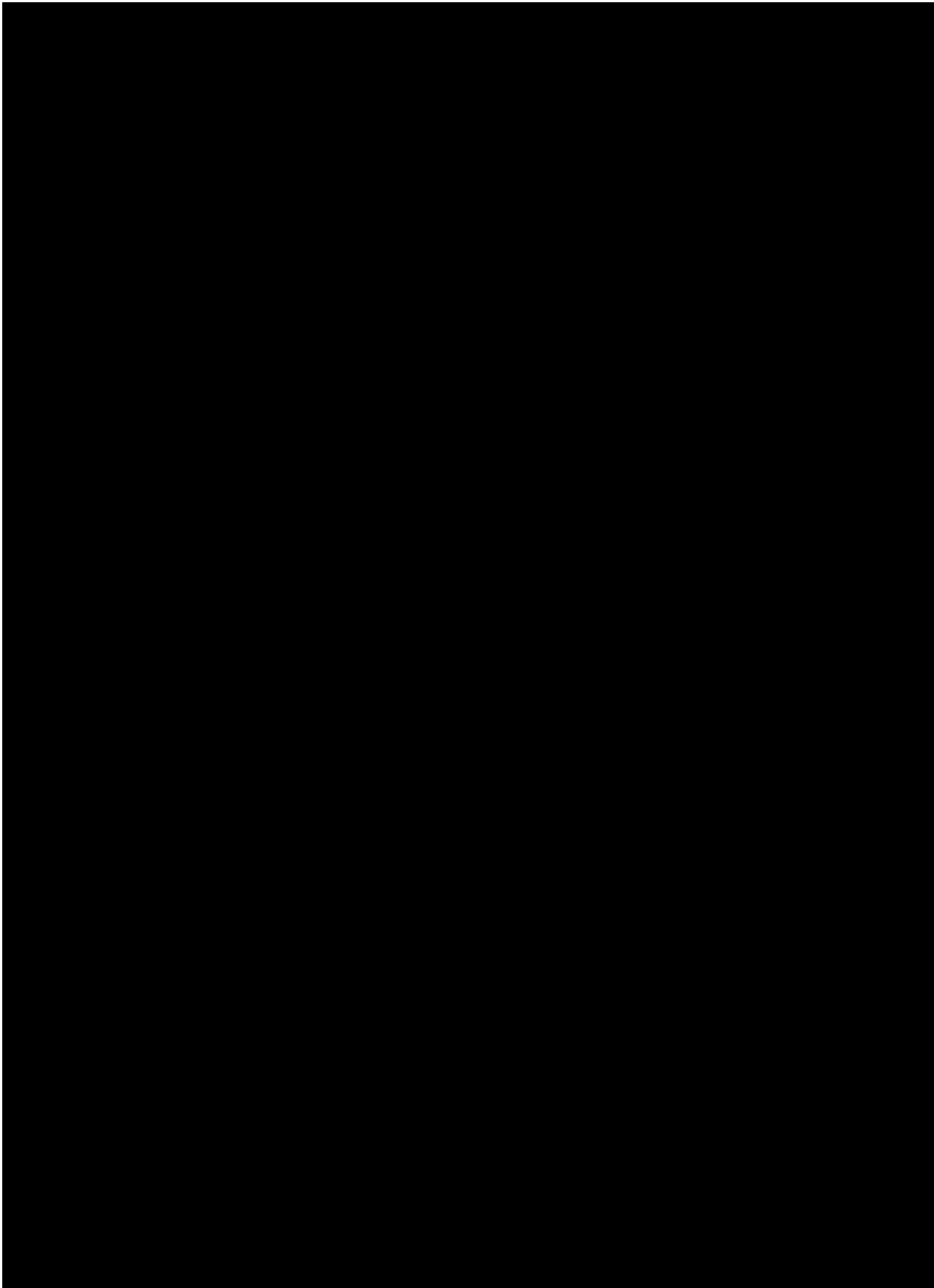


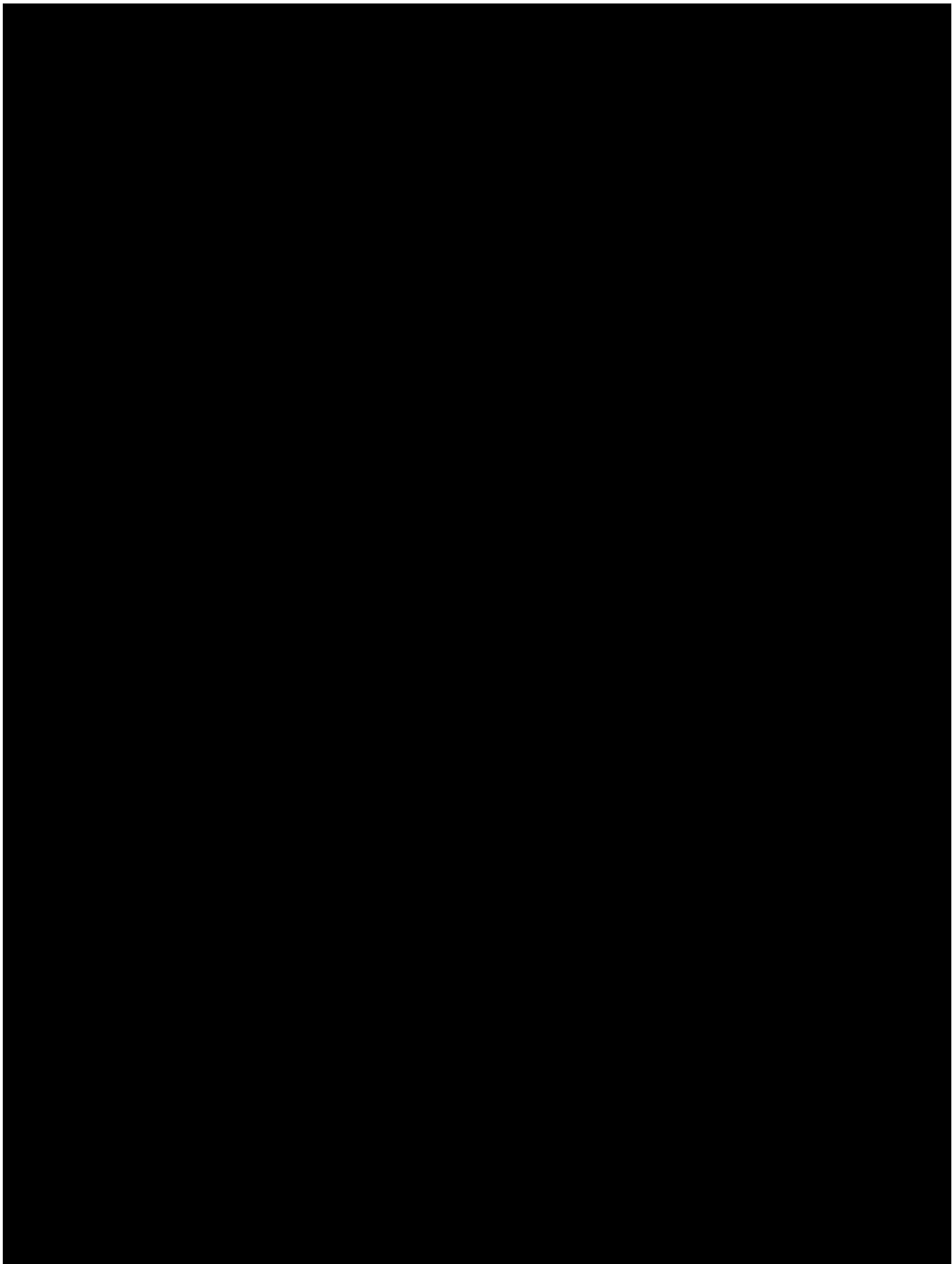


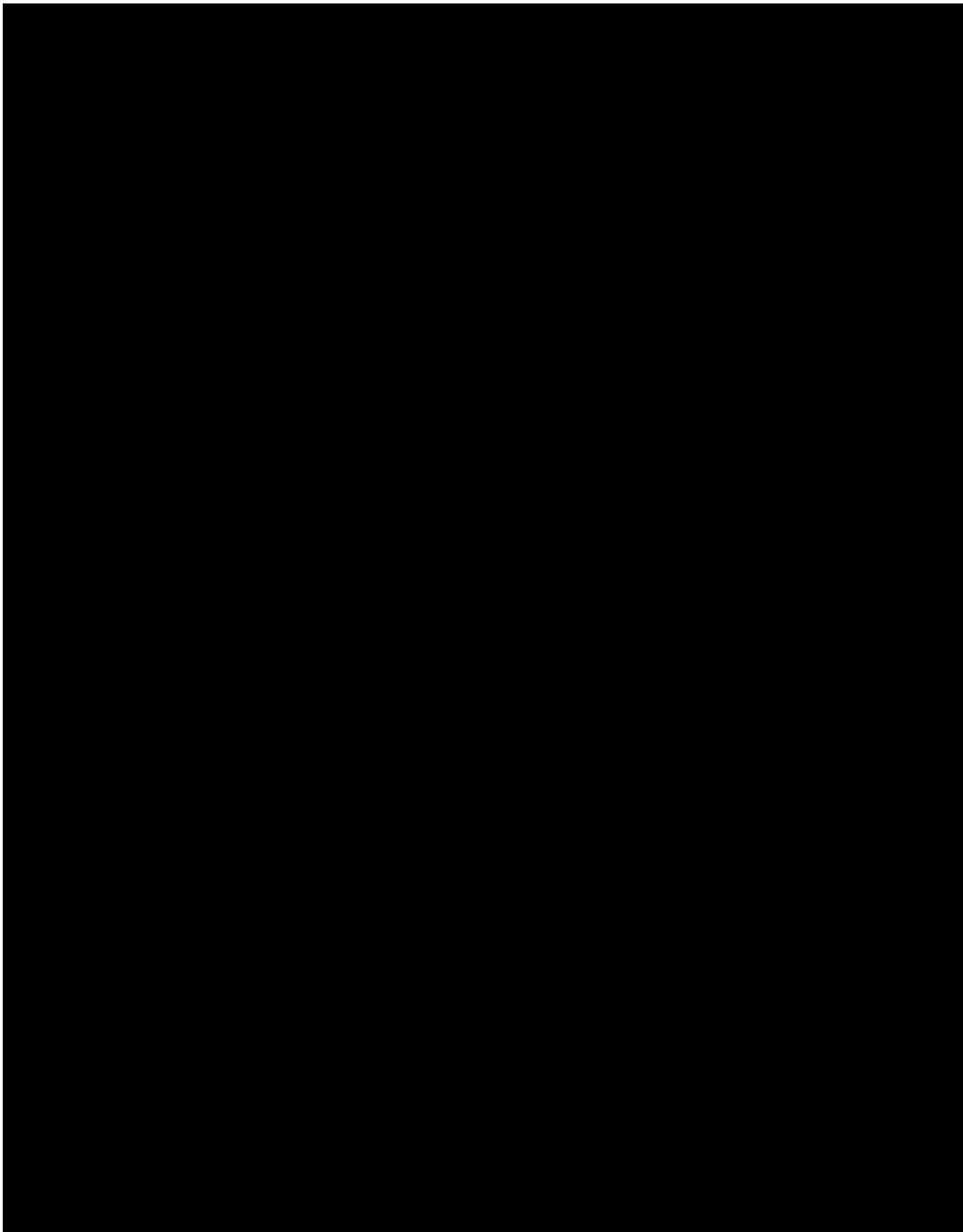


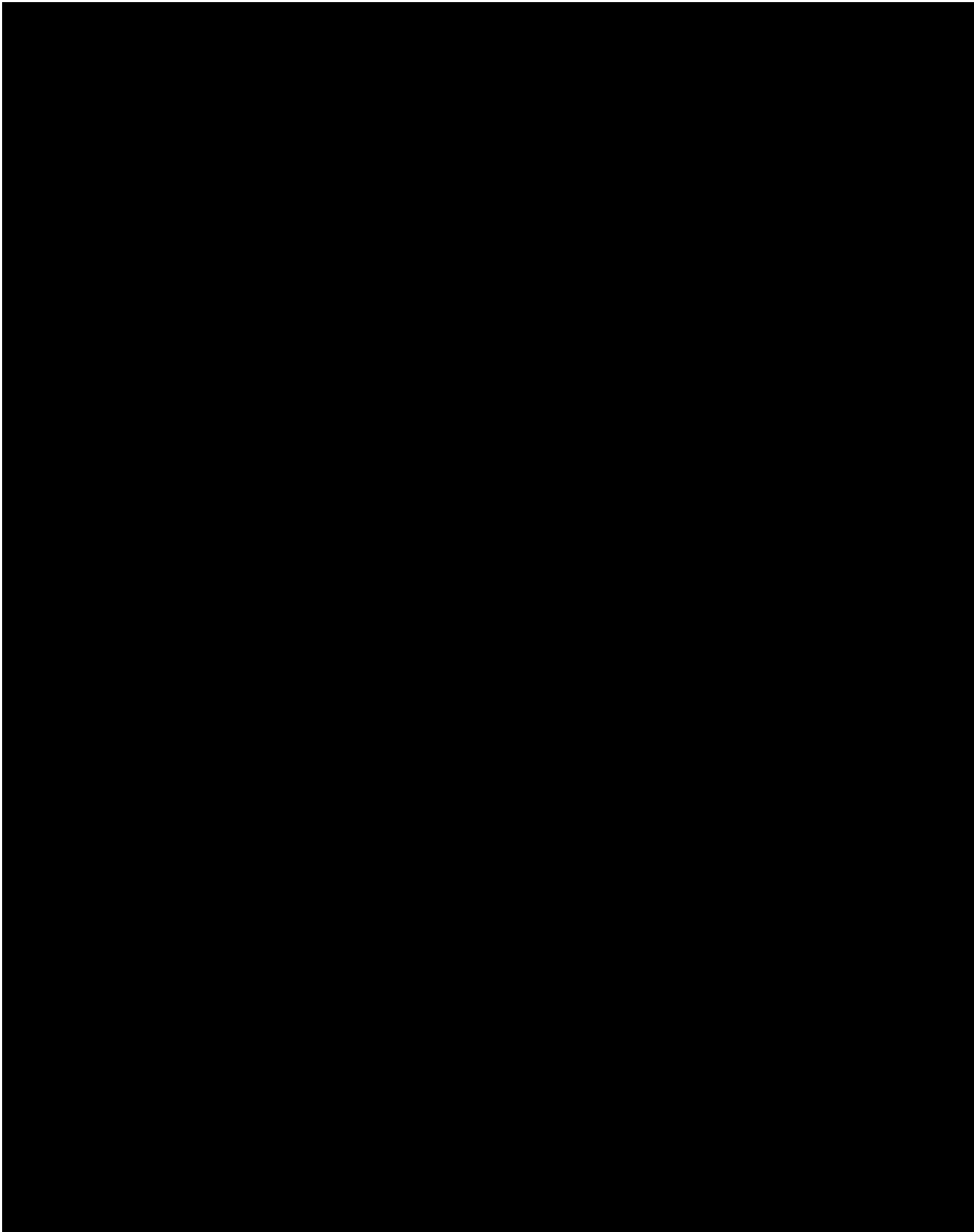


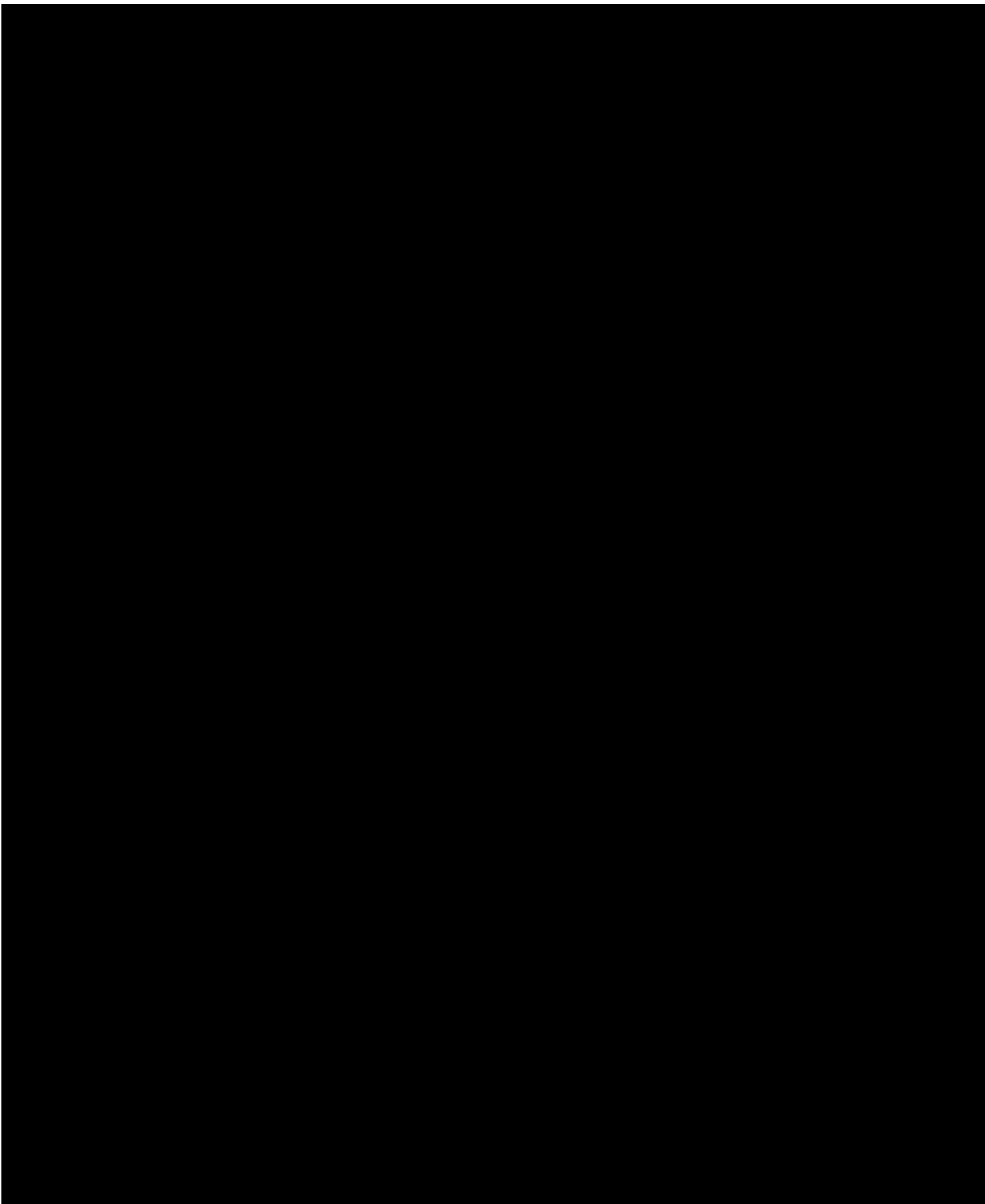


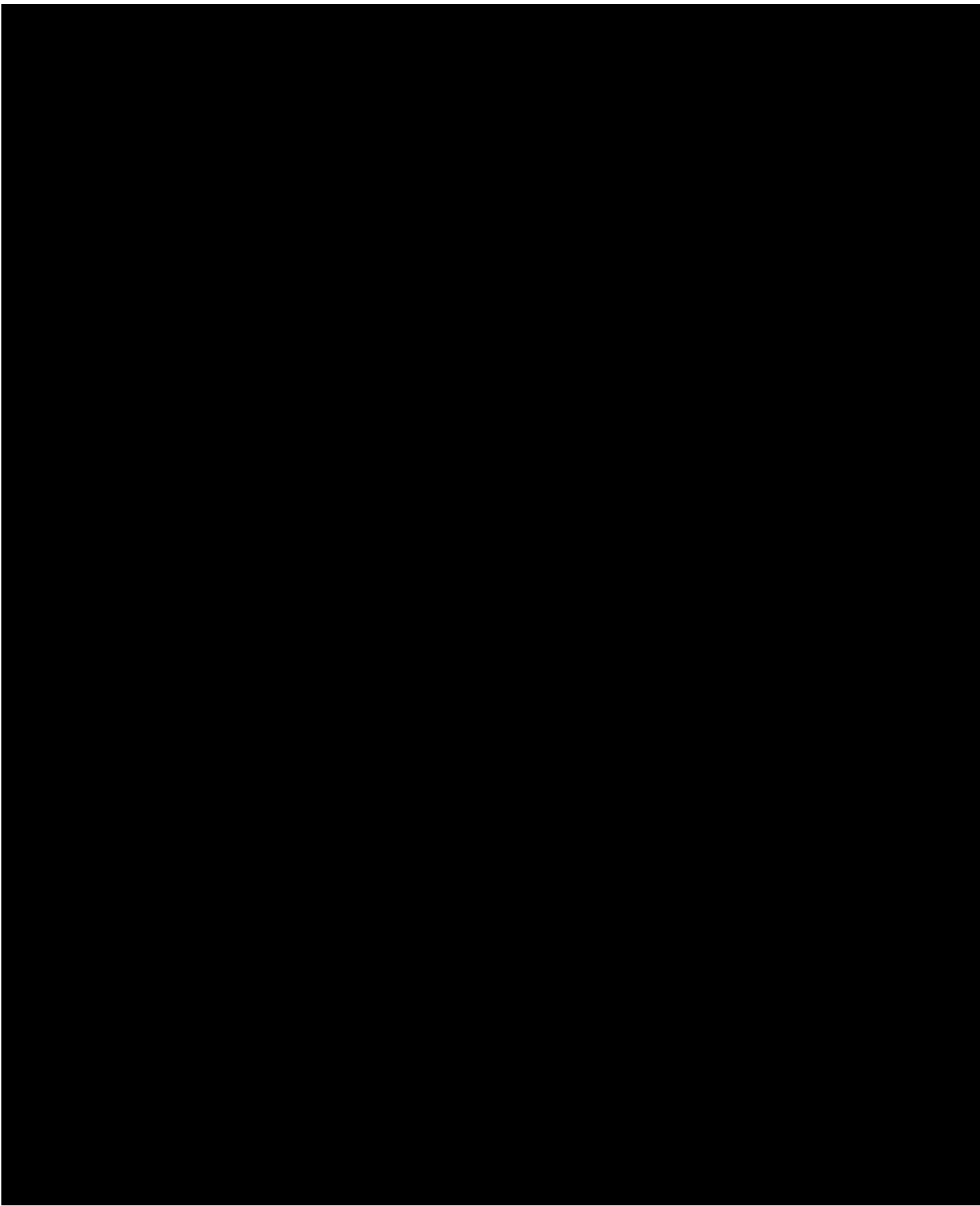


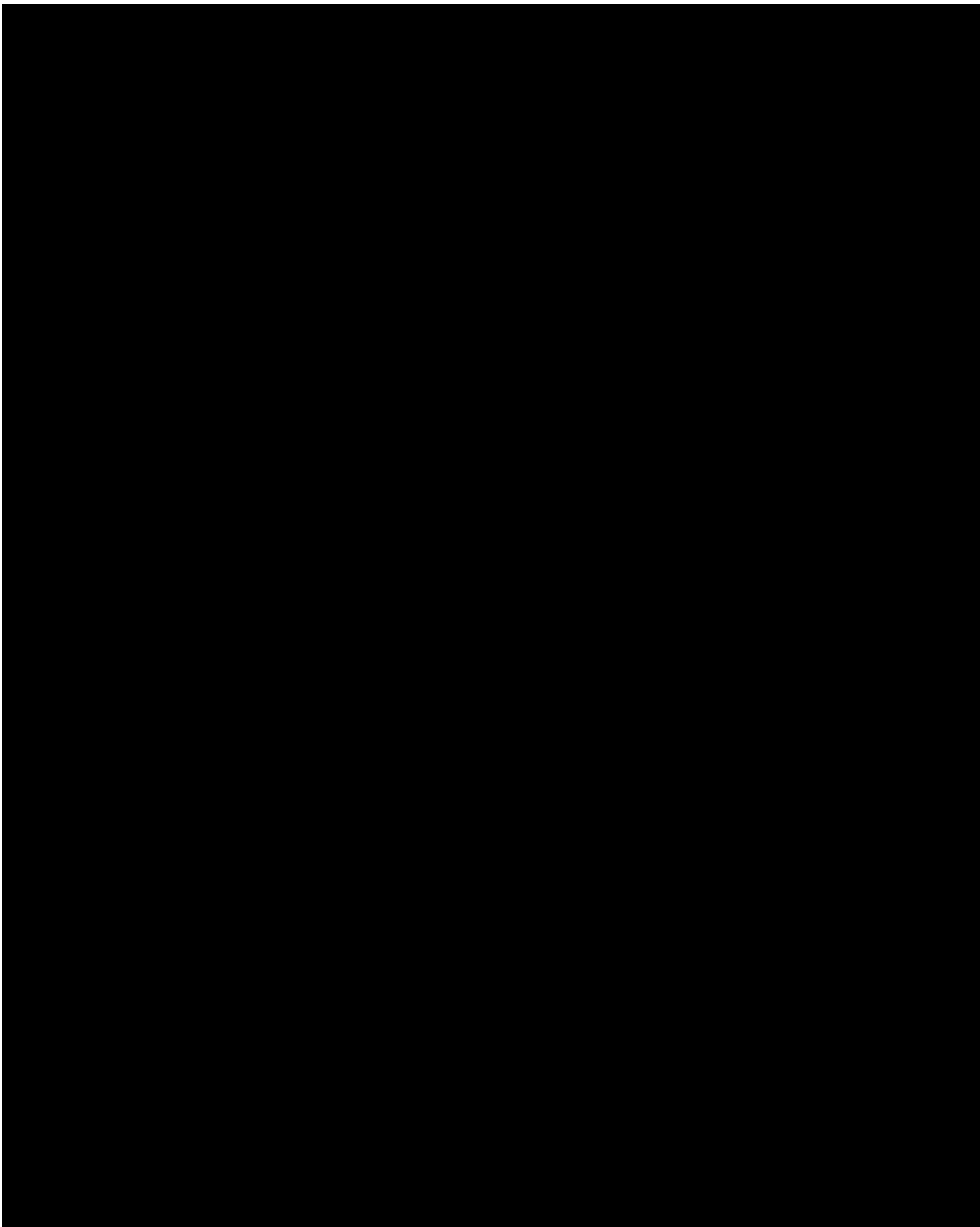


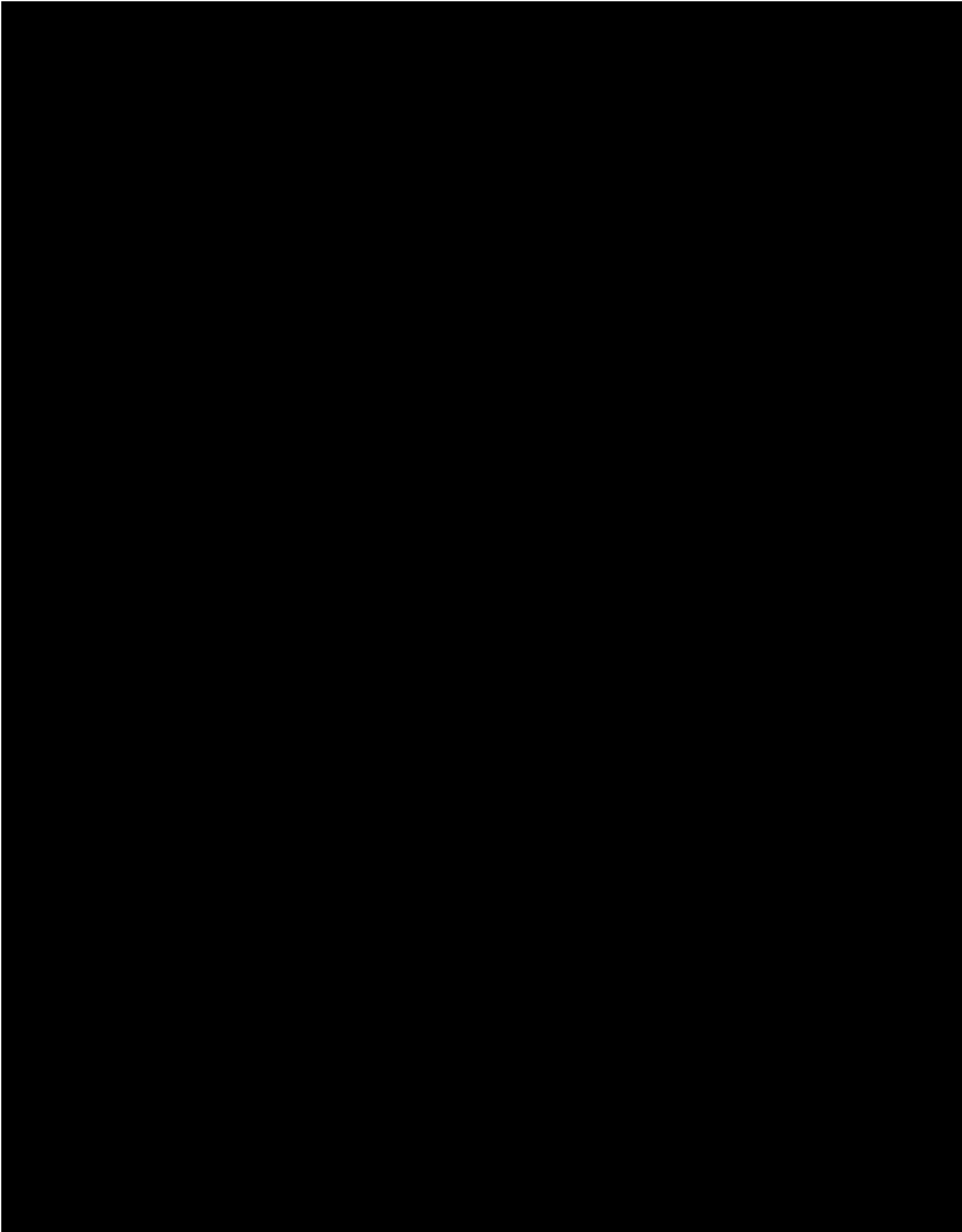


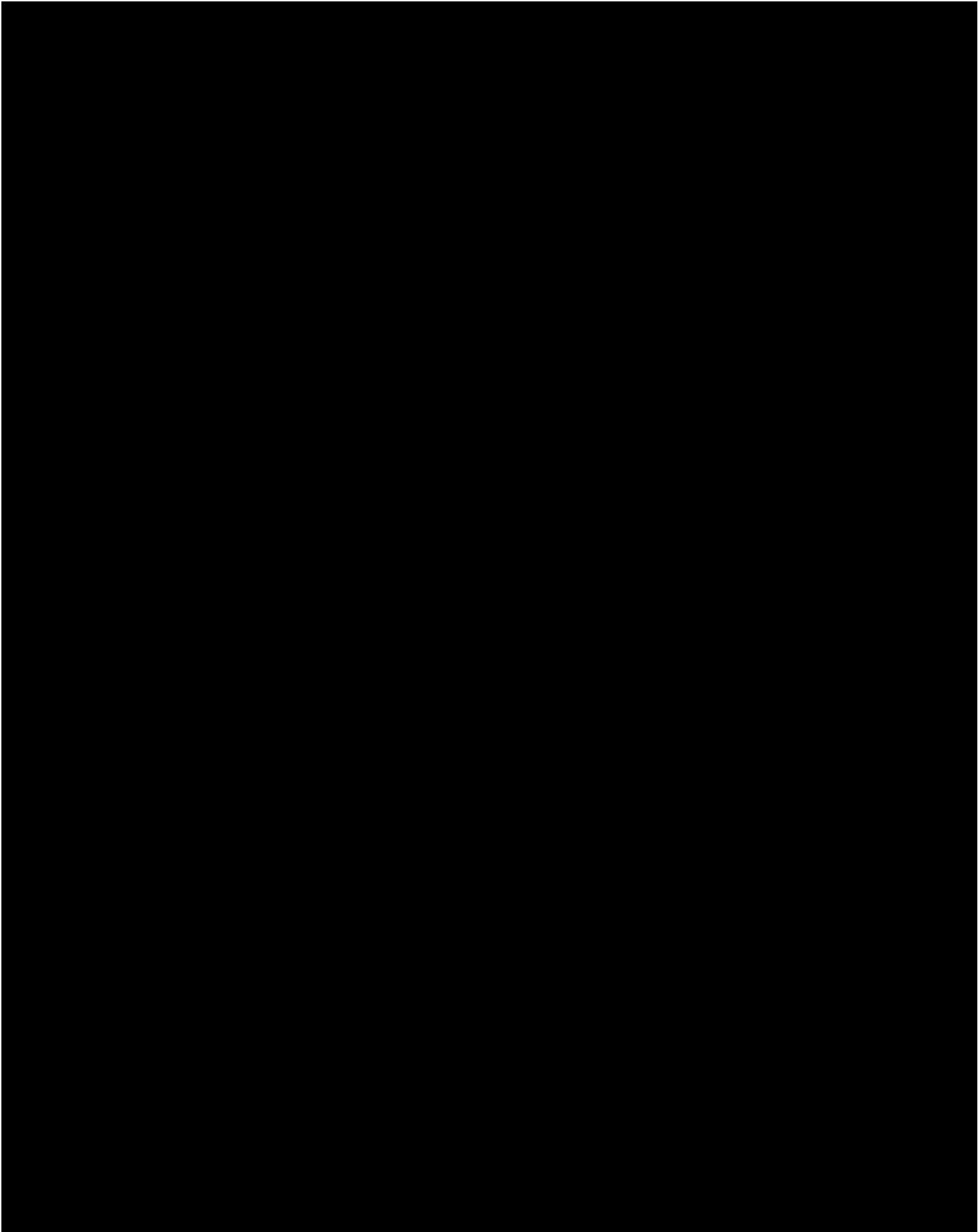


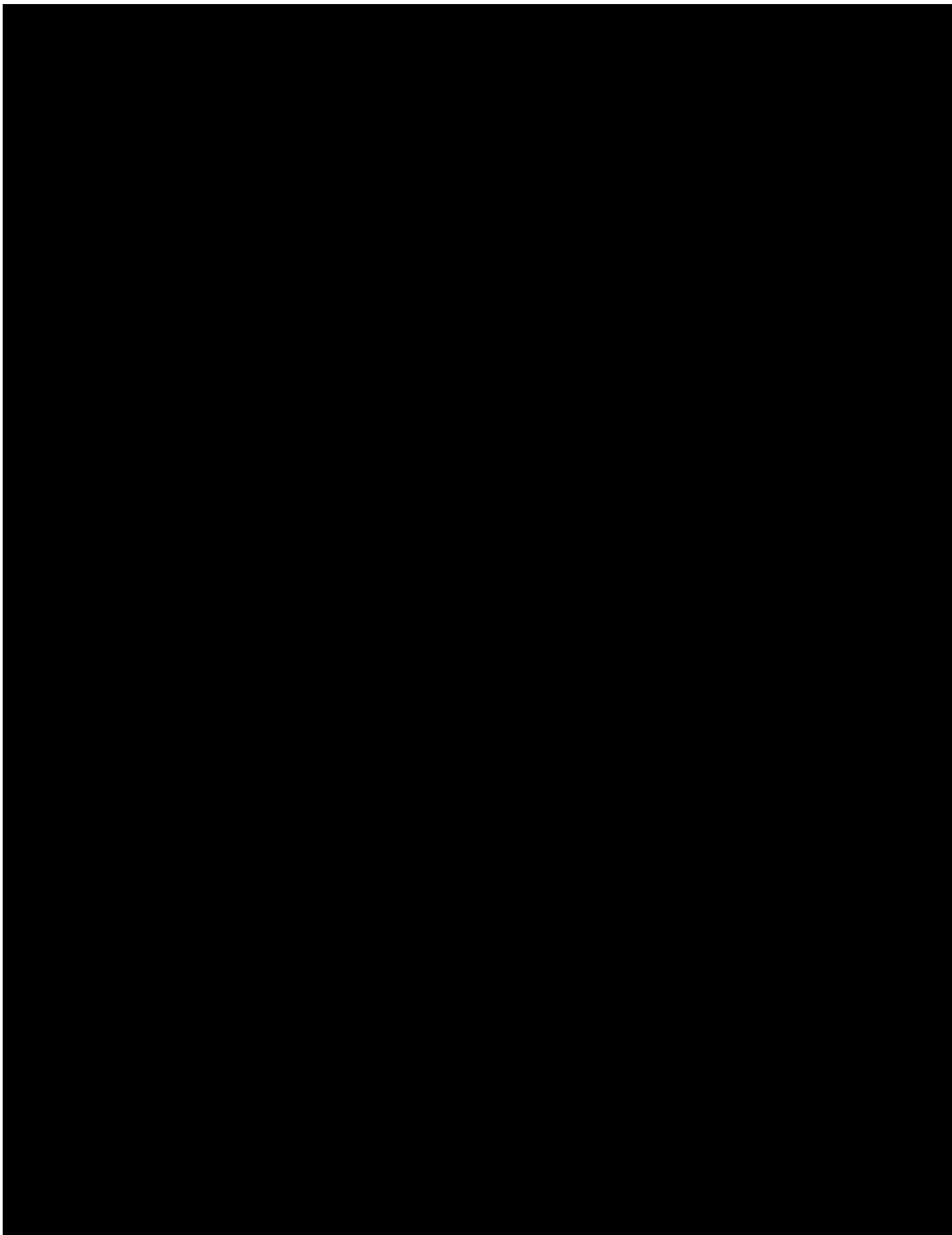


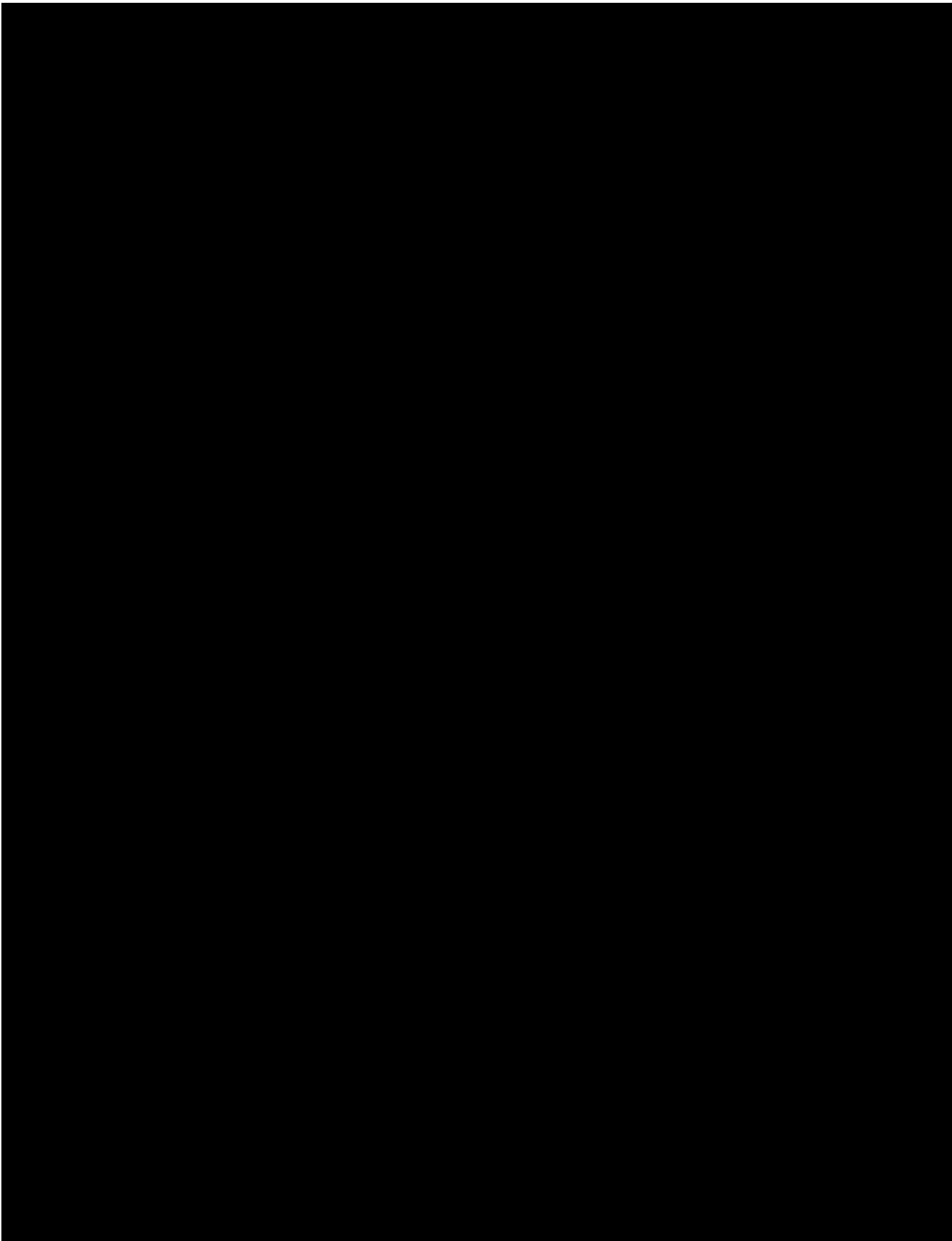


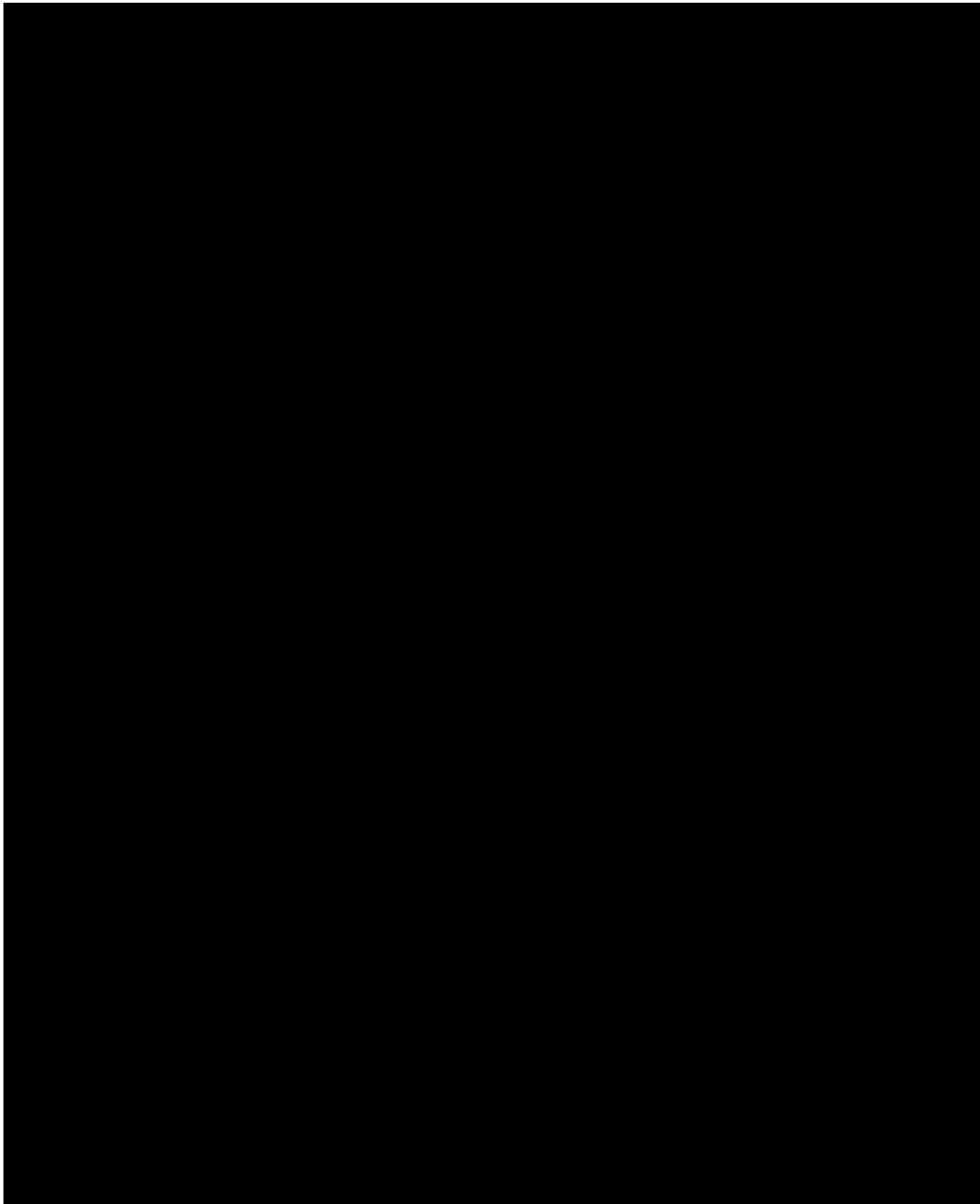


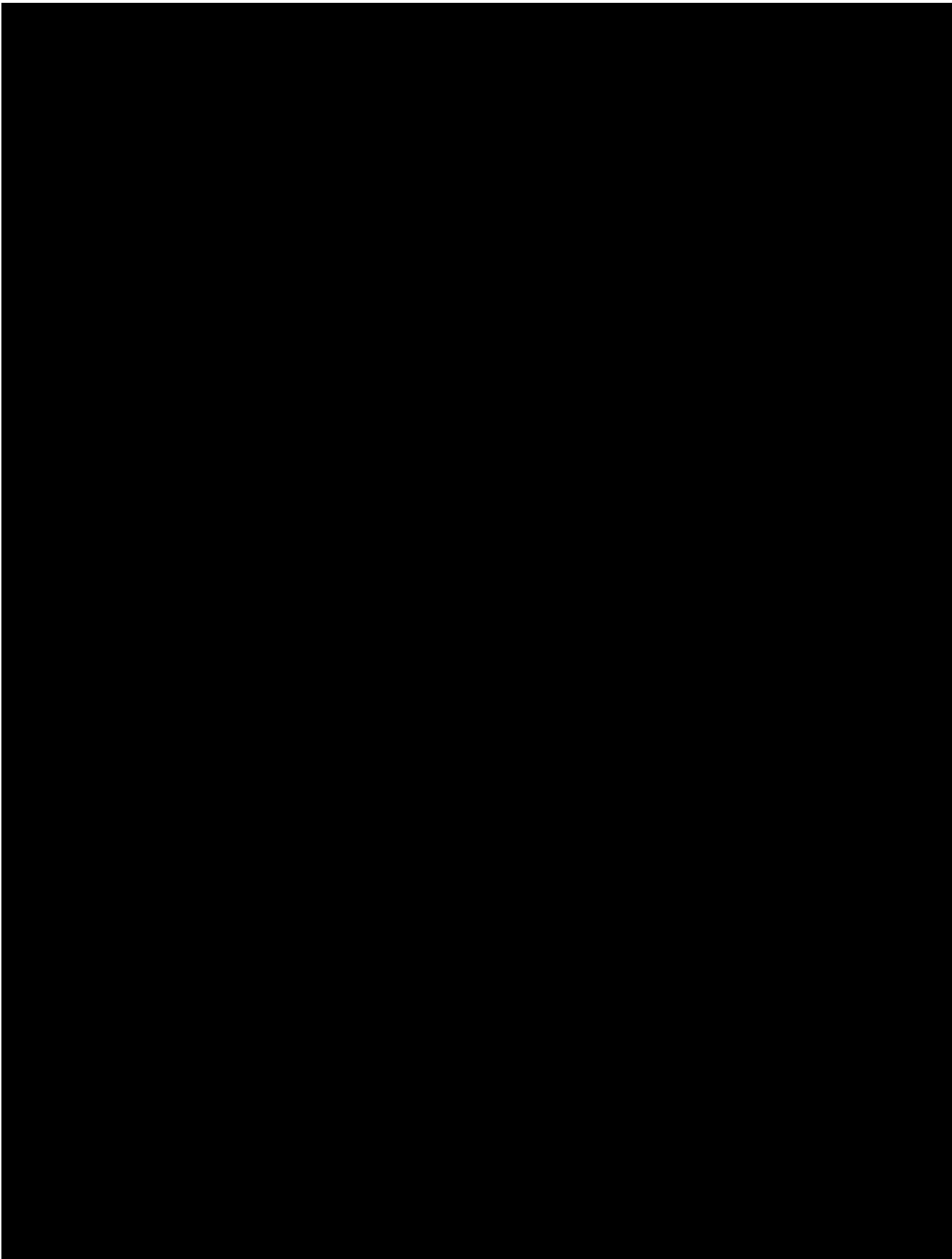


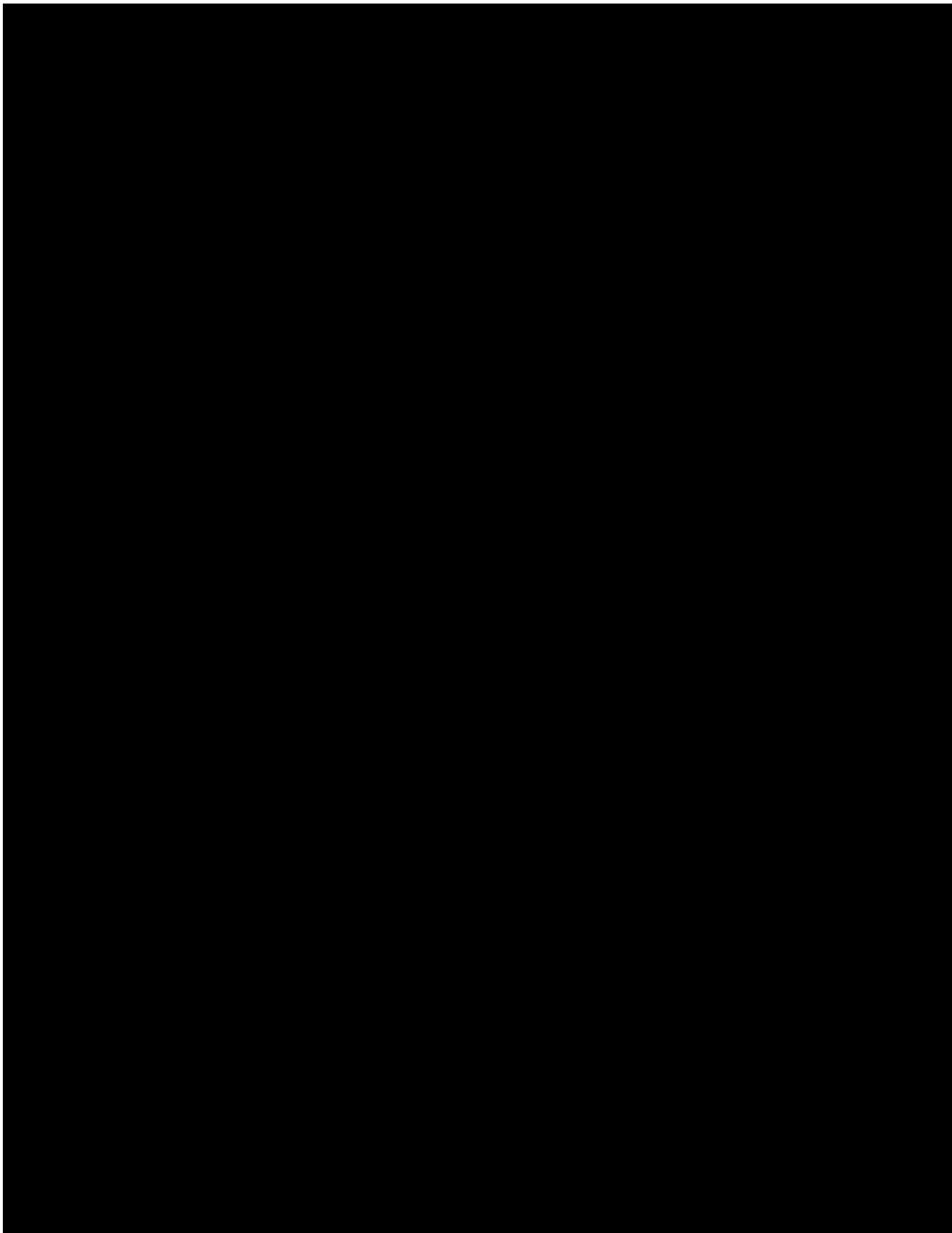


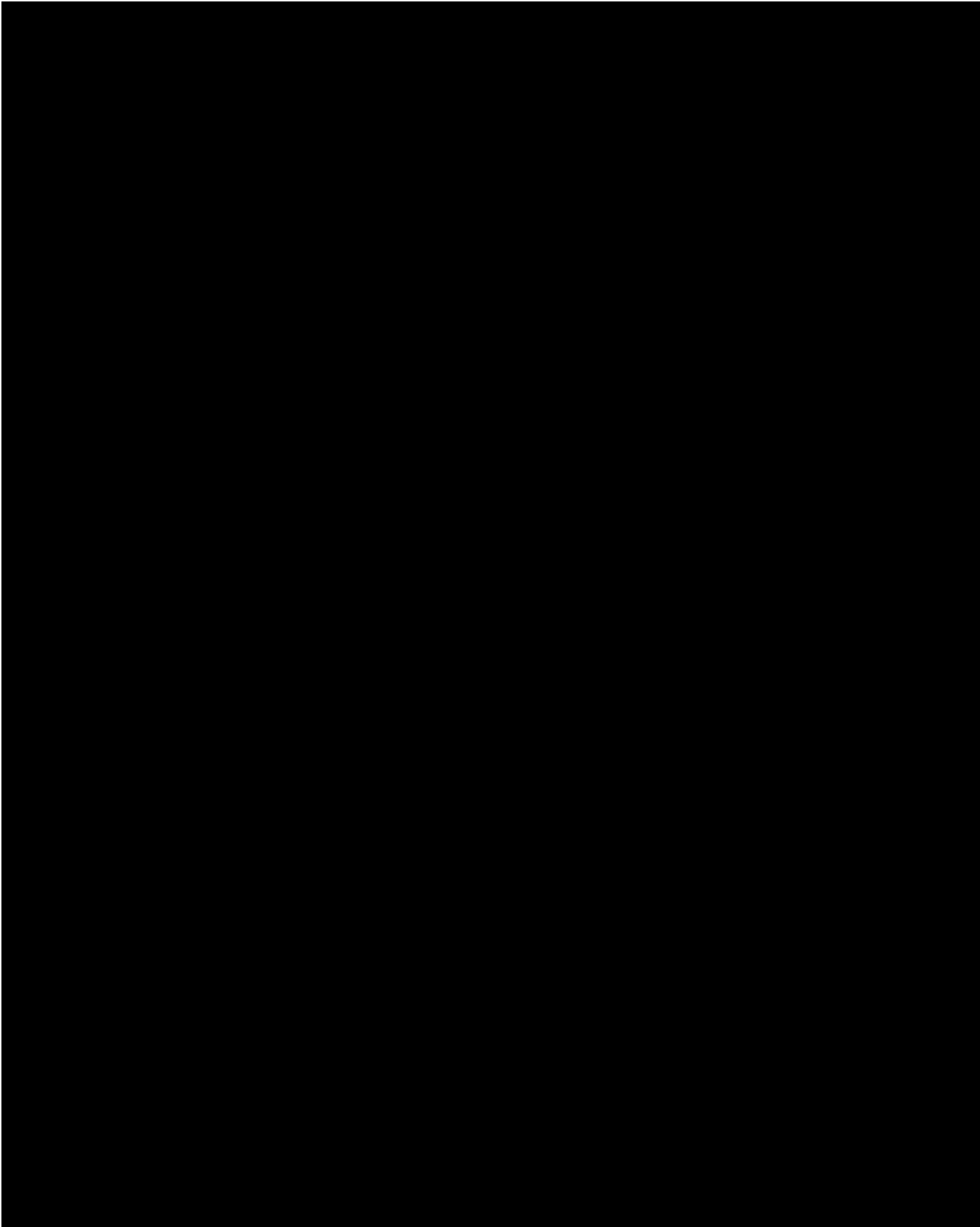


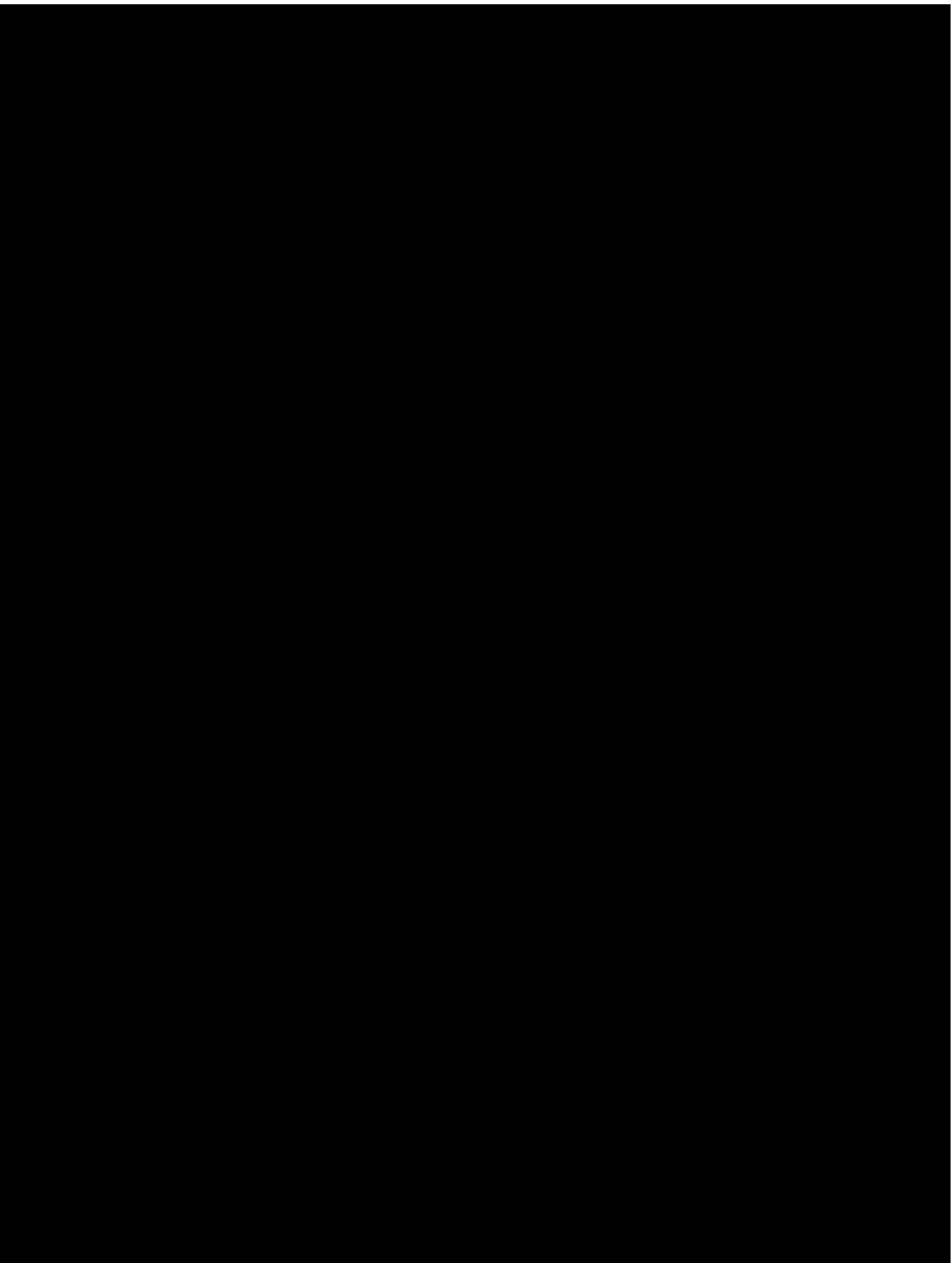


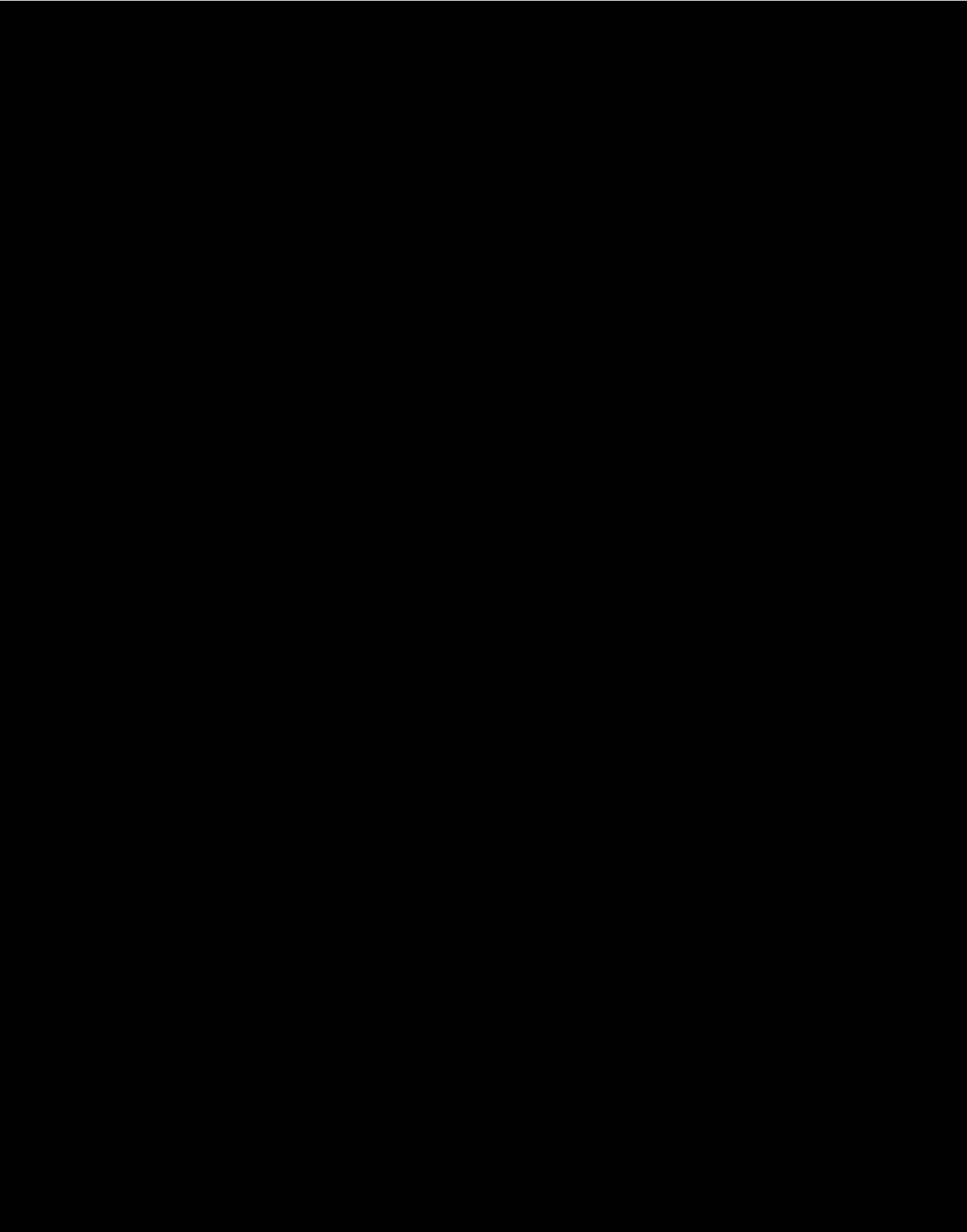


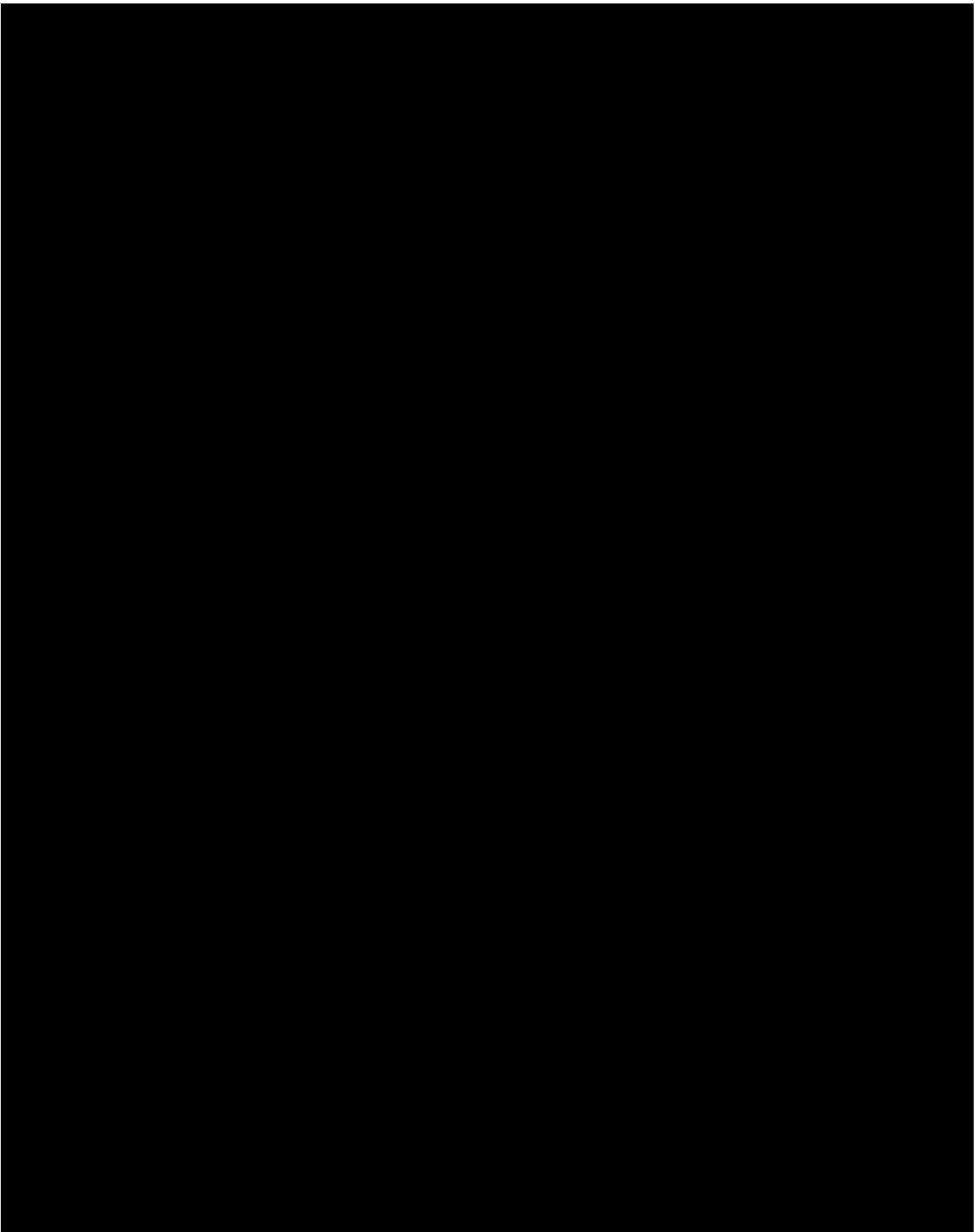


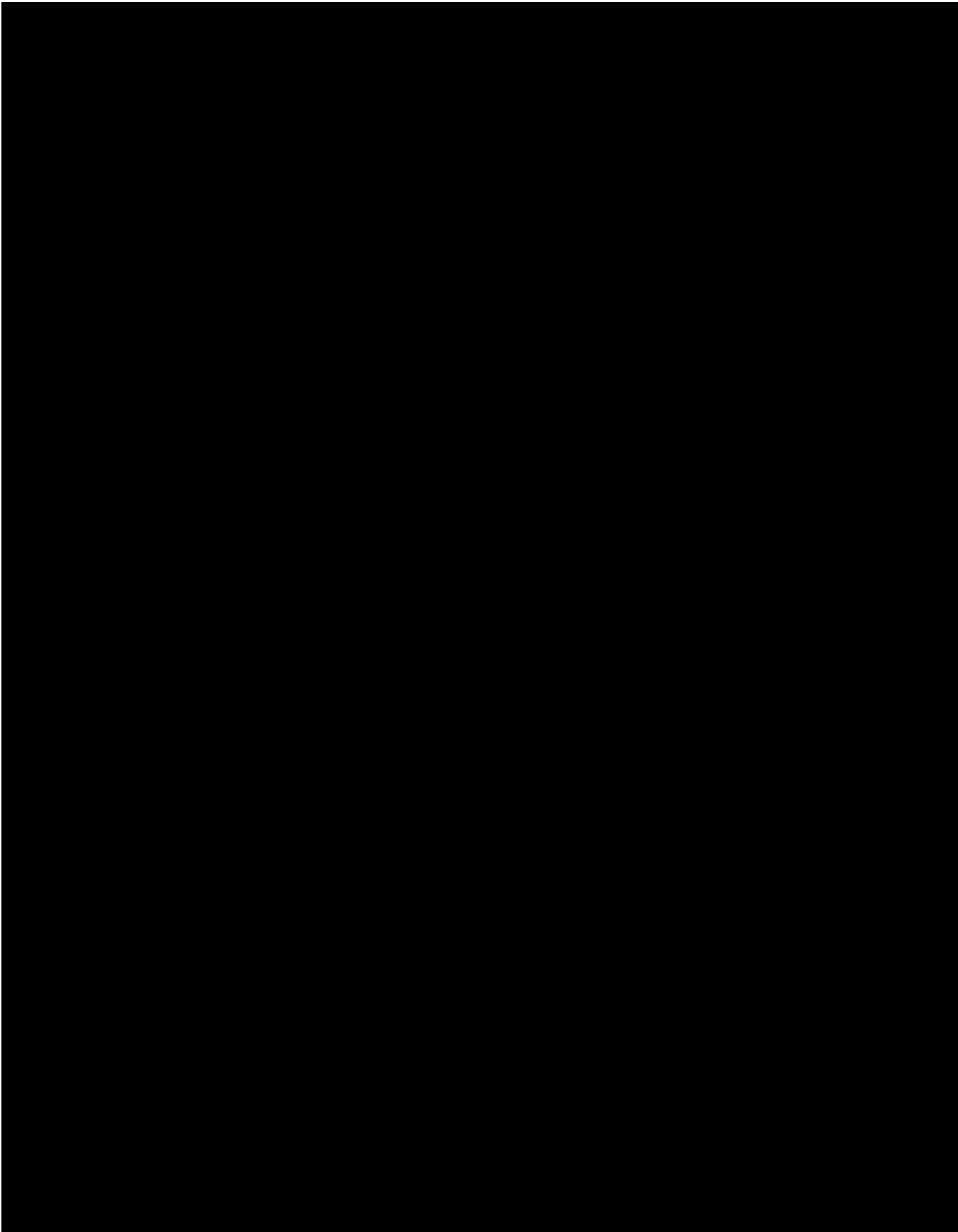


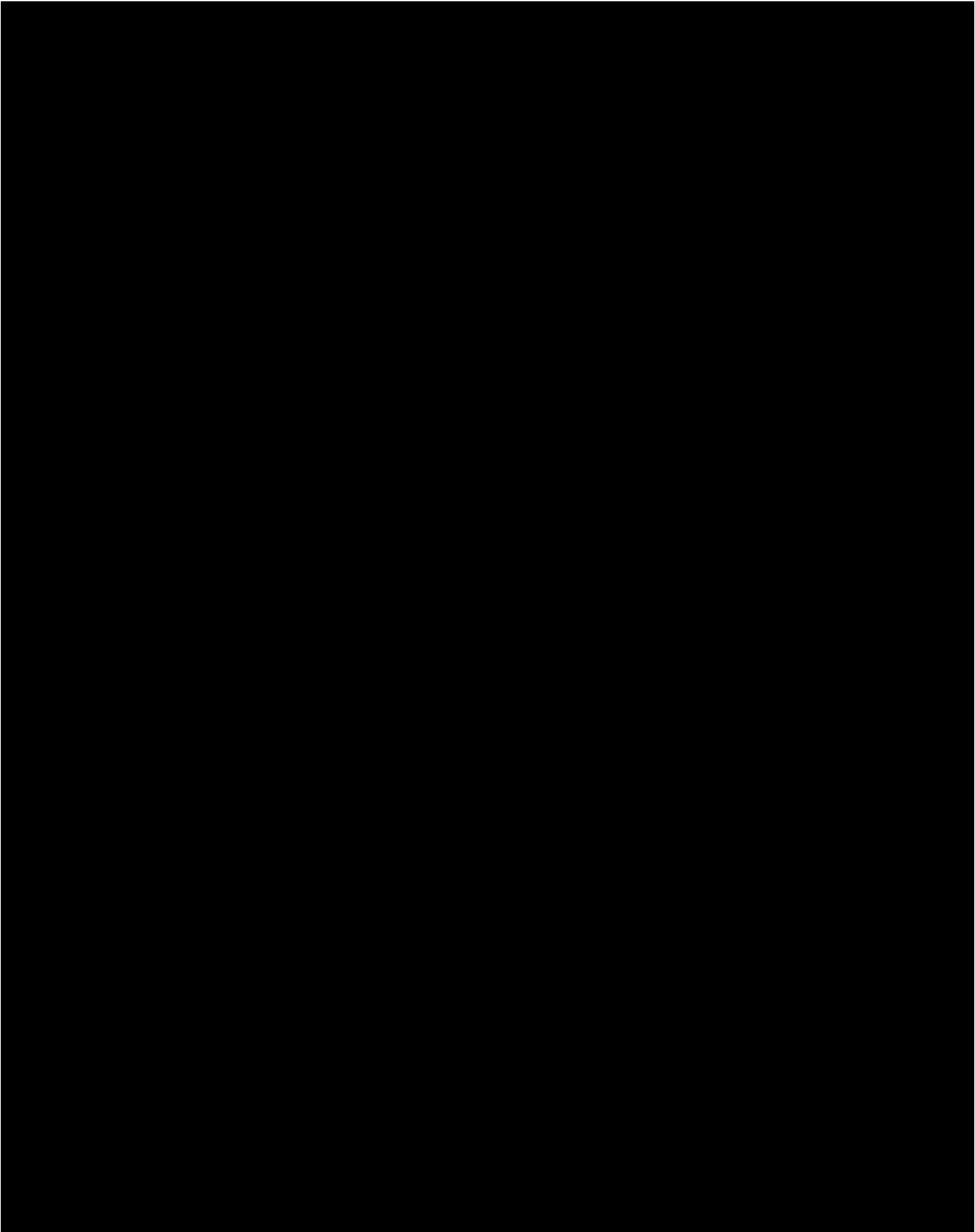


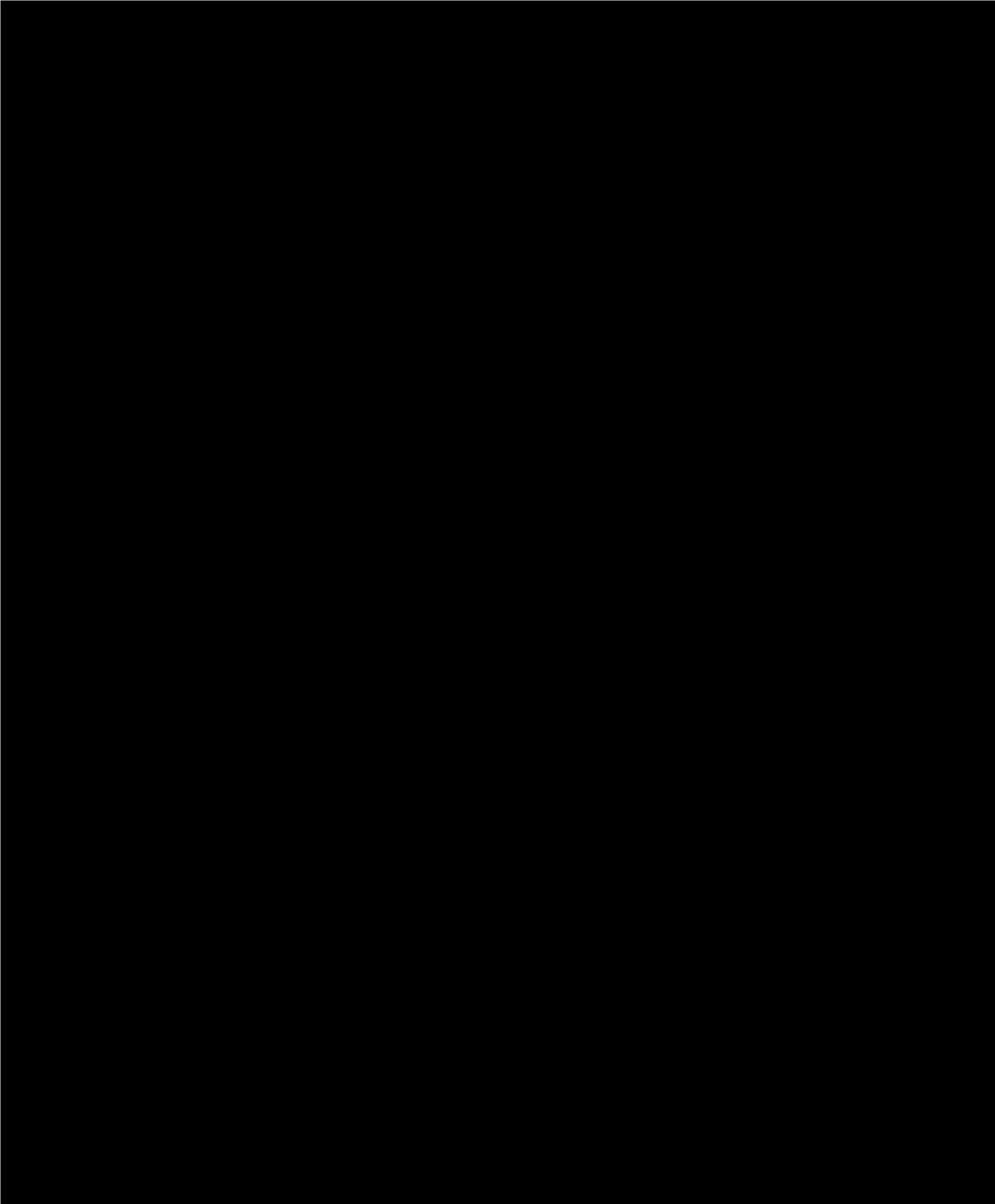


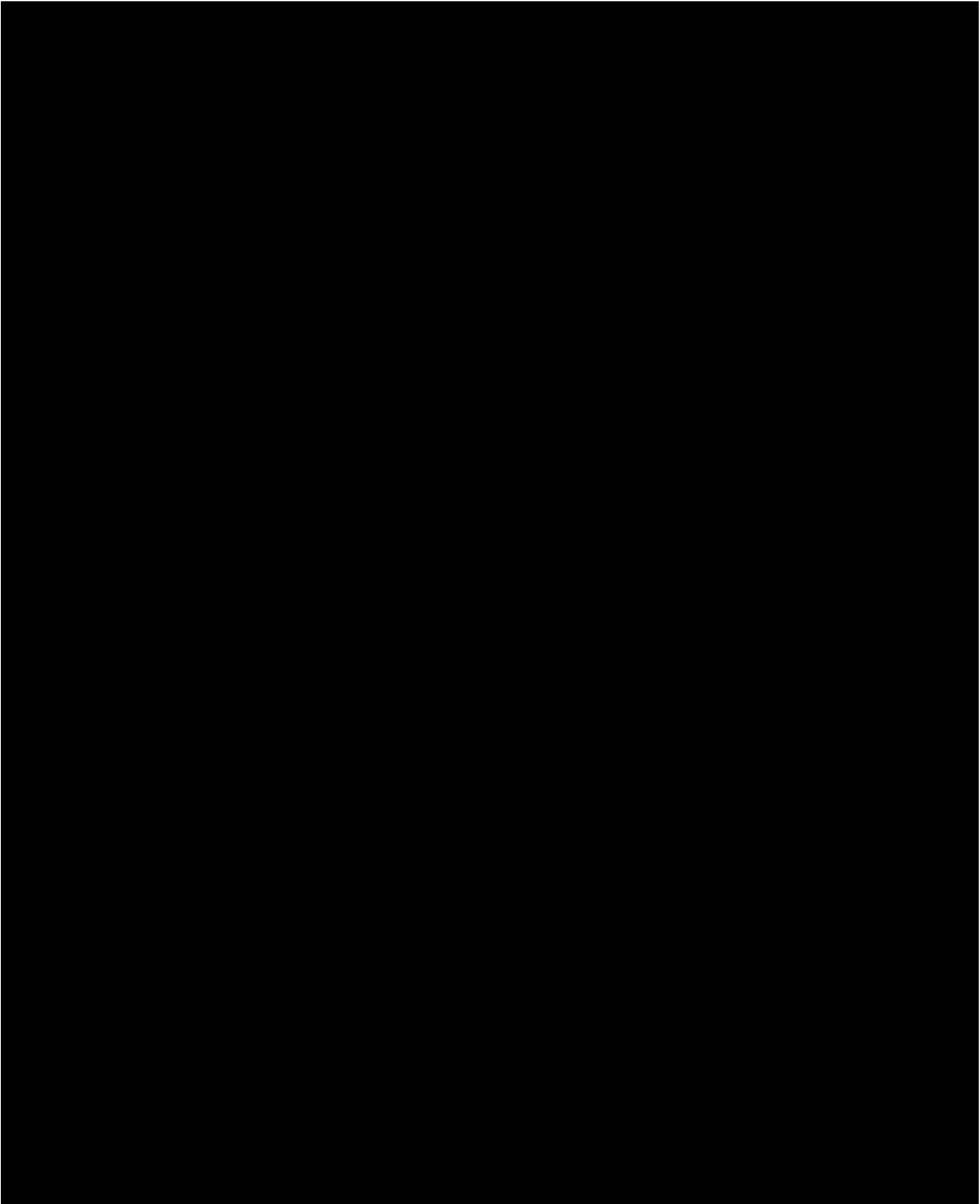


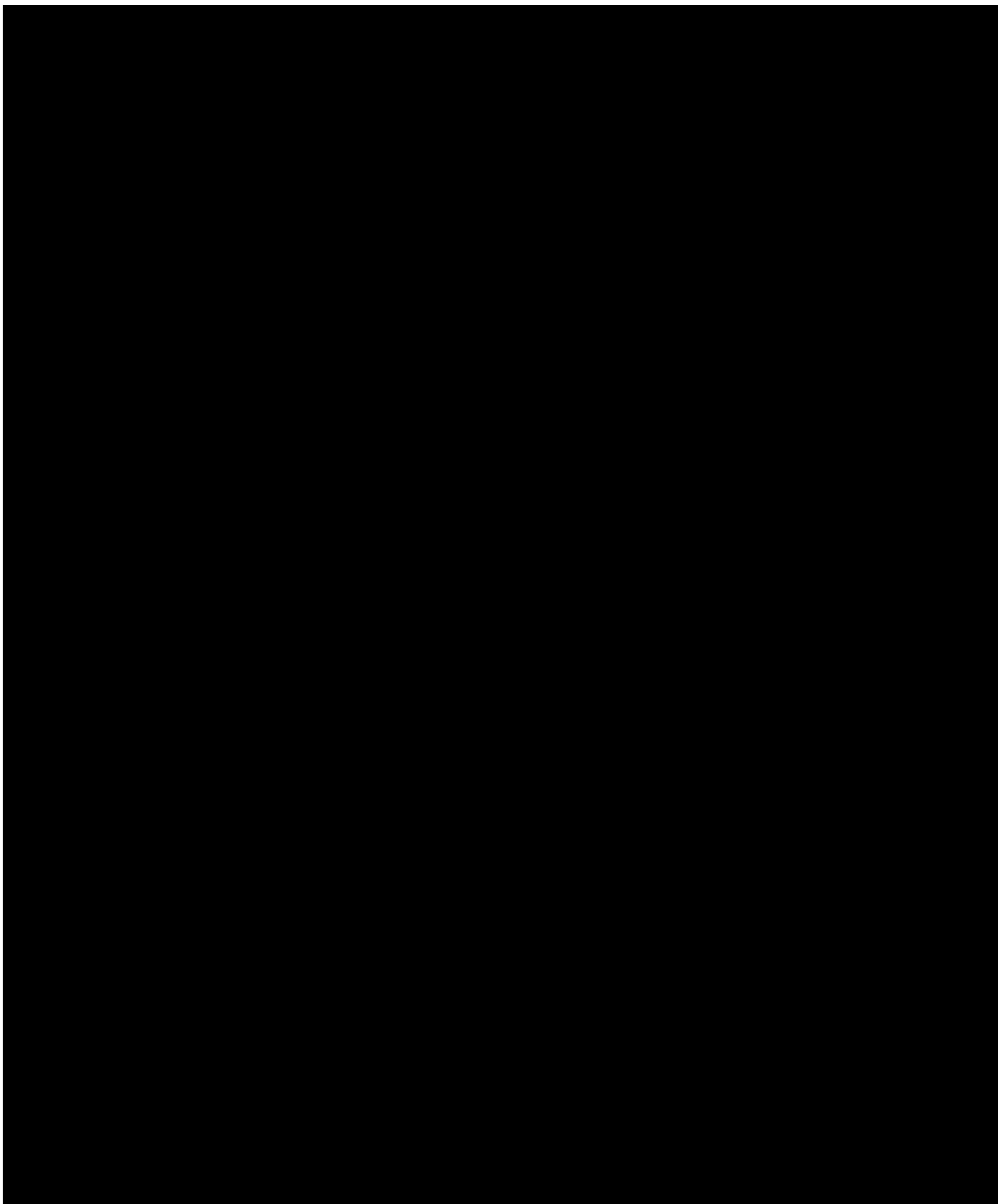


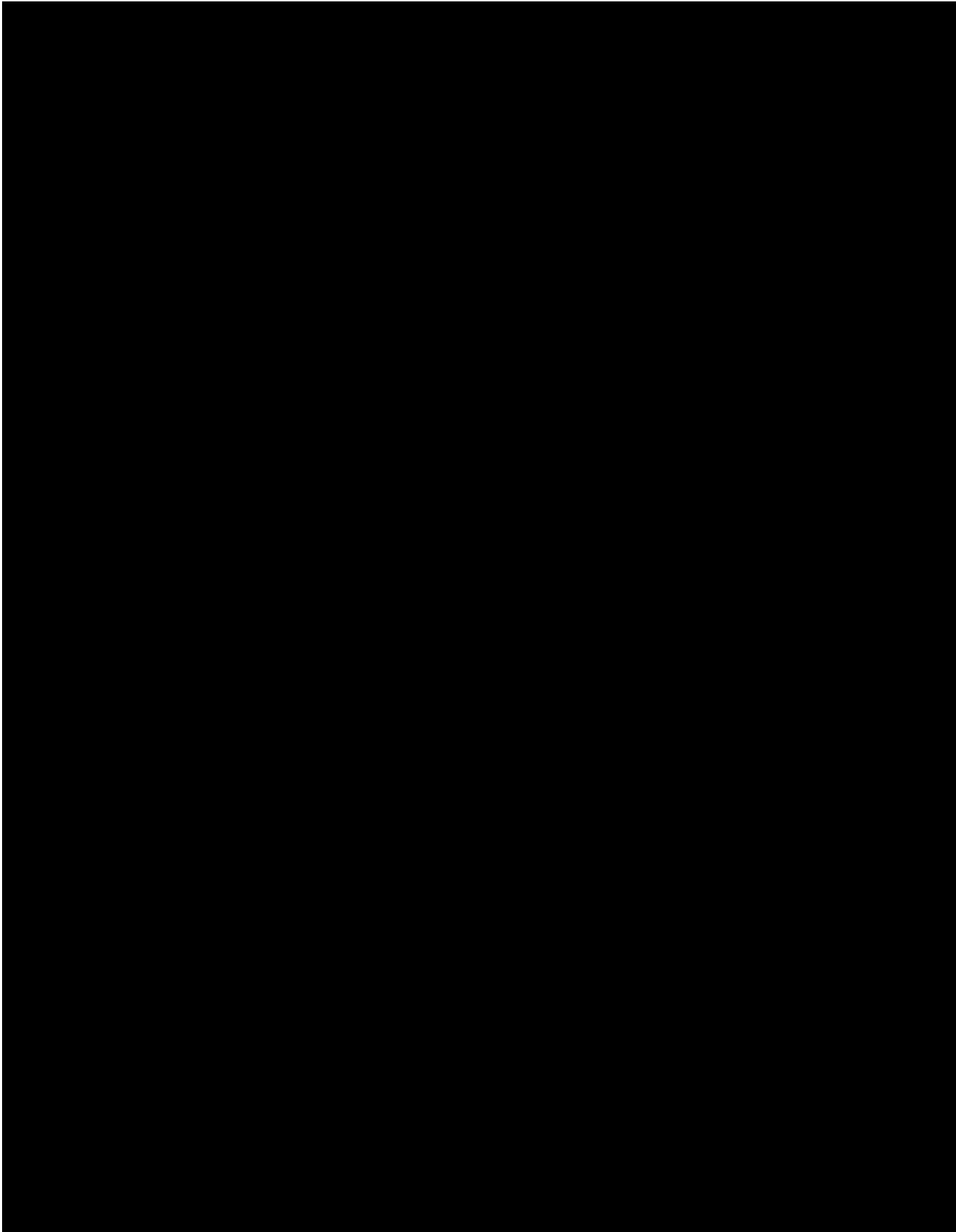


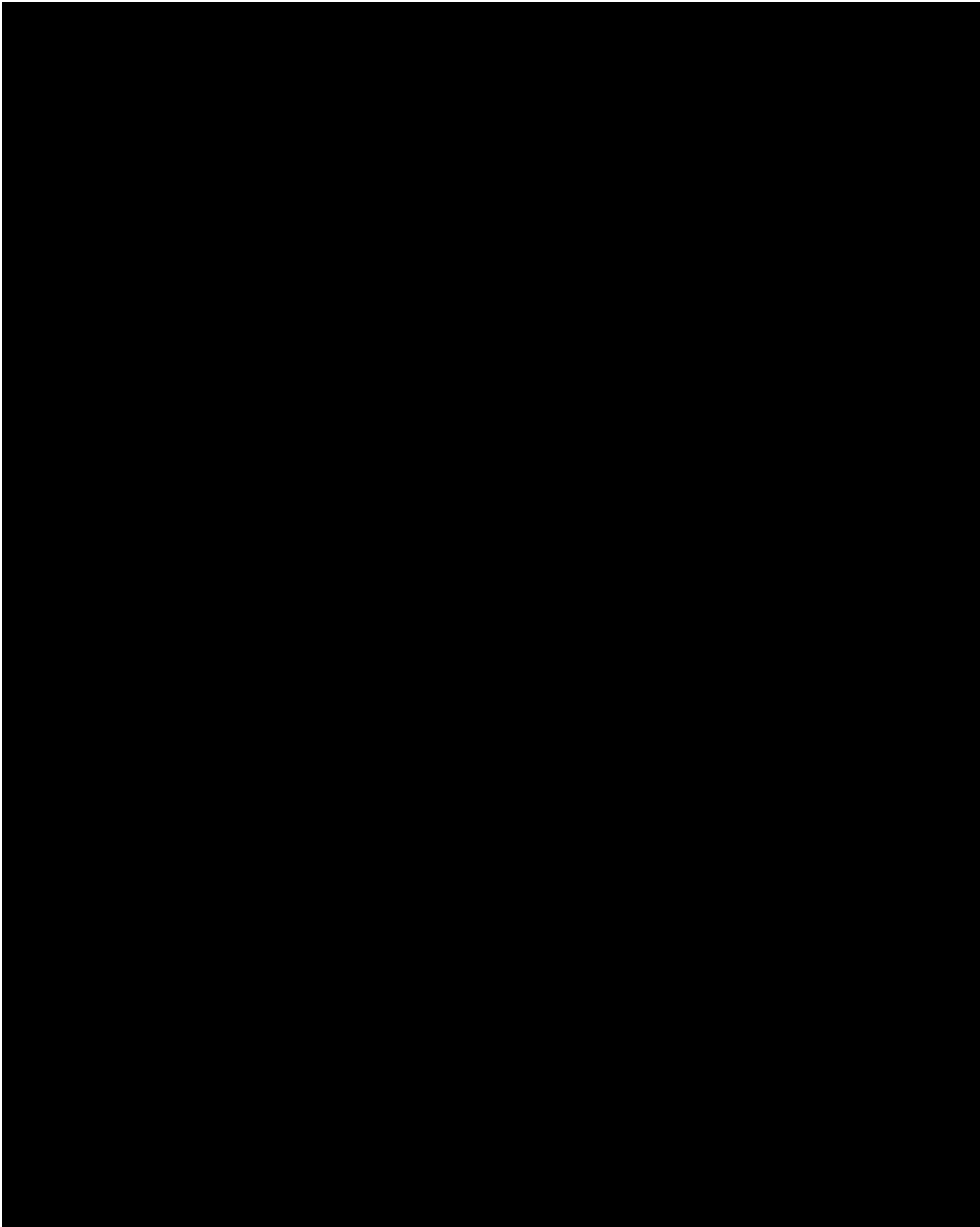














33. REASONABLE GROUNDS TO BELIEVE AN OFFENCE HAS BEEN COMMITTED

I have reasonable grounds to believe that:

Unknown person(s), between December 13th, 2017 and December 15th, 2017, inclusive, at the City of Toronto, did Murder Bernard SHERMAN and Honey SHERMAN, contrary section 235(1) of the *Criminal Code*.

The reason for my belief is as follows:

- (a) On December 15th, 2017 at approximately 11:45 AM police were called to 50 Old Colony Road in the City of Toronto for an “Echo Tiered Response”.
- (b) The bodies of Bernard SHERMAN and Honey SHERMAN were first located and identified by the witness Elise STERN.
- (c) On December 16th, 2017 at 2:55 PM the coroner, Dr. GIDDENS pronounced Bernard SHERMAN and Honey SHERMAN deceased.

(d) Both Bernard and Honey SHERMAN were [REDACTED]
[REDACTED]
[REDACTED]

(e) [REDACTED]

(f) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] leads me to believe that Honey SHERMAN's death is a murder.

(g) Post mortem examinations conducted by forensic pathologist, Dr. PICKUP, determined that the cause of death for both Bernard SHERMAN and Honey SHERMAN was ligature neck compression. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

(h) Dr. PICKUP advised investigators that there are three possible outcomes in regards to this investigation. They were:

- i. A double suicide
- ii. A homicide suicide
- iii. A double homicide.

(i) If investigators can form reason to believe that double suicide and homicide suicide are not likely scenarios then, by deduction, investigators can have reason to believe that the double homicide scenario is likely. Evidence that suggests double homicide would further strengthen this belief.

(j) I do not believe that the deaths of both Honey and Bernard SHERMAN can be attributed to a double suicide as it appeared that they were both living a happy life with no financial difficulties and no known mental illnesses. [REDACTED]

[REDACTED]

(k) So far in the investigation, there has been no indication that either Bernard SHERMAN or Honey SHERMAN harboured any hostility towards each other and there is no documented history, with police, of any domestic violence. They were making plans for the future together as they had a trip to Florida scheduled and were in the process of having a new home built. [REDACTED]

[REDACTED]

(l) [REDACTED]

(m) [REDACTED] makes their deaths suspicious and leads me to believe that the deaths of Bernard SHERMAN and Honey SHERMAN were murders.

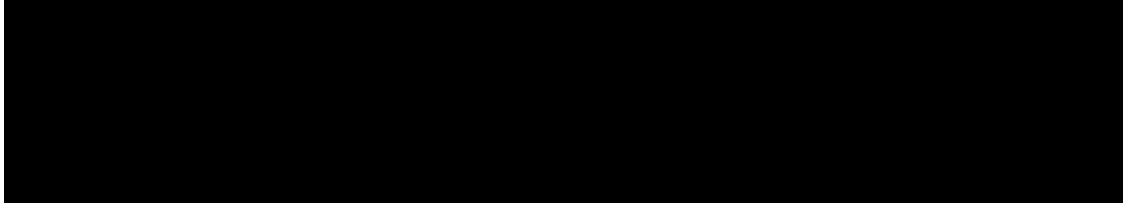
(n) In a previous application I had stated that I believed that Honey SHERMAN was murdered and Bernard SHERMAN was either murdered or committed suicide. In this application I state that I have reasonable grounds to believe that Bernard SHERMAN was murdered as well and my grounds to believe are as follows:

i. [REDACTED]

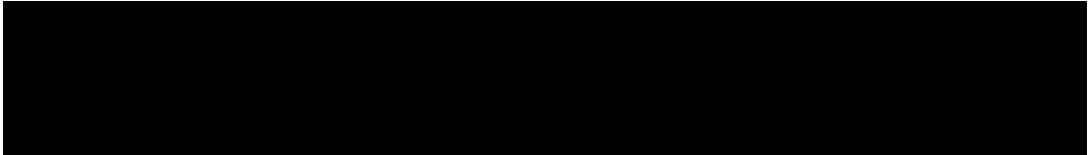
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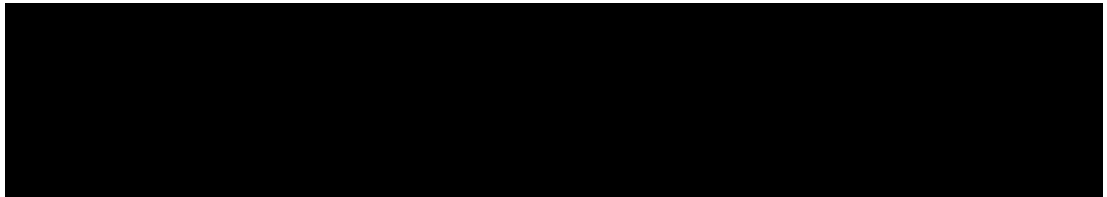
iii.



iv.

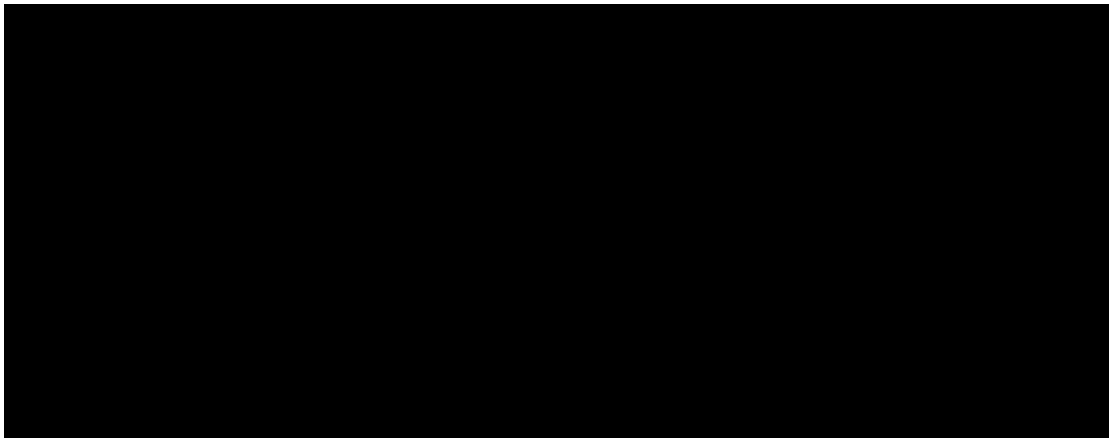


v.



vi. On January 22nd, 2018 forensic pathologist Dr. PICKUP spoke with D/S GOMES and advised that he believed that the manner of death for both Bernard SHERMAN and Honey SHERMAN was that of homicide. Also on January 24th, 2018, forensic pathologist Dr. CHIASSON, who was hired by Bernard SHERMAN's and Honey SHERMAN's family, spoke with D/S GOMES and advised that he believes that the manner of death for both Bernard SHERMAN and Honey SHERMAN is that of homicide. Both Dr. PICKUP and Dr. CHIASSON conducted separate post mortem examinations on Bernard SHERMAN and Honey SHERMAN.

vii.



[REDACTED]

- viii. On August 30th, 2018, D/S GOMES provided me with the final reports of the post-mortem examinations of Bernard SHERMAN and Honey SHERMAN. Both reports were signed by Dr. PICKUP and dated June 21st, 2018.

For the death of Bernard SHERMAN, Dr. PICKUP concluded, based on the scene, circumstances and autopsy findings, the most reasonable conclusion was that Bernard was restrained at the wrist and had died from ligature strangulation. [REDACTED]

[REDACTED]

The cause of death for Bernard SHERMAN was listed as “Ligature strangulation in an elderly man with [REDACTED]

For the death of Honey SHERMAN, Dr. PICKUP concluded, based on the scene, circumstances and autopsy findings, the most reasonable conclusion is that Honey SHERMAN [REDACTED] and had died from ligature strangulation. [REDACTED]

[REDACTED]

The cause of death for Honey SHERMAN was listed as, “Ligature strangulation in an elderly woman with [REDACTED]

When addressing the manner of death for both, Bernard SHERMAN and Honey SHERMAN, Dr. PICKUP found that [REDACTED]

[REDACTED]

Plainly speaking Dr. PICKUP concludes that Bernard SHERMAN and Honey SHERMAN [REDACTED]

Therefore this strongly indicates that neither Bernard SHERMAN and/or Honey SHERMAN were responsible for their own deaths.

Therefore, for all the aforementioned reasons, I believe that Bernard SHERMAN and Honey SHERMAN were murdered.

34. REASONABLE GROUNDS TO SUSPECT THAT THE TRANSMISSION AND TRACKING DATA WILL ASSIST IN THE INVESTIGATION OF THE OFFENCE

Pursuant to sections 487.016 and 487.017 of the *Criminal Code*, production orders for transmission data and tracking data may be issued if there are reasonable grounds to *suspect* that the transmission and tracking data will assist in the investigation of the offence. Reasonable grounds to *believe* are not required.

I believe that the lower threshold of “reasonable suspicion” applies to production orders for transmission data and tracking data because the privacy interest in transmission data and tracking data is lower than the privacy interest in other kinds of data that may be obtained through a general production order, which requires “reasonable grounds to believe”.

In particular, production orders for transmission data and tracking data will not reveal any customer identifying information or user-generated content relating to the transmission data of interest. For the phone numbers for which I am seeking records, the transmission and tracking data will reveal the dates and times of telephone calls and text-based communications; the phone numbers involved in these calls and text-based communications, and the cell towers accessed by the phone number for which I am seeking records. The transmission and tracking data will NOT reveal:

- (a) any subscriber information for the phone numbers for which I am seeking records;
- (b) any subscriber information for the phones communicating with the phone numbers for which I am seeking records;
- (c) any cell tower location data for the phones communicating with the phone numbers for which I am seeking records;
- (d) any billing information for the phones numbers of interest or the phone numbers communicating with them;
- (e) any subscriber address information for the phone numbers of interest or the phone numbers communicating with them;
- (f) any contents of the communications.

I have chosen to seek production orders for transmission data and tracking data in order to minimize the impact of this investigative step on the privacy interests of persons whose phone numbers will appear in the records I am seeking. I have also sought to minimize the

privacy impact of this investigative step by doing my best to narrow the date range for the transmission data and tracking data I am seeking. I have outlined below, the records I will be seeking and the reasons that I am seeking the records.

(a) Transmission and tracking data for phone numbers associated to [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I will be seeking the following records:

Document containing transmission data for incoming and outgoing calls, SMS/MMS⁴², and data use (date, time, involved phone numbers, terminating number, call duration, forwarded number), and tracking data (tower location, sector, frequency, longitude and latitude coordinates, etc.) **from November 15th, 2017 to December 19th, 2017 inclusive and from January 24th, 2018 to February 4th, 2018 inclusive.**

⁴² SMS stands for Short Message Service. Invented in the 1980s and defined in the 1985 GSM standards, it is one of the oldest texting technologies. It is also the most widespread and frequently used.

MMS stands for Multimedia Messaging Service. It was built using the same technology as SMS to allow SMS users to send multimedia content. It is most popularly used to send pictures, but can also be used to send audio, phone contacts, and video files.

Source: <https://www.twilio.com/learn/messaging/what-are-sms-and-mms>

For several reasons, I reasonably believe that the transmission and tracking data for the phone numbers associated to [REDACTED]

[REDACTED]

- I. The transmission and tracking data requested in this application, will show whether or not any devices, utilizing the subject phone numbers, were communicating with cellular towers around the area of 50 Old Colony Road from the time Bernard SHERMAN and Honey SHERMAN were last seen alive on December 13th, 2017 to when their bodies were found on December 15th, 2017 which would indicate if the individuals utilizing the phone number(s) were in the area of 50 Old Colony Road and may possibly be involved in the murders. Conversely, the tracking and transmission data may also show that the individuals in question were at different location, away from 50 Old Colony Road thereby providing the individuals, who were utilizing the phone numbers, with an alibi.
- II. The tracking data requested in this application, in the days leading up to December 13th, 2017 can be compared to the cellular phone records of Bernard SHERMAN and Honey SHERMAN to determine if any of the cellular locations of from individual phone records parallel the tracking data from Bernard's or Honey's cellular phone records. If they do parallel this could indicate that Bernard and/or Honey were followed or were under surveillance. Tracking and transmission data from Bernard's and Honey's cellular phone records have already been previously obtained from November 15th, 2017 to December 15th, 2017.

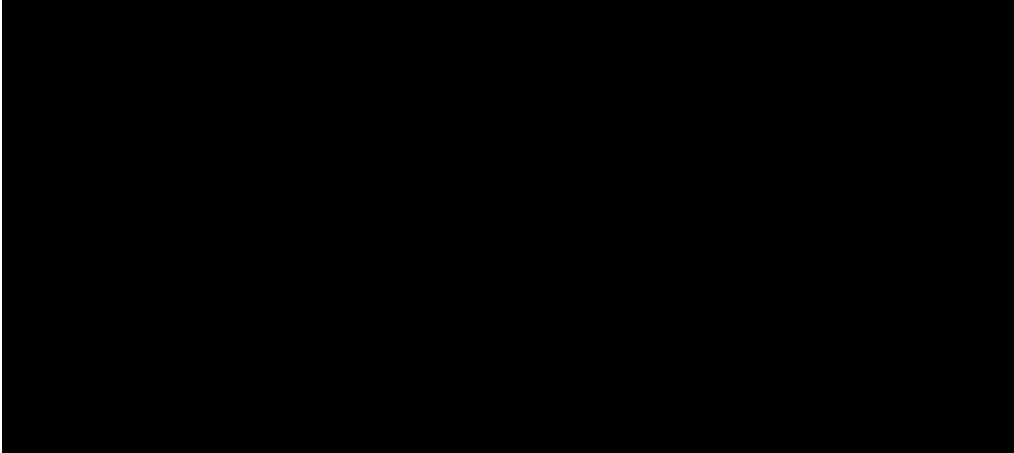
III.

[REDACTED]

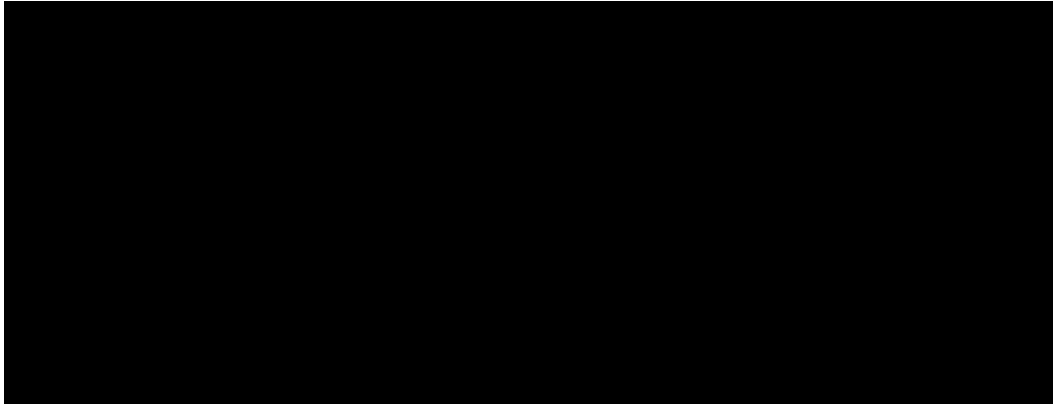
IV.



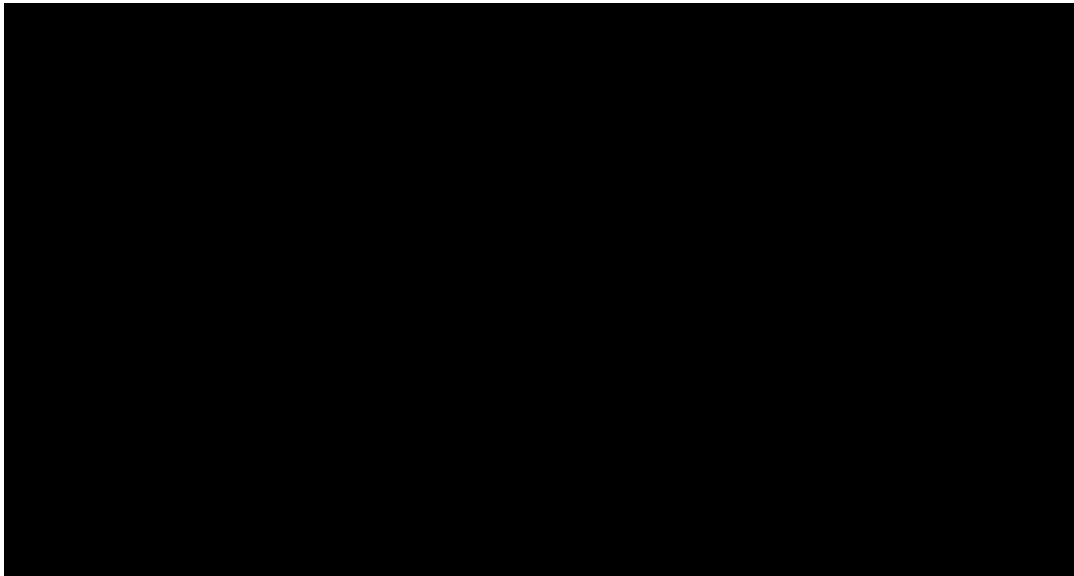
V.



VI.



VII.



VIII.

[REDACTED]

IX.

[REDACTED]

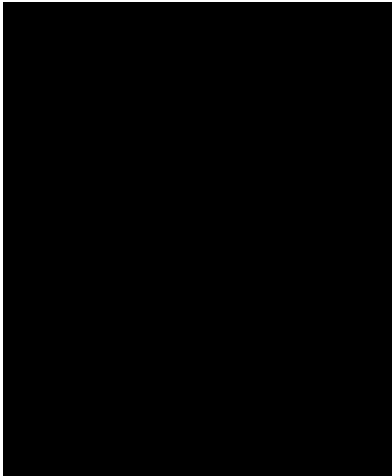
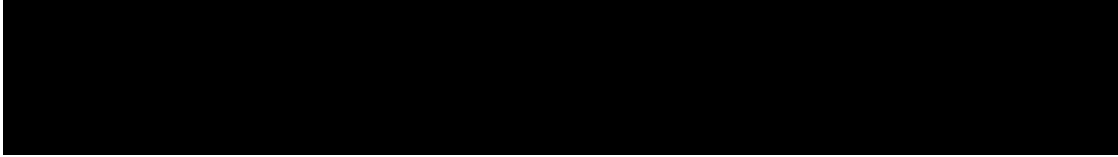
(b) Transmission and tracking data for phone numbers associated to [REDACTED]

[REDACTED]

i.

[REDACTED]

[REDACTED]



For the phone numbers listed above, I will be seeking the following records:

Document containing transmission data for incoming and outgoing calls, SMS/MMS⁴³, and data use (date, time, involved phone numbers, terminating number, call duration, forwarded number), and tracking data (tower location, sector, frequency, longitude and latitude coordinates, etc.) **from November 15th, 2017 to December 19th, 2017 inclusive and from January 24th, 2018 to February 4th, 2018 inclusive.**

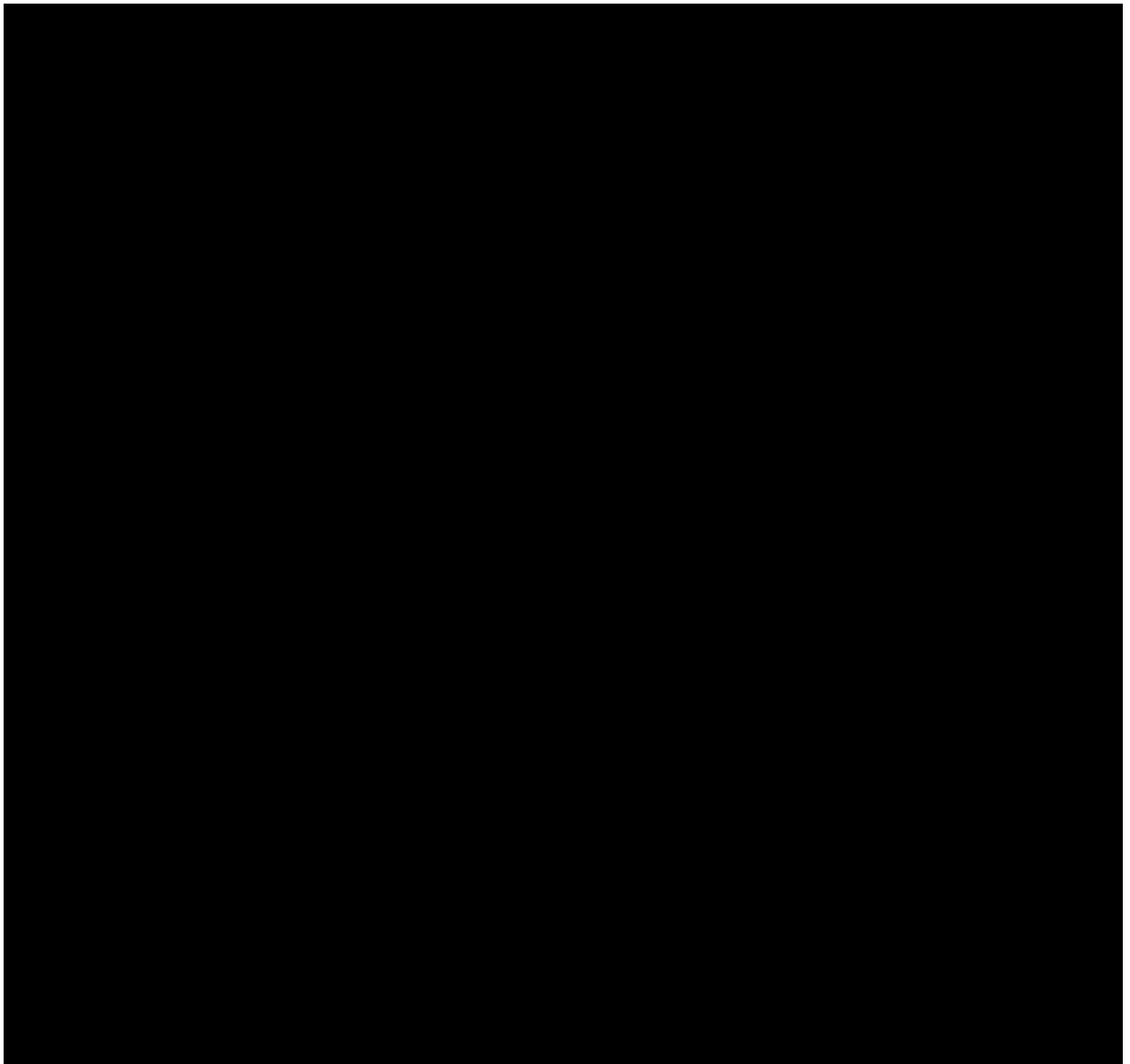
⁴³ SMS stands for Short Message Service. Invented in the 1980s and defined in the 1985 GSM standards, it is one of the oldest texting technologies. It is also the most widespread and frequently used.

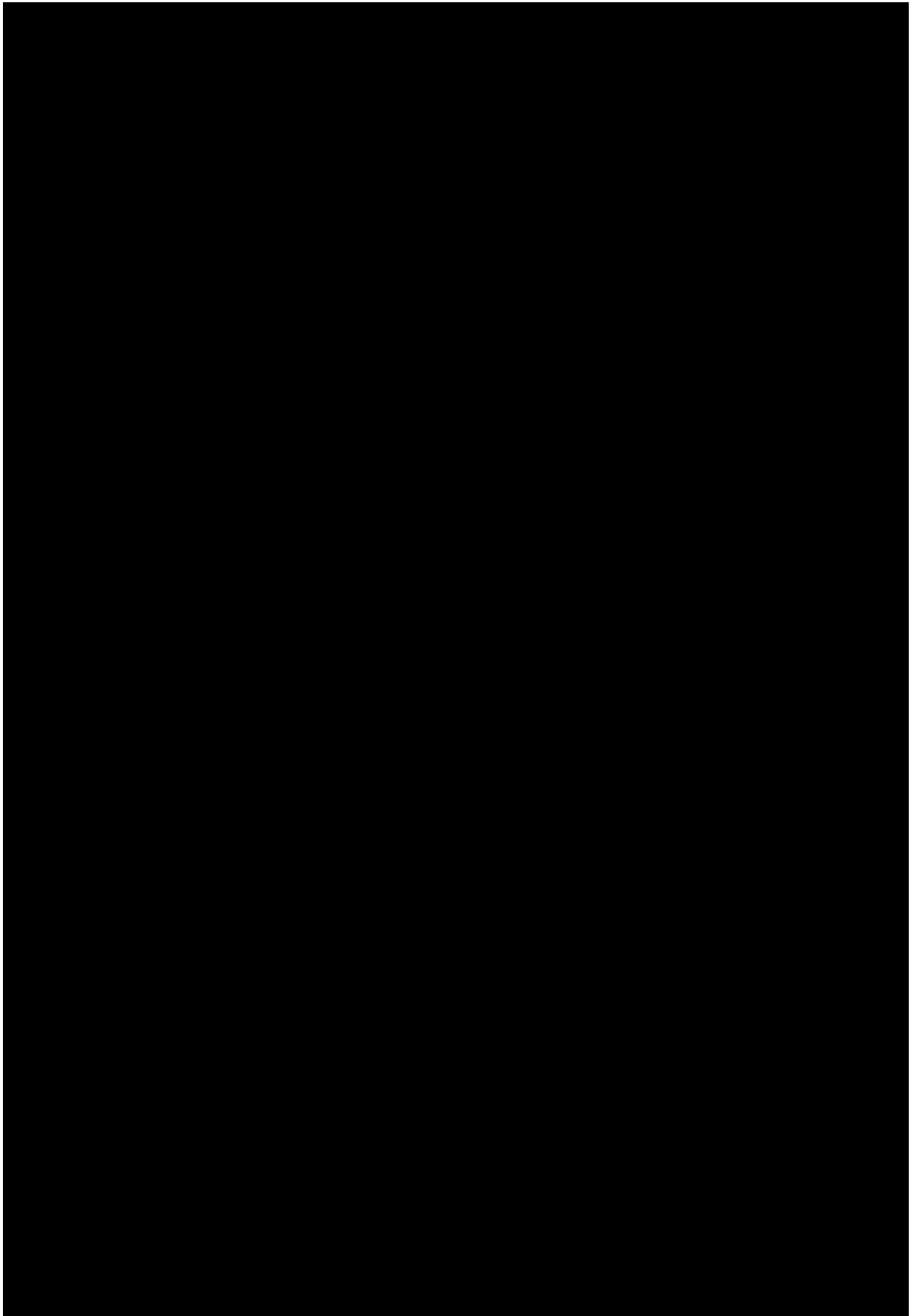
MMS stands for Multimedia Messaging Service. It was built using the same technology as SMS to allow SMS users to send multimedia content. It is most popularly used to send pictures, but can also be used to send audio, phone contacts, and video files.

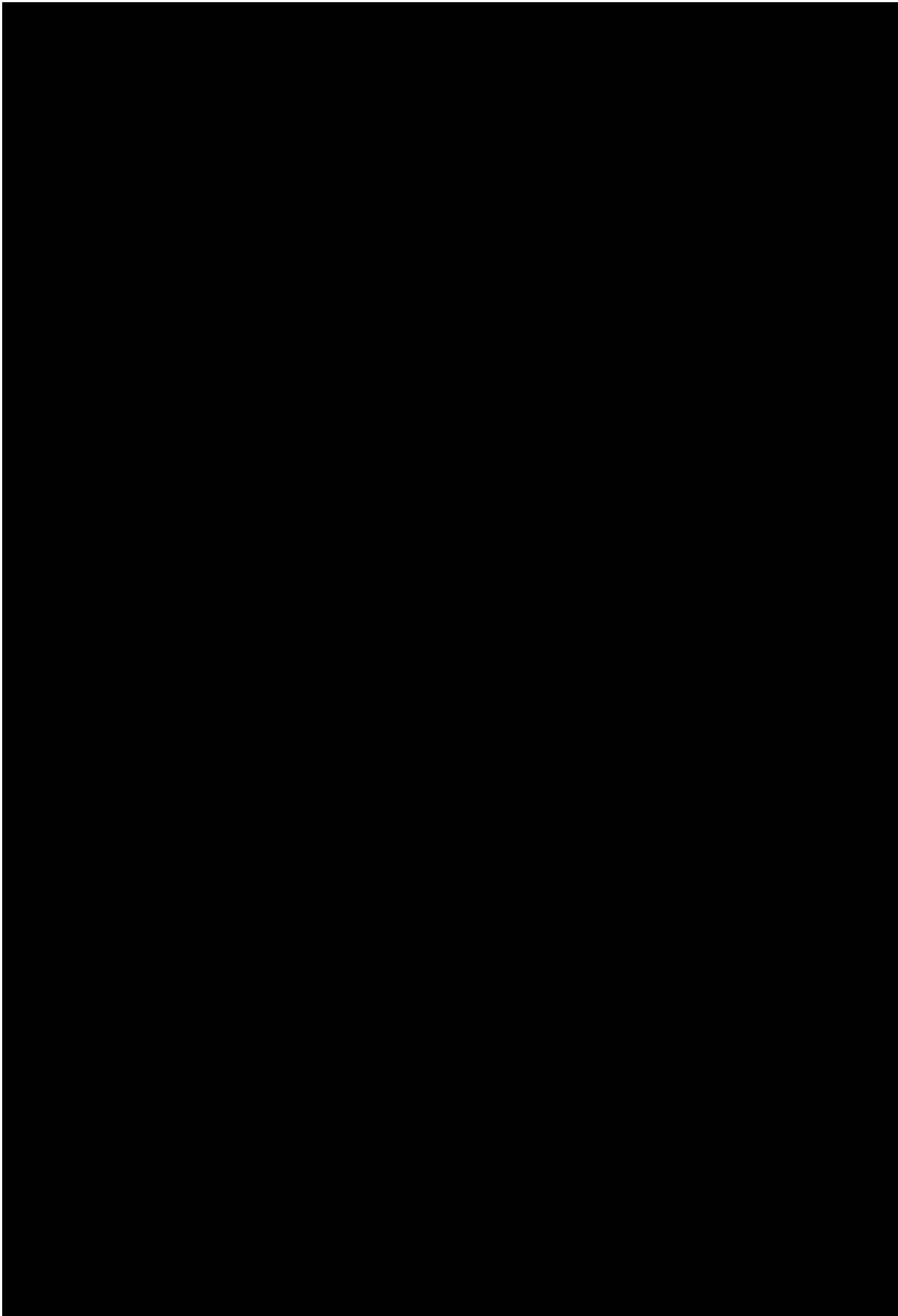
Source: <https://www.twilio.com/learn/messaging/what-are-sms-and-mms>

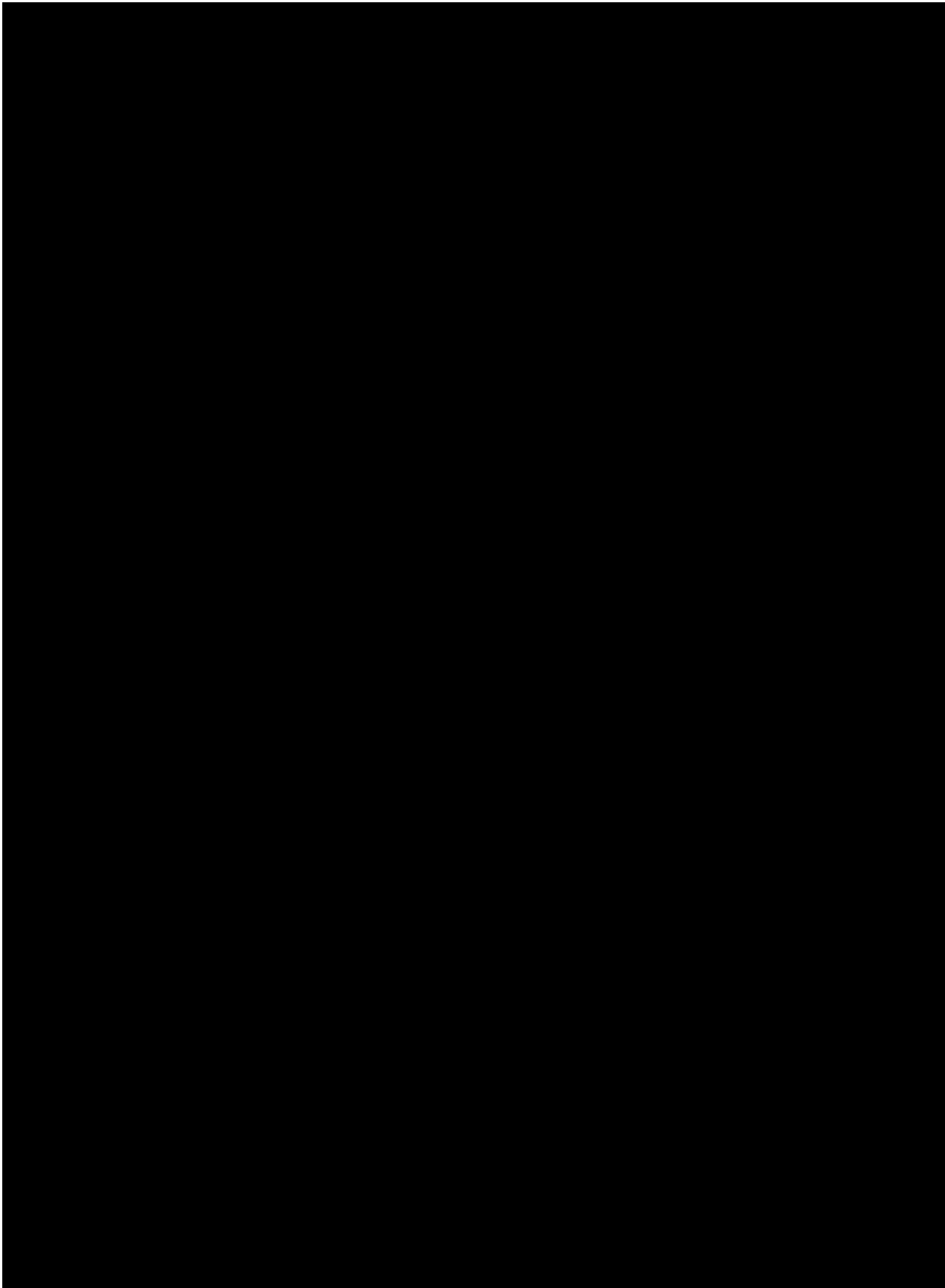
For the phone number [REDACTED] I have already previously applied for and was granted a production order for phone records for the time period of November 15th, 2017 to December 15th, 2017 inclusive. For this phone number I will be now requesting the following records:

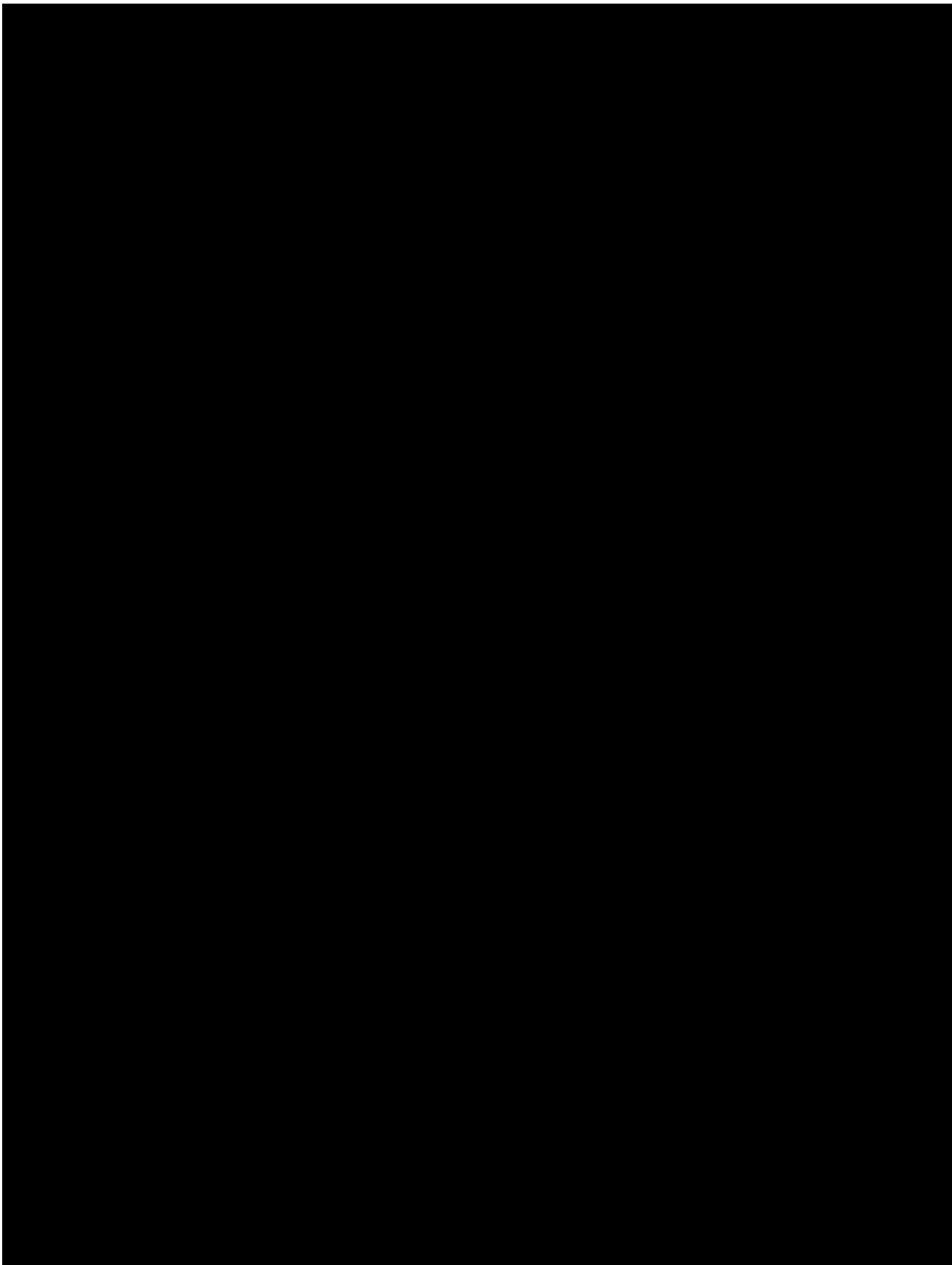
Document containing transmission data for incoming and outgoing calls, SMS/MMS, and data use (date, time, involved phone numbers, terminating number, call duration, forwarded number), and tracking data (tower location, sector, frequency, longitude and latitude coordinates, etc.) **from January 24th, 2018 to February 4th, 2018 inclusive.**

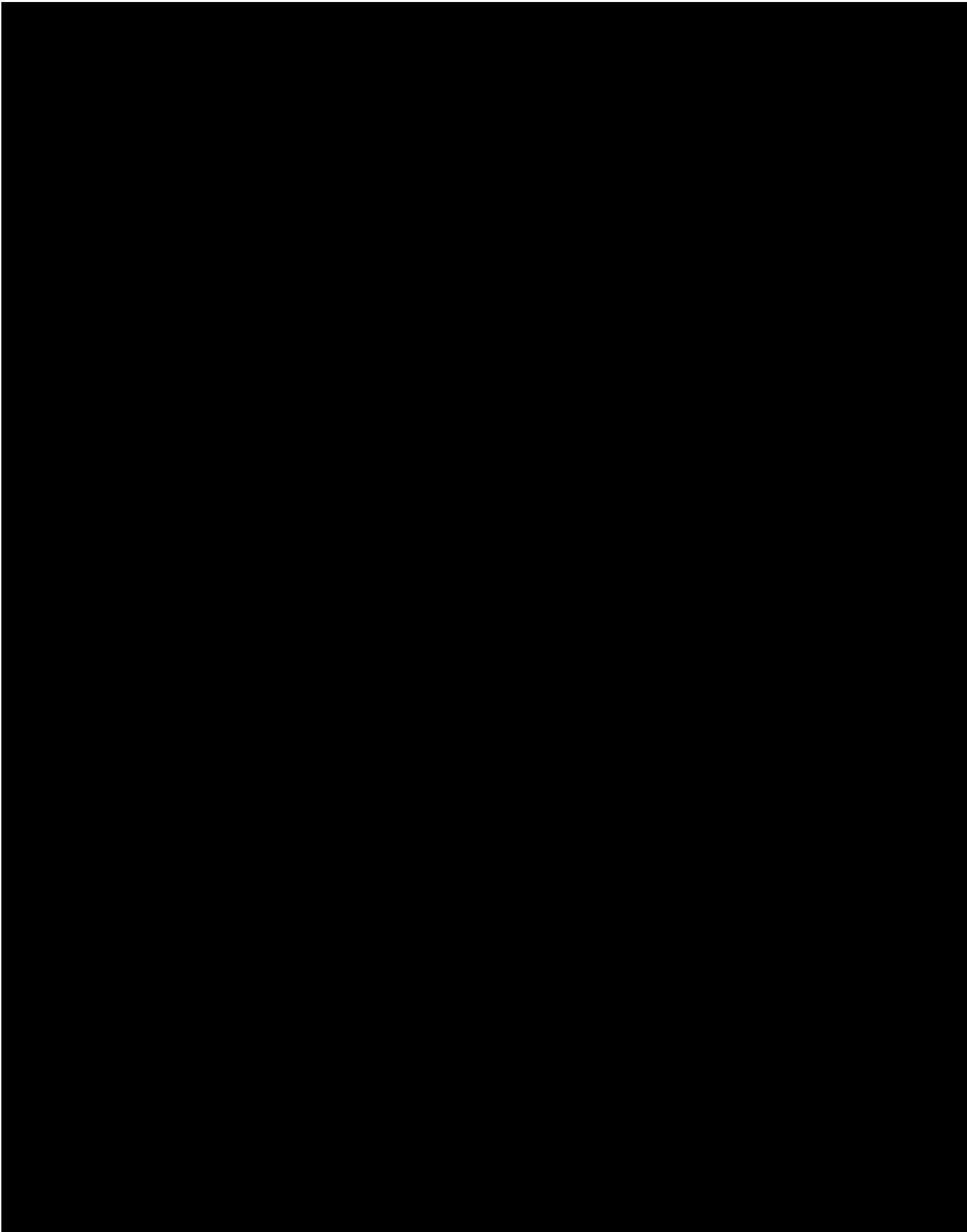


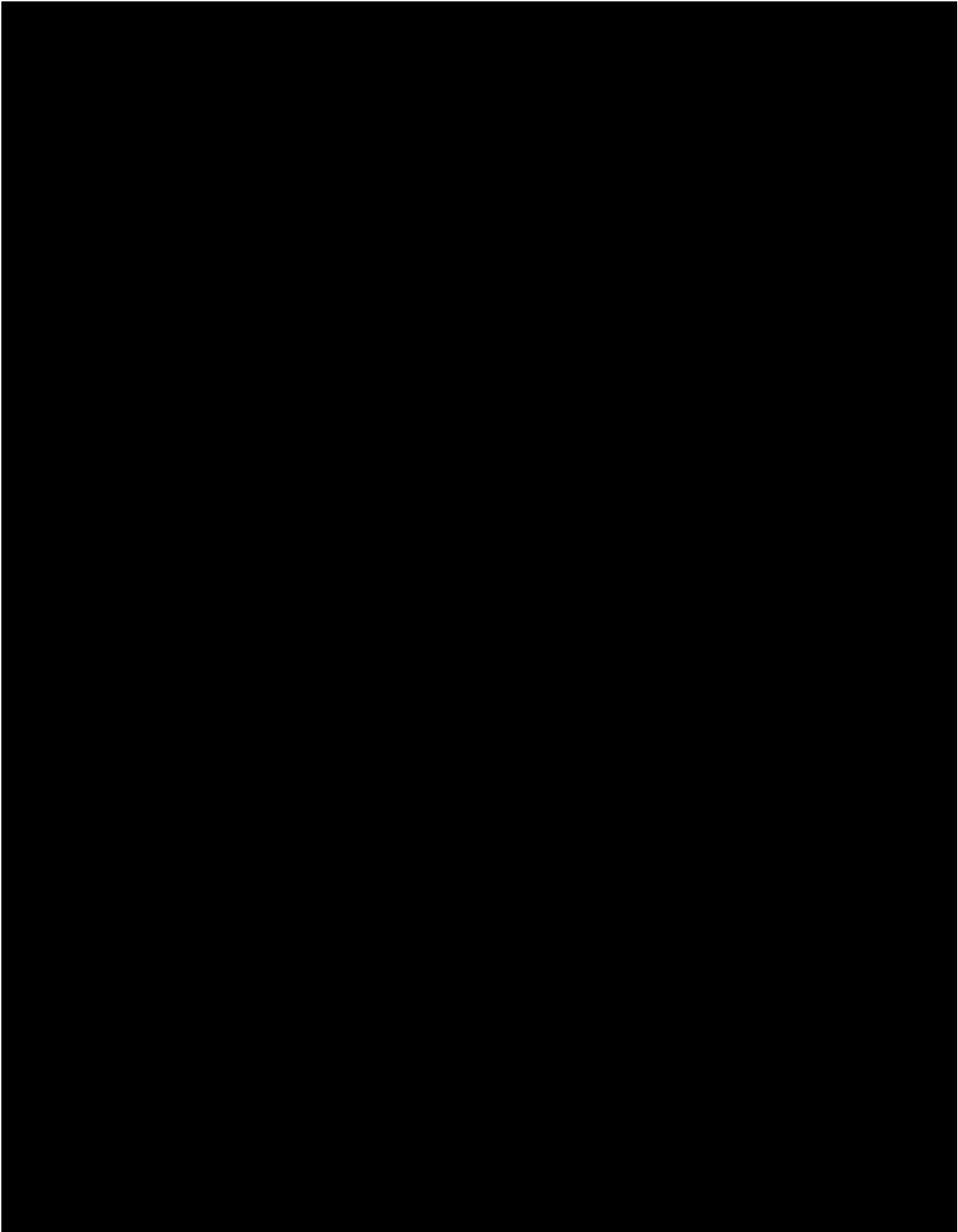


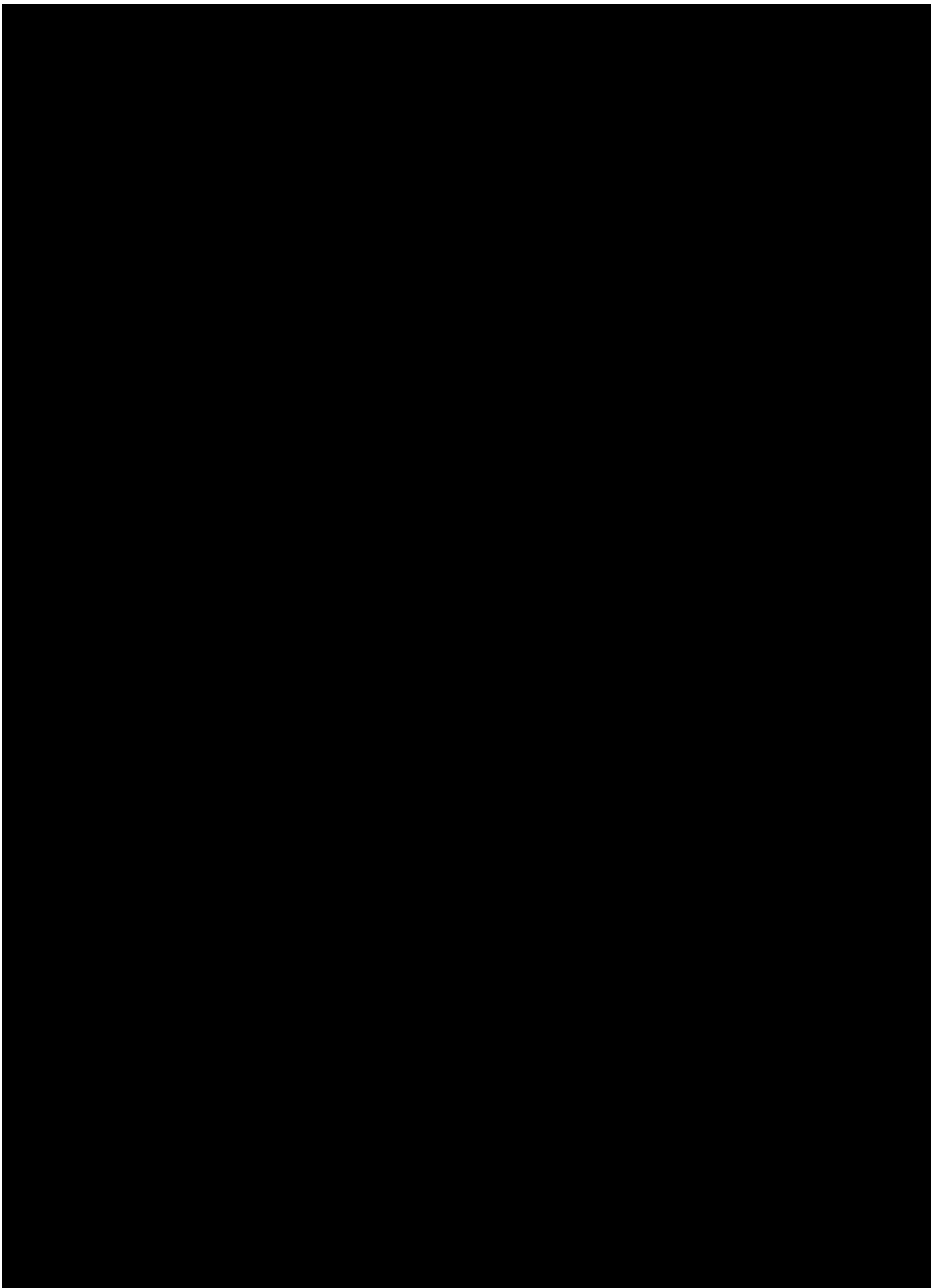


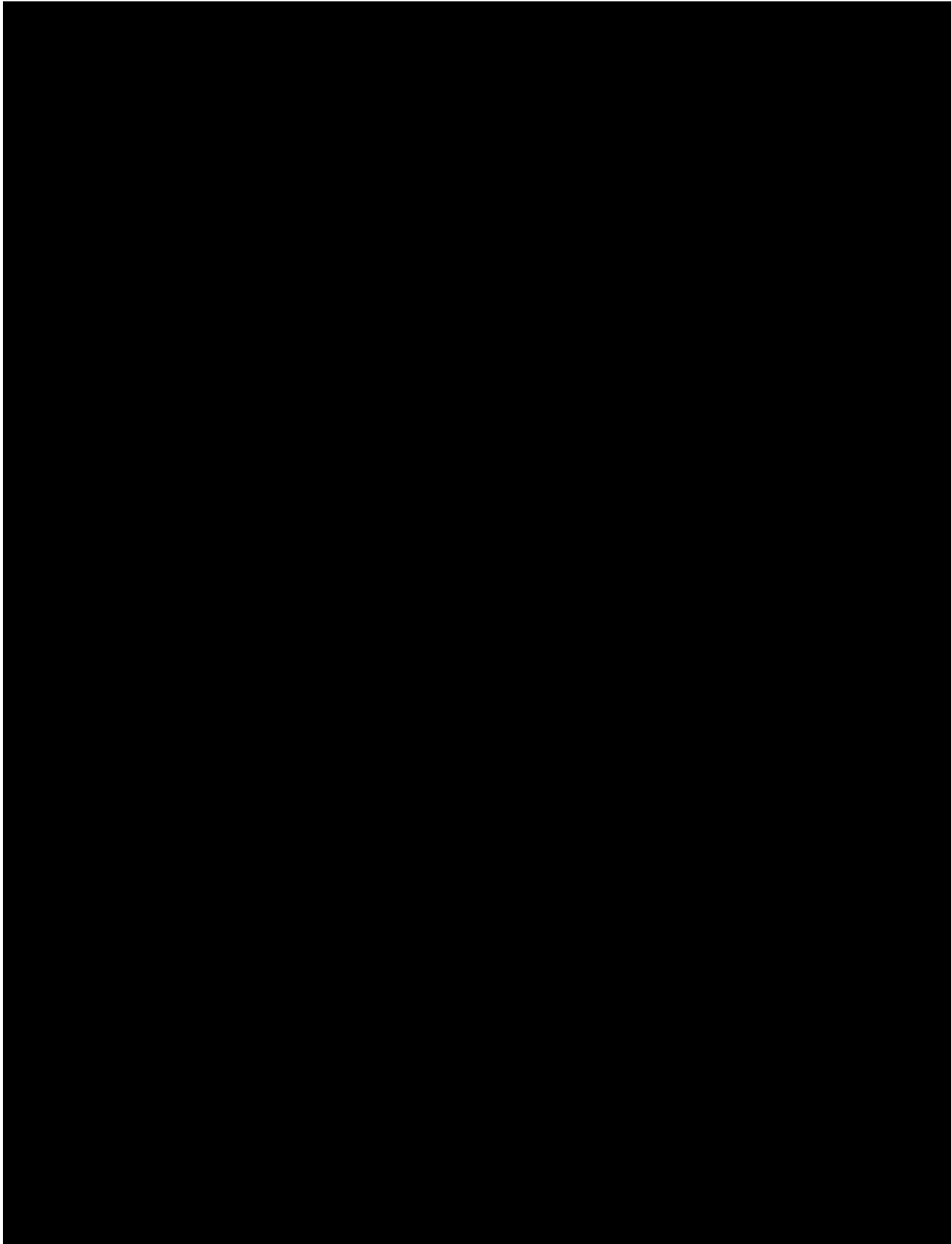














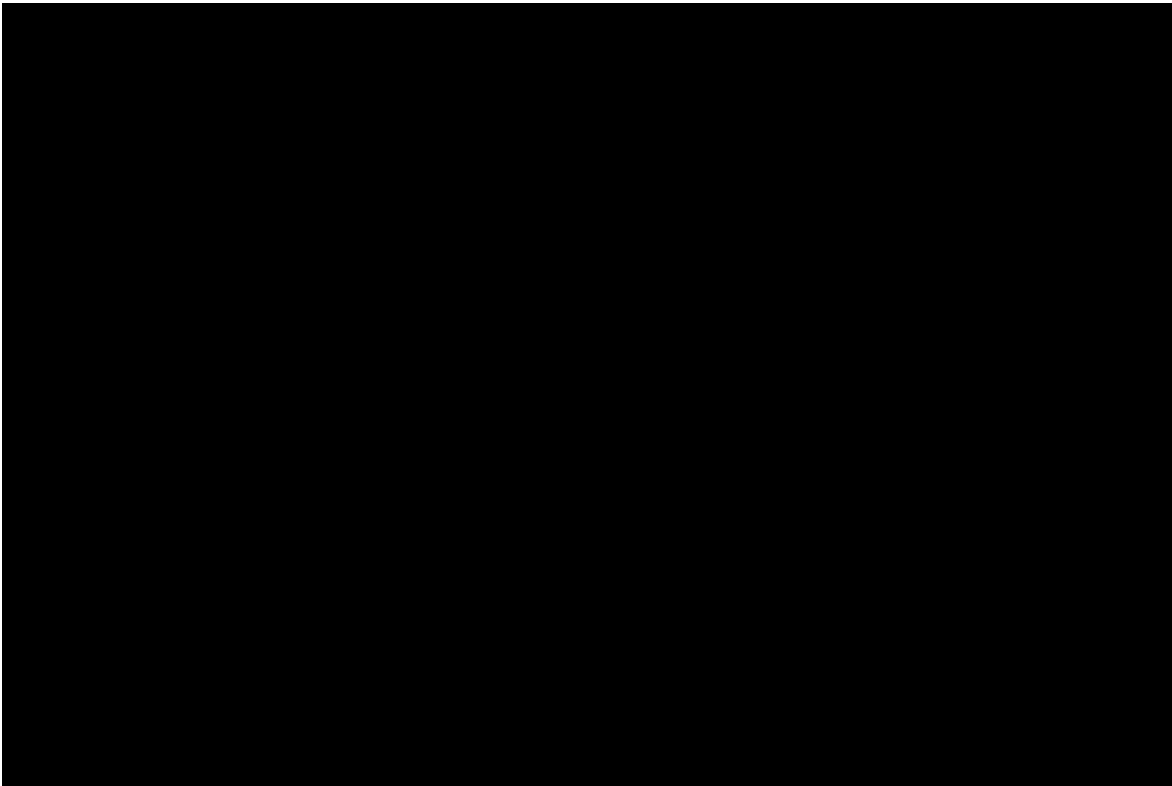
35. GROUNDS TO BELIEVE THE DOCUMENTS TO BE PRODUCED ARE IN THE POSSESSION AND CONTROL OF THE ENTITIES FROM WHICH I AM SEEKING THEM

(a) Transmission and Tracking Data From Rogers Communications Canada Incorporated

i.



For the following phone numbers I will be seeking documents containing transmission and tracking data for the time periods from **November 15th, 2017 to December 19th, 2017 inclusive and from January 24th, 2018 to February 4th, 2018, inclusive:**

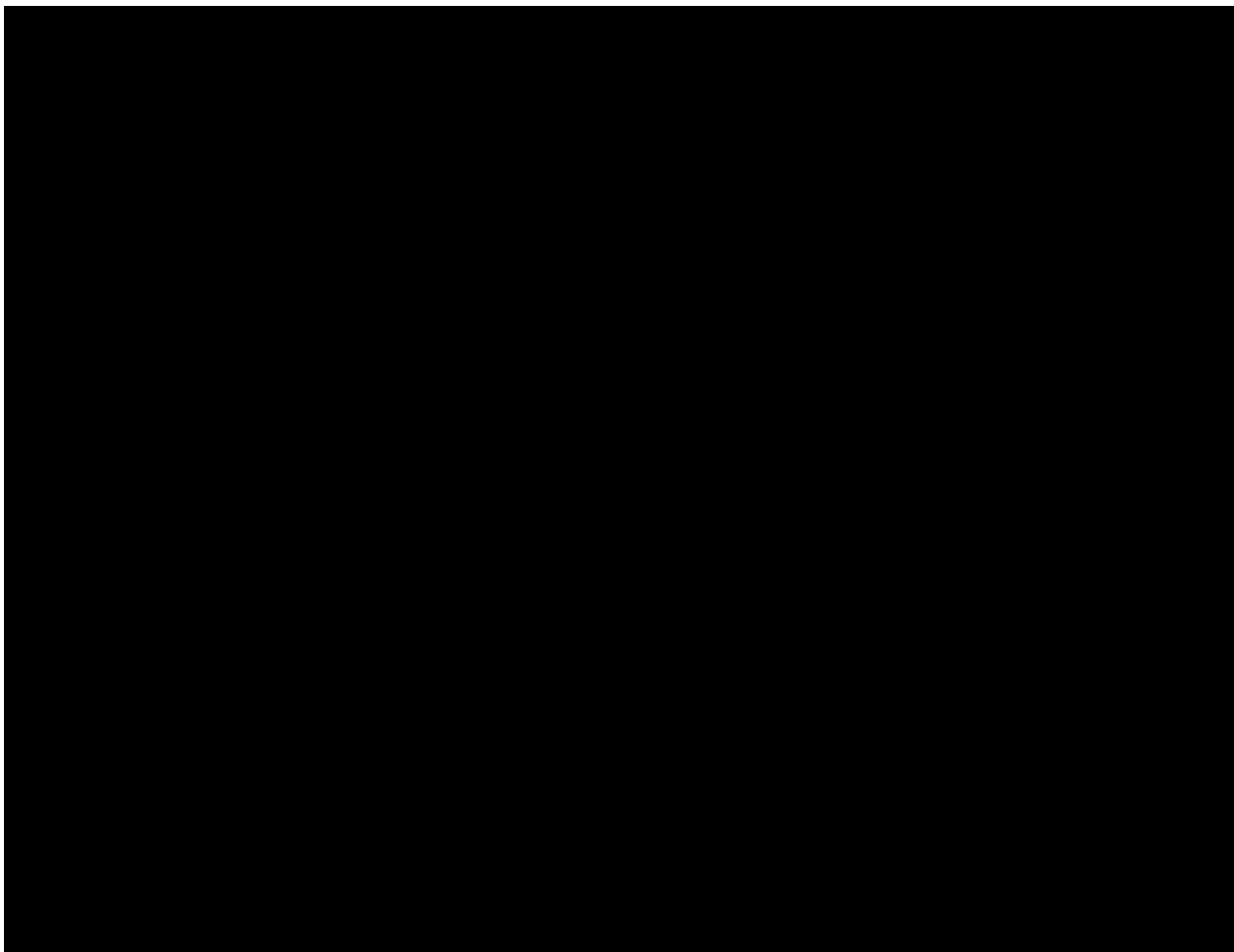


The Toronto Police Service (TPS) Intelligence Unit acts as a liaison between cellular phone network providers and the Toronto Police Service. On several occasions I have been in contact with the TPS Intelligence Unit and have learned the following information:

On October 4th, 2018, I learned that the phone numbers from [REDACTED] listed above, were active cellular phone numbers on the Rogers Communications Canada Incorporated network for the time period stipulated.

On May 9th, 2018, I learned that the phone numbers from [REDACTED] listed above were active cellular phone numbers on the Rogers network for the time period stipulated.

On October 24th, I learned that phone number [REDACTED]
[REDACTED]
[REDACTED]



On October 25th, 2018 I called Rogers to inquire about transmission records outside of the 13 month retention period. Rogers advised that any transmission data outside of the 13 month retention period would be lost, however, there is limited transmission data

that would be reflected in the billing records of the phone account. From the billing records, outgoing calls will show the number that is being called but incoming calls will not show the number that is calling.

[REDACTED]

For the following phone numbers I will be seeking documents containing transmission and tracking data for the time periods from **January 24th, 2018 to February 4th, 2018, inclusive:**

[REDACTED]

On March 27th, 2018 I was in contact with the TPS Intelligence Unit and learned that the phone numbers listed above are active Rogers cellular phone numbers and that they have been active since November 15th, 2017.

iv. Rogers Communications Canada Incorporated Data Retention Period and Address

On July 24th, 2018 I was advised by Rogers Communication Canada Incorporated that they keep records of transmission and tracking data for 13 months. The time frame required to comply with a production order is 30 days.

From previous experience in obtaining records via Production Order from Rogers Communications Canada Incorporated, I am aware that the Production Orders to Rogers Communications can be sent to:

Email: [REDACTED] or;

Address: Rogers Communications Canada Incorporated, 350 Bloor Street East, 4th floor, Toronto, ON, M4W 0A1

(b) Transmission and Tracking Data From Bell Canada

[REDACTED]

For the following phone numbers [REDACTED] I will be seeking documents containing transmission and tracking data for the time periods from

November 15th, 2017 to December 19th, 2017 inclusive and from January 24th, 2018 to February 4th, 2018, inclusive:

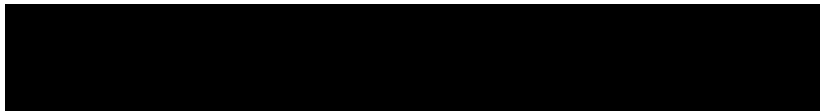


On October 24th, 2018 I was in contact with the TPS Intelligence Unit and learned that the phone numbers listed above were active on the Bell Canada network for the stipulated time periods.

The phone number [REDACTED]
[REDACTED] This number will be included in the production order to Rogers Communications Canada Incorporated.



For the following phone numbers I will be seeking documents containing transmission and tracking data for the time periods from **November 15th, 2017 to December 19th, 2017 inclusive and from January 24th, 2018 to February 4th, 2018, inclusive:**



On May 9th, 2018 I was in contact with the TPS Intelligence Unit and learned that the cellular phone numbers listed above were active on the Bell Canada network, however, Bell Canada would not provide dates of activation without judicial authorization.

iii. Bell Canada Data Retention Period and Address

On August 10th, 2018 Bell Canada advised that they keep transmission and tracking data for 36 months.

From previous judicial applications, I am aware that Bell Canada requires 30 days to comply with production orders and that the orders can be sent to:

Email: [REDACTED] or;

Address: 865 Pharmacy Avenue, 5th floor, Toronto, ON, M1L 3K7

(c) Transmission and Tracking Data From Telus Communications Incorporated

[REDACTED]

For the following phone numbers I will be seeking documents containing transmission and tracking data for the time periods from **November 15th, 2017 to December 19th, 2017 inclusive and from January 24th, 2018 to February 4th, 2018, inclusive:**

[REDACTED]

On May 9th, 2018 I was in contact with the TPS Intelligence Unit and learned that the cellular phone number [REDACTED] is an active number and the phone number [REDACTED] is currently not an active number but was active, on the Telus Mobility network in the past. Telus Mobility would not provide the dates of activation without judicial authorization.

ii. Telus Communications Incorporated Data Retention Period and Address

On August 16th, 2018 I was advised by Telus Communications Incorporated that they keep transmission data for phone calls going back 14 months however they only keep transmission data for text messages and data usage for 150 days. The time frame required to comply with a production orders is 30 days.

From previous judicial applications, I am aware that production orders to Telus Mobility can be sent to:

Email: [REDACTED] or;

Address: 200 Consilium Place, Suite 1600, Toronto, ON, M1H 3J3

36. CONCLUSION

At this point in the investigation, investigators are trying to determine who is responsible for the deaths of Bernard SHERMAN and Honey SHERMAN. Currently several persons have been implicated, through witness statements, as responsible for the murders of Bernard SHERMAN and Honey SHERMAN. [REDACTED]

[REDACTED] To date, there is no evidence to elevate any of the aforementioned parties to the status of a suspect.

In addition to the persons of interest there is an unidentified party that is seen on several surveillance videos in and around the area of 50 Old Colony Road. Investigators are trying to determine if this person is potential witness or suspect to the murders. By obtaining transmission and tracking data from the phone numbers subject to this application, investigators hope to identify the unknown person.

The transmission and tracking data will also be used to corroborate [REDACTED]

[REDACTED]

Transmission data can also be used to determine if there are any [REDACTED]

[REDACTED]

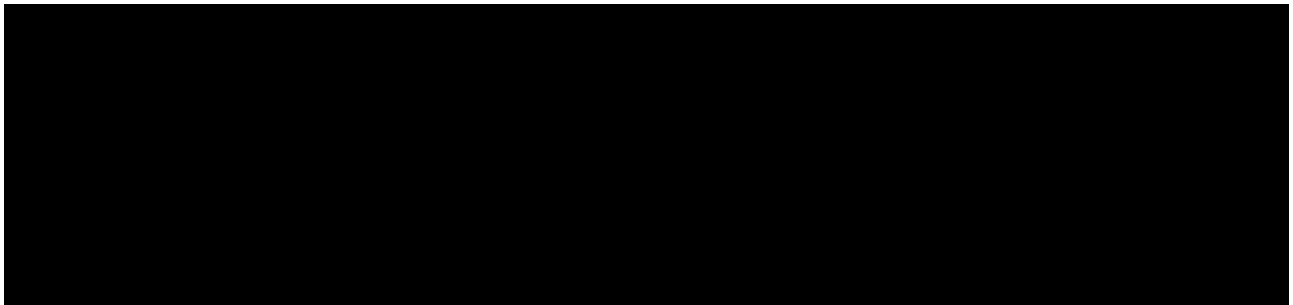
37. ORDER DENYING ACCESS TO INFORMATION

I am requesting that an order be made, pursuant to section 487.3 of the Criminal Code, denying access to and disclosure of this Information to Obtain and its attached appendices, as well as the requested Production Orders.

I am requesting that this order be made for an indefinite period and until an application is brought to a court with competent jurisdiction to have the order terminated or conditions of the order varied pursuant to section 487.3(4) of the Criminal Code.

I am also requesting that a term/condition of the sealing order be added allowing the Crown to access the sealing materials for the purpose of making disclosure. This term/condition will allow the Crown to fulfil its disclosure obligation, if charges are laid, without first obtaining an order varying this sealing order.

I am requesting that this order be made on the following grounds:



(b) Pursuant to section 487.3(2) (a) (ii), Compromise the nature and extent of an ongoing investigation

The Information to Obtain of the proposed judicial authorization applications details the facts of an ongoing investigation and if this information were to be made public it would jeopardize the investigation. Currently the investigation is still ongoing, with substantial and continued media coverage of the investigation. Information about the investigation has been already inadvertently or purposely disclosed to the public and further disclosure about the details of this case will render any potentially new hold back information to be of no value to police.

Currently there are no suspects identified in this investigation. Disclosure of this Information to Obtain would allow the perpetrator(s) to know how far the investigation has advanced, the identity of witnesses police have spoken to and what evidence police

have seized. Knowing the aforementioned information, the perpetrators can then take steps to thwart and hinder the investigation by locating witnesses that police have spoken to as well as witnesses police have not spoken to with the intent to influence them to not participate in the investigation. Also, the perpetrators, by knowing what evidence police have already seized and obtained can also take steps to destroy or conceal evidence that they know exist and police have not already seized.

Also, by disclosing this affidavit the perpetrator(s) would know if police have identified any suspects or persons of interest, which could precipitate the perpetrator(s)' flight. Disclosure of this affidavit would also allow the perpetrator(s) to determine which witnesses that investigators have or have not spoken to. The perpetrator(s) can then attempt to locate or contact witnesses to influence their participation in this investigation.

Currently the investigation is still underway with witnesses still to be identified and spoken to. If the details contained in the Information to Obtain were to be made public it could contaminate any subsequent witness statements thereby hindering investigators' ability to assess the credibility of the information provided by any future witnesses that may wish to come forward.

(c) Pursuant to section 487.3(2) (a) (iv), Prejudice the interest of an innocent person

The disclosure of the information relating to the Production Orders would prejudice the interest of an innocent person, due to the fact that many witnesses have already been interviewed by police and the contents of this affidavit would reveal the identity of witnesses who have provided information and statements to police.

I believe that, if the names and information provided were to be made public, that it would be detrimental to the progress of the investigation, the safety of witnesses and the safety of any potential witnesses. At this point in time investigators believe that this incident is a double murder and that the SHERMAN's were targeted, the perpetrator(s) are still unidentified and unaccounted for and could seek out the witnesses in this incident to cause them harm. Currently, it is unknown if other family members of the SHERMAN's are in danger. Disclosure of this affidavit would reveal the names and information of the family members and associates of the SHERMAN's thereby assisting any perpetrators in locating them.

The family and associates of the deceased along with witnesses have already been subjected to heavy media coverage. If their identities were to be revealed through this application the media coverage would only get worse prejudicing their right as innocent persons to be left alone.

Portions of the sealed materials contain information over which claims of privilege attach; portions contain references to financial and legal information that would otherwise be confidential and un-accessible to members of the public or the media; large portions of the material describe the personal and private information of many different people, any of whom could reasonably assert an interest in not having this information publicly disclosed.

In addition, many of the witnesses who have been interviewed have expressed opinions about whether other persons have the motive and/or character to commit these murders. If these opinions were to be released to the public, both those expressing them and those, who are the subject of them, would be prejudiced. Disclosure of this information would have a chilling effect on other witnesses who are asked to provide information and opinions about this investigation or other investigations. In addition, given that some of these opinions may be unfounded, those who are the subject of them would be prejudiced if the opinions were published or otherwise made available to the public.

Any and all of the aforementioned considerations could “prejudice the interest of an innocent person”, as contemplated by s. 487.3(2)(a)(iv) of the *Criminal Code*.

(d) Pursuant to section 487.3(b), For any other sufficient reason

On December 20th, 2017, January 10th, 2018, January 15th, 2018, February 15th, 2018 and April 16th, 2018 judicial authorizations were granted by her Honour L. PRINGLE, in relation to this case. In those instances those orders were sealed and I am requesting that this order be sealed as well because if this application were not to be sealed, it would circumvent the sealing of the previous applications.

On March 16th, 2018 I attended the Toronto North Courts located at 1000 Finch Avenue West in the City of Toronto where Toronto Star investigative reporter, Kevin DONOVAN had made an application to unseal several judicial authorization applications relating to this case, before her Honour L. PRINGLE. The application to unseal the judicial authorizations was challenged by the Crown Attorney. I had filed an affidavit outlining

the reasons why, I believed, that the judicial authorization applications should all remain sealed. Ultimately, all the face pages, Appendix Bs and 2 Appendix As relating to medical records, from the judicial authorizations, were disclosed to the Toronto Star. Her Honour L. PRINGLE was to provide judgement on the unsealing of the remaining appendices at a later date.

On March 19th, 2018, her Honour L. PRINGLE ruled that the application to unseal was dismissed, without prejudice to renew should charges be laid, should the investigation conclude or should some other material change in circumstance arise.

On September 24th, 2018, I attended the Toronto North Courts in the City of Toronto where Toronto Star investigative reporter, Kevin DONOVAN, for the second time, made an application to unseal judicial authorization applications relating to this case. The application was again, challenged by the Crown Attorney and I filed an affidavit outlining the reasons why I believed that all the judicial authorization applications relating to this case should continue to remain sealed. The application to unseal was heard before her Honour L. PRINGLE. I was cross examined by Kevin DONOVAN in regards to my filed affidavit. Her honour L. PRINGLE reserved her judgement for a later date.

On September 25th, 2018 her Honour released the judgement ruling that the application to unseal was dismissed without prejudice to renew it, should charges be laid or should the investigation conclude or should some other material change in circumstances arise.

Since September 25th, 2018 there have been no charges laid in this investigation, the investigation is currently ongoing, has not concluded and there has been no other material change in circumstance that would warrant unsealing. The investigation is ongoing with additional witnesses to be spoken to, additional evidence to be obtained and analysed. Therefore I believe that this judicial authorization application like the others before it should be sealed.

If this Sealing Order is granted, I request that the Information to Obtain, as well as a copy of the requested Production Orders be sealed in a packet, delivered to and kept in the custody of the Local Registrar of the Ontario Court of Justice in the Toronto Region, or their Agent, at Old City Hall, at 60 Queen Street West, city of Toronto, Ontario, or until otherwise ordered.

38. ORDERS PROHIBITING DISCLOSURE

I am requesting that Orders Prohibiting Disclosure be made, pursuant to section 487.0191 of the Criminal Code, preventing the disclosure of the contents of the production orders sought in this application until charges are laid. I believe that Orders Prohibiting Disclosure are required because there are reasonable grounds to believe that disclosure would jeopardize the conduct of this investigation. The production orders themselves contain information that could identify persons of interest in this investigation. The fact that investigators are seeking transmission and tracking data from telephone records pertaining to these persons also reveals what information police have not already uncovered and what information they are currently seeking. If any of the target entities were to notify their customers of the existence of the proposed production orders it could compromise the investigation by providing notice to the persons of interest of the nature and extent of police inquiries which may precipitate their flight and cause the destruction of other evidence.