

**IN THE ONTARIO COURT OF JUSTICE
(TORONTO REGION)**

IN THE MATTER OF APPLICATIONS FOR:

A Warrant to Search pursuant to Section 487 of the *Criminal Code*; and

A Sealing Order pursuant to Section 487.3 of the *Criminal Code*.

**Appendix "C"
I N F O R M A T I O N**

I, Detective Constable Kristy DEVINE, of the City of Toronto in the Province of Ontario, a peace officer employed by the Toronto Police Service, make affirmation and say as follows:

1. 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 read 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 Authorization. I am aware of my duty to present information that would detract from my grounds.

2. I have reasonable grounds to believe that the death of Honey SHERMAN on or about December 15th, 2017 was the result of a Murder. Honey SHERMAN was located inside her home located at 50 Old Colony Road, alongside her deceased husband Bernard SHERMAN. The circumstances and evidence located at the scene and the investigation into their deaths thus far, and provided further in the affidavit, has led me to this belief.
3. I am seeking authorization to search Bernard SHERMAN's cellular phone and computers used by Honey SHERMAN and Bernard SHERMAN. I believe these items will afford evidence of the offence.

PREVIOUS APPLICATIONS

4. On December 20th, 2017 I filed an application for several orders including a search warrant to authorize re-seizing and analyzing the contents of six digital devices. That warrant was granted only in relation to one of the devices, a White Apple iPhone, but refused in relation to the Black Blackberry, two (2) iPads, a Toshiba Laptop, and a HP Desktop Computer.
5. I received a Refusal of Order – Reason for Decision dated December 20th, 2017 (See Appendix "D") which stated the following reasons for refusal:
 - a. The ITO indicates that the Blackberry cellular telephone is associated to Bernard Sherman but does not provide any basis for this conclusion.
 - b. While the Toshiba Laptop, 2 Apple IPADS and HP Computer were located at the home in which Honey and Bernard lived, it is not stated where these

devices were found or whether anyone else besides the two deceased persons lived in the home at the time.

- c. Indicated in the refusal, Justice Pringle stated that Her Honour is prepared to consider further information in order to be satisfied that these devices will afford evince in respect of the offences should the writer be in a position to provide it.

THIS APPLICATION

6. This is my re-application for a search warrant authorizing the re-seizure and examination of the five devices. In addition to the information provided by the writer in the original Information to Obtain submitted December 20th, 2017, new information has been gathered and this information will help provided clarity, help to support my beliefs, and ultimately I believe should support the issuance of this warrant.
7. An important new issue has come to my attention since my first application on December 20th. Legal counsel for Apotex, Bernard SHERMAN's company, has written to investigators on this file to say that computer devices he used in the home likely contain legally privileged information (the privilege belonging to Apotex). Counsel for Apotex has said they nevertheless want the police investigation to proceed as quickly as possible. Therefore with assistance from Crown counsel we have agreed upon a protocol for dealing with potentially privileged material that will allow counsel for Apotex to conduct the initial review of the data extracted from the digital devices and redact it to protect the legal privileges belonging to Apotex, before investigators receive the data. I have supplemented the terms and conditions of the proposed search warrant to give effect to the agreed-upon protocol.

8. I note that the search warrant previously granted on December 20th for Honey Sherman's iPhone has been executed, and police have been reviewing the resultant data. Thus far we have not encountered any obvious lawyer-client communications. Counsel for Apotex has advised there is a small chance that the extracted data from Honey SHERMAN's phone could contain e-mails from lawyers, relating to an unresolved civil suit that was brought against both Honey and Bernard SHERMAN and Apotex.
9. Counsel for Apotex and Honey Sherman's estate trustee have both provided the names of law firms that may have communicated with Honey Sherman by e-mail, and as we examine the extracted data we are checking to ensure we do not examine any e-mails involving those identified law firms. Counsel for Apotex are aware of this examination, and agreed that the examination could continue as long as the Officer respects the privilege that has been identified.

INTRODUCTION OF THE AFFIANT

10. I, Detective Constable Kristy DEVINE #9132, am presently employed by the Toronto Police Service. I have been a member of this service since December 2005. I am currently assigned to the *Homicide Squad* where I perform my duties in a plainclothes capacity. The primary purpose of this unit is to conduct investigations of homicides, suspicious deaths and found human remains within the City of Toronto.
11. During this investigation, I have been assigned to Investigative Team #5. I perform my duties with the following team members:
 - a. Detective Sergeant Kevin LEAHY #99418
 - b. Detective Sergeant Susan GOMES #1004
 - c. Detective Jeffery TAVARES #7744
 - d. Detective Brandon PRICE #8329
 - e. Detective Michelle CAMPBELL #8113
 - f. Detective Constable Kristin THOMAS #7660

g. Detective Constable Sarath THAYALAN #9319

12. To support this affidavit I am relying on information from the following sources:

- a. Direct knowledge.
- b. Interviews that have been conducted by me and by fellow police officers.
- c. Information passed on to me by other officers based on their observations and interviews they have conducted.
- d. Affidavits, written reports and memorandum book notes authored by Police Officers and subject matter that I have read.
- e. Enquiries made through Police databases and other external inquiries.

EXECUTIVE SUMMARY RESPECTING THE OFFENCE

13. On Friday December 15th, 2017 the Toronto Police Service received a radio call to attend 50 Old Colony Road, in the City of Toronto in regards to a 911 call. Police attended and located Bernard SHERMAN and Honey SHERMAN in the basement of their home next to their indoor pool. Both Bernard SHERMAN and Honey SHERMAN were facing the wall in a semi sitting position. Their arms were behind them, but not bound. Two black belts were seen looped around their necks and the other end of the belts had been attached to a railing [REDACTED]

[REDACTED]

14. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

15. [REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
16. [REDACTED]
[REDACTED]
[REDACTED]

17. [REDACTED]
[REDACTED]

18. [REDACTED]
[REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED]

THE REQUEST

19. I am asking for a **Search Warrant** for a Cellular phone and other electronic devices belonging to Honey SHERMAN and Bernard SHERMAN, for the following five things to be seized and upon the following terms and conditions:

- a. There are one (1) cellular telephone addressed by this proposed search warrant, a Black Blackberry Cellular, a Toshiba Laptop, two (2) Apple IPADS, and an HP Computer – five devices in total:
- b. The **Black Blackberry** Cellular phone is associated to Bernard SHERMAN (the Deceased Person).
- c. The **Toshiba Laptop** was located inside 50 Old Colony Road, in the City of Toronto.
- d. There are two **(2) Apple IPAD's** that were located at 50 Old Colony Road, in the City of Toronto.
- e. One **HP Computer** that was located at 50 Old Colony Road, in the City of Toronto.

TERMS AND CONDITIONS

20. The aforementioned devices will be brought to the Intelligence Services of the Toronto Police Service, located in the City of Toronto.
21. The examination and analysis of the devices and related item and any storage device referred to in this document will be based on the offences set out in this warrant and the following nine categories of data:
- a. Data relating to use, ownership and access to the devices
 - b. Data relating to the configuration of the devices, including internal and external system or program configuration
 - c. Emails sent and received between December 1st, 2017 to December 15th, 2017
 - d. Text messages sent and received between December 1st, 2017 to December 15th, 2017
 - e. Call logs for the period of November 15th, 2017 to December 15th, 2017
 - f. Internet access history showing websites visited including social media for the period of December 1st, 2017 to December 15th, 2017
 - g. Contacts, addresses and phone books
 - h. Calendars and scheduled events for the period of December 1st, 2017 to December 15th, 2017
 - i. Any other text documents and notes created or edited in the period from December 1st, 2017 to December 15th, 2017
22. The examination and analysis will be conducted by members of the TPS¹ TCU². These members are Certified Forensic Computer Examiners who will search for and extract the data contained within the devices using computer forensic software that allows

¹ TPS Toronto Police Service

² TCU Technological Crime Unit, within the Toronto Police Service

for the search and extraction of data from these items without modifying, destroying or damaging any of the data.

Further conditions respecting privilege:

23. The analysis and examination of the devices for the nine identified categories of data to be extracted, and the extraction process, will be conducted by members of the TCU who are not officers otherwise involved in the investigation, and who to the extent possible shall avoid examining the content of any of the data on the devices. To the extent that any content is observed on the devices by a member of the TCU, that person shall not communicate it to anyone else.
24. After the TCU members complete the data extraction referred to above, the TCU will seal the devices and deposit the sealed devices in secure storage at the TPS or the Court and no person shall be permitted to unseal or have access to the devices without a further Order of the Court upon notice provided in writing in advance to Apotex³ Inc. Any such notice shall be directed to the attention of Peter KALINS or such person as he designates.
25. Neither Apotex nor any other person (including, but not limited to, affiliates and subsidiaries of Apotex) has waived any legal privileges to which it may be entitled in the data on the devices, including the data to be seized and extracted under this search warrant and that none of the steps taken pursuant to the warrant shall be deemed to be a waiver of privilege by it or them.
26. The extracted data will be delivered by the TPS in a secure and confidential manner to Mark Dunn or his designate at Goodmans LLP⁴, at 333 Bay Street, Suite 3400, in Toronto, in their native format.

³ **APOTEX** - an independent, dynamic, Canadian pharmaceutical company committed to R&D, manufacturing and distributing a broad range of high-quality, affordable medicines to patients, healthcare providers, payers and governments worldwide

⁴ **Goodmans** LLP Barristers & Solicitors is representing Apotex.

27. Goodmans LLP and any IT experts retained by Goodmans LLP for the purpose of complying with this order will keep the extracted data confidential and will not share it with anyone without the consent of Detective Brandon Price or his designate or a Court Order. However, Goodmans LLP can communicate with potential privilege holders about the data solely for the purpose of determining whether any of the data are privileged and/or whether privilege should be asserted or waived.
28. Goodmans LLP will review the extracted data as expeditiously as is practical (using whatever review platforms are deemed most practical by them), to identify any data or portions thereof that may be subject to a legal privilege and will redact anything that is identified as such. During its privilege review, Goodmans will create a privilege log describing any documents, or portions thereof, over which a claim of privilege is made and that is subject to a redaction or withholding. The privilege log shall be drafted in a manner that does not itself disclose any privileged information.
29. Following its privilege review, Goodmans will return in a secure manner the non-privileged portions of the extracted data, and a copy of the privilege log, to Det. Brandon Price or his designate at the TPS to be used in the police investigation. Goodmans will retain in its secure possession (and/or in the secure possession of its retained IT experts) all of the privileged portions of the extracted data that are not otherwise returned to the TPS. Subject only to term 8, above, no person shall be entitled to access to the privileged portions of the data retained in Goodmans' possession without a Court Order.
30. For the purpose of carrying out the protocol set out above, Goodmans LLP shall be given a copy of this search warrant, including Appendix A but excluding Appendix B.
31. I am also seeking a **sealing order** over this application.

INVESTIGATION & GROUNDS TO BELIEVE

32. On Friday December 15th, 2017 I was a part of an “On-Call” team for the Toronto Police Homicide Squad. At approximately 3:20 PM, I was advised by Detective Jeffery TAVARES⁵ of two suspicious deaths which had occurred in 33 Division in the City of Toronto and to attend the division located at 50 Upjohn Rd, in Toronto.
33. On Saturday December 16th, 2017 at 8:00 AM I arrived at 50 Upjohn Rd (33 Division), and began to investigate.
34. Upon arriving I reviewed I/CAD Reports⁶ 2017-3201016, and 2017-3200639. These reports were created by Toronto Police Service dispatchers in relation to a 911 call which initiated an “Echo Tiered Response”. This incident occurred on December 15th, 2017. As a result of reviewing these reports I learned the following information:
- a. At approximately 11:45am on December 15th, 2017, Toronto Police Service dispatchers received an emergency call in relation to an “Echo Tiered Response” incident which had occurred at 50 Old Colony Road in the City of Toronto.
 - b. Elise STERN⁷ called 911. She advised the following;
 - i. She is a Real Estate Agent
 - ii. She located two (2) victims and believed someone has killed her clients.
(believed to be Honey SHERMAN and Bernard SHERMAN)
 - iii. She could be heard yelling “They are dead”.
 - c. The dispatcher could hear other people on-scene trying to help and made note of the commotion in the text of the dispatched call.

⁵ Detective Jeffery TAVARES (7744) is currently assigned to Toronto Police – Homicide Squad. He is a member of Team #5.

⁶ Information - Computer Assisted Dispatch System (I/CAD) A computer system used to assist with dispatching radio calls for service responded to by the Toronto Police Service. As a call for service is received by the Toronto Police Service Communications department, an event and an associated numeric event number is generated. Each event includes the date the call for service was made; caller information such as name, address, telephone number, and call source; details of the particular event such as dates, relevant times, and location of the incident(s); events cross-referenced by way of the event number. I/CAD Event reports including all the above mentioned information are generated and can be accessed by members of the Toronto Police Service.

⁷ Elise STERN is one of two listing agents selling Honey SHERMAN and Bernard SHERMAN’s home located at 50 Old Colony Rd. She is employed by Harvey Kalles Real Estate.

- d. Joseph COHEN called 911. He advised the following;
- i. He indicated he was a cousin to the wife of the owner of the home.
 - ii. He received a call from his friend telling him to attend the home.
 - iii. He advised that he was approximately 12 minutes away from the home.
- e. Clair BANKS called 911. She advised the following;
- i. She indicated she was the gardener.
 - ii. She called 911 to ask if help was on the way.
 - iii. She advised that “they” (*believed to be Honey SHERMAN and Bernard SHERMAN*)
████████████████████
 - iv. She advised that “they” (*believed to be Honey SHERMAN and Bernard SHERMAN*) were hung, something against the railing, lying side by side⁸.
 - v. She advised the best entrance was the front door, she did not see anyone else.
 - vi. She advised she believes they are deceased, and will not be performing CPR.
- f. Nelia NACACANGAY⁹ called 911. She advised the following;
- i. She is the cleaning lady.
 - ii. She advised that she arrived at 8:30am to exercise with her friend.
 - iii. She thought the clients (*believed to be Honey SHERMAN and Bernard SHERMAN*) were sleeping, so she didn’t bother to check the pool area.
- g. At approximately 11:56am, the two people were located by Constable Lesley-Anne HENRY¹⁰ and Constable Kristina MEHAK¹¹ without vital signs.

⁸ Photographs taken at the scene reveal that Honey SHERMAN and Bernard SHERMAN are side by side against a railing, as described by the caller.

⁹ Nelia MACADANGAY ██████████ is employed by Honey SHERMAN and Bernard SHERMAN. For several years she has worked cleaning within the home located at 50 Old Colony Rd, in the City of Toronto.

¹⁰ Police Constable Lesley-Anne HENRY (5393) is currently assigned to Toronto Police – 33 Division. She performs her duties in a uniformed capacity on E Platoon.

¹¹ Police Constable Kristina MEHAK (11211) is currently assigned to Toronto Police – 33 Division. She performs her duties in a uniformed capacity on E Platoon.

DESCRIPTION OF SCENE

35. 50 Old Colony Road is a detached home located in a high end residential area. It is south of Highway 401, north of York Mills Rd, west of Leslie St and east of Bayview Ave in the City of Toronto.
36. The home was listed for sale on MLS¹² C3994621. It was listed as a single family, detached 2 story home with a garage. The land size is listed as 105.46x256.25 FT. The listing price for this property was \$6,988,000 Canadian Dollars. The home was listed as having 12 + 5 rooms, 5+1 bedrooms and 9 washrooms and 12,440 sq feet. The listing was Co-listed with Judi GOTTILIEB¹³ and Elise STERN¹⁴.
37. On December 21st, 2017 I spoke to Detective Brandon PRICE who has been in contact with the next of kin. He advised through these conversations with Alex¹⁵, Lauren¹⁶, Jonathon¹⁷ and son in law Brad KRAWCZYK¹⁸ that Barry SHERMAN and Honey SHERMAN reside by themselves at 50 Old Colony Road, in the City of Toronto.



¹² Multiple Listing Service (MLS) is a web-based professional service rendered by REALTOR® members of CREA to effect the purchase, sale and lease of real estate as part of a cooperative selling system.

¹³ Judi GOTTILIEB is one of two listing agents selling Honey SHERMAN and Bernard SHERMAN's home located at 50 Old Colony Rd. She is employed by Forest Hill Real Estate.

¹⁴ Elise STERN is one of two listing agents selling Honey SHERMAN and Bernard SHERMAN's home located at 50 Old Colony Rd. She is employed by Harvey Kalles Real Estate.

¹⁵ Alexandra SHERMAN KRAWCZYK (Alex), daughter to Honey SHERMAN and Bernard SHERMAN.

¹⁶ Lauren SHERMAN (Lauren), daughter to Honey SHERMAN and Bernard SHERMAN.

¹⁷ Jonathan SHERMAN (Jonathan), son to Honey SHERMAN and Bernard SHERMAN.

¹⁸ Brad KRAWCZYK is the son in-law of Honey SHERMAN and Bernard SHERMAN. He is married to Alexandra SHERMAN KRAWCZYK, who is the daughter of Bernard SHERMAN and Honey SHERMAN.

(50 Old Colony Road is encompassed in yellow)



Both Aerial and Streetview Images I extracted from Google Maps¹⁹

(Source: <https://www.google.ca/maps/place/50+Old+Colony+Rd,+North+York,+ON+M2L+2K1/@43.7560454,-79.3807412,1725m/data=!3m1!1e3!4m5!3m4!1s0x882b2d54a781ef8f:0x2496d4556700b01b!8m2!3d43.758084!4d-79.3812215>)

38. I also reviewed the *Initial Officer Report* which was contained within a VERSADEx²⁰ report 2017-3201016 that had been prepared by Constable Felice BUCCIERI²¹. I learned the following:

- a. Bernard SHERMAN and Honey SHERMAN (the Deceased Persons) were located in the basement, inside the indoor pool area, of their home which is located at 50 Old Colony Road, in the City of Toronto.
- b. Constable Felice BUCCIERI described the location of the deceased persons as “located at the furthest end of the pool, facing away from the pool and toward the wall. Both bodies had what appeared to be a black belt tied around their necks. The other end of each belt was tied

¹⁹ **Google Maps** is a Web-based service developed by Google, and provides detailed information about geographical regions and sites around the world. In addition to conventional road maps, 360° panoramic views of streets (Street View), real-time traffic conditions (Google Traffic), route planning and satellite imagery are also provided.

²⁰ **Versadex** is a records management system that was implemented by the Toronto Police Service on November 5th, 2013. This system replaced previously used systems and databases, namely eCOPS (Enterprise Case Occurrence Processing System), CIPS (Computerized Information Processing System), and FIR/CIR’s (Field Information Report/Community Inquiry Reports). By consolidating these legacy databases, it allows for a single point of access/enquiries and prevents unnecessary duplication of information.

²¹ **Police Constable Felice BUCCIERI (65788)** is currently assigned to Toronto Police – 33 Division. He performs his duties in a uniformed capacity on E Platoon.

around the pool railing. Both bodies appeared to be in a semi sitting position, [REDACTED]

- c. Bernard SHERMAN (February 25th, 1942) was identified by Elise STERN.
- d. Honey SHERMAN (January 25th, 1947) was identified by Elise STERN.

39. On December 16th, 2017 I reviewed Police Constable Lesley-Anne HENRY's memo book notes; she was one of the first Officers on the scene. I learned the following:

- a. At 2:55 PM the Coroner Dr. GIDDENS²² pronounced Bernard SHERMAN and Honey SHERMAN deceased, he ordered an autopsy for both Bernard SHERMAN and Honey SHERMAN.
- b. She stayed with Honey SHERMAN and Bernard SHERMAN until they were transferred to the Forensic Services and Coroner's Complex (FSCC) located at 25 Morton Shulman Avenue, in the City of Toronto.

40. I reviewed photographs on Cumulus²³ taken of the scene by Detective Constable Xu WU²⁴, Detective Constable Irvin ALBRECHT²⁵, Detective Constable Scott GRONDIN²⁶, Detective Constable Paul SOUCY²⁷, Detective Richard WELLER²⁸, Detective Lynn LANGILLE²⁹, Detective Constable Andrea PATCHING³⁰, Detective Constable Lawrence PARASRAM³¹, Marion VITELLI³², Detective Constable James GREAVETTE³³ of the Forensic Identification Services section. These photographs were taken at 50 Old

²² Dr. GIDDENS is a Coroner. He performs his duties for the Ontario Forensic Pathology Service and Office of the Chief Coroner.

²³ Cumulus is an electronic catalogue of digital photographs captured by the Toronto Police Service.

²⁴ Detective Constable Xu WU (9403) is currently assigned to Toronto Police – Forensic Identification Services.

²⁵ Detective Constable Irvin ALBRECHT (5043) is currently assigned to Toronto Police – Forensic Identification Services.

²⁶ Detective Constable Scott GRONDIN (7825) is currently assigned to Toronto Police – Forensic Identification Services.

²⁷ Detective Constable Paul SOUCY (8583) is currently assigned to Toronto Police – Forensic Identification Services.

²⁸ Detective Richard WELLER (411) is currently assigned to Toronto Police – Forensic Identification Services.

²⁹ Detective Lynn LANGILLE (7064) is currently assigned to Toronto Police – Forensic Identification Services

³⁰ Detective Constable Andrea PATCHING (5732) is currently assigned to Toronto Police – Forensic Identification Services.

³¹ Detective Constable Lawrence PARASRAM (8949) is currently assigned to Toronto Police – Forensic Identification Services.

³² Marion VITELLI (88345) is a civilian who is currently assigned to Toronto Police – Forensic Identification Services.

³³ Detective Constable James GREAVETTE (7095) is currently assigned to Toronto Police – Forensic Identification Services.

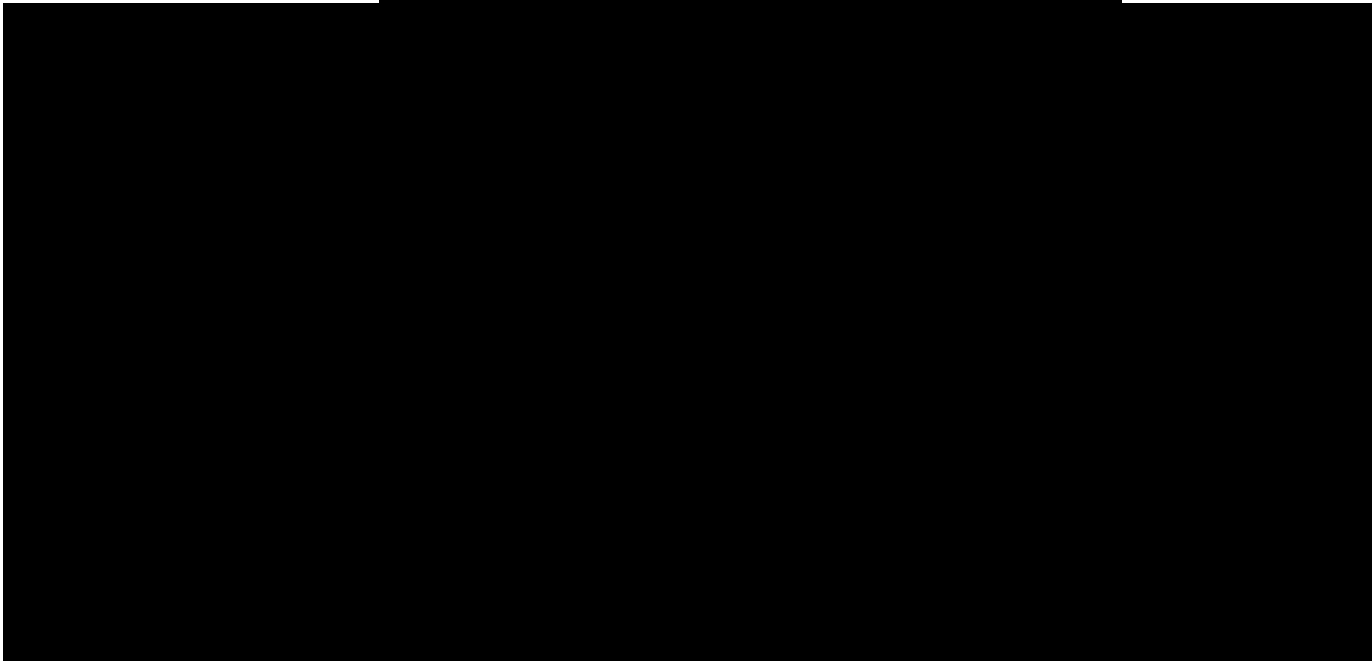
Colony Road and 25 Morton Shulman Avenue, 150 Signet Drive in the City of Toronto.

41. On December 16th, 2017 I spoke to Detective Jeff TAVARES³⁴. He provided a cellular phone number for each of the Deceased Persons, which he received from Brad KRAWCZYK

- a. Cellular phone associated to Bernard SHERMAN – [REDACTED]
- b. Cellular phone associated to Honey SHERMAN – [REDACTED]

42. On December 17th, 2017 I attended [REDACTED] in the City of Toronto and spoke to Nelia MACADANGAY³⁵ and I learned the following:

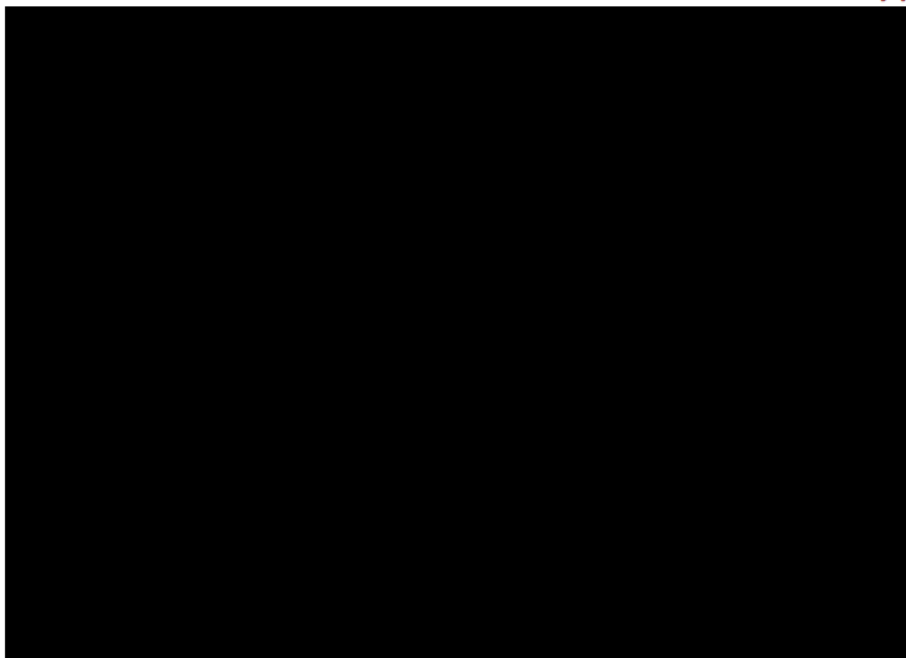
- a. Honey SHERMAN uses a **white I-Phone** with [REDACTED]
 - i. [REDACTED]
 - ii. [REDACTED]



³⁴ Detective Jeffery TAVARES (7744) is currently assigned to Toronto Police – Homicide Squad. He is a member of Team #5.

³⁵ Nelia MACADANGAY [REDACTED] is employed by Honey SHERMAN and Bernard SHERMAN. For several years she has worked cleaning within the home located at 50 Old Colony Rd, in the City of Toronto.

b. Bernard SHERMAN uses a **black Blackberry phone**.



Black Blackberry

Located at 50 Old Colony Road.

Described by Nelia MACADANGAY in 42(b)

Described in Jack KAY's statement on December 17th, 2017.

Described in Brad KRAWCZYK's statement on December 17th, 2017.

Described in Bryna STEINER's statement on December 22nd, 2017.

Described in Jonathon SHERMAN's statement on

43. I reviewed photographs taken from the scene by the Forensic Identification Services section of the Toronto Police Service. These photographs were taken in the basement, near the indoor pool on December 15th, 2017 at 50 Old Colony Road, in the City of Toronto.

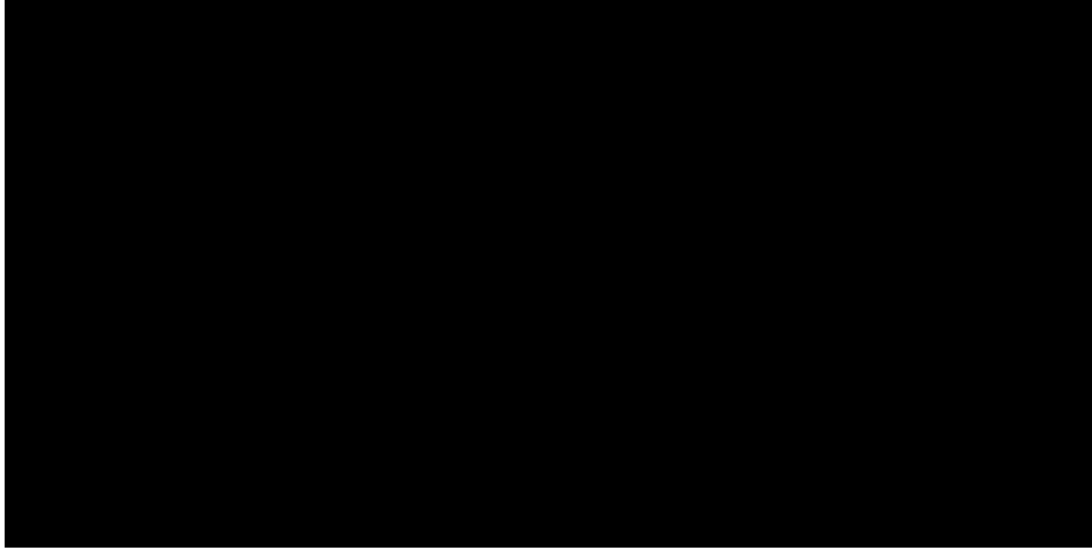
a. [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

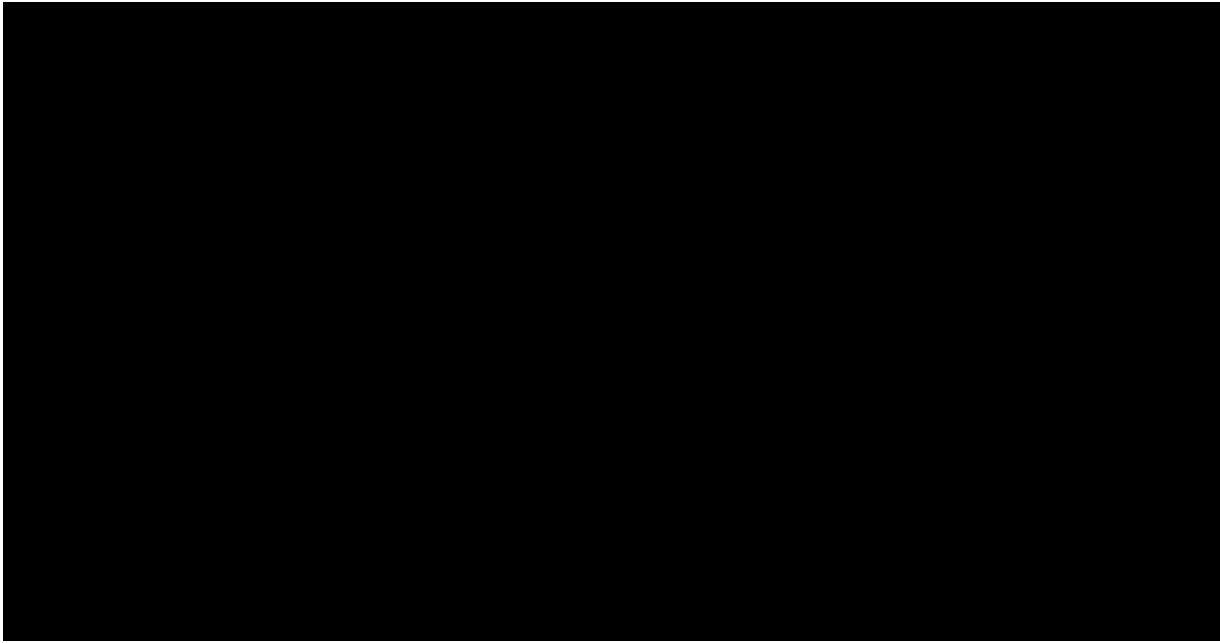
[REDACTED]

[REDACTED]

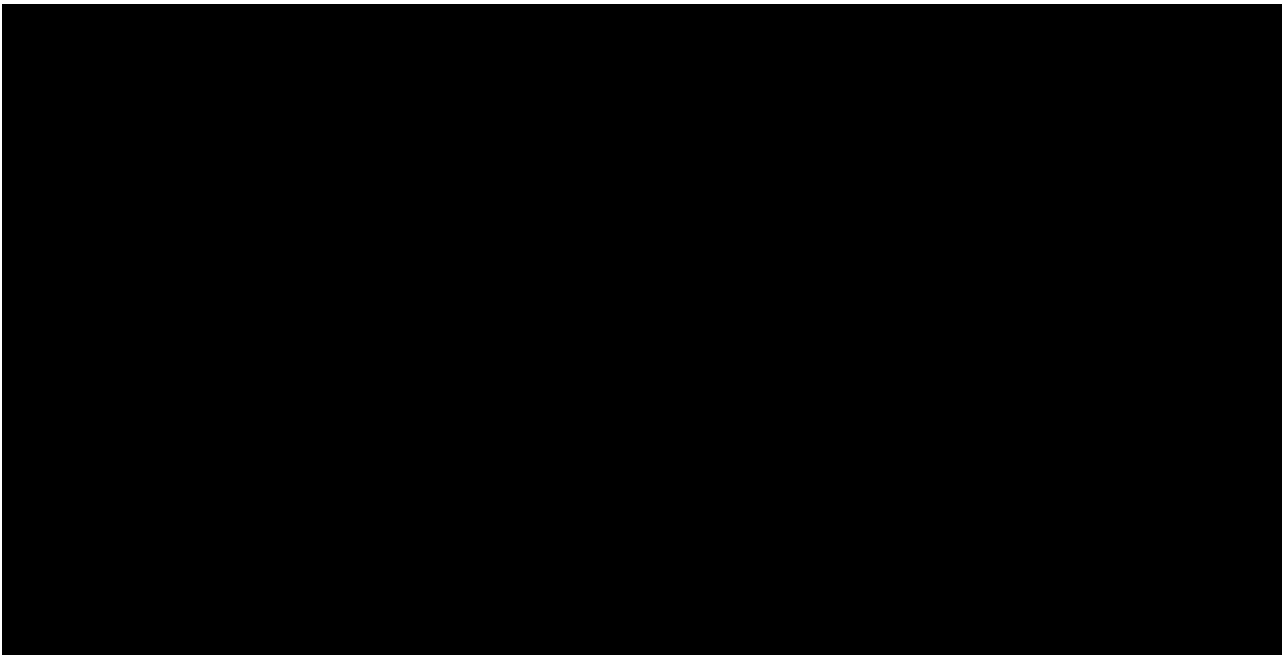
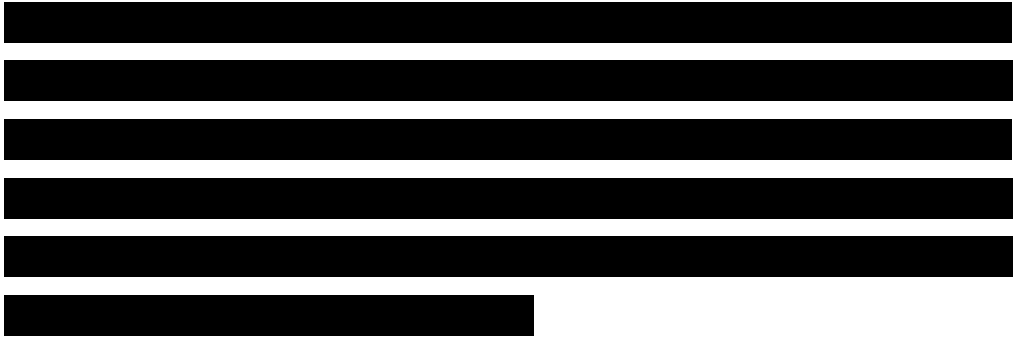


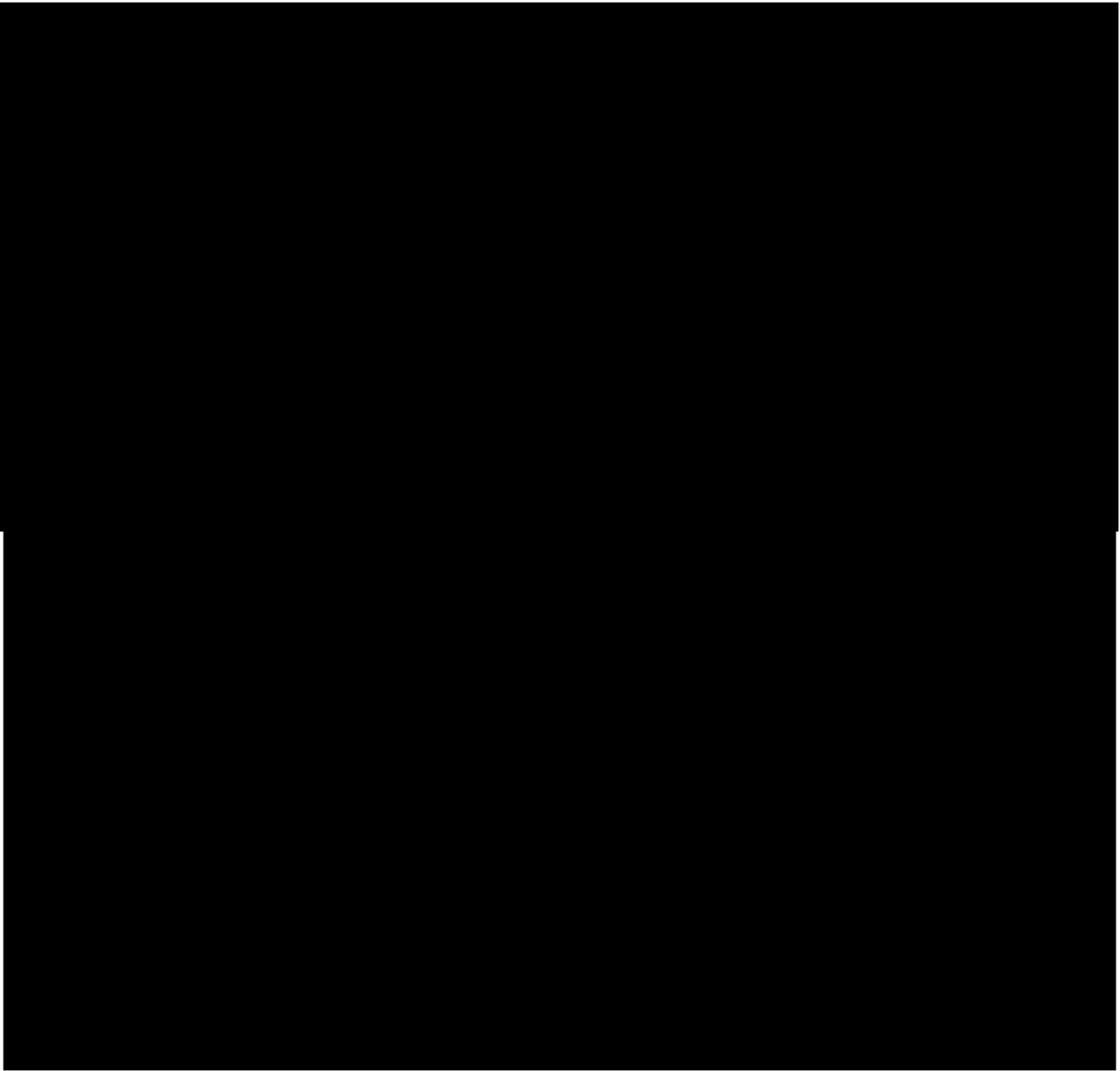
b. Bernard SHERMAN and Honey SHERMAN can be seen, with belts looped around their necks. The belts are attached to the railing and both Bernard SHERMAN and Honey SHERMAN are in a semi seated position, [REDACTED]



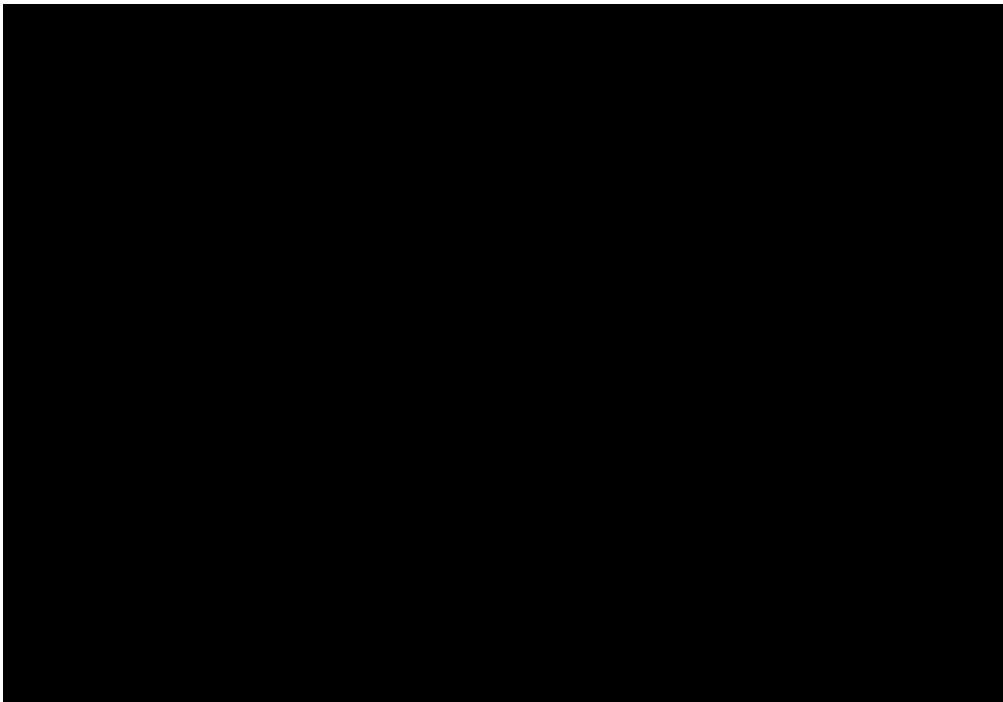


c.





- d. [Redacted]



44. On December 16th, 2017 I reviewed MLS C3994621 and learned that 50 Old Colony

Road was:

- a. Listed for \$6,988,000.
- b. It was described as a single family house with 2 stories.
- c. Land size of 105.46x256.25.
- d. 5 + 1 bedrooms, and 9 washrooms.
- e. Elise STERN was listed as the broker.

45. On January 3rd, 2018 I received an email from Elise STERN. She provided me with the full MLS C3994621 listing which was removed from MLS after the deaths of Honey SHERMAN and Bernard SHERMAN occurred. I learned the following:

- a. Listed for \$6,988,000.
- b. Taxes for 2017 were \$28,968.57
- c. Land size of 105.46x256.25.
- d. 12,440 Sq Ft.
- e. Detached, 2 Story with 12+5 rooms.
- f. Open House scheduled for November 28th, 2017.

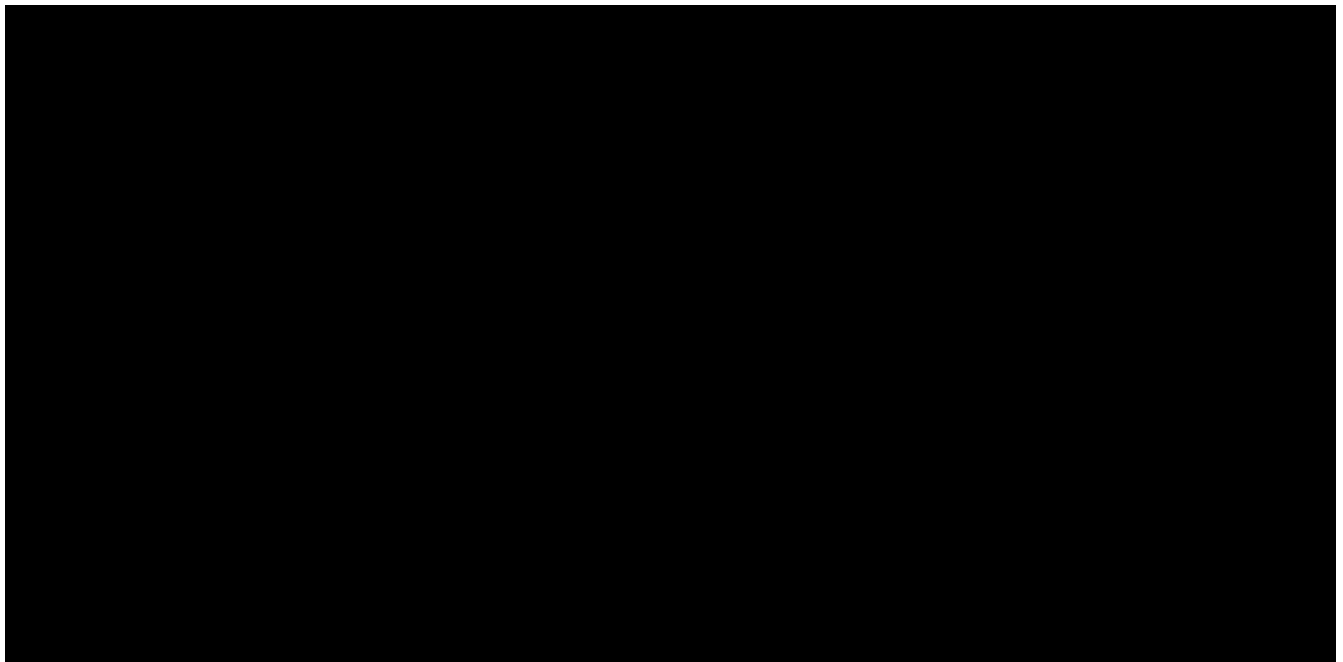
- g. Co-listed with Judi GOTTLIEB of Forest Hill Real Estate and Elise STERN of Harvey Kalles Real Estate Ltd.

46. On December 19th, 2017 I received an email from Detective Brandon PRICE. It was sent originally from Detective Constable Paul SOUCY³⁶. I learned the following:

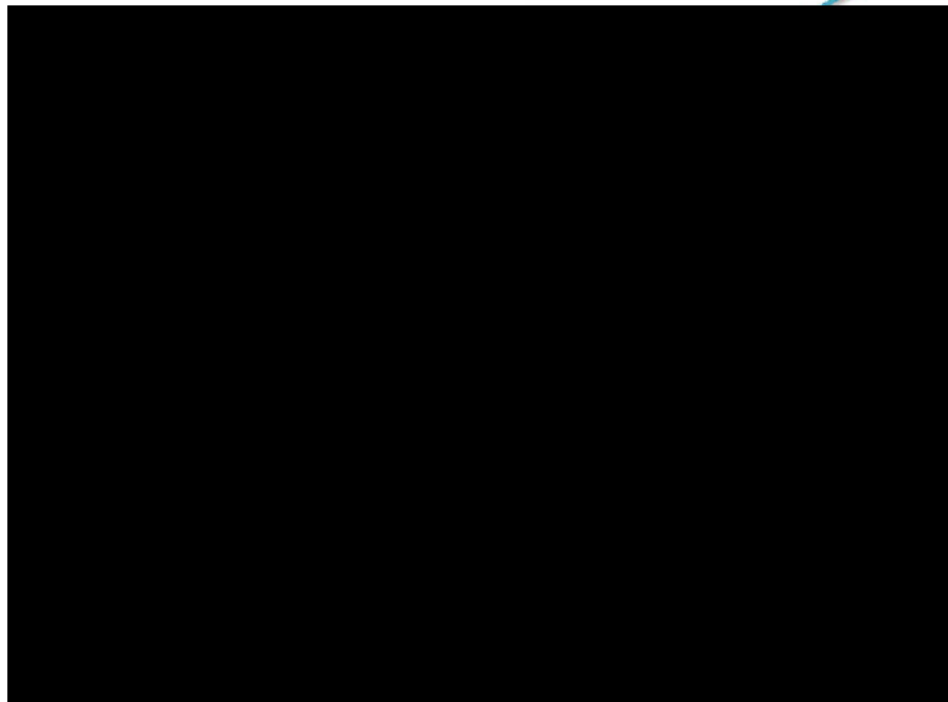
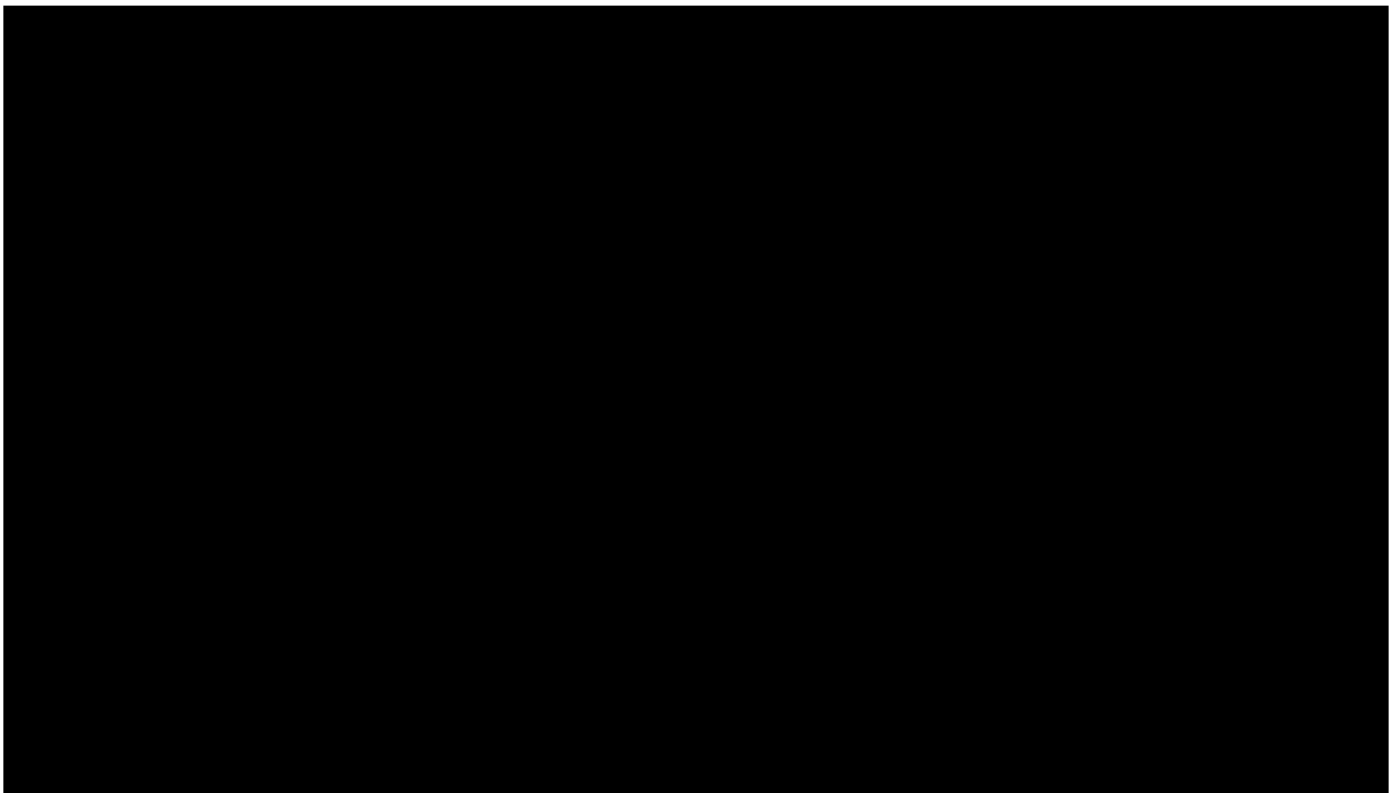
- a. Several Items were located inside the residence located at 50 Old Colony Road, in the City of Toronto. This property was seized and is now located in secured locker #57, located at the Forensic Identification Service located at 2050 Jane Street, in the City of Toronto.

- i. Ex.8583-301 Toshiba laptop

- a. D448681 tag no.P6710930

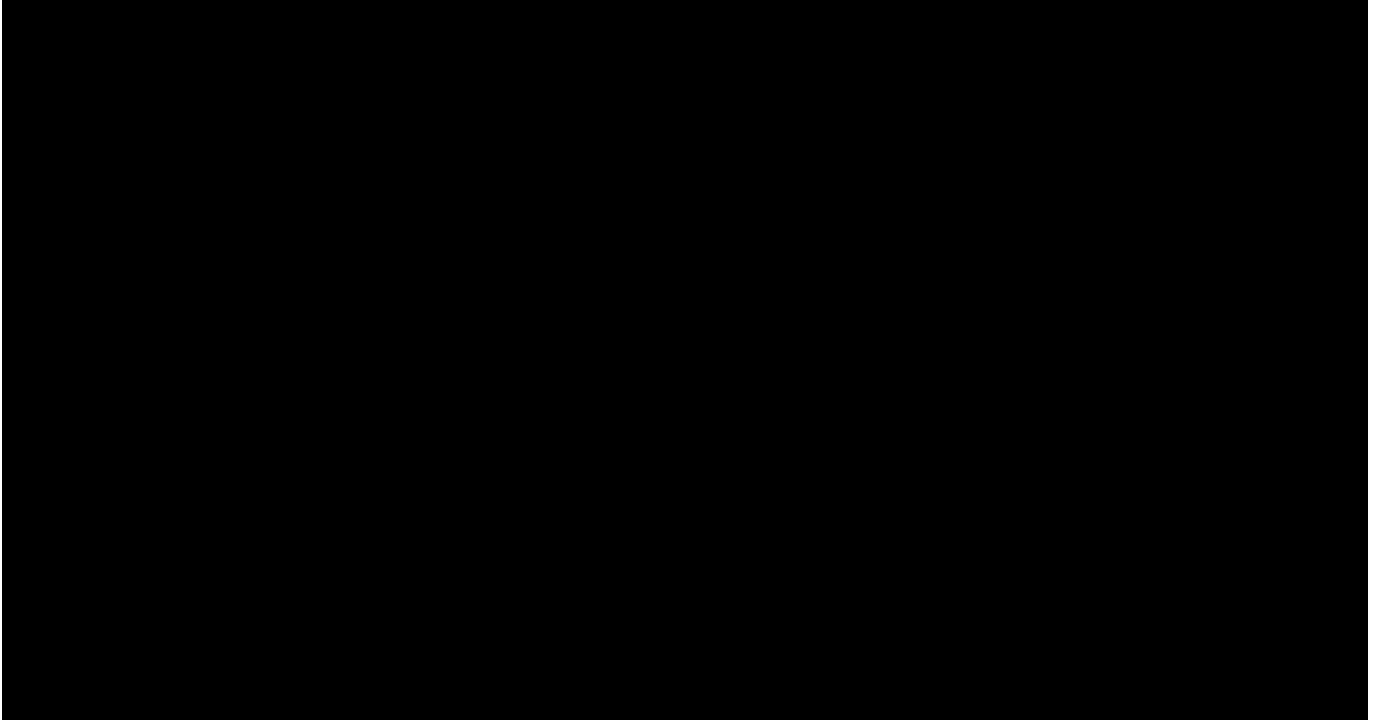


³⁶ **Detective Constable Paul SOUCY (8583)** is currently assigned to Toronto Police – Forensic Identification Service.



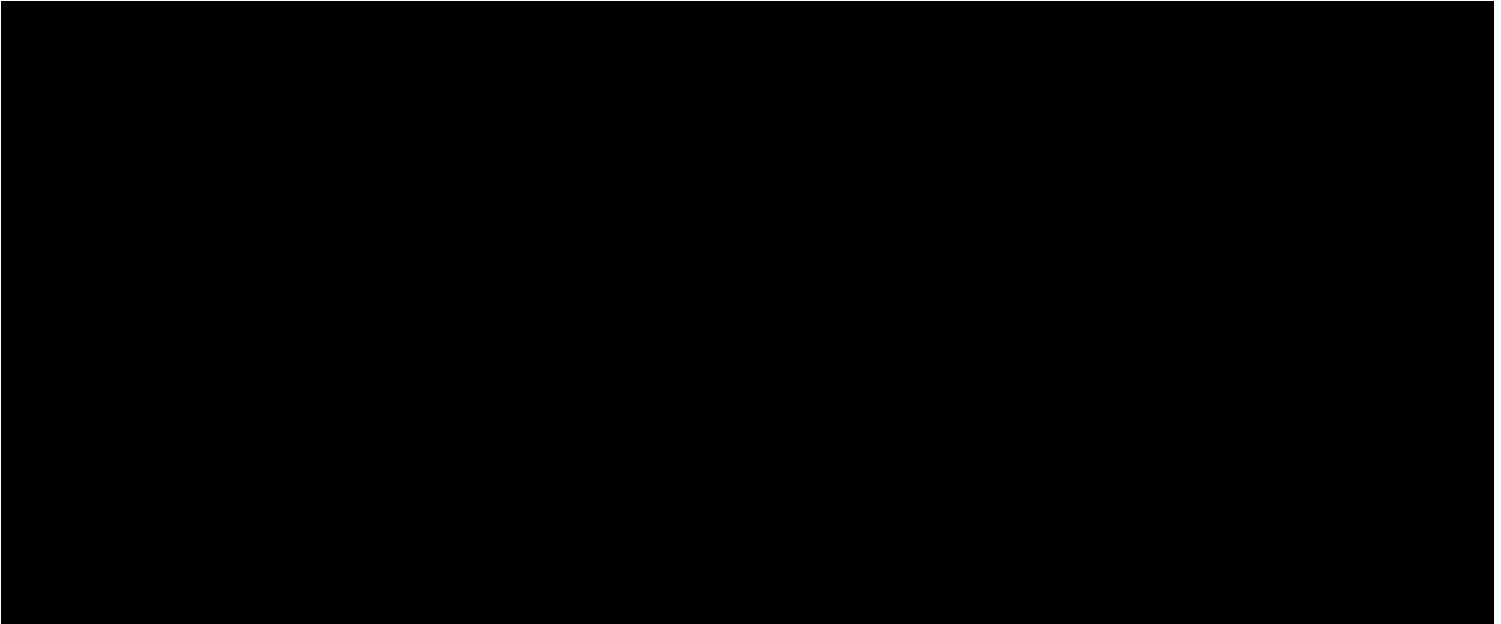
ii. Ex.8583-302 iphone

a. B1783764 tag no.P6710932



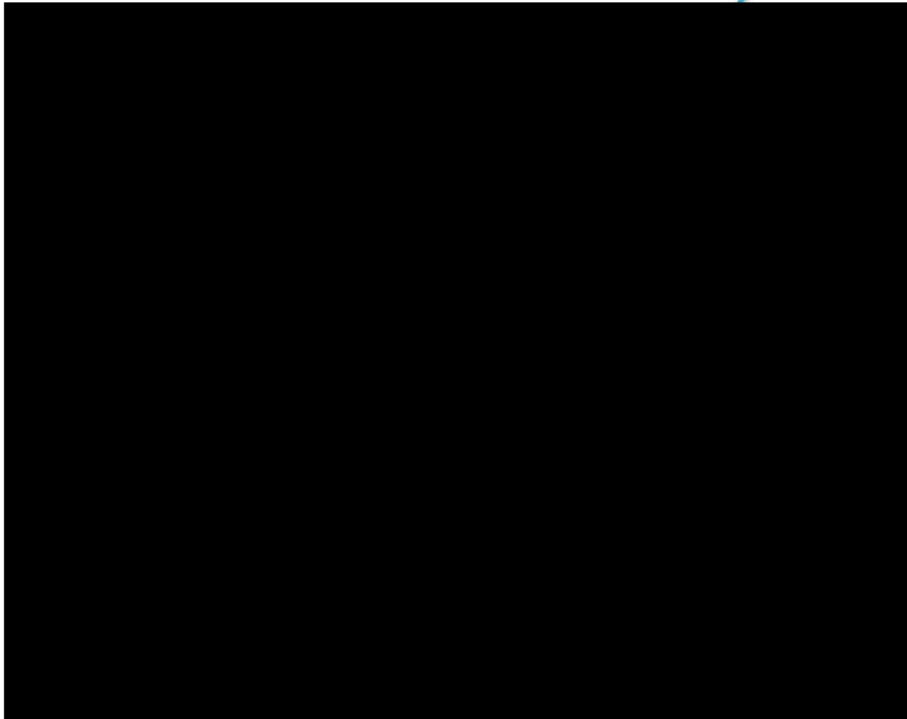
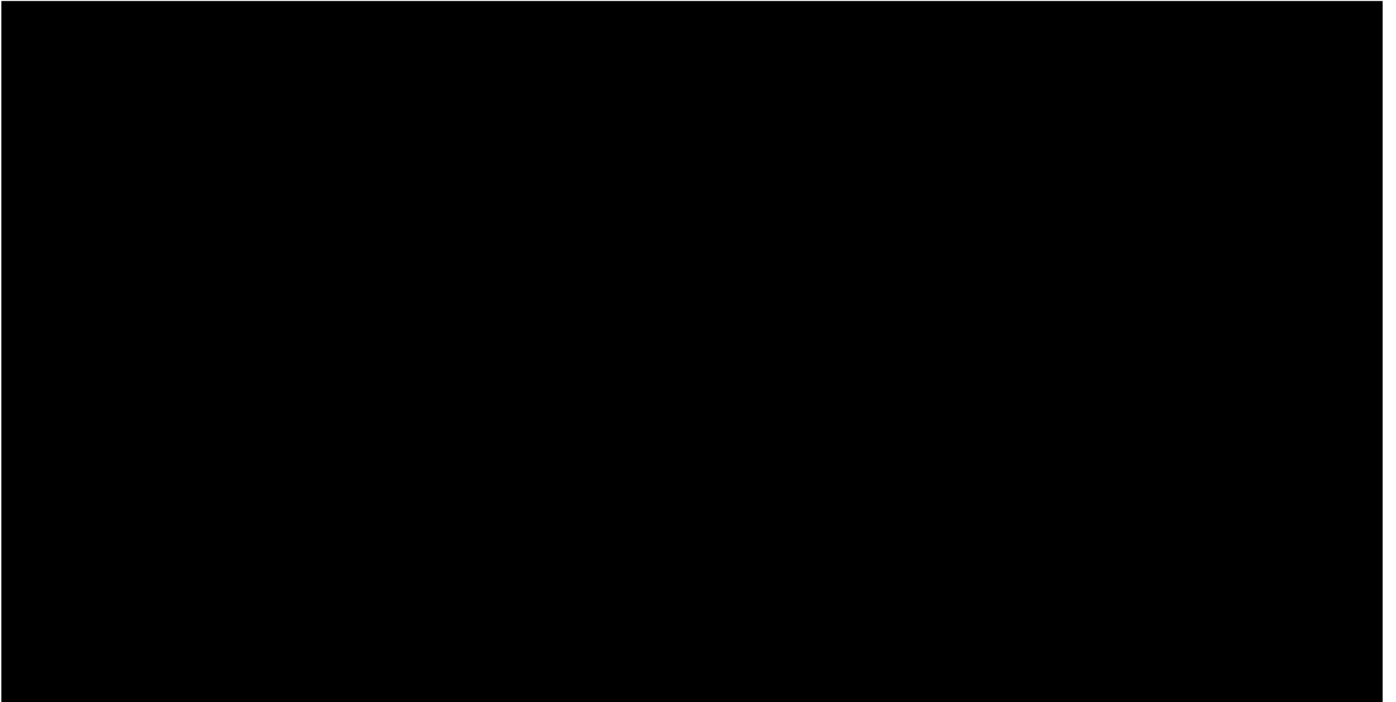
iii. Ex.8583-303 blackberry

a. B1783765 tag no.P6710933



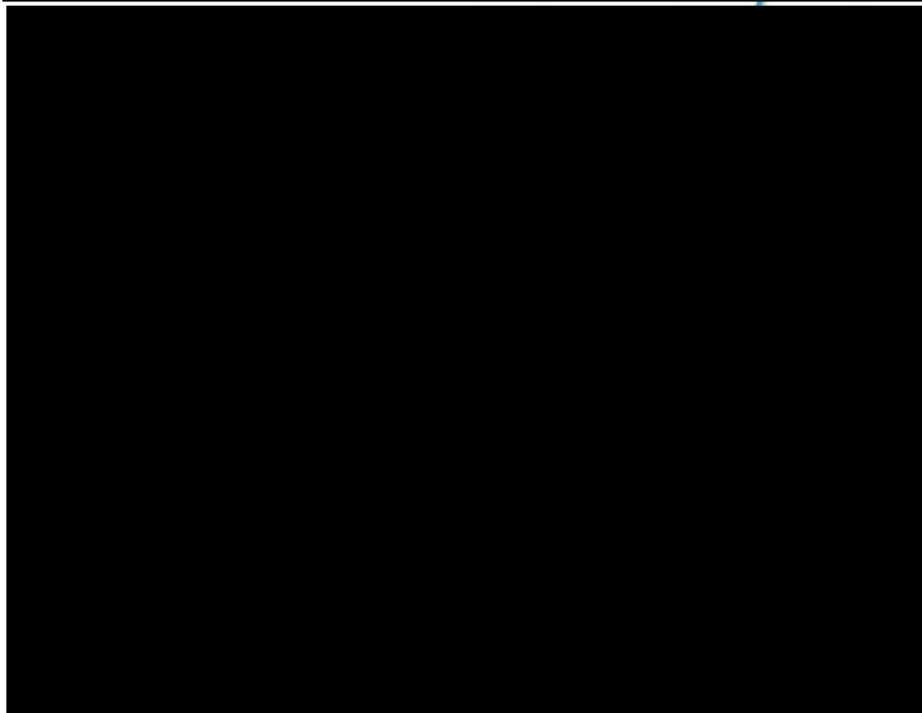
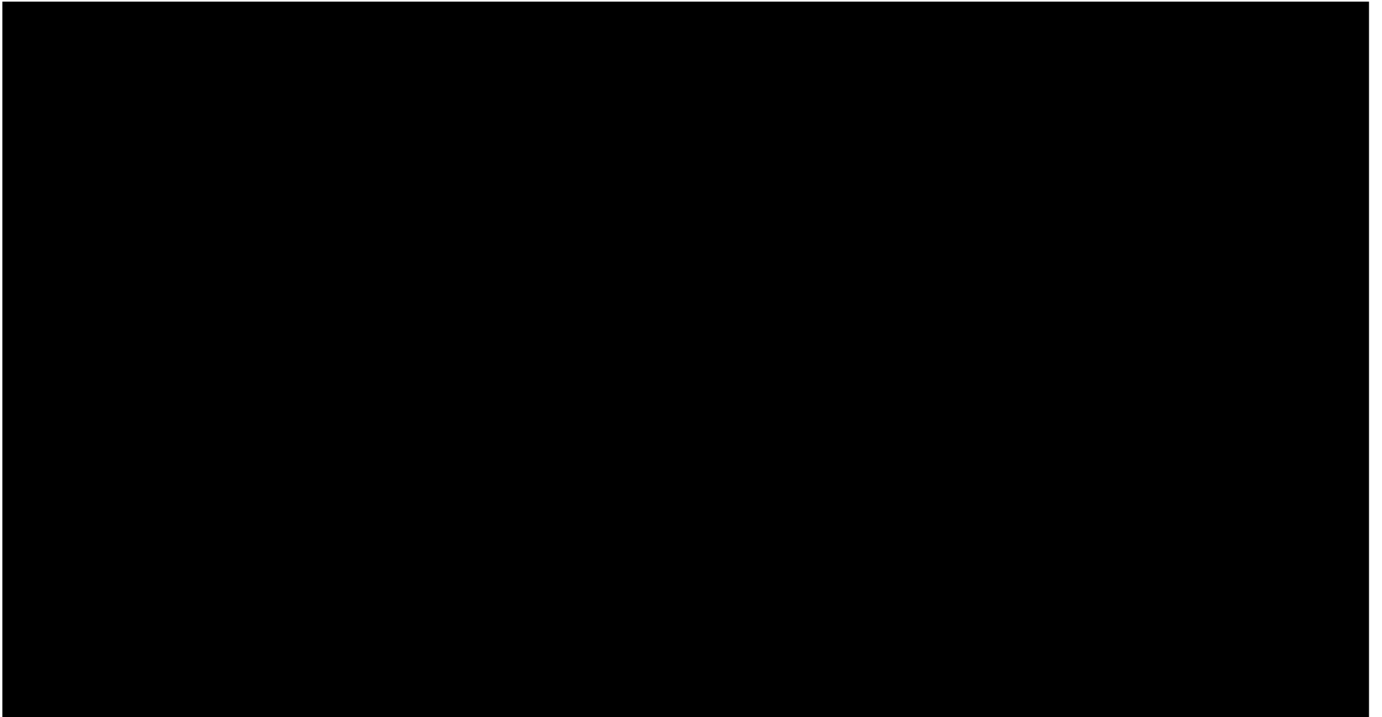
iv. Ex.8583-304 ipad

a. C1689674 tag no.P6710934



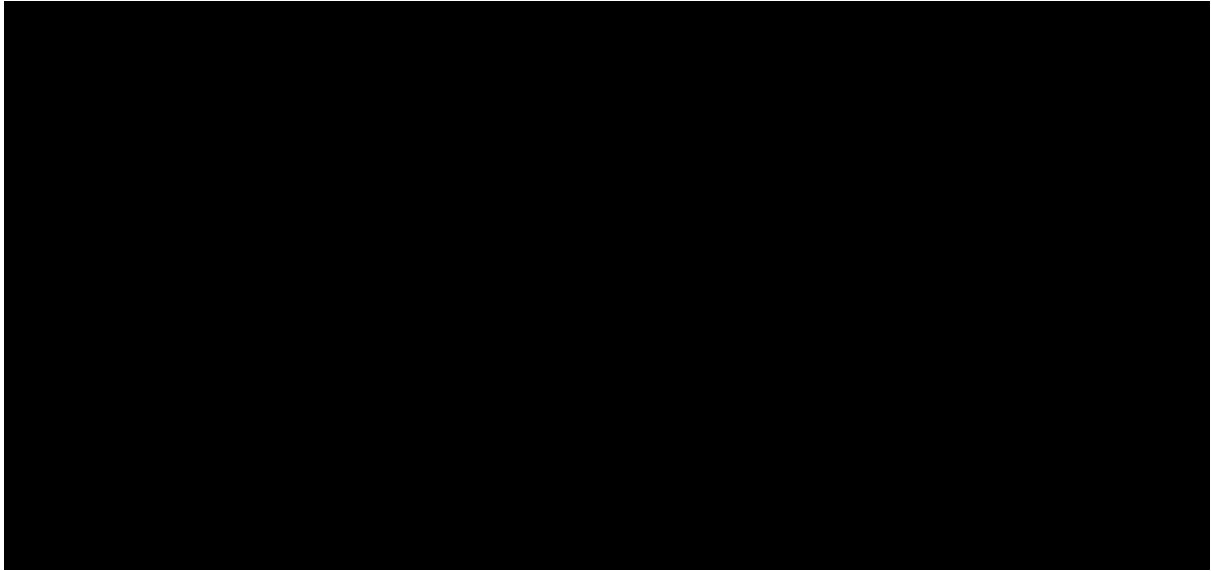
v. Ex.8583-305 ipad

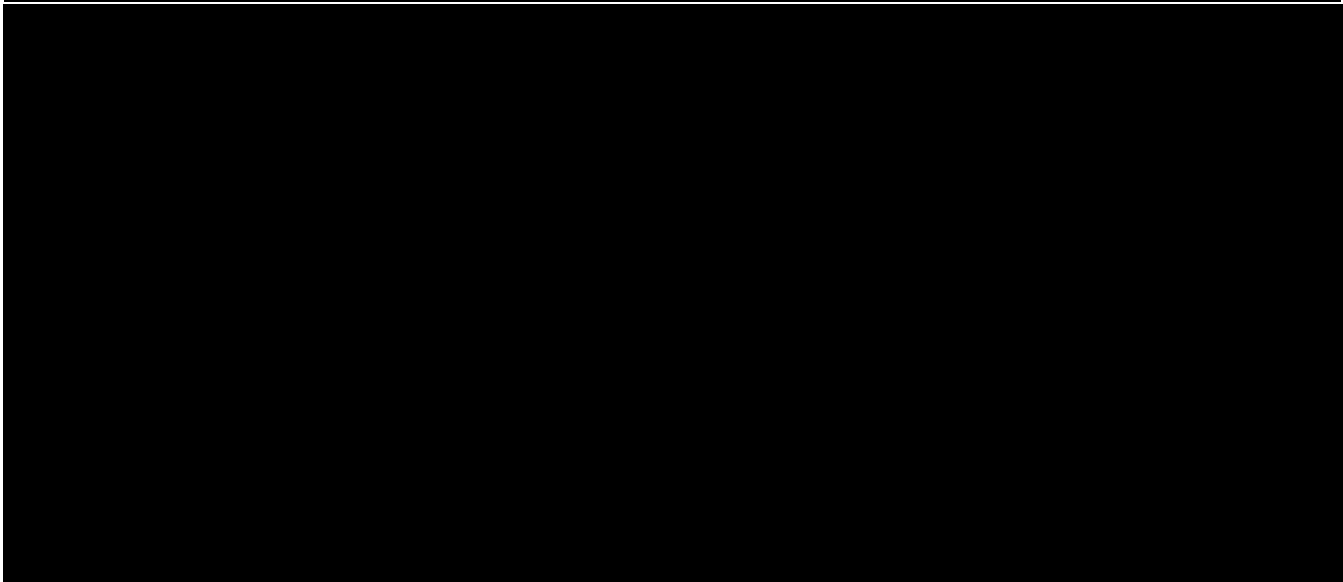
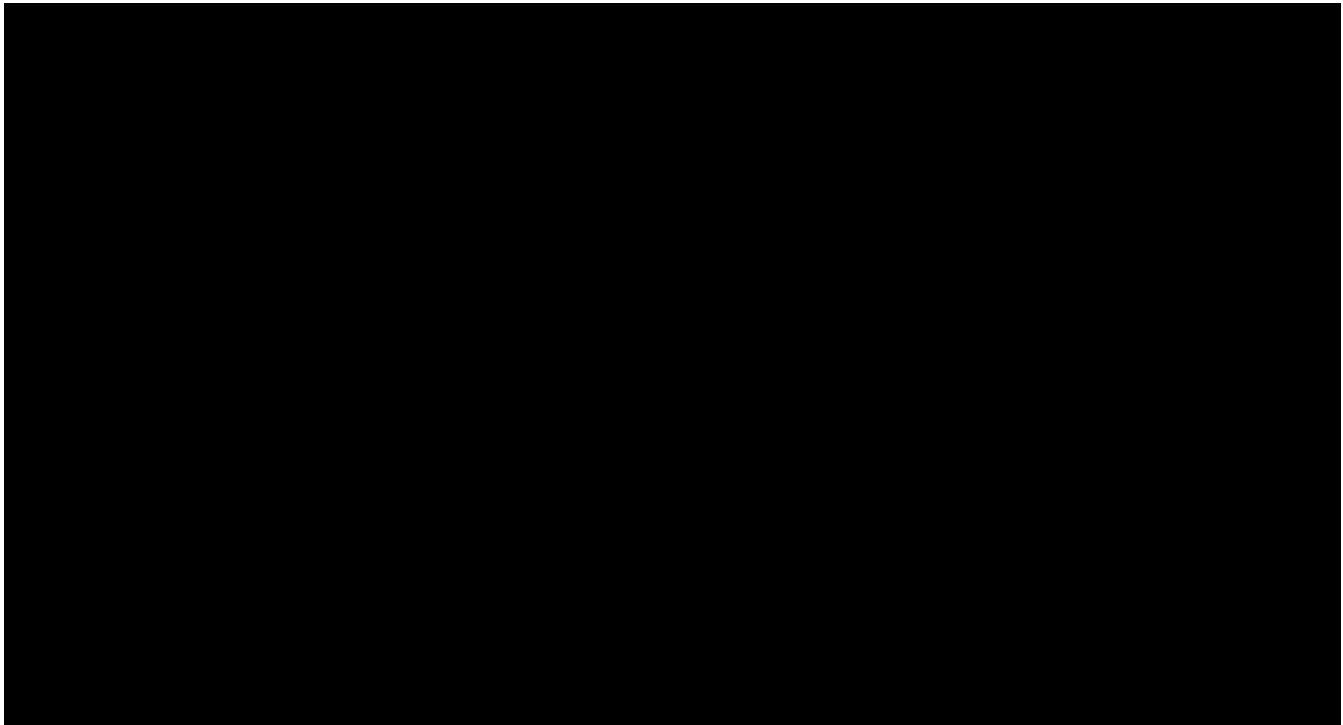
a. C1689673 tag no.P6710935



vi. Ex.8583-306 hp computer

a. E303048 tag no.P6571010





47. On December 24th, 2017 I spoke to Detective Michelle CAMPBELL³⁷. She had completed a video statement with Sheila STANLEY³⁸. I learned the following:

- a. Sheila STANLEY identified the [REDACTED]
[REDACTED] inside 50 Old Colony Road as Bernard SHERMAN's.

³⁷ Detective Michelle CAMPBELL (8113) is currently assigned to Toronto Police – Homicide Squad. She is a member of Team #5.

³⁸ Sheila STANLEY has been Honey SHERMAN's personal assistant for the past 2 years.

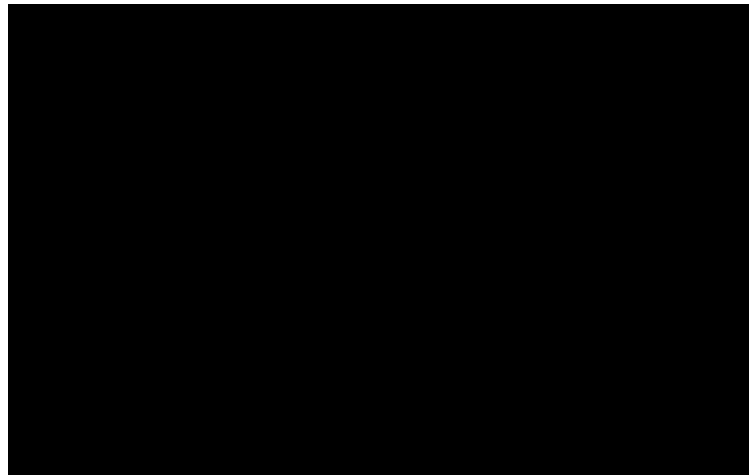
- b. Sheila STANLEY identified the **IPAD** located [REDACTED] [REDACTED] inside 50 Old Colony Road as Honey SHERMAN's.

48. On December 22nd, 2017, I reviewed a Supplementary Report completed by Detective Constable Kristin THOMAS. I learned the following:

- a. On Saturday, December 17th, 2017, at 1325 hours, Detective Constable Kristin Thomas attended 150 Signet Drive – APOTEX INC.
- b. On scene Detective Constable Thomas was met by security Sean McDonald³⁹ and reviewed the camera footage for Wednesday December 13th 2017.
- c. The surveillance footage covered the front entrance, lobby area, exterior parking lot. Entrance and exit in the Parking lot and the executive office area.
- d. The footage was confirmed as real time and working properly.
- e. The following were captured.

- i. TIME STAMP [REDACTED]

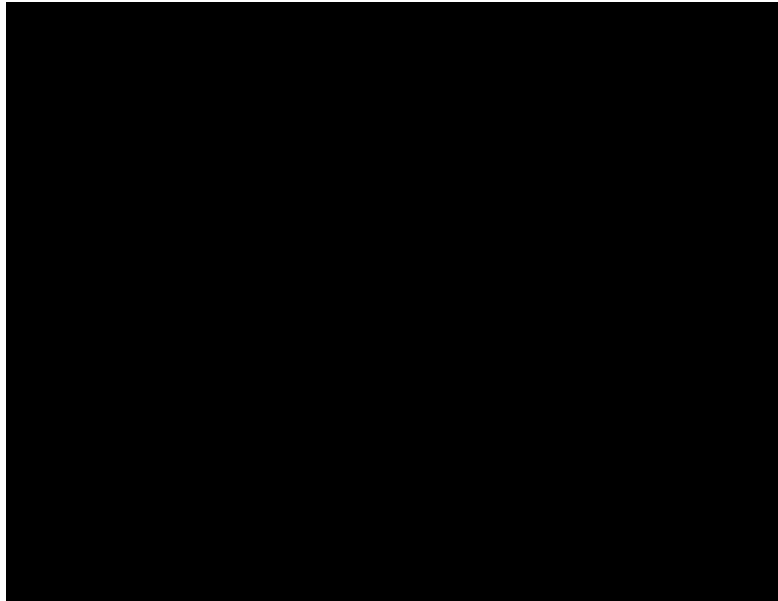
- 1. [REDACTED]
 - [REDACTED]
 - [REDACTED]



³⁹ Sean McDONALD works as a security officer at Apotex at 150 Signet Dr, Toronto, Ontario. He has for approximately 13 years.

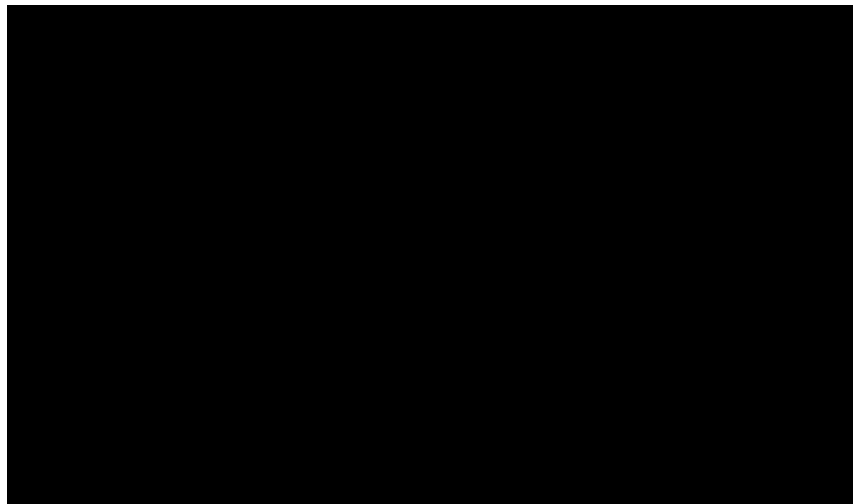
ii. TIME STAMP [REDACTED]

1. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



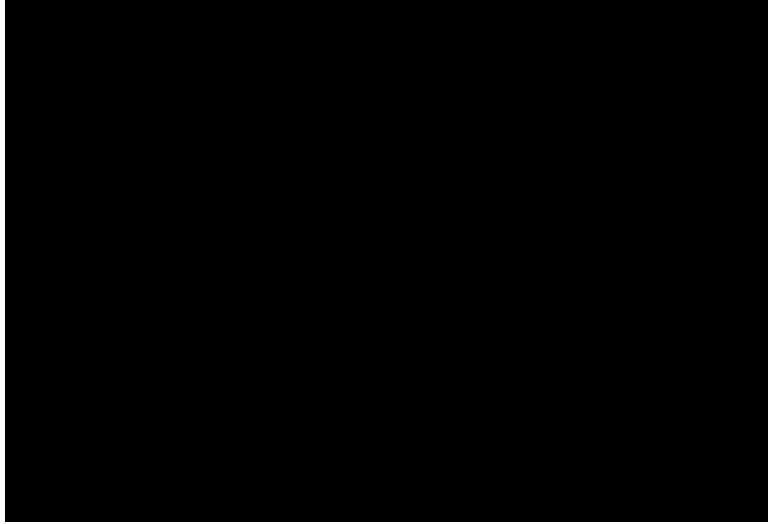
iii. TIME STAMP [REDACTED]

1. [REDACTED]
[REDACTED]
[REDACTED]



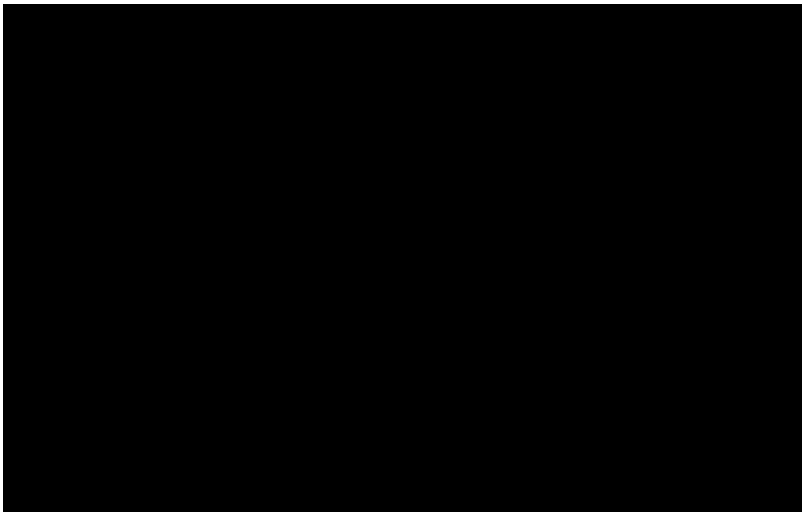
iv. TIME STAMP [REDACTED]

1. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



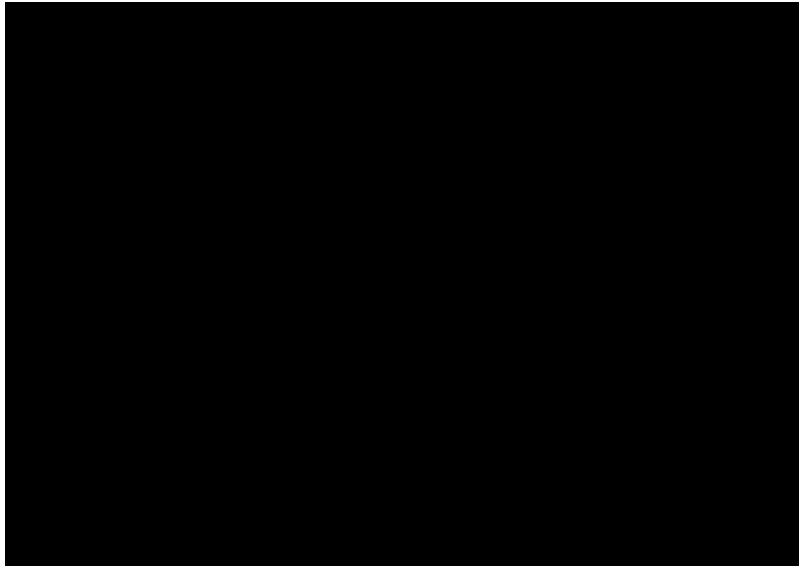
v. TIME STAMP [REDACTED]

1. [REDACTED]
[REDACTED]



vi. TIME STAMP [REDACTED]

1. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED] [REDACTED]



vii. TIME STAMP [REDACTED]

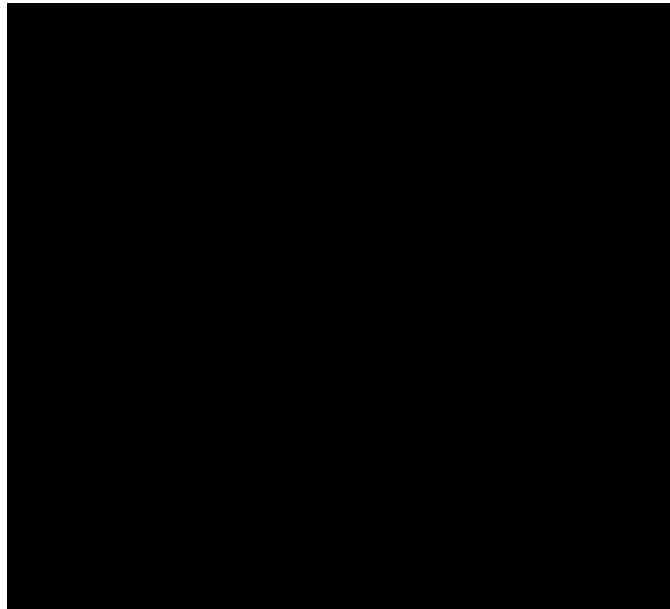
1. [REDACTED]
[REDACTED]
[REDACTED]



49. On December 22nd, 2017 I reviewed photographs taken from the scene by the Forensic Identification Services section of the Toronto Police Service. These photographs were taken at an entrance to the home located at 50 Old Colony Road, in the City of Toronto. I reviewed the images and learned the following:

a.

[REDACTED]



50. On January 8th, 2018 I reviewed a video log created by Detective Constable Catherine DE OLIVEIRA. The log was created after reviewing video from [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I reviewed the images and learned the

following:

a. [Redacted]

[Redacted]

[Redacted]

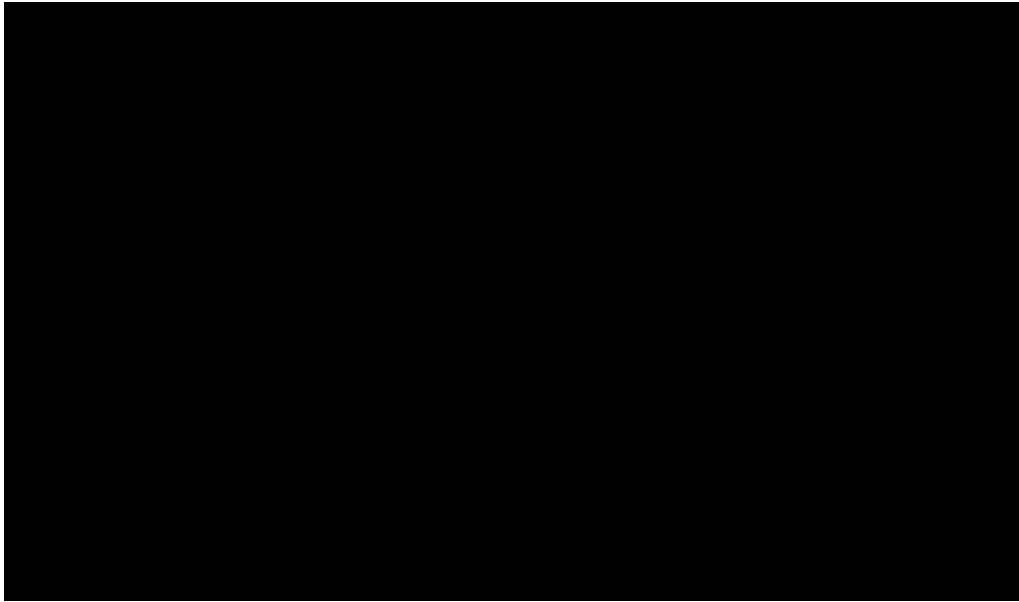
[Redacted]

b. [Redacted]

[Redacted]

[Redacted]

c.



51. On December 22nd, 2017 I received some preliminary data from Honey SHERMAN's White Apple I-Phone. I reviewed the images and learned the following:

a. **Calls made and received were reviewed:**

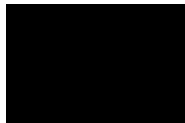
i. IMG-00065

Elly APPLEBY

Outgoing call made by Honey Sherman's phone

Lasted 5 minutes

December 13th, 2017 @ 6:21pm



ii. IMG-00067

Sue SILVERBERG

Missed call

December 14th, 2017 @ 9:02am



iii. IMG-00071

Elise STERN

Missed call

December 14th, 2017 @ 11:19am & 1:04pm



iv. IMG-00073
Cleaning Martha Florida
Missed call
December 15th, 2017 @ 9:53am
[REDACTED]

v. IMG-00075
Sue SILVERBURG
Missed call @ 10:48am
December 15th, 2017
[REDACTED]

vi. IMG-00077
Mary SHECHTMAN
Missed call @ 11:49am
December 15th, 2017
[REDACTED]

vii. IMG-00079
Lisa ZINDEL-SEGAL MORRISON
Missed call @ 2:02pm
December 15th, 2017
[REDACTED]

viii. IMG-00084
Lorraine LOEB
Missed call @ 2:09pm
December 15th, 2017
[REDACTED]

ix. IMG-00087
Rafy
Missed call @ 3:27pm
December 15th, 2017
[REDACTED]

x. IMG-00089
Sheila STANLEY
Missed call @ 4:05pm

December 15th, 2017

[REDACTED]

b. Configuration on Device

i. IMG-02717

APPLE ID

Honey Sherman

[REDACTED]

ii. IMG-02718

Name -> Honey's iPhone

iii. IMG-02719

Model - [REDACTED]

Carrier - Rogers 28.4

S/N - [REDACTED]

Wifi - [REDACTED]

IMEI - [REDACTED]

MEID - [REDACTED]

iv. IMG-02724

[REDACTED]

c. Contacts

i. 2141 Images IMG-00478-IMG-02715

ii. IMG-00655

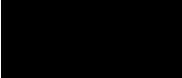

Barry SHERMAN

[REDACTED]

iii. IMG-10282

Honey SHERMAN

[REDACTED]


IMG-10283


d. Emails

- i. IMG-00101
Elmir TRUMIC to Honey SHERMAN
December 13th, 2017

- ii. IMG-00103
Honey SHERMAN to Elmir TRUMIC
December 13th, 2017 @ 3:41pm

- iii. IMG-00119
Mary Shech to Honey SHERMAN
December 13th, 2017 @ 3:41pm

- iv. IMG-00136
Honey SHERMAN
December 12th, 2017
Re: plans to florida
Honey going December 18th -> January 12th, 2018
Barry going December 25th -> January 12th, 2018

- v. IMG-00173
Sent by Honey SHERMAN
December 13th, 2017 @ 12:03am

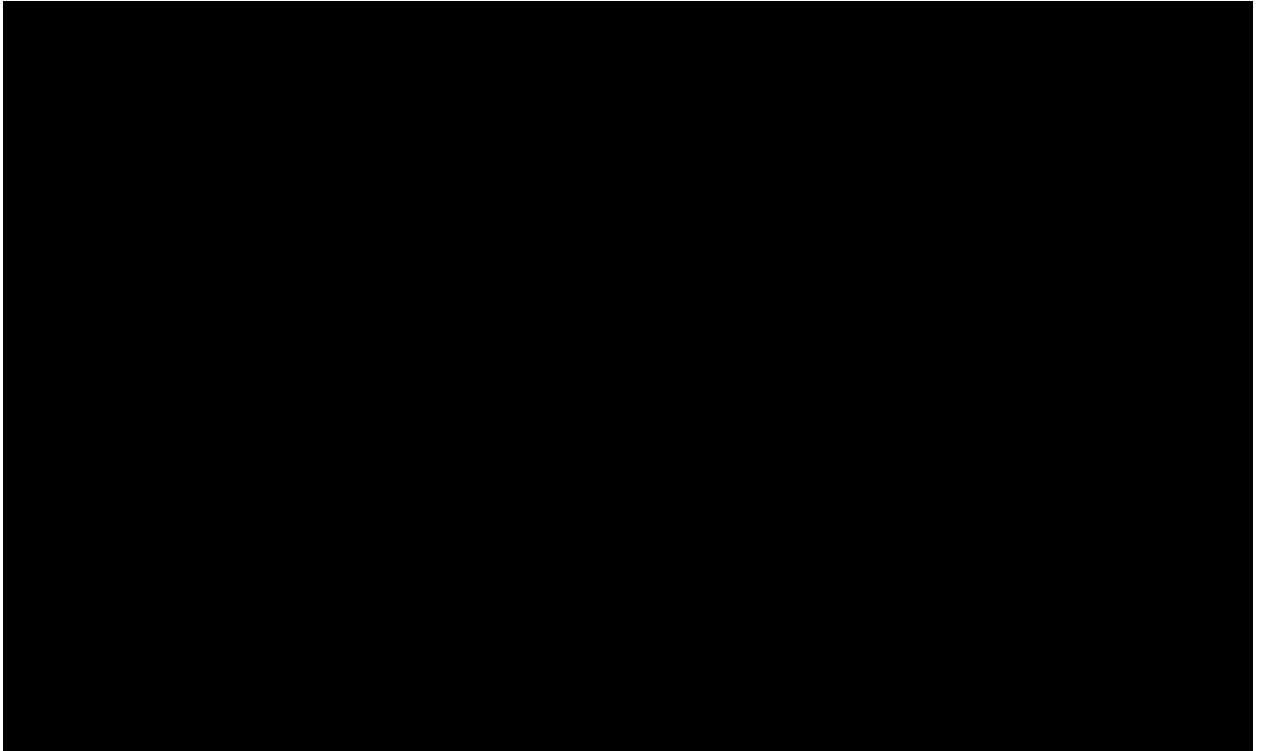
- vi. IMG-00289
Coffee planned with Susan STERN @ noon
December 14th, 2017

52. On January 3rd, 2018 I reviewed photographs that Detective Constable Kristin THOMAS advised me that she received during her interview with Greg KENDALL⁴⁰ on December 20th, 2017. THOMAS advised during the interview, Greg KENDALL advised

⁴⁰ Greg KENDALL is a home inspector who was hired by Honey SHERMAN and Bernard SHERMAN to inspect 50 Old Colony Rd, in the City of Toronto.

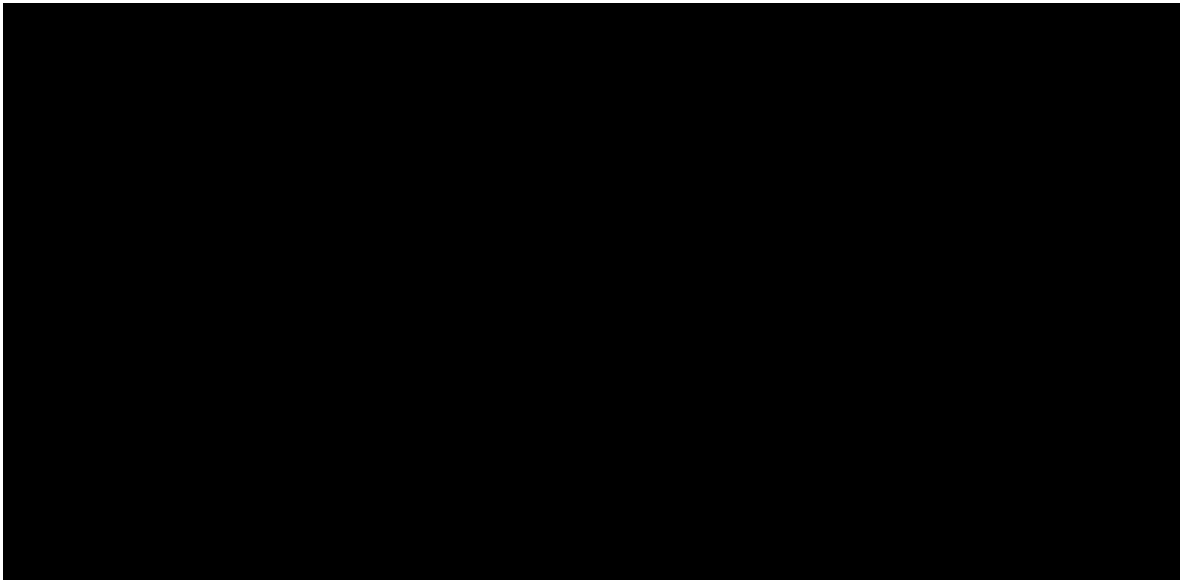
that the photos were taken on December 8th, 2017 while he was at 50 Old Colony Road. I compared these photographs with the photographs taken of the scene by the Forensic Identification Section of the Toronto Police Service. I reviewed the images and learned the following:

- a. 20173201016-2766 compared to DSC00221.jpg

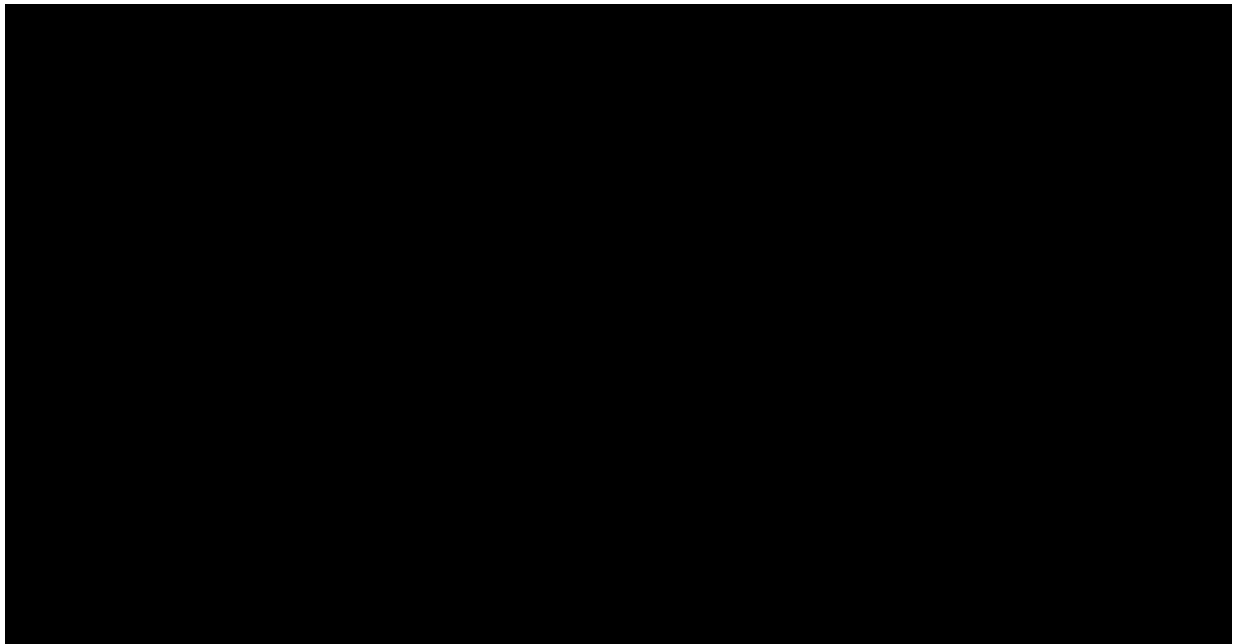


- b. 20173201016-2976 compared to DSC00248.jpg



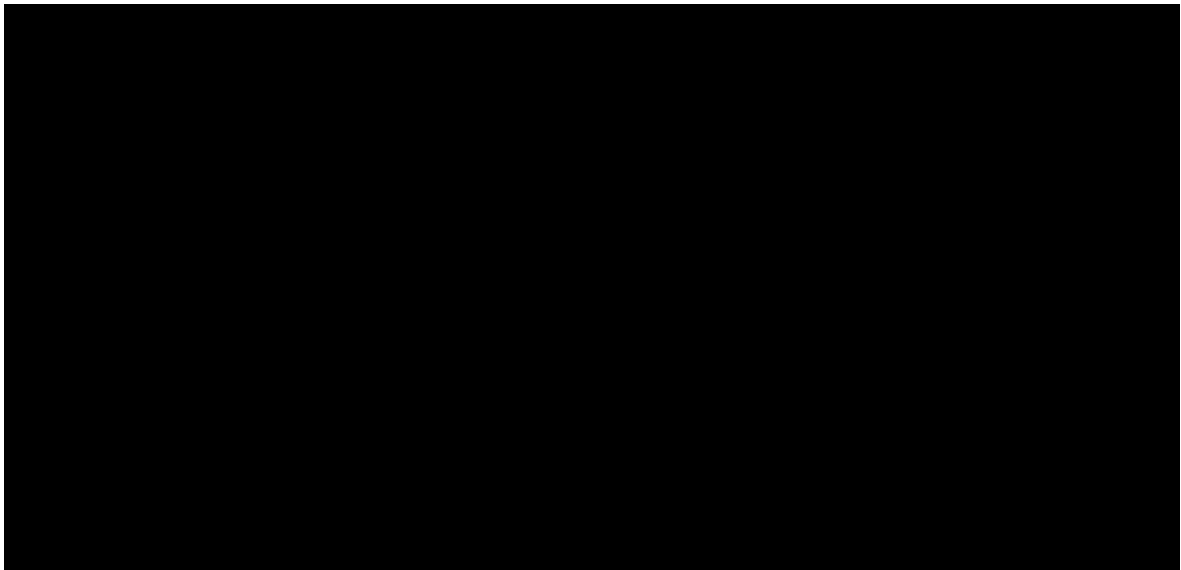


c. 20173201016-3035 compared to DSC00337.jpg

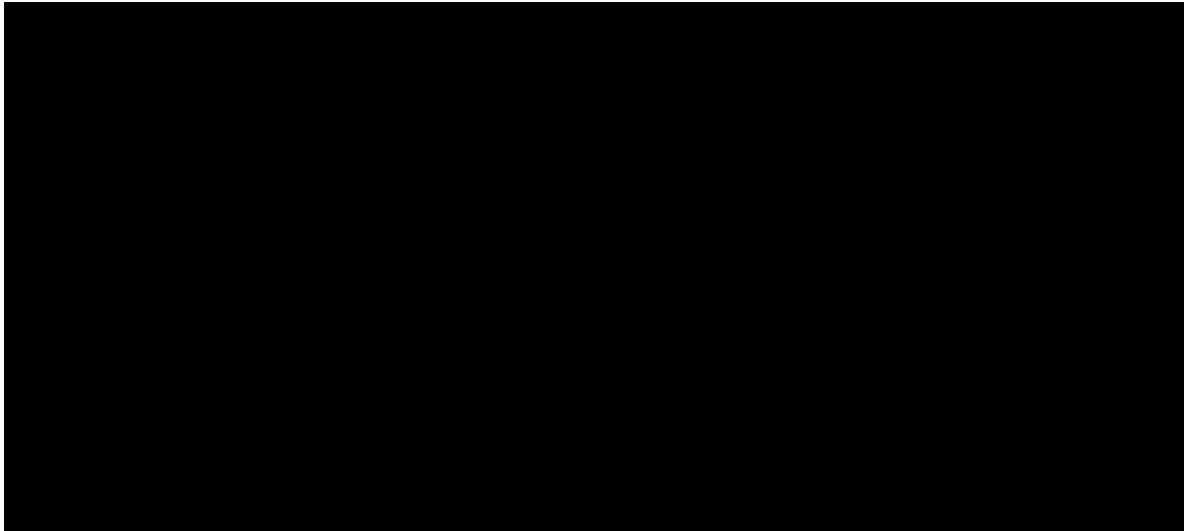


d. 20173201016-3094 compared to DSC00367.jpg





e. 20173201016-3116 compared to DSC00377.jpg



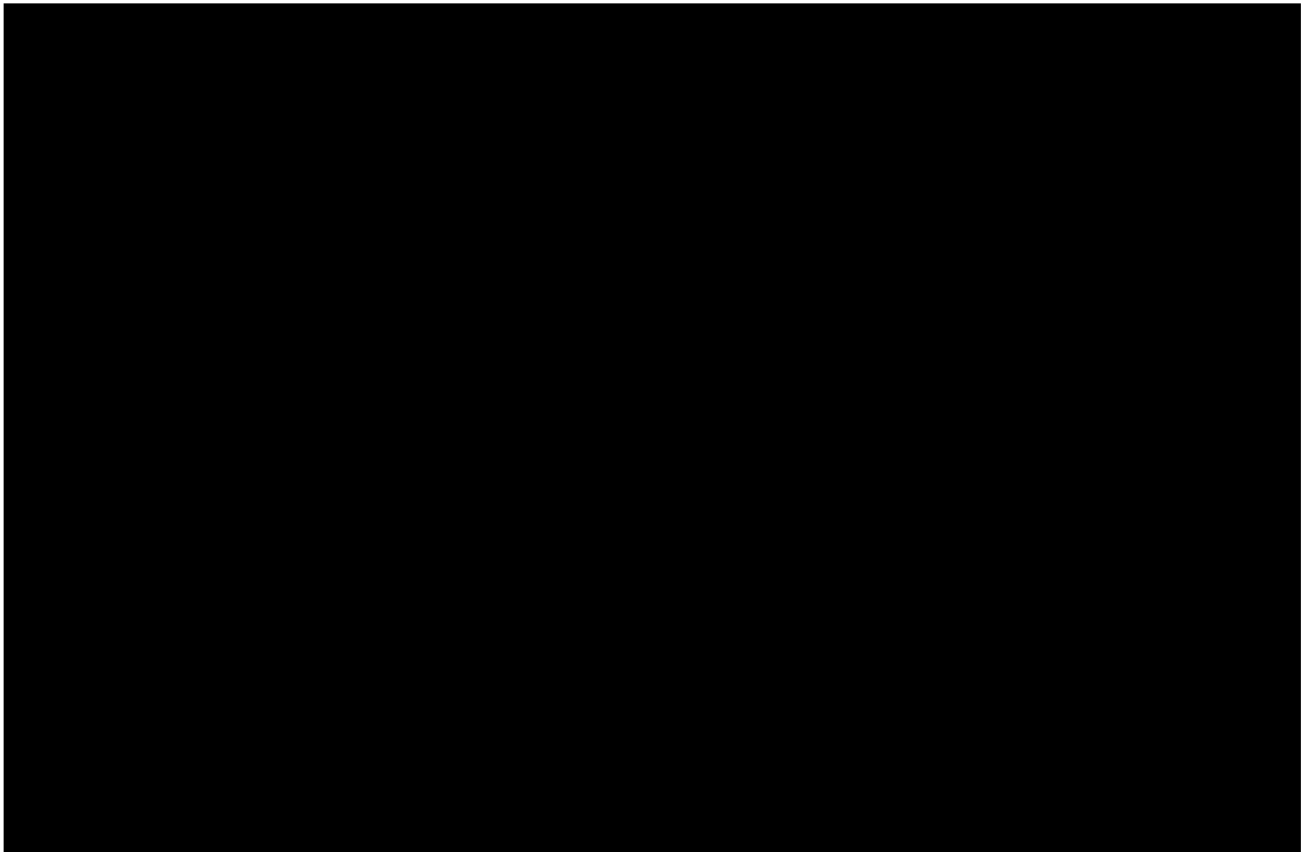
53. On January 3rd, 2018 I contacted Elise STERN on the telephone. She facilitated a three-way call with Houssmax Realty⁴¹, who she hired to have the MLS photographs taken of 50 Old Colony Road. I learned the following from Houssmax Realty:

- a. Houssmax Realty sent a photographer to attend 50 Old Colony Road on November 22nd, 2017 to take photographs of the residence.

⁴¹ Houssmax Realty Marketing Ltd. - One-Stop Real Estate Agent & Listing Solutions was hired by Elise STERN to take photographs for the MLS listing of 50 Old Colony Rd, in the City of Toronto

- b. There were more photographs taken of the home, that were not part of the listing itself.
- c. They will provide all of the photographs taken of the residence to me by way of an email link.

54. On January 4th, 2018 I received and reviewed all the photographs provided by Houssmax Realty taken of 50 Old Colony Road on November 22nd, 2017. I compared these photographs to the photos taken of the scene by the Forensic Identification Section of the Toronto Police Service. I learned the following:



55. On January 9th, 2018 I reviewed two photos via Cumulus which are contained within this information (46(i) and 46(vi)) with Detective Brandon PRICE. Detective Brandon PRICE has walked through 50 Old Colony Road and he was able to provide further

information in relation to the office areas within 50 Old Colony Road. He told me the following:

a. [REDACTED]

b. [REDACTED]

Results from Bernard SHERMAN's Autopsy

56. On December 16th, 2017, I reviewed a Supplementary Report prepared by Detective Constable Sarath Thayalan⁴² concerning the results of Bernard SHERMAN's autopsy. I learned the following:

- a. On December 16th, 2017, Dr. Michael PICKUP⁴³, of the Ontario Forensic Pathology Service and Office of the Chief Coroner performed an autopsy on Bernard SHERMAN (born 1942-02-25).
- b. The autopsy was performed at the Forensic Services and Coroners' Complex located at 25 Morton Shulman Avenue, Toronto, Ontario.
- c. Dr. Michael PICKUP advised the following preliminary findings pertaining to Bernard SHERMAN:
 - i. Cause of Death was Ligature Neck Compression.

Results from Honey SHERMAN's Autopsy

57. On December 17th, 2017, Dr. Michael PICKUP, of the Ontario Forensic Pathology Service and Office of the Chief Coroner performed an autopsy on Honey SHERMAN (born 1947-01-25).

⁴² **Detective Constable Sarath THAYALAN (9319)** is currently assigned to Toronto Police – Homicide Squad. He is a member of Team #5.

⁴³ **Dr. Michael PICKUP** is a forensic pathologist. He performs his duties for the Ontario Forensic Pathology Service and Office of the Chief Coroner.

- a. The autopsy was performed at the Forensic Services and Coroners' Complex located at 25 Morton Shulman Avenue, Toronto, Ontario.
- b. Dr. Michael PICKUP advised the following preliminary findings pertaining to Honey SHERMAN:
 - i. Cause of Death was Ligature Neck Compression.

58. On December 17, 2017 Detective Sergeant Susan GOMES⁴⁴ told me she spoke to Dr. Michael PICKUP, the forensic pathologist. Dr. Michael PICKUP completed the post mortem examinations of both Honey SHERMAN and Bernard SHERMAN and told her the following;

- i. Honey SHERMAN's cause of death was that of ligature neck compression.
- ii. [REDACTED]
- iii. [REDACTED]
- iv. Bernard SHERMAN's cause of death was that of ligature neck compression.
- v. [REDACTED]
- vi. [REDACTED]

59. On December 16th, 2017 Detective Brandon PRICE⁴⁵ advised me that he spoke to Dr. Michael PICKUP who performed the autopsies of both Bernard SHERMAN and Honey SHERMAN. During the conversation he learned the following:

- a. There are still three (3) possible outcomes in relation to this investigation;
 - i. A double suicide

⁴⁴ Detective Sergeant Susan GOMES (1004) is currently assigned to Toronto Police – Homicide Squad. She is a member of Team #5.

⁴⁵ Detective Brandon PRICE (8329) is currently assigned to Toronto Police – Homicide Squad. He is a member of Team #5.

- ii. A murder suicide
- iii. A double murder

Information Learned from Civilian Witnesses⁴⁶

60. On December 21st, 2017 I spoke to Detective Constable Kristin THOMAS. She advised she received an email from Sheila STANLEY on December 18th, 2017. Detective Constable Kristin THOMAS had asked Sheila STANLEY a few questions in relation to Honey SHERMAN and Bernard SHERMAN. I have been forwarded the email, sent by [REDACTED] I have learned the following:

a. Who generally comes to the home on Thursdays? And do any of them have keys? (Asked by Detective Constable Kristin THOMAS)

i. (response from Sheila STANLEY) Thursdays there is no one normally scheduled to come but if you can Honey's google calendar, she does normally delete events after they happen but in that google account [REDACTED] there are email alerts for each event (she did not use it as an email so nothing should be deleted from there). I signed into this account Saturday morning to check schedules, sorry if that causes any problems, it will list a sign in from different location. Honey also kept a stack of papers for all appointment clipped together with a black clip, kept on the desk left of the computer. I would print out any scheduled events, add to google & kept there. All documents in the office off bedroom were normally Honey's. She liked to print on paper that had been used on one side.

b. Did Honey mention any meetings for the week? With Barry? Where and with whom. (Asked by Detective Constable Kristin THOMAS)

⁴⁶ I have reviewed statement summaries completed by numerous Officers and Civilians during this investigation. The summaries contain numerous spelling and grammatical errors. I have included them below and tried to decipher these errors to the best of my ability.

⁴⁷ In the contact section of Honey SHERMAN's analyzed phone is a contact associated to her. Inside it [REDACTED] is listed as her email address.

- i. (response from Sheila STANLEY) Wednesday @ 5 they had a meeting together in regards to the new house 91 old forest hill⁴⁸ with Brennan⁴⁹ & maybe Gluckstein⁵⁰. I think it was in regards to Windows for the house & we had written a 65K cheque that day for Brennan home design. I think the meeting was to be held at Apotex⁵¹ but they had debated on having it at 50 old colony. Location & note would be in paper file above until after it happened then honey would throw out.

61. On December 21st, 2017 I spoke to Detective Constable Kristin THOMAS. She advised that she received an email from Sheila STANLEY on December 20th, 2017. I have been forwarded the email, sent by [REDACTED] I have learned the following:

- a. (from Sheila STANLEY) Nori⁵² (hope that is correct spelling but her name would be on Tuesday in honeys calendar) She was the other cleaner who came on tuesdays. You should be able to find her phone number in Honey's address book/contacts on iphone. Or in rogers email contacts (though they should be the same as iphone it's not perfect). If account is locked I email Mary the password as I was leaving when I realized there might be a problem. If she is unavailable there is a green folder with some password in it normally kept to the right of computer.

62. On December 21st, 2017 I received a supplementary report authored by Detective Constable Kristin THOMAS via an email. On December 17th, 2017 she began communicating with Sheila STANLEY. I learned the following:

⁴⁸ **91 Old Forest Hill**, is also mentioned by Mary SHECHTMAN as one of the properties purchased by Honey SHERMAN and Bernard SHERMAN.

⁴⁹ **Joe BRENNON** owns Brennon Custom Homes Inc, located at 540 College Street, 2nd floor Toronto, Ontario. He was hired to work on Honey SHERMAN and Bernard SHERMAN's new home.

⁵⁰ **Brian GLUCKSTEIN** owns Gluckstein home, and is located 234 Davenport Road, Toronto, Ontario. He is a well-known interior designer.

⁵¹ **APOTEX** - an independent, dynamic, Canadian pharmaceutical company committed to R&D, manufacturing and distributing a broad range of high-quality, affordable medicines to patients, healthcare providers, payers and governments worldwide.

⁵² **Nelia MACADANGAY** [REDACTED] is employed by Honey SHERMAN and Bernard SHERMAN. For several years she has worked cleaning within the home located at 50 Old Colony Rd, in the City of Toronto.

- a. Sheila is employed by Honey Sherman and has been her personal assistant for 2 years.
- b. Sheila attends the house Monday through Friday from 10am until 2:20 pm
- c. Sheila advised she takes care of paying general bills, adding events to Honey Sherman's schedule, sending out invites and getting through all of Honey's emails. Sheila said anything Honey needed her to do she did
- d. Sheila further added that Honey Sherman's schedule should be accessible via her **iPhone & iPad** without any passwords⁵³. The schedule is linked with her google account. Sheila further confirmed her email is [REDACTED]⁵⁴,
- e. Sheila further informed Dec 4th to the 9th, Honey Sherman was in Florida at art basal in Miami. She was leaving for Florida again Dec 18th.
- f. Sheila would have would have worked Thursday December 14th and Friday December 15th, but she was home preparing for a family trip to Cuba.
- g. Sheila left Friday, December 15th for Cuba in the afternoon and advised she would be returning on the 23rd
- h. Sheila said Thursday routines there normally isn't anyone scheduled to come
- i. Sheila advised that Honey kept all of her scheduled events in her calendar and that she never used her email so nothing would or should be deleted from there.
- j. Sheila accessed Honey's schedules on Saturday, December 16th in the morning to check her schedule.
- k. Sheila advised that Honey also kept stacks of papers for all of her appointments clipped together with a fat black clip left of the computer on the desk.

⁵³ The **iPhone & IPADS** that were located inside the home located at 50 Old Colony Rd do not have password protection.

⁵⁴ In the contact section of Honey SHERMAN's analyzed phone is a contact associated to her. Inside it [REDACTED] is listed as her email address.

- l. [REDACTED]
- m. Sheila recalled that a meeting was scheduled on Wednesday at 230ish. She further stated that when she left on the Wednesday, 'Josie'⁵⁵ was there with her and they had confirmed a future appointment for January 15th with herself.
- n. Sheila further noted that Wednesday at 5pm they had a meeting together in regards to the new house located at 91 old forest hill⁵⁶ with 'Brennan'⁵⁷ and maybe 'Gluckstein'. She thought it was in regards to Windows for the house & she had written a 65K cheque that day for Brennan home design.
- o. She believed the meeting was to be held at Apotex but they had debated on having it at 50 old colony. Location and note would be in paper file above until after it happened then honey would throw out.
- p. [REDACTED]
- q. [REDACTED]
- r. Sheila said the only other cleaning staff coming to the house other than Nelia is 'NORRI' but she does not know her full name or proper spelling

⁵⁵ "Josie" believed to be Josie COLLURA, Honey SHERMAN's massage therapist.

⁵⁶ 91 Old Forest Hill, is also mentioned by Mary SHECHTMAN and Roman BUKOVYNSKY as one of the properties purchased by Honey SHERMAN and Bernard SHERMAN.

⁵⁷ Joe BRENNON owns Brennon Custom Homes Inc, located at 540 College Street, 2nd floor Toronto, Ontario. He was hired to work on Honey SHERMAN and Bernard SHERMAN's new home.

63. On December 16th, 2017 I spoke to Detective Constable Kristin THOMAS⁵⁸. She advised that she spoke to Elise STERN⁵⁹. During the conversation she learned the following:

- a. Elise STERN advised that both Bernard SHERMAN and Honey SHERMAN are on the title and are the owners of 50 Old Colony Rd, in the City of Toronto.
- b. Elise STERN advised that she is one of two agents who have the house listed for sale.
- c. Elise STERN advised the other agent is Judi GOTTLIEB⁶⁰.

64. On December 21st, 2017 I reviewed a statement supplementary report prepared by Kaitlynn BELL⁶¹. The interview was conducted on December 15th, 2017 by Detective Darren BEREZOWSKI⁶² and Detective Constable Angela TOBORSKI⁶³ with Elise STERN. I learned the following:

- a. STERN states she is a Real Estate Agent and works for Harvey Kalles Real Estate. STERN confirms that's the reason why she was at the house today.
- b. STERN states that she and Judy GOTLEY⁶⁴ (ph) from Forest Hill Real Estate were hired to sell the house at 50 Old Colony Road, home owners of Barry and Honey SHERMAN. STERN states that GOTLEY's sign is out front but she is currently in Florida and isn't aware of anything going on. STERN states she has attended all of the showings for the house.
- c. STERN says she e-mailed the SHERMAN's yesterday around 13:20 to let them of a showing and confirm but they never answered. STERN says it's not uncommon for them not to reply so she attended anyways.

⁵⁸ **Detective Constable Kristin THOMAS (7660)** is currently assigned to Toronto Police – Homicide Squad. She is a member of Team #5.

⁵⁹ **Elise STERN** is one of two listing agents selling Honey SHERMAN and Bernard SHERMAN's home located at 50 Old Colony Rd. She is employed by Harvey Kalles Real Estate.

⁶⁰ **Judi GOTTLIEB** is one of two listing agents selling Honey SHERMAN and Bernard SHERMAN's home located at 50 Old Colony Rd. She is employed by Forest Hill Real Estate.

⁶¹ **Kaitlynn BELL** (82826) is a civilian member of the Toronto Police Service.

⁶² **Detective Darren BEREZOWSKI** (3853) is a member of the Toronto Police Service attached to 33 Division.

⁶³ **Detective Constable Angela TABORSKI** (90405) is a member of the Toronto Police Service attached to 33 Division.

⁶⁴ **Judi GOTTLIEB** is one of two listing agents selling Honey SHERMAN and Bernard SHERMAN's home located at 50 Old Colony Rd. She is employed by Forest Hill Real Estate.

- d. STERN arrived at 10:50 and when she got to the side door of the house she saw an agent already inside the SHERMAN's home. STERN believes the housekeeper let him in.
- e. STERN says she asked the Housekeeper where the SHERMAN's were and she did not know and thought they were maybe out of town.
- f. STERN says the Housekeeper got to the house at 8:30 at this time the fitness trainer also arrived but the SHERMAN's weren't there so the trainer left.
- g. FARSOUKI asks STERN to describe the house. STERN states there is a main entrance on the right hand side there is a dining room and next to that is a walkway to a side entrance.
- h. STERNS states a lot of service people come in and out of the house and a lot of people know about the side door and is usually kept unlocked. STERN states her key is at the side door in a lock box. STERN says she didn't use her key the agent unlocked the side door for her.
- i. STERN states there are five bedrooms upstairs and a huge basement.
- j. STERN says she started the showing on the main floor, and while in the powder room she noticed a cell phone. The housekeeper later told STERN it was Honey's.⁶⁵
- k. STERN states during the showing she was turning on lights throughout the house.
- l. STERN says they continued through the house taking the spiral staircases that goes from the Master bedroom to the kitchen, to the basement entrance to the garage. [REDACTED]

- m. [REDACTED]

⁶⁵ [REDACTED]
⁶⁶ As seen in photo taken at scene located at 44(iii)(a).

- n. STERN says they continued through the house into a hallway that passes through change rooms towards an indoor pool area. At the end of the hallway there is a button to unlock the door into the pool area. STERN says she opened the door and turned on the lights and the clients viewing the house commented they saw Honey and Barry (believed to be Honey SHERMAN and Bernard SHERMAN). STERN says it was very weird, they were far away and their heads were elevated and hanging on the railing leading into the pool. STERN demonstrates with her necklace what they looked like. Detective BEREZOWSKI asks if they were in the water. STERN says no and says it looked very weird and thought it was some sort of weird meditation or yoga, there was no blood. STERN says the other agent said it was very weird and they should leave. Detective BEREZOWSKI asks if they called out to them. STERN says no they just wanted to get the strangers out of the house.
- o. STERN says she told the housekeeper she saw something very weird and asked her to check it out. STERN says the housekeeper told her that she was scared and that when she walked into the house she felt something heavy in the air. STERN says she got the strangers out of the house and locked the doors.
- p. STERN mentioned at this point the gardener lady that does the indoor pots showed up. STERN says she then called Mary (believed to be Mary SHECHTMAN⁶⁷), Honey's sister to ask where Honey was because something weird was going on. STERN says that Mary didn't know and told her to call the police. STERN says she then called the police and the gardener said she would go look downstairs. STERN says she stayed upstairs because of lack of cell service in the basement. STERN says the gardener came back upstairs shaking and said that the SHERMAN's were blue and clearly dead and thinks they were murdered.
- q. STERN confirms they were wearing clothes when she saw them.

⁶⁷ Mary SHECHTMAN "Mary" is Honey SHERMAN's sister.

- r. STERN says the last time she saw Honey was on Wednesday the 13th for a viewing around 11. She did not see Barry at this showing. STERN says Honey was also with her bookkeeper Sheila⁶⁸ and another person and some men fixing lights in the basement.
- s. Detective BEREZOWSKI states Barry's car was in the garage today on the 15th. STERN says he drives an old convertible⁶⁹. STERN says when she arrived at the house there were a lot of cars. STERN says there was a Gold Lexus SUV⁷⁰ she believes was Honey's. STERN says there were cars belonging to the agent and client but there was one car left over that STERN was not sure who it belonged to. STERN thinks it was a silver Mercedes.
- t. STERN says she did not see any broken windows that someone could have got through.
- u. Detective BEREZOWSKI asks of any problems that she knows of. STERN says no.
- v. STERN mentions seeing Barry at a showing last week and him mentioning a camera by the indoor pool area but STERN doesn't think it works.
- w. STERN says she received an e-mail from Barry on Tuesday.
- x. STERN mentions she worried they will call Judy GOTLEY and she doesn't know what's going on. STERN mentions GOTLEY called during this interview.
- y. STERN says the house has been up for sale for about 2 weeks. STERN says she has a list of everyone who has gone through the house. STERN says about 15-20 people have looked at the home.
- z. STERN says the housekeeper told her that the agent had been at the house for about a minute before STERN arrived and they just waited in the dining

⁶⁸ Sheila STANLEY "Sheila" has been Honey SHERMAN's personal assistant for the past 2 years.

⁶⁹ Honey SHERMAN has a convertible 2005 Silver Ford MGT with a vehicle identification number of [REDACTED] and bearing an Ontario licence plate of [REDACTED] registered to her.

⁷⁰ Honey SHERMAN has a 2006 Brown Lexus RXH with a vehicle identification number of [REDACTED] and bearing an Ontario licence plate of [REDACTED] registered to her.

room. STERN says she was surprised the housekeeper let them in and she should have waited for her to arrive.

- aa. Angela asks for background info on Barry and Honey. STERN says Barry owns Apotex⁷¹ a privately held generic pharmaceutical company. STERN says they do a lot for the community. STERN states they have 4 children⁷². STERN says they are all at their aunt's house.

65. On December 16th, 2017 I reviewed a statement supplementary report completed by Kaitlynn BELL. Detective Constable Kristin THOMAS conducted an interview with Megan YOUNG⁷³ on December 16th, 2017 and I learned the following:

- a. Megan was hired as Bernard and Honey SHERMAN's personal trainer in August 2016.
- b. Megan attended the address at 50 Old Colony Road on Fridays at 830 am on a weekly basis to train both unless they are away or cancel.
- c. She refers to Bernard as 'Barry'⁷⁴, and always has him slotted from 830am to 930am .
- d. Megan trains Honey (*Honey SHERMAN*) for approximately 2 hours starting at 930am
- e. Megan explains that she usually gets to the address around 820am and waits for either 'Barry' to exit the premise to get the morning paper to let her in, or for the house keeper to arrive to start her day at 830 am.
- f. Megan explains that 'Barry' has the same routine every Friday and will generally come outside to retrieve the newspaper. He will unlock the side entrance for her so she can go inside.
- g. On Friday, December 15th Megan attended the SHERMAN's address.

⁷¹ **APOTEX** - an independent, dynamic, Canadian pharmaceutical company committed to R&D, manufacturing and distributing a broad range of high-quality, affordable medicines to patients, healthcare providers, payers and governments worldwide.

⁷² Honey SHERMAN and Bernard SHERMAN have four children together. Lauren SHERMAN, Jonathon SHERMAN, Kaelan SHERMAN, and Alexander SHERMAN KRAWCZYK.

⁷³ **Megan YOUNG** [REDACTED] has been employed by Honey SHERMAN and Bernard SHERMAN since August 2017. She is their personal trainer on Friday(s).

⁷⁴ Bernard SHERMAN is also known by "Barry"

- h. When Megan arrived, she noticed a van waiting in the driveway with who she believed was the heating guy or someone there to do some type of work on the home.
- i. Megan told the officer that the house keeper 'Nelía'⁷⁵ arrived at 830am, and she followed her into the home.
- j. Megan said that when they got to the side entrance, Nelía opened [REDACTED]
[REDACTED] Megan went to the kitchen to sit and wait for 'Barry'.
- k. Megan observed Nelía let the heating guy into the home and she never saw him again.
- l. After waiting for a short time and knowing it was out of the ordinary for 'Barry' to not come down for his routine work out, Nelía the house keeper told Megan she would go look for the couple upstairs. Upon her return, she informed Megan they were not home.
- m. Megan assumed the couple had left for Florida early and left.
- n. Megan told the officer that she was aware that Honey was leaving for Florida on Sunday December 17th, because she had received an email from Honey on Tuesday December 12th regarding the travel plans. Megan was told by Honey that she and Barry would work out on the Friday December 15th, but she would be leaving for Florida on the Sunday.
- o. Megan told the officer that Honey had booked one more day for Barry to work on the following Friday, the 22nd and then they would not be rescheduled again until January the 19th 2018.
- p. Megan understood the Sherman's were returning on the 12th of January and they would carry on with their regular work outs when they returned.

⁷⁵ Nelía MACADANGAY [REDACTED] is employed by Honey SHERMAN and Bernard SHERMAN. For several years she has worked cleaning within the home located at 50 Old Colony Rd, in the City of Toronto.

66. On December 16th 2017, Detective Constable Kristin THOMAS conducted an interview with Roman BUKOVYNSKY⁷⁶. I reviewed a statement supplementary completed by her and learned the following:

- a. Roman is an Architectural Design and Interior Design Architect.
- b. Roman was hired by Custom Homes Inc. approximately 1 year ago to assist with the planning of a new home Honey and Barry SHERMAN were planning on purchasing land for and building.
- c. Roman met Honey (*Honey SHERMAN*) for the first time with her sister Mary SCHECHTMAN⁷⁷ and the Custom Home Inc. colleagues Joe BRENNEN⁷⁸ and Daniel GREENGLASS⁷⁹ at their office in Toronto.
- d. Roman explained to the officer that Mary SCHECHTMAN had a huge hand in the decision making for the planning of the home and he recalls seeing Honey mainly with her sister present over 'Barry' SHERMAN.
- e. Roman continued to meet over the course of the year with the Honey with the design team at various locations, including the SHERMAN's home at 50 Old Colony Road.
- f. Roman explained that he really didn't see much of Barry over the course of the year but he was included whenever there were big decisions that included the larger financial burdens of the build or major interior design decisions.
- g. Approximately 6 months ago, when things were progressing and the land was purchased, the meetings began to occur once a week.
- h. Roman says that when Barry was present during the meetings he was friendly and respectful. He always had his own input and assisted with providing his own opinions about any design issues.

⁷⁶ Roman BUKOVYNSKY works at R.Y.B. Design, B. Arch, Architectural Design, Interior Design, he was hired by Custom Homes Inc to help with the new custom built home that Honey SHERMAN and Bernard SHERMAN were building.

⁷⁷ Mary SCHECHTMAN is Honey SHERMAN's sister.

⁷⁸ Joe BRENNEN works at Custom Homes Inc. located at 540 College Street, Toronto ON, he was hired by Honey SHERMAN and Bernard SHERMAN in regards to their new custom built home.

⁷⁹ Daniel GREENGLASS works at Custom Homes Inc.

- i. On Wednesday December 13th, Roman attended APOTEX⁸⁰ with Joe BRENNON and Daniel GREENGLASS from Custom Homes Inc.
- j. They had an appointment for 5pm to meet with Barry and Honey SHERMAN.
- k. Roman said this was the first time they ever met at APOTEX and they were only going there because Barry had to work late and Honey made the arrangements for them to meet there.
- l. Roman said he had received an email from Honey advising where the meeting was going to be earlier in the day.
- m. Roman said he met with Daniel and Joe at their office and they drove up to APOTEX head office together in one car
- n. When they arrived at APOTEX they were let in by the staff there and they were taken to a boardroom. Barry was there to greet them but Honey was running late
- o. Roman said Honey arrived a few minutes after them and he was there to observe and take notes during the meeting.
- p. Roman told the officer the meeting was over the final plans of the home and they discussed the windows and doors with the SHERMAN's and other important decisions regarding the interior. They were hiring a lot of the subcontractors now and needed to discuss everything that was happening with the SHERMAN's home.
- q. Roman said Barry was very involved with the decisions and made comments about how he preferred the sliding glass doors over French doors when they were reviewing the designs.
- r. He also heard Barry making comments about how it was such a large home and why were they making such a large place when he probably only had another 10 or so years left to live.

⁸⁰ **APOTEX** - an independent, dynamic, Canadian pharmaceutical company committed to R&D, manufacturing and distributing a broad range of high-quality, affordable medicines to patients, healthcare providers, payers and governments worldwide.

- s. Roman felt Barry was acting himself and didn't appear stressed or unhappy. He had met Barry on other occasions during their scheduled meetings and Barry seemed the same as he always was
- t. They discussed the next meeting that was going to take place in the weeks to come and he recalls they even planned another meeting with Barry.
- u. Roman told the officer that the meeting was approximately 1 hours and he left with Joe and Daniel. They were escorted out by the Sherman's but Barry stayed to work, and Honey walked them to the parking lot.
- v. Honey left in her own vehicle.
- w. Roman is self-employed and his company is named R.Y.B Design
- x. Roman works closely with Joe/Daniel (*believed to be Joe BRENNON and Daniel GREENGLASS*) (Brennan Custom Homes Inc.)
- y. He was hired by Joe (*believed to be Joe BRENNON*) to work on the home
- z. He has been an architect for 16 years
- aa. He has known Honey and Barry for just over a year.
- bb. He only has a business relationship with the couple due to the 20 million dollar home they are building in Forest Hill⁸¹
- cc. He has done all the drawings and plans for the design.

67. On December 15th 2017, Detective Darren BEREZOWSKI⁸² and Detective Constable Angela TABORSKI⁸³ conducted an interview with Nelia MACATANGAY⁸⁴. I reviewed a statement supplementary report prepared by Anisa HASSAN⁸⁵ and I have learned the following:

- a. MACATANGAY says that she went upstairs to check and noticed that no one was there and thought that they had gone out. MACATANGAY says that she

⁸¹ **91 Old Forest Hill**, is also mentioned by Mary SHECHTMAN and Sheila STANELY as one of the properties purchased by Honey SHERMAN and Bernard SHERMAN.

⁸² **Detective Darren BEREZOWSKI** (3858) is currently assigned to Toronto Police 33 Division.

⁸³ **Detective Constable Angela TABORSKI** (90405) is currently assigned to Toronto Police 33 Division.

⁸⁴ **Nelia MACADANGAY** [REDACTED] is employed by Honey SHERMAN and Bernard SHERMAN. For several years she has worked cleaning within the home located at 50 Old Colony Rd, in the City of Toronto.

⁸⁵ **Anisa HASSAN** (83081) is a civilian member of the Toronto Police Service

noticed that the bed was done, but was not perfectly made and that Honey (believed to be Honey SHERMAN) doesn't usually make the bed when MACATANGAY comes on Fridays.

- b. MACATANGAY says that Honey doesn't usually go downstairs with Barry and that Honey asks MACATANGAY to get her things because she has problems with her knees. MACATANGAY says that honey usually wakes up late on Fridays around 10am.
- c. MACATANGAY says that she's never seen them argue or fight. Detective BEREZOWSKI asks MACATANGAY if she has ever sat down to talk to Honey and she says no because she has a lot to do and is only there once a week. MACATANGAY says that she doesn't talk to Barry (believed to be Bernard SHERMAN) and only greets him.

68. On December 24th, 2017, Detective Michelle CAMPBELL and Detective Constable Catherine De Oliveira⁸⁶ conducted an interview with Sheila STANLEY. I reviewed a statement supplementary report completed by Nadine MAXWELL⁸⁷ and have learned the following:

- a. Sheila STANLEY worked as a personal assistant to Honey SHERMAN for two years mainly taking care of bills and scheduling but also other random jobs. She kept Honey's devices in line, dressed her for events. STANLEY describes Honey as her employer that she knows very well and says she worked anywhere from one to four days a week.
- b. STANLEY last saw Honey at her house on Wednesday, December 13th, 2017 until 2:40pm and because they were ready for STANLEY's upcoming vacation and Honey's Florida trip, there would be no need to see each other later that week. STANLEY says Monday and Tuesday was spent contacting Honey's approx. 100 Florida contacts to say when she'd arrive and schedule an

⁸⁶ **Detective Constable Catherine De Oliveira (10360)** is currently assigned to Toronto Police 33 Division. She has been seconded to Team #5 for this investigation.

⁸⁷ **Nadine MAXWELL (83095)** is a civilian member of the Toronto Police Service.

itinerary based on responses for dinners, Golf and activities. STANLEY says she kept everything organized for Honey like emails, appointments and photos and Honey would star or flag emails that she felt were important or need attending to. STANLEY says that On Wednesday, around 14:15 she was told some emails could not wait until the next day.

- c. STANLEY says she often used the kitchen computer but on Wednesdays, during scheduled massages by Josie, she would work on an iPad upstairs and talk to Honey while she was being massaged. STANLEY describes **two iPads** in the house. One that was [REDACTED] and belonging to Barry and one belonging to Honey that had a picture of [REDACTED] that could be found on a [REDACTED]. That day, Honey recalls that the **iPad** likely was left [REDACTED]. STANLEY recalls having to turn off the water in the pool that was leaking or evaporating and that she was responsible for topping it up when she was there. She mentions recently helping Honey de-clutter as well.
- d. STANLEY says that Sherman's **iPad** is usually [REDACTED].
- e. STANLEY says that downstairs she worked on the permanent **laptop** in the kitchen and describes the office upstairs as off the side of their bedroom suite that has a filing cabinet with bills, printers and is more organized now. STANLEY says that to the left of the **computer** was what Honey was [REDACTED].
- f. STANLEY describes Honey's white cell phone kept by [REDACTED] that STALEY uses to check Honey's messages. STANLEY says Honey didn't respond to I-messages but was more likely to respond to an email, delete it right after and then empty her trash frequently. STANLEY says that Honey took her phone everywhere and in every bag and says that Honey's **laptop** and **phone** were [REDACTED].

[REDACTED] STANLEY says that Honey liked using the [REDACTED]

[REDACTED] STANLEY says that they lined up Rogers, Google, calendars, I-tunes and most devices to that password.

- g. STANLEY describes Honey's routine as once at home, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] STANLEY says that Wednesday morning, Honey was wearing toe shoes indoors waiting for Josie.

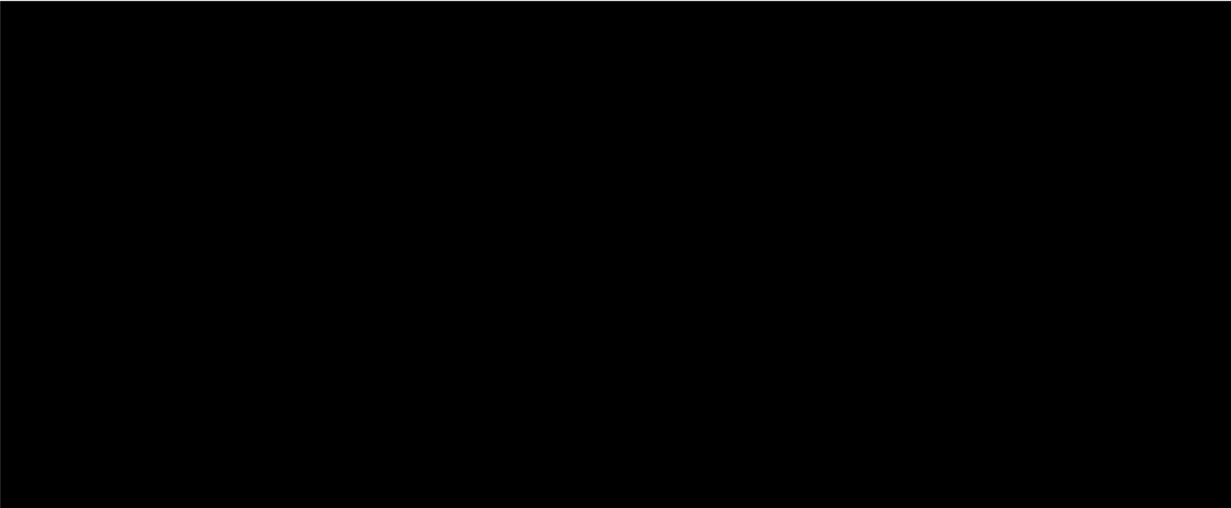
- h. STANLEY says she has noticed no changes in any way in Honey's physical and mental state and describes things as good with a future scheduled trip to Japan in March and Israel in April. STANLEY says that Mary SHECHTMAN, Honey's sister, planned all the travel for Honey.
- i. STANLEY says she had seen that two bodies had been found at the residence and began to try to get into Honey's Roger's account to get Mary's phone number unsuccessfully, prior to boarding. Once in Cuba, on Saturday, STANLEY logged into Google calendar to see when Atlas was supposed to come but could not figure out how to see when the last time the account was checked or changed.
- j. STANLEY says that any meetings or social visits would be scheduled in advance and other than a pre-planned dinner on the previous Sunday, she had no other social events scheduled that week. STANLEY says that Honey was scheduled to leave for Florida on Monday December 18th, 2017 returning on Friday, January 12th, 2018.

- k. STANLEY says that in Honey's **I-phone**, [REDACTED]
[REDACTED]
[REDACTED]

l. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

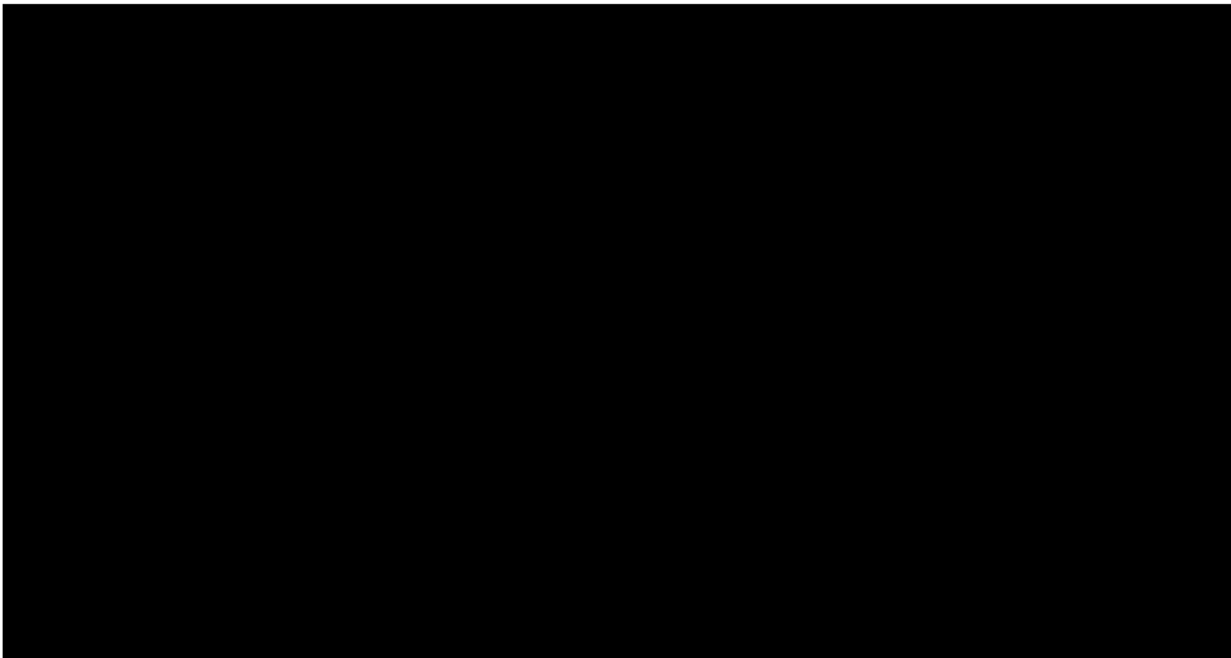
m. [REDACTED]
[REDACTED]

n. STANLEY looks at photos⁸⁸:
i. [REDACTED]
[REDACTED]

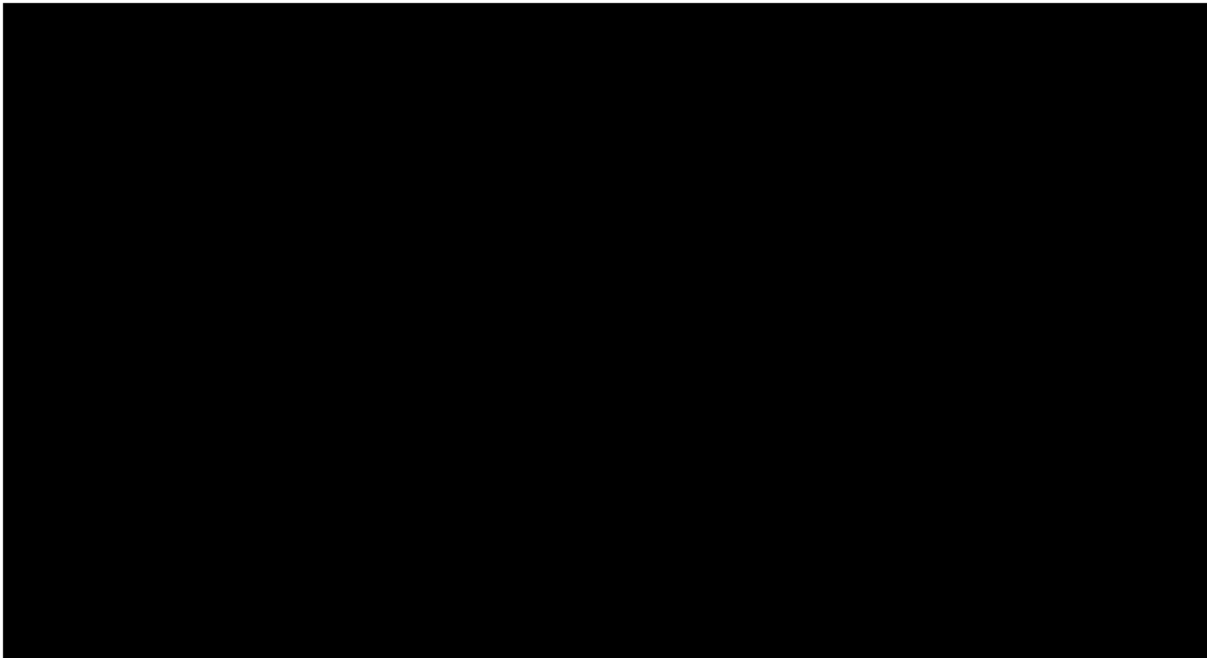


ii. [REDACTED]
[REDACTED]
[REDACTED]

⁸⁸ These photos were shown to Sheila STANLEY during her interview by the investigators. She signed and identified each of the photos, and a description of each was provided by her to the investigators. Her descriptions are included in the captions to the photos reproduced below.

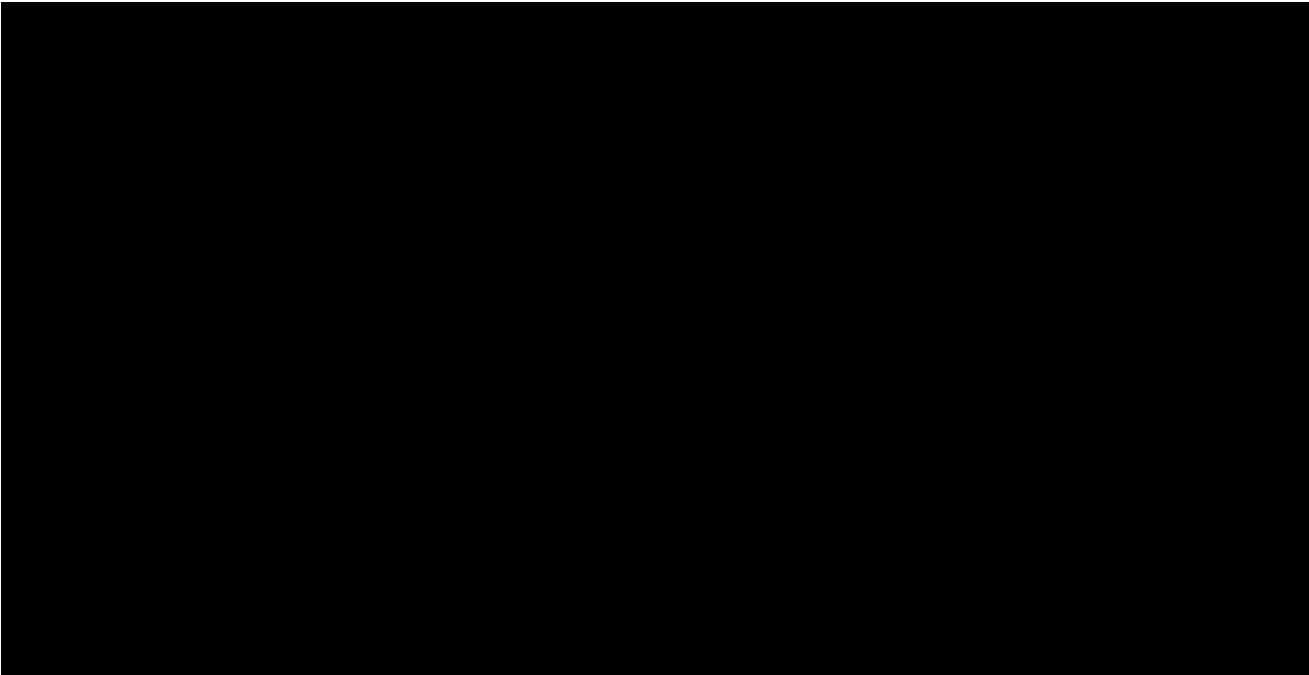


iii.

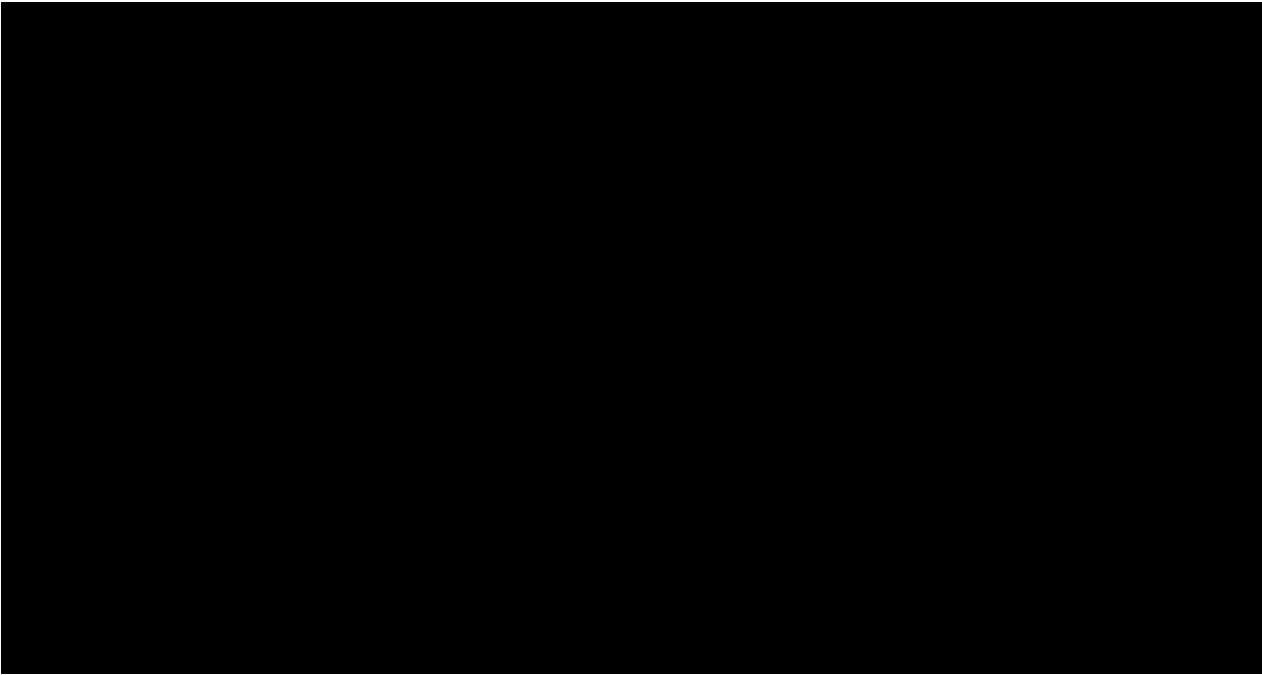


iv.





v. [REDACTED] [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]



69. On December 27th, 2017, Detective Constable Catherine De Oliveira conducted an interview with Matthew SHECHTMAN⁸⁹ I have reviewed a statement summary prepared by Kaitlynn BELL and learned the following:

⁸⁹ This office is located on the 2nd level of the home, next to the master bedroom.

- a. On December 14th 2017 at 9:22pm Matthew sent an e-mail to Honey but didn't hear back from her. The email was thanking Honey for the gift that he and his mother had picked out for his girlfriend while in Florida.
- b. Matthew would communicate with Barry through e-mail or telephone.
- c. Matthew doesn't believe they would commit any type of self-harm to each other or themselves. This would never be a thought.
- d. Matthew never noticed a change in either Barry or Honey's cognitive behavior.
- e. Barry and Honey were close, they did everything together, they would hold hands walking to the car, they seemed like they relied on each other.
- f. Matthew never witnessed arguments or physical fighting.

70. On December 29th, 2017, Detective Brandon PRICE and Detective Sergeant Kevin LEAHY conducted an interview with Jared RENDER⁹¹. I have reviewed a statement summary completed by Kaitlynn BELL and I learned the following:

- a. RENDER says he can't remember the first time he met Honey and Barry. The last time he saw Barry was Monday at Apotex, he picked up the mail every week from the office. RENDER says he was communicating through the text.
- b. RENDER states that no one argues with Barry.
- c. RENDER states Kaelan⁹² met his parents a couple months after they met.
- d. [REDACTED]
- e. RENDER says Barry and Honey loved the grandkids.
- f. [REDACTED]

⁹⁰ Matthew SHECHTMAN is Barry SHERMAN and Honey SHERMAN's nephew. Honey SHERMAN is his mom's sister.

⁹¹ Jared RENDER is engaged to Kaelan SHERMAN. Kaelan SHERMAN is Barry and Honey SHERMAN's daughter.

⁹² Kaelan SHERMAN is Honey SHERMAN and Bernard SHERMAN's daughter.

- g. RENDER says he works at Apotex, mainly the Etobicoke⁹³ site, doing electrical maintenance for a company called FastCo. They are subcontracted by Apotex. RENDER states he got the job through Kaelan and Barry. RENDER says he is now a licensed apprentice.
- h. [REDACTED]
- i. [REDACTED]
- j. Barry has a **computer** [REDACTED] possibly a **laptop**. Honey had an Amazon fire stick. RENDER says he had gone into the bedroom a few times to look at the fire stick when it wasn't working. RENDER gave the password to his Netflix, Honey sent an e-mail saying she loved it.
- k. RENDER says he (believed to be Bernard Sherman) didn't have cameras in the house and the family begged, Barry said they didn't need them. Barry was never afraid of anything.
- l. RENDER isn't aware of any issues that Barry and Honey had with each other. RENDER said they had a lot to be excited about.
- m. RENDER says the kids won't say much but Honey and Barry didn't always like each other but they loved each other.

⁹³ Apotex is located at 150 Signet Dr, in Etobicoke in the City of Toronto.

- n. Detective PRICE asks if he believes they would want to hurt themselves. RENDER says not a chance.
- o. RENDER mentions Honey building a dream home and Barry not wanting it, but doing it for Barry. (I believe Honey SHERMAN wanted to build the home, and Bernard SHERMAN was going along with the plans for his wife) Barry would say it was Honey's idea and Barry wanted to stay closer to home.⁹⁴
- p. RENDER talks about Honey being at Apotex on Wednesday and it possibly being a lie because she never goes to Apotex. RENDER suggests looking to see who she was with.
- q. RENDER says on the Sunday after the incident, Honey and Barry had plans to go to RENDER's parents' house to meet the first time. RENDER believes that the parents text each on 12:03am on Wednesday morning.
- r. RENDER is aware the bodies were found in the pool area. RENDER says they were never down there and never had a reason to be down there together. RENDER says the pool is green and never used.
- s. RENDER says that Honey had [REDACTED] The only time that Barry would be [REDACTED]
[REDACTED]
- t. RENDER says that Honey answered e-mails very late at night.

71. On December 22nd , 2017, Detective Constable Kristin THOMAS conducted an interview with Tadevsz WLAZLO⁹⁵ I have reviewed a statement summary prepared by Kaitlynn BELL and I learned the following:

- a. WLAZLO states he would help at the house, states he's a handyman. Honey would ask for his help.
- b. WLAZLO says it's been 3 years since he was last at the house, when Jasia(unknown person) stopped working at the house.

⁹⁴ **91 Old Forest Hill**, is also mentioned by Mary SHECHTMAN, Sheila STANLEY and Roman BUKOVYNSKY as one of the properties purchased by Honey SHERMAN and Bernard SHERMAN.

⁹⁵ **Tadevsz WLAZLO** has worked at Apotex for 17 years. He is a cleaner and handy man, and would sometimes attend Bernard SHERMAN's home to help him.

[REDACTED]

73. On December 27th , 2017, Detective Michelle CAMPBELL and Detective Constable Catherine De OLIVERIA conducted an interview with Alexandra SHERMAN KRAWCZYK¹⁰⁰ I have reviewed a statement summary prepared by Kaitlynn BELL and learned the following:

- a. KRAWCZYK states her father Barry SHERMAN was very humble, unassuming, quiet, loving.
- b. KRAWCZYK states her mother Honey SHERMAN was more of a strong personality, loud, outgoing, and loving.
- c. KRAWCZYK commented that her parents were always very late to things but recently they started arriving on time and making efforts.

¹⁰⁰ Alexandra SHERMAN KRAWCZYK is Honey SHERMAN and Bernard SHERMAN's daughter.

- d. KRAWCZYK states Honey wouldn't go to the office often, but she heard they were last seen at the office on Wednesday reviewing their plans for their house. Honey being at the office was out of the ordinary
- e. Barry typically communicated through e-mail. The last e-mail she had with Barry was about Hanukkah.
- f. KRAWCZYK mentioned sending pictures through text to her mom of pictures of her child on the Wednesday and Thursday she didn't get reply and though it was weird, but sometimes she wouldn't respond or respond at weird times.
- g. Honey's last text message from Honey was Sunday December 10th 11:21pm.
- h. There was a group chat and the last text message from Honey SHERMAN in a group message was Saturday December 9th at 11:07am. The group chat consisted of her husband Brad¹⁰¹, her mother in law Rona (unknown person), Honey and herself.
- i. The last e-mail that she had with Honey SHERMAN was December 12th 2017 at 8:16pm.
- j. KRAWCZYK states the relationship between Honey and Barry was difficult growing up. Honey would be parenting and Barry would be at work. KRAWCZYK states Honey loved Barry but she was commanding. KRAWCZYK says a lot has changed over the last couple years, since the birth of her son she noticed they were a lot more in love and not arguing, spending more time together and caring towards their Grandchildren.
- k. [REDACTED]
- l. [REDACTED]

¹⁰¹ Brad is Brad KRAWCZYK he is married to Alexandra SHERMAN KRAWCZYK. She is Bernard and Honey SHERMAN's daughter.

m. [REDACTED]
[REDACTED]
[REDACTED]

n. [REDACTED]
[REDACTED]

o. [REDACTED]
[REDACTED]
[REDACTED]

p. Honey had black slip on shoes she would wear these inside and outside of the home. She thinks Honey would put her jacket on a chair in the kitchen.

q. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

r. [REDACTED]
[REDACTED]
[REDACTED]

s. [REDACTED]
[REDACTED]
[REDACTED]

t. [REDACTED]
[REDACTED]

u. [REDACTED]

v. KRAWCZYK states they were all Jewish by Heritage but not by practice. Honey would host Rosh Hashanah and host Passover. Barry was very Atheist.

74. On December 23rd, 2017, Detective Michelle CAMPBELL and Detective Constable Catherine De OLIVERIA conducted an interview with Jonathon SHERMAN¹⁰² I have reviewed a statement summary prepared by Kaitlynn BELL and I learned the following:

- a. Jonathon states his parents were complicated people and confirms there are people that are out there who would have grudge and would have a reason to hurt them.
- b. [REDACTED]
- c. Jonathon states Barry had a **blackberry** and would constantly on it, more so for e-mail but didn't use the internet much. Jonathon believes he kept his cell phone in his pocket.
- d. [REDACTED]
- e. Jonathon describes his father as complicated, brilliant, lack emotional and social intelligence, unfiltered but genuine.
- f. Jonathon doesn't know how often his mother Honey was at Apotex but is aware she was there on Wednesday going through house plans. She would come to the office more so for dropping off a car and not at the office for business related things.
- g. Jonathon describes his mother Honey as being opposite to Barry. She was socially smart, abrasive, high energy in your face, blunt but not in an evil way. She was involved in charities.
- h. Honey would have a **computer**, and used an **iphone**. She wasn't advanced with computers. Honey did a lot of texting.

¹⁰² Jonathon SHERMAN is Honey SHERMAN and Bernard SHERMAN's son.

i. Jonathon doesn't remember when he last spoke to his mother. He didn't speak to her often. His last e-mail was December 9th from Honey regarding his younger sister's wedding plans.

j. [REDACTED]

k. [REDACTED]

l. [REDACTED]

m. [REDACTED]

n. Jonathon doesn't recall any big changes in Honey and Barry's life.

o. [REDACTED]

p. [REDACTED]

q. Jonathon states his mother was mobile but she moved slow.

r. [REDACTED]

s. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

75. On December 22nd , 2017, Detective Michelle CAMPBELL and Detective Constable Catherine De OLIVERIA conducted an interview with Joe BRENNAN¹⁰³ I have reviewed a statement summary prepared by Kaitlynn BELL and learned the following:

- a. BRENNAN states he mainly has contact with Honey. They would typically meet every 1-2 weeks. BRENNAN would always have meetings in person. They would also communicate over e-mail.
- b. BRENNAN states their last meeting was Wednesday night before the event at Apotex. The purpose of the meetings was window selection.
- c. The meeting on Wednesday included Daniel GREENGLASS¹⁰⁴ and other guy from the office. The meeting started at 5, Barry came in sat down, Honey arrived at 5:01pm.
- d. There were no problems in the meeting. The first part of the meeting was speaking about pricing of the window. Barry didn't want to be in the meeting as he didn't want to move but Honey wanted Barry in the meeting.
- e. BRENNAN says he didn't really know Barry and Honey's relationship. BRENNAN knows Honey well but didn't deal much with Barry but Honey never said anything negative about him besides the fact that he wasn't interested in being at the meetings.

¹⁰³ **Joe BRENNON** owns Brennon Custom Homes Inc, located at 540 College Street, 2nd floor Toronto, Ontario. He was hired to work on Honey SHERMAN and Bernard SHERMAN's new home.

¹⁰⁴ **Daniel GREENGLASS** works at Custom Homes Inc.

- f. After the meetings BRENNAN had no communication with the SHERMANS, but about 5-10 minutes after Daniel GREENGLASS pocket dialed Honey, they had a brief conversation but didn't have knowledge of the location she was at.
- g. BRENNAN states after the meeting Honey planned on going home, and either Honey or Barry mentioned that Barry normally doesn't leave the office till 11pm, but Honey said something that made him think Barry needed to be home earlier that evening but can't recall what it was.
- h. BRENNAN never sensed any concerns of infidelity.

76. On December 22nd , 2017, Detective Constable Kristin THOMAS conducted an interview with Bryna STEINER¹⁰⁵ I have reviewed a statement summary prepared by Kaitlynn BELL and learned the following:

- a. STEINER states her and Honey were both teachers.
- b. STEINER states Honey met Barry though friends.
- c. STEINER states she saw the SHERMAN's on December 2nd and the week before.
- d. STEINER describes Honey as loud and can be hard on people, she is very set it what she wants. STEINER states Honey has always been this way. STEINER describes Honey as a great friend.
- e. STEINER states that Barry was always kind.

f. [REDACTED]

g. [REDACTED]

¹⁰⁵ [REDACTED]

- h. STEINER identifies the SHERMAN children as Lauren (Lauren SHERMAN), Jonathan (Jonathon SHERMAN), Alex (Alexandra SHERMAN KRAWCZYK), Kaelen (Kaelen SHERMAN). STEINER states that [REDACTED]
[REDACTED]
[REDACTED]
- i. STEINER states Honey and Barry would argue with each other but they were happy, Honey admired Barry and always stood behind him. Honey's main complaint about Barry was him not being home at dinner time. STEINER says Barry would go everywhere with Honey, but she would say he wouldn't.
- j. STEINER confirms [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- k. STEINER says that the SHERMAN's [REDACTED]
[REDACTED] STEINER would tell them they needed better security, but they wouldn't care. STEINER says Honey and Barry had no fear.
- l. STEINER states that Honey had an **iPad** and an **iPhone**. The iPhone had [REDACTED]
[REDACTED]
- m. STEINER states that she and Honey would mostly communicate through e-mail. Honey's e-mail - [REDACTED]¹⁰⁶ Honey's Cell phone - [REDACTED]
- n. Barry would communicate with Fred through e-mail.
- o. STEINER talks about an e-mail between Honey and STEINER regarding golfing and dinner plans.
- p. STEINER states Honey would wear a type of flip flops in the house. STEINER says Honey and Barry would walk into the house in their outdoor shoes.
- q. STEINER doesn't believe [REDACTED]
[REDACTED]

¹⁰⁶ In the contact section of Honey SHERMAN's analyzed phone is a contact associated to her. Inside it [REDACTED] is listed as her email address.

- r. STEINER doesn't believe Barry was capable of harming Honey.
- s. STEINER states that Barry recently started coming home earlier from work around 7-7:30pm and would say because he's old.
- t. Barry was not religious. They didn't fight about religion.
- u. Barry's work phone – [REDACTED] Barry's Personal cell - [REDACTED]

77. On December 17th , 2017, Detective Brandon PRICE conducted an interview with Jack KAY¹⁰⁷ I have reviewed a statement summary prepared by Kaitlynn BELL and I learned the following:

- a. KAY describes Barry as being a man of his word, intelligence, intense and focuses but fair and caring towards the community.
- b. KAY says he didn't have much to do with Honey, him and his wife would sometimes go out for dinner with them. KAY would see Honey at events.
- c. KAY says he last saw Barry on Wednesday December 13th. KAY was catching a flight to New York with his wife and left the office at 12:00pm, went home and picked up his wife then went to the airport. KAY says he returned back from New York on Friday afternoon on a 2pm flight. KAY says they flew Air Canada out of Pearson. KAY says they went back to the hotel after shopping and they received the call about Barry and Honey.
- d. Barry sent KAY an e-mail at 8:23pm on December 13th and KAY replied back Wednesday night at 9:48pm. KAY wasn't expecting a reply back from the e-mail he sent.
- e. KAY says he sent an e-mail 5:59pm on December 14th asking a question and he never heard back. KAY says that Barry would instantly reply back to email.
- f. KAY gives the Barry's e-mail as [REDACTED]
- g. Jeremy DESAI¹⁰⁸ received an e-mail from [REDACTED]
[REDACTED]

¹⁰⁷ Jack KAY is the vice chair of Apotex. He has worked with Bernard SHERMAN for 35 years.

- h. KAY states Barry only has 1 phone; a **blackberry**.
- i. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- j. Detective PRICE asks if there were any other upsetting events. KAY mentions a lawsuit with Teva involving Jeremy DESAI and a previous employee named Bahrinder. It was alleged that DESAI received internal documents. During this time DESAI and Bahrinder had a relationship. This happened in Pennsylvania.
- k. KAY states this is the first time in 35 years that Barry and him had a difference of opinion. KAY believes that for the good of the organization that DESAI should have been let go after the 1st and 2nd incident.
- l. KAY states after the second incident with Jeremy DESAI, they spoke about doing a 360 process, an outside firm would interview his direct reports and if the executives felt he should leave he would consider. KAY states they got as far as waiting on Jeremy DESAI to provide them with a copy of the outside firms report, the 360.
- m. KAY confirms that Jeremy DESAI had offered to resign.
- n. KAY believes the majority of executives would vote to terminate Jeremy DESAI.
- o. Detective PRICE asks KAY about his feelings towards the situation. KAY says Barry would never do this, they talked about everything and would never harm anyone. KAY says Barry would never take his own life. KAY says that he wouldn't be fazed by the financial situation as Apotex was only part of the SHERMAN's holding, and has other money.

¹⁰⁸ Jeremy DESAI is the CEO/President of Apotex.

- p. KAY states that Barry has no street smart. He would sometimes be taken advantage of.

78. On December 15th , 2017, Detective Jeffery TAVARES conducted an interview with Mary SHECHTMAN¹⁰⁹ I have reviewed a statement summary prepared by Anisa HASSAN and I learned the following:

- a. SHECKMAN says that Honey called her the day before she left for Florida and they spoke quickly on the phone. She states she sent Honey a text message Thursday December 14th, 2017 that Honey did not respond to.
- b. SHECKMAN says that she flew out at 11:00am on her own to Florida on Thursday December 14th with Air Canada from Pearson International Airport. She mentions that she and Honey were each supposed to fly three legged flights. SHECKMAN says that Honey was supposed to fly in to Florida on her own on Monday December 18th, 2017 and Barry would be flying in on December 24th with the SHECKMAN's 3 children and significant others.
- c. SHECKMAN says that Elise¹¹⁰ told her through text messages that Honey's phone was [REDACTED]
[REDACTED]
[REDACTED]
- d. SHECKMAN says that Honey and Barry bought 55 Old Forrest Hill, 91/93 Old Forrest Hill.
- e. SHECKMAN says that when Barry and Honey would fight they would both call SHECKMAN. She mentioned they would fight but couldn't live without each other. The SHERMAN's were married for 40 years. SHECKMAN met Barry when she was 19.
- f. SHECKMAN says that Honey never had any physical issues with Barry.

¹⁰⁹ Mary SHECHTMAN is Honey SHERMAN's sister.

¹¹⁰ Elise STERN is one of two listing agents selling Honey SHERMAN and Bernard SHERMAN's home located at 50 Old Colony Rd. She is employed by Harvey Kalles Real Estate.

79. On December 17th, 2017, Detective Brandon PRICE conducted an interview with Brad KRAWCZYK¹¹¹ I have reviewed a statement summary prepared by Nadine MAXWELL and I learned the following:

- a. KRAWCZYK is married to Alex¹¹² Barry's daughter, worked his way up in Apotex and had lunch with Barry Tuesday, December 12th.
- b. [REDACTED]
[REDACTED]
[REDACTED]
- c. KRAWCZYK states that Barry lost law suits recently but KRAWCZYK does not believe he committed suicide.
- d. Honey is described as a force to be reckoned with, says what she thinks, was tough, loved her family and was the light of the room. Honey would come by KRAWCZYK's house unannounced which she was asked not to do, was on Charity boards, helped the city and the Jewish community and was looking forward to Florida.
- e. KRAWCZYK and his wife last spoke to Honey on Tuesday. They sent text messages with photos on Thursday and got no response and KRAWCZYK called Barry Thursday morning with a work related question, got no response. Barry was not in the office and that was unusual.
- f. Barry and Honey bickered but loved each other.
- g. Barry frequently CC'd and BCC'd on emails.
- h. KRAWCZYK would see Barry and Honey once every two weeks, spend time at their house. House is described as clean, newspapers on kitchen table, [REDACTED] They loved entertaining but KRAWCZYK and Alex are not included due to their young family and it is not known if the couple shared a bed. Eating habits were separate unless Honey cooked when family was over.

¹¹¹ Brad KRAWCZYK is married to Alexandra SHERMAN KRAWCZYK. She is Bernard and Honey SHERMAN's daughter.

¹¹² Alexandra SHERMAN KRAWCZYK is Honey SHERMAN and Bernard SHERMAN's daughter.

¹¹³ [REDACTED]

- i. [REDACTED]
- j. KRAWCZYK states that Honey owned an **iPhone** and Barry had a touch screen **Blackberry**.
- k. Honey's last communication would be an email to Alex on Tuesday and that KRAWCZYK last heard from Barry on Wednesday at 11:06 am.
- l. KRAWCZYK states that SHECKMAN called him to tell them about the deaths and he can't recall who told him that
- m. [REDACTED]
- n. Barry and Honey had future travel plans for Florida, Japan and out West and had recent successful relationships with all the kids.t Honey went to the office Wednesday night for a meeting on the house that's being built which is unusual for her to go to the office.

80. On December 20th , 2017, Detective Constable Kristin THOMAS conducted an interview with Greg KENDALL¹¹⁴ I have reviewed a statement summary prepared by her and learned the following:

- a. KENDALL states he was told on the December 6th, through an app that he would be attending the SHERMAN residence at 50 Old Colony Road.
- b. KENDALL states he went through the home on the 8th of December and was the only time he attended the home.
- c. KENDALL mentions the basement has a pool room with electrical that he checked. KENDALL checked the pool area and noticed [REDACTED]

[REDACTED]¹¹⁵. There were no

¹¹⁴ Greg KENDALL is a home inspector and was hired to perform his duties at 50 Old Colony Rd.

¹¹⁵ [REDACTED]

issues in the pool area. Typically they don't deal with pool but did a quick check.

81. On December 18th, 2017, Detective Constable Kristin THOMAS conducted an interview with Omar JABRI¹¹⁶ I have reviewed a statement summary prepared by Kaitlynn BELL and I learned the following:

- a. JABRI states he sent an e-mail to Barry on Thursday morning and he did not respond.
- b. On Wednesday JABRI sent an e-mail to Barry before the lunch hour. Barry didn't respond but arrived in the office shortly after 1pm. JABRI states that Barry was asking questions but the CEO Jeremy DESAI wanted to participate.
- c. JABRI states Barry did not come into the office Thursday and sent him an e-mail on Thursday with no reply.
- d. JABRI states he learned a lot from Barry and always had good conversation. JABRI didn't have a relationship with Barry outside of work.
- e. JABRI explain Barry as having a different demeanor in person than over e-mail. JABRI describes Barry as being a nice humble person but over e-mail he comes off very direct and forceful.
- f. JABRI says he has never heard Barry yell.
- g. JABRI doesn't recall any medical issues that Honey or Barry had.

82. On December 16th, 2017, Detective Constable Kristin THOMAS conducted an interview with Denise GOLD¹¹⁷ I have reviewed a statement summary prepared by Anisa HASSAN and I learned the following:

- a. GOLD explains that Honey had back surgery years ago, a shoulder replacement a year ago and arthritis in her hand. She also had surgery on one of her heels.

¹¹⁶ Omar JABRI is the Senior Patent Counsel for Apotex and has worked there for 6 years.

¹¹⁷ Denise GOLD has been Honey and Bernard SHERMAN's personal trainer for 7-8 years.

- b. GOLD states that Honey intended to meet Barry at his office at 5pm Wednesday December 13th, 2017.
- c. GOLD says that Honey was going to Florida to stay at the residence on Monday December 18th, 2017 and she and Barry would return together on January 12th, 2018. GOLD mentions that Barry was to leave the afternoon/evening of December 24th, 2017.
- d. GOLD communicates with Honey more than she does Mary and GOLD and Honey usually spoke via email.
- e. GOLD received an email from Honey on Tuesday December 12th, 2017 about when she would be leaving and coming back and did not speak to Honey after seeing her in person on Wednesday.

Goodmans LLP (Privilege)

83. On December 20th, 2017 Detective Sergeant Kevin LEAHY and I spoke and I learned the following:

- a. On December 18th, 2017 Detective Constable Kristin THOMAS received an email from Goodmans LLP¹¹⁸ who named themselves the solicitors for Apotex Inc. Sited in this email:
 - i. "Documents Seized from the Premises of Apotex Inc. 150 Signet Drive, Toronto ONM9L 1T9 (the "Premises") in Connection with the Toronto Police Service Investigation of Sherman deaths (the "Investigation")"
 - a. We are the solicitors for Apotex Inc. We understand that in the course of the Investigation the police attended at the Premises on Sunday December 17, 2017 and seized a desk top computer with hard drive,

¹¹⁸ Goodmans LLP Barristers & Solicitors is representing Apotex. Jessica Kimmel is named on this document.

power cords and a monitor from the offices of the now deceased Chair and founder of the company, Dr. Bernard Sherman. The company's director of security, Sean McDonald, in the aftermath of the shocking news of the deaths of Dr. Sherman and his wife, was well intentioned in his desire to co-operate with the ongoing Investigation but was not in a position to properly advise the police inspectors who attended that the property that was seized very likely contains electronic documents that are privileged (the privileges that apply include, without limitation, solicitor-client and litigation and settlement privilege), and Mr. McDonald did not have the authority of the company to waive its privilege. We understand that Peter Kalins, the Vice-President, General Counsel of Apotex, has been in touch with you on a preliminary basis in this regard. It has also come to our attention that the Toronto Police Services may have seized other electronic devices from the home of Dr. Sherman, including but not limited to computers, phones, Ipads and the like, that contain electronic documents belonging to the company that would similarly be privileged. Any such privileges will apply to documents and records that have not necessarily been identified on their face as "privileged" or "confidential" (although certainly would include documents so identified) and to communications not only with internal and external counsel, but may also apply to communications with others if in furtherance of the seeking and receiving of

legal advice and/or in furtherance of litigation or its settlement. Many of the documents are also highly confidential and proprietary to the company and their disclosure to third parties could result in significant financial harm to the company. Any such property (whether it be computers, hard drives, phones, Ipads and/or other devices) that has been seized that may contain privileged documents and records needs to be segregated and sealed. To the extent that any copies or images have been, or are, made of the electronic documents and records contained on the seized hard drive or any other devices, they will also need to be segregated and sealed, all until such time as we can make appropriate arrangements (by agreement and/or court order) to ensure that the company's privilege and confidentiality is protected. The company wishes to co-operate fully in the Investigation and does not wish to in any way interfere with it, but you can appreciate that these are important rights that must be protected and we must invoke the appropriate protections on its behalf. Similar considerations (including, without limitation, the necessity of sealing and segregation pending resolution of the privilege concerns by agreement and/or court order) will apply to any search warrant that is to be executed in respect of the company's property, on the Premises or at any other location. We will work with you to ensure that this is done as efficiently and with as little interference or delay as possible. To the extent that it assists, we

are available to discuss this with you in advance of the execution of your search warrant, or when it is executed (as we have been asked by the company to be present). Yours truly, Goodmans LLP Jessica Kimmel Jk/ cc. Peter Kalins, Vice-President, General Counsel Apotex Inc.

- b. On December 22nd, 2017 I received and email from Detective Brandon PRICE. The email was sent on December 21st, 2017 from Goodmans LLP¹¹⁹ who are named the solicitors for Apotex Inc. Sited in this email:
 - i. Search Warrant(s) for Documents of Apotex Inc. 150 Signet Drive, Toronto ON M9L 1T9 or other locations (the "Premises") in Connection with the Toronto Police Service Investigation of Sherman deaths (the "Investigation")
 - a. We are writing as a follow up to the letter we sent to Detective Constable Thomas dated December 18, 2017, our email exchanges of December 21, 2017 and your discussion with Peter Kalins of Apotex on that same day. As you know, our role as counsel to the company is to ensure that the Toronto Police are aware of the privilege assertions over the company property that has been or may be seized, and to take steps to protect those privileges under appropriate arrangements, that could be effected by agreement and/or by court order. As has been previously indicated, the company wishes to fully co-operate in the Investigation and we are looking for the most efficient path forward to that end. We understand that

¹¹⁹ Goodmans LLP Barristers & Solicitors is representing Apotex. Jessica Kimmel is named on this document.

you are going to be making an application for a search warrant (or perhaps multiple search warrants) in respect of company property. We also understand that you have been consulting with counsel and thus expect that they have been made aware of the implications of the company's concerns (and restrictions on access to any property seized until those concerns have been resolved). Given the circumstances (and, in particular but without limitation, our advice that the electronic and hard copy records of the company are likely to be replete with privileged communications and materials), we expect that you will bring our December 18, 2017 and this correspondence to the attention of the issuing judge and that a condition will be included in any search warrants issued to the effect that: upon seizure all property covered by the search warrant will be immediately sealed and deposited to the attention of the Superior Court of Justice or with Toronto Police Services to be kept in their custody for safe-keeping until the privilege concerns of the company (and any related companies whose privileged materials may be stored on the property) are resolved either by agreement or by further order of the court. If that condition does not appear in the search warrants then we will have to, at that time, make blanket privilege assertions to that effect and will ask that all property covered by those warrants be sealed upon their execution. Either way, we are going to need to have a dialogue about how to resolve the privilege concerns,

and, in our view, it would make sense to start that dialogue now rather than waiting until after execution of the search warrants as there are a number of possible approaches to this, and the available options are, in turn, to some extent going to be informed by and dependent upon the historical time frame of interest. You and others who have been dealing directly with company representatives have provided assurances to them that they will be given ample notice of any planned execution of a search warrant so as to be able to have their teams in place and present, including counsel. We would appreciate any update that you are able to provide as to anticipated timing for this on Friday December 22, 2017. In the meantime, we remain available to discuss the company's privilege concerns and possible options for addressing them with you and your counsel and urge you to open those lines of communication in the interests of efficiency.

Yours truly, Goodmans LLP

Jessica Kimmel

cc. Peter Kalins, Vice-President, General Counsel

Apotex c.6769888

84. Between December 22nd, 2017 and January 8th, 2018, I had several conversations with Matthew ASMA¹²⁰, Crown counsel, and Randy SCHWARTZ¹²¹, General Counsel, both of the Crown Law Office – Criminal, Ministry of the Attorney General (Ontario).

¹²⁰ Matthew ASMA is Crown Counsel for the Ministry of the Attorney General (Ontario), he is located at 720 Bay Street, 10th floor in Toronto.

¹²¹ Randy SCHWARTZ is Crown Counsel for the Ministry of the Attorney General (Ontario), he is located at 720 Bay Street, 10th floor in Toronto.

As a result of these discussions and related e-mails, which I have read, it is my understanding that they spoke to and exchanged e-mails with Jessica KIMMEL and Mark DUNN at Goodmans LLP to discuss a protocol for dealing with privileged material. These discussions and e-mails extended over several days and has resulted in their agreement to a protocol by which Goodmans LLP, acting for Apotex and for the estate trustees of Bernard SHERMAN and Honey SHERMAN, will review the data extracted from the five devices first, to ensure legal privileges are protected, before the data are released to investigators. That agreed-upon protocol is what I am proposing should be incorporated into this search warrant, if granted.

Background of the Two (2) Deceased Persons

85. On December 16th, 2017 I reviewed *Background Reports*¹²², prepared by Detective Constable Kristin THOMAS, about the Deceased Persons Bernard SHERMAN and Honey SHERMAN. I have learned the following:

a. **Bernard, C, SHERMAN** (born 1942-02-25) is also known as Barry SHERMAN.

i. Information learned from MTO¹²³

1. The deceased has a valid Ontario Driver's Licence [REDACTED]
[REDACTED]
2. His registered address is 50 Old Colony Road, Willowdale, ON, M2L 2K1. He has a previous registered address of 47 Beaverhall Drive, North York, ON, M2L 2C8.
3. The deceased is the owner of one vehicle.
 - a. A 2008 white Acura RDX with a vehicle identification number of [REDACTED] and bearing an Ontario licence plate of [REDACTED]

¹²² A **Background Report** is a Work-Product document prepared about an entity – in this case, an individual. The report is a summary of information compiled from various sources, including but not limited to: law enforcement databases, other government databases, public records, and open source information.

¹²³ *The Ministry of Transportation of Ontario (MTO)*. This system maintains and stores information regarding driver and vehicle licensing.



MTO Photograph of Bernard SHERMAN

- ii. The Deceased is currently not on CPIC¹²⁴.
- iii. The Deceased has no FPS¹²⁵ or criminal record.
- iv. The Deceased does not have a Possession and Acquisition Licence (commonly referred to a firearms licence).
- v. Bernard SHERMAN is Honey SHERMAN's husband.
- vi. Information learned from Apotex.com¹²⁶
 - 1. The deceased held the title of founder and Chairman of the Board for the Apotex Group of Companies.

b. Honey SHERMAN (born 1947-01-25).

- i. Information learned from MTO.

¹²⁴ *Canada Police Information Center (CPIC)* is a Canada wide automated index to police agencies records which is for police use only. The information available includes, but is not limited to the following: Boat registration, Vehicle and Driver Information (through the respective interfaces of ministries of transportation of Canadian provinces), Warrants, Prohibitions and Peace Bonds, Suspensions, conditions of Parole and Release, Charged Persons, Pointer Persons and Criminal Records.

¹²⁵ *Fingerprint Section (FPS)* number is issued by the RCMP and is a national fingerprint identifier used to support criminal records and is unique to an individual. Police Services submit fingerprints to the RCMP, who then check to see if the fingerprint is on file. If it is, the RCMP notifies the submitting agency of the existing number. If the fingerprint is not on file, a new alphanumeric identified is created.

¹²⁶ (**Apotex.com**) is the main online website business page for *APOTEX* - an independent, dynamic, Canadian pharmaceutical company committed to R&D, manufacturing and distributing a broad range of high-quality, affordable medicines to patients, healthcare providers, payers and governments worldwide.

1. The deceased has a valid Ontario Driver's Licence [REDACTED]
[REDACTED]
2. Her registered address is 50 Old Colony Road, Willowdale, ON, M2L 2K1. She has a previous registered address of 47 Beaverhall Drive, North York, ON, M2L 2C8.
3. The deceased is the owner of three vehicles.
 - a. A 2006 Brown Lexus RXH with a vehicle identification number of [REDACTED] and bearing an Ontario licence plate of [REDACTED]
 - b. A 2005 Silver Ford MGT with a vehicle identification number of [REDACTED] and bearing an Ontario licence plate of [REDACTED]
 - c. A 1984 Grey Chrysler NY with a vehicle identification number of [REDACTED] and bearing an Ontario licence plate of [REDACTED]



MTO Photograph of Honey SHERMAN

- ii. The Deceased is currently not on CPIC¹²⁷.
- iii. The Deceased has no FPS¹²⁸ or criminal record.
- iv. The Deceased does not have a Possession and Acquisition Licence (commonly referred to a firearms licence).
- v. Honey SHERMAN is Bernard SHERMAN's wife.

GROUND TO BELIEVE THE OFFENCE WAS COMMITTED

86. I have reasonable grounds to believe that the offence of Murder was committed on Honey SHERMAN, based on the following grounds:

- a. Bernard SHERMAN and Honey SHERMAN were pronounced deceased inside their home located at 50 Old Colony Road, in the City of Toronto.
- b. The bodies of Bernard SHERMAN and Honey SHERMAN were located in the basement of their home next to their indoor pool.
- c. Both Bernard SHERMAN and Honey SHERMAN were facing the wall in a semi sitting position. Their arms were behind them, but not bound.
- d. Two black belts were seen looped around their necks and the other end of the belts had been attached to a railing [REDACTED]

- e. [REDACTED]

¹²⁷ *Canada Police Information Center (CPIC)* is a Canada wide automated index to police agencies records which is for police use only. The information available includes, but is not limited to the following: Boat registration, Vehicle and Driver Information (through the respective interfaces of ministries of transportation of Canadian provinces), Warrants, Prohibitions and Peace Bonds, Suspensions, conditions of Parole and Release, Charged Persons, Pointer Persons and Criminal Records.

¹²⁸ *Fingerprint Section (FPS)* number is issued by the RCMP and is a national fingerprint identifier used to support criminal records and is unique to an individual. Police Services submit fingerprints to the RCMP, who then check to see if the fingerprint is on file. If it is, the RCMP notifies the submitting agency of the existing number. If the fingerprint is not on file, a new alphanumeric identified is created.

[REDACTED]
[REDACTED]
f. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

g. [REDACTED]
[REDACTED]
[REDACTED]

h. [REDACTED]
[REDACTED]

i. The results of the autopsy performed on Bernard SHERMAN by Dr. Michael PICKUP which determined his cause of death to be Ligature Neck Compressions. [REDACTED]

j. The results of the autopsy performed on Honey SHERMAN by Dr. Michael PICKUP which determined her cause of death to be Ligature Neck Compressions. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

87. At this point in the investigation it is unclear if the death of Bernard SHERMAN was a suicide, or a murder. The death is suspicious in that [REDACTED]

[REDACTED] There has been no reason uncovered that would lead investigators to believe that this was a suicide alone. Bernard SHERMAN appears to have led a fulfilling life, with no mental health issues or illnesses. There are no domestic related occurrences filed with the Toronto Police Service between Bernard and Honey SHERMAN. He had scheduled a trip to Florida with his wife Honey SHERMAN

after the incident took place, and there were no significant changes in his schedule prior to his death. Bernard SHERMAN and Honey SHERMAN were in the process of breaking ground and building a \$20 million dollar home. Barry SHERMAN did not want to move as he mentioned to a witness and told them he probably only has about 10 more years to live. There has been no suicide note located.

88. I acknowledge the above mentioned three (3) possible outcomes made by Dr. Michael PICKUP in regards to Honey SHERMAN's death one of which is a suicide. After reviewing the existing evidence in its totality; I believe that Honey SHERMAN

[REDACTED]

[REDACTED] I believe she [REDACTED]

[REDACTED] I do not believe with these injuries that she would have taken her own life. She had a scheduled trip to Florida with her husband Bernard SHERMAN after the death occurred. Investigation has not revealed any mental health issues, or illnesses. There are no domestic related occurrences filed with the Toronto Police Service. There were no significant changes in her schedule prior to her death. There has been no suicide note located. I believe that Honey SHERMAN was murdered.

GROUND TO BELIEVE THAT THE DATA SOUGHT WILL BE IN THE LOCATION TO BE SEARCHED

89. On December 19th, 2017 I received an email forwarded by Detective Brandon PRICE, which was sent by Detective Constable Paul SOUCY to Detective Brandon PRICE on December 18th, 2017. In this email Detective Constable Paul SOUCY identified a seizure of several electronic devices throughout the home. A **Black Blackberry** Cellular phone, **White Apple I-Phone**, the **Toshiba Laptop**, **(2) Apple IPADs**, and an **HP Computer** which were located at 50 Old Colony Rd, in the City of Toronto. These items have been seized from the residence, and are being held in a secured locker

#57 at the Forensic Identification Services building located at 2050 Jane Street, in the City of Toronto.

90. On December 20th, 2017 I attended 2050 Jane St, in the City of Toronto. A search warrant was executed, and the **White Apple I-Phone** was removed from secured locker #57, and transported to be analyzed. The other items located inside the locker were left inside locker #57 and was secured prior to my departure.

GROUND TO BELIEVE THAT THE DATA SOUGHT WILL AFFORD EVIDENCE

Determination of Bernard SHERMAN's Black Blackberry.

91. On December 16th, 2017 I spoke to Detective Jeff Tavares. He provided a cellular phone number for each of the Deceased Persons, which he received from Brad KRAWCZYK:

a. Cellular phone associated to Bernard SHERMAN – [REDACTED]

92. The Toronto Police Service maintains an office that liaises with cellular telephone service providers to fulfill requests from investigators. I have been in contact with the Law Enforcement Support section of Rogers Communications Canada Incorporated and confirmed that cellular telephone number [REDACTED] is owned and operated by **Rogers Communications Canada Incorporated**. Furthermore, the cellular telephone number were active at the time of the deaths and that Rogers Communications Canada retains their records for thirteen (13) months. I also learned that this cellular phone associated to Bernard SHERMAN – [REDACTED] is registered to Apotex¹²⁹. (Bernard SHERMAN held the title of founder and Chairman of the Board for the Apotex Group of Companies.)

¹²⁹ **APOTEX (Apotex)** - an independent, dynamic, Canadian pharmaceutical company committed to R&D, manufacturing and distributing a broad range of high-quality, affordable medicines to patients, healthcare providers, payers and governments worldwide.

93. While processing the scene only two (2) cellular phones were located in the residence located at 50 Old Colony Road.

94. On December 17th, 2017 Bernard SHERMAN's work associate Jack KAY was interviewed and he advised:

- a. Barry only has 1 phone; a **blackberry**.

95. On December 17th, 2017 Bernard SHERMAN's son in law Brad KRAWCZYK was interviewed and he advised:

- a. Honey owned an iPhone and Barry had a touch screen **Blackberry**.

96. I believe that the White Apple I-Phone belongs to Honey SHERMAN, and the **Black Blackberry** belongs to Bernard SHERMAN.

97. [REDACTED]
[REDACTED]
[REDACTED]

98. On December 17th, 2017 I spoke to Nelia MACADANGAY who advised that Barry SHERMAN uses a **Black Blackberry**.

99. On December 21st, 2017 I received information from Detective Brandon PRICE which confirmed that Honey SHERMAN and Bernard SHERMAN are the only two (2) people who reside in the home.

100. On December 23rd, 2017 Bernard SHERMAN's [REDACTED] was interviewed and he advised:

- a. [REDACTED]
[REDACTED]
[REDACTED]

Determination of Honey SHERMAN and Bernard SHERMAN use of and ownership of HP Computer, and Toshiba Laptop, and two (2) IPADs .

101. On December 16th, 2017 I reviewed a statement supplementary report and learned that Megan YOUNG corresponds with Honey SHERMAN directly via email whenever they schedule, make changes or cancel appointments. Megan YOUNG also received her last email from Honey SHERMAN on Tuesday, December 12th, at 1:40 pm regarding the December training schedule.

102. The Toronto Police Service maintains an office that liaises with service providers to fulfill requests from investigators. I have been in contact with the Law Enforcement Support section of Rogers Communications Canada Incorporated and confirmed that the email address [REDACTED] is owned and operated by **Rogers Communications Canada Incorporated.**

103. On December 22nd, 2017 I reviewed some preliminary data from Honey SHERMAN's White Apple I-Phone. I reviewed the images and learned that Honey SHERMAN has multiple email accounts associated to her:

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]

104. I reviewed photographs taken by the Forensic Identification Services section of the Toronto Police Service.

- a. A photograph was taken of the screen of the **HP Computer.** A calendar is open on the desktop computer; it appears to be a [REDACTED], and [REDACTED] was used to open it. [REDACTED]
[REDACTED]

- b. A photograph was taken of the **Toshiba Laptop** in the [REDACTED] Above the computer a photo of [REDACTED] is posted.
- c. A photograph was taken of the screen of the **Toshiba Laptop**. A file was visible and was [REDACTED] I believe that this [REDACTED] contains [REDACTED]

105. On December 24th, 2017 Sheila STANLEY was interviewed and she advised:

- a. [REDACTED]
[REDACTED]
[REDACTED]
- b. On December 21st, 2017 I reviewed an email sent by Sheila STANLEY. In it she mentions that Honey SHERMAN uses google calendar, and uses her account [REDACTED] (The email mentioned is different to the email seen used in the photograph of the **HP Desktop Computer**). After reviewing the preliminary contents of Honey SHERMAN's phone on December 22nd, 2017 I have learned that Honey SHERMAN has three (3) emails associated to her [REDACTED]
[REDACTED]

106. On December 24th, 2017 Sheila STANLEY provided an interview. During the interview she identified the following by way of a photo provided by interviewers:

- a. Photo 2A: A view of the shared office and of the computer that Honey and sometimes Barry would use. STANLEY would print from it and beside it, is paperwork. (The **HP Desktop Computer** that was seized sits on this desk identified by Sheila STANLEY)

107. On December 21st, 2017 I reviewed a supplementary report from Detective Constable Kristin THOMAS. I learned that Sheila STANLEY takes care of paying

general bills, adding events to Honey SHERMAN's schedule, sending out invites and getting through all of Honey's emails. Sheila said anything Honey needed her to do she did. Sheila further added that Honey SHERMAN's schedule should be accessible via her iPhone & **IPAD** without any passwords. The schedule is linked with her google account. Sheila further confirmed her email is [REDACTED]

108. On December 24th, 2017 Sheila STANLEY provided an interview. During the interview she identified the following by way of a photo provided by interviewers:

- a. [REDACTED]
[REDACTED]
- b. [REDACTED]
[REDACTED]
[REDACTED]

109. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

110. In the December 18th, letter provided by Goodmans LLP on behalf of Apotex it states specifically;

- a. Any such property (whether it be computers, hard drives, phones, Ipads and/or other devices) that has been seized that may contain privileged documents and records needs to be segregated and sealed."

111. I am unable to determine if Goodmans LLP has knowledge of all the devices used and controlled by Bernard SHERMAN and Honey SHERMAN. I find the request suggests that they believe that the items mentioned are inside the home. This strengthens my belief that the **Black Blackberry, two (2) IPADS, HP Desktop**

Computer, Toshiba Laptop, and White Apple iPhone belong to or were used by Bernard SHERMAN and Honey SHERMAN.

Investigative and Evidentiary Value of the Records Being Sought

112. I believe the proposed examination of the five devices will afford data of evidentiary value in the following ways:

- a. The data contained on the cellular phone and electronics located in the home are potentially the only source of data that will help the investigators determine who Bernard SHERMAN and Honey SHERMAN were communicating with prior to their deaths.
- b. For text messages and emails, I am cautious about the privacy interests of third parties, but I believe that emails for fourteen (14) days prior to the deaths will reveal whether there was any new cause of stress, or tension between the couple or any third party. I know from the statement of Megan YOUNG that Honey SHERMAN scheduled all her appointments through email. From Jack KAY's statement I know that Bernard SHERMAN always replied to his emails.
- c. For the internet history, suicide by one or both of the deceased is a significant possibility in this case. If that is what happened, I would expect to find internet search history suggestive of suicidal thoughts or plans in the short time preceding their deaths.
- d. For contacts, addresses and phone books knowing the associates of the deceased will help us interpret the telephone records that are obtained through the search of Rogers records (for which a production order was granted by Pringle J. on December 20th, 2017). This will also help reveal additional people who may provide information in relation to this investigation.

- e. I have learned in the investigation that Honey SHERMAN [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] will help investigators identify persons who she associated with and help establish her activities prior to her death.
- f. Text documents or notes. Since suicide by one or both deceased is a possibility, I think it is important to check for a “goodbye letter” or suicide note that might have been drafted in the recent past.
- g. Data relating to use, ownership, access to the devices and to their configuration. We need to find not just incriminating or exculpatory information, but also information that helps to show who used the devices generally, and specifically at the time of the creation, sending, or receipt of the relevant information pertaining to the offence. This may include collateral information about accounts that were logged in on the device and can be identified to a person, passwords required for access and the user associated with the passwords. The date range for the examination under this category may need to reach farther back in time than for the other categories, because it may be necessary to determine who set up an account months or years earlier, in order to determine who was using the device at the relevant time.
- h. Investigators do not have a detailed understanding of the life Bernard SHERMAN and Honey SHERMAN led. For example, we do not know who their friends or associates were. We do not know if they have had any enemies. We do not know where they spent their time, or what their interests were.

Justification of Time Frame Being Sought

113. I am cautious about the privacy interests of third parties and considered this when requesting “data” I believe may infringe on these privacy rights. I think that

two weeks for e-mails, texts, documents, and internet history, and one month for call logs (which will only reveal contact, not content of the conversations), is realistically the shortest timeframe that will produce relevant evidence for the investigation.

SEALING ORDER

114. I am seeking an order pursuant to section 487.3 of the Criminal Code of Canada prohibiting disclosure of information relating to this affidavit and denying access based on the following reasons:

- a. I believe on reasonable grounds that it is necessary that all materials relating to this application be sealed from public view in order to ensure the on-going police investigation is not compromised. In particular, this case has attracted a great deal of media attention. If a suspect is identified and interviewed, it can be very valuable to discover that the suspect knows something that is not already public. This technique is useless if everything is already publicized.
- b. The family of the two deceased have been subjected to heavy media scrutiny which would only get worse if all the details known to police were made public, prejudicing their rights as innocent persons to be left alone.
- c. I reasonably believe that the ends of justice would be subverted by disclosure of information relating to this affidavit, or that the information might be used for an improper purpose, and that the importance in access to the information is outweighed by these concerns.
- d. On December 20th, 2017 a warrant was granted in relation to the White Apple iPhone. Her Honour, Justice Pringle sealed the order. I am asking that this order be sealed as well.
- e. It will be necessary, in order to give effect to the proposed protocol, to provide a copy of the search warrant to Goodmans LLP. However they do not need to see Appendix B and I think it should be withheld. There have been

rumours, reported in the press, about what offences police believe to have been committed. In reality this investigation is at an early stage and my grounds to believe at least one murder was committed may not be the ultimate police theory. I do not wish to fuel new rumours by disclosing Appendix B to Apotex's law firm, so I am requesting a condition in the warrant permitting Goodmans LLP to be given a copy of the search warrant with Appendix B removed.

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

CONCLUSION

115. In the early stages of this investigation, investigators are trying to uncover pertinent details and evidence that may assist in identifying and uncovering the identities of those individuals who may be witnesses or will have knowledge of and will assist the homicide investigation. Learning who the victims of the offence were in contact with and who their associates were is essential to the progression of this investigation.

AFFIRMED BEFORE ME AT
The City of Toronto
in the Province of Ontario, this

_____ day of _____ 2018

A Commissioner of Oaths
for the Province of Ontario

Informant

**ONTARIO COURT OF JUSTICE
(TORONTO REGION)**

IN THE MATTER OF applications for a
Warrant to Search, and Sealing Order under
the *Criminal Code*

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Toronto Police Service
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