



I, GANA KIRITHARAN

Je soussigné(e), (NAME)

of 307-10 STONEHILL COURT, SCARBOROUGH ONTARIO, M1W 2X8

De (STREET ADDRESS)

make oath and say as follows: During a Motion in Ontario Civil

déclare sous serment que:

Court on 12<sup>th</sup> of November 2008, TD Canada Trust informed that they have send me a letter dated 13<sup>th</sup> July 2007. But I did not received that letter.

Also around 2002-2003 period I experienced missing letters sent by my publishers from India. I am enclosing with this affidavit.

Complaint 3 #11

Evidences #11

1. Copy of letter dated by the bank saying they sent to Gana Kiritharan.

2. Pages 1, 5 and 6 of Affidavit of Gerry Deslondes sworn on November 10, 2008.

3. E-mail communication of Gana Kiritharan with his publishers regarding missing letters #11

G. Kiritharan

(signature)

Sworn by the said GANA KIRITHARAN

Déclaré sous serment par JAY HONG

before me JAY HONG

at The City of Toronto

on the 4<sup>th</sup> day of March, yr 2009

le 4<sup>th</sup> jour de March, an 2009

JUSTICE OF THE PEACE / PROVINCE OF ONTARIO

*[Signature]*



**Canada Trust**

TD Canada Trust  
Bayshore Shopping Centre  
100 Bayshore Drive  
Nepean, Ontario K2B 8C1  
T: 613 726 6411 F: 613 596 4178

*Chandler*

*613-  
782  
1249*

July 13, 2007

Mr. Gana Kiritharan  
307-10 Stonehill Court  
Scarborough, Ontario  
M1W 2X8

Dear Mr Kiritharan;

Thank you for your letter dated July 12, 2007. I am sorry that the representative from our branch in Scarborough, was unable to answer all of your questions and concerns. I have just contacted the Manager of that branch :

Mr Tony Sukul  
TD Canada Trust  
Branch 1488 at Eglinton & Kennedy  
Scarborough Ontario M1K2P7  
Canada  
Phone 1-416-751-3810 x 250

I am going to forward directly to him the copies of the transactions that you had requested in your original letter to me dated March 12, 2007. I was holding on to the information waiting for a branch or yourself to advise where to forward the information too, so that they can review the concerns that you have.

As I stated before I am unable to address your concerns or forward you the entries by mail. Please contact the Manager , Mr Tony Sukul who will have received all of the information by the time you receive this letter.

I understand that you are upset, and Mr Sukul will be more than happy to help you resolve your concerns.

Yours Truly,

Eileen Vaughan  
Manager



**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**BETWEEN:**

**GANA KIRITHARAN**

Plaintiff  
(Defendant by Counterclaim)

- and -

**TD CANADA TRUST**

Defendant  
(Plaintiff by Counterclaim)

**AFFIDAVIT OF GERRY DESCHENES  
(Sworn on November 10, 2008)**

**I, GERRY DESCHENES**, of the Town of Markham, in the Regional Municipality of York, **MAKE OATH AND SAY AS FOLLOWS:**

1. I am a Litigation Officer for the Defendant, TD Canada Trust hereinafter referred to as the "Bank". As such, I have knowledge of the matters to which I hereinafter depose except where stated to be based upon information received from others in which cases I verily believe such information to be true.

**TD Emerald Visa Credit Card No.: 4520-0500-0241-3878**

2. On March 5, 1996, the Plaintiff, Gana Kiritharan ("Gana") applied and was approved for a TD Emerald Visa credit card ("TD Visa"). Attached hereto and marked as Exhibit "A" is a copy of the TD Emerald Visa Application (the "Visa Application").

3. By signing the Visa Application and by use of the TD Visa, Gana agreed to be bound by the terms and conditions contained in the TD Emerald Visa Cardholder Agreement (the "Visa Agreement") (Exhibit "B").

4. The Defendant advanced monies at the request of the Plaintiff and all such advances were made solely for the benefit of Gana at an interest rate agreed upon between the parties.

28. On April 3, 2007, the Plaintiff attended branch #5926 and was given copies of the ten transaction slips that he requested information for in his letter dated March 12, 2007. Attached hereto and marked as Exhibit "I" are copies of the ten transaction inquiries.

29. Thereafter, the Plaintiff sent Ms. Vaughan letters dated April 4, 2007 and July 12, 2007, stating that he was not satisfied with the information provided to him regarding his accounts with TD Canada Trust. Attached hereto and marked as Exhibit "J" are copies of the correspondences from the Plaintiff and the response from Ms. Vaughan dated July 13, 2007.

30. Subsequently, the action herein was commenced by the Plaintiff on October 18, 2007 against the Bank. In the Statement of Claim the Plaintiff seeks details of each account the Plaintiff had with the Bank.

31. In paragraph 3 of the Statement of Claim the Plaintiff admits that he stopped making monthly payments towards his Line of Credit account with the Bank around March 2005.

32. Due to the Plaintiff's acknowledgement of the debt, the Defendant filed a Statement of Defence and Counterclaim against Gana seeking payment for the aforementioned outstanding TD Visa and Line of Credit accounts.

33. In response, Gana served a Reply and Defence to Counterclaim in which he acknowledges the debt owed to the Defendant in paragraph 5 and admits that there was default in payment of his Line of Credit and TD Visa accounts held with the Bank.

34. I am advised by Susan Rai of Fluxgold Izsak Jaeger L.P., the lawyers acting on behalf of the Bank, and verily believe that on May 29, 2008, the Plaintiff attended at her office to inspect the originals of the ten transaction slips requested by the Plaintiff. Eight of the ten original transaction slips were made available for inspection by the Plaintiff. The Bank has been unable to locate two of the original transaction slips, however, copies of the two have been provided to the Plaintiff.

35. There has been an exchange of Affidavit of Documents and the Plaintiff has been provided with all information in the Defendant's control, including the account transaction history, with respect to the accounts held by the Plaintiff.

36. I am also advised by Susan Rai that on September 9, 2008, she spoke with the Plaintiff to advise him that the Bank would be proceeding with a motion for summary judgment of the Bank's Counterclaim. Attached hereto and marked as Exhibit "K" is a copy of the

correspondence dated September 12, 2008 that was delivered to the Plaintiff confirming the motion date that was available with the Toronto Court.

37. On September 29, 2008, the Plaintiff served a "Notice to the Defendant" containing an "Affidavit of Document 10 Civil" sworn by the Plaintiff on September 26, 2008 and titled "Psychiatric Diagnosis of Gana Kiritharan's Mental Condition" (Exhibit "L"). At page 5 of the Affidavit there is a Psychiatric Report dated June 4, 2008, from Dr. Sooriabalan of Rouge Valley Health System concluding that the Plaintiff was suffering from a major psychiatric illness called Delusional Disorder of Persecutory Type.

38. Due to this discovery the Bank cancelled its motion for summary judgment and served the Defendant with the Request for Appointment of Litigation Guardian on the Plaintiff on October 18, 2008. Attached hereto and marked as Exhibit "M" is a copy of the Affidavit of Service on the Plaintiff.

39. The Plaintiff's motion returnable November 12, 2008, does not seek leave to appoint a Litigation Guardian. It seeks an Order from the Court that there is enough evidence to suspect that there was a commission of crime in accounts managed in the Plaintiff's name by the Defendant. No evidence or documents provided by the Plaintiff indicate that there was any type of criminal activity by the Bank.


40. The Defendant managed the following four accounts in the Plaintiff's name: Value account, TD Visa account, Line of Credit account and Investment account. Attached hereto and marked as Exhibit "N" is a copy of the Total Accounts Enquiry of the four accounts in the Plaintiff's name. Account histories for each of the accounts have been provided to the Plaintiff at Tabs 1 through to 4 of the Defendant's Amended Affidavit of Documents.

41. There are no other accounts in the Plaintiff's name, Gana Kiritharan or Kiritharan Kanagaligham other than the four listed above.

42. The Plaintiff's motion is vexatious and should be dismissed with costs.

SWORN before me at the Town )  
of Markham, in the Regional )  
Municipality of York )  
this 10<sup>th</sup> day of November, 2008 )

  
\_\_\_\_\_  
GERRY DESCHENES

  
\_\_\_\_\_  
A Commissioner, etc.

Following are the E-Mail Communication between Gana Kiritharan and his publishers regarding missing letters containing publishing contract supposed to be signed by Gana Kiritharan.

MSN.CA | My MSN | Hotmail | Search | Shopping | Money | People & Chat

Sign Out



Send and receive large attachments  
Hotmail Extra Storage  
just \$29.95 a year.



Search



Home | Inbox | Compose | Address Book | Options | Help

kirithara@hotmail.com

Save Address(es) | Block

Previous | Next | Close

From : "Vivek Ahuja" <vahuja@ubspd.com>

Reply-To : vahuja@ubspd.com

To : "Gana Kiritharan" <kirithara@hotmail.com>

Subject : Re: TOTAL QUALITY MANAGEMENT

Date : Wed, 13 Feb 2002 10:03:22 +0530

Reply | Reply All | Forward | Delete | Put in Folder... ▾

Printer Friendly Version

Dear Mr. Gana Kiritharan,

I am surprised to know that the second packet too has not reached you. I have just sent someone to the post office to check. Shall revert to you.

Meanwhile, please arrange to send the electronic file of your book so that we can start work. The agreement can be sent to you by email also.

As suggested by you, let us wait for a week. Else, I will make other arrangements of sending the agreement to you.

Regards,  
Vivek Ahuja.

From: "Gana Kiritharan" <http://lw8fd.laws.hotmail.msn.com/cgi-bin/compose?composeid=...>  
To: http://lw8fd.laws.hotmail.msn.com/cgi-bin/compose?composeid=...&sendto=kirithara%40hotmail.com  
Subject: TOTAL QUALITY MANAGEMENT  
Date sent: Mon, 11 Feb 2002 19:52:51 -0500

> Vivek Ahuja,  
> Director Publishing,  
> UBSPD  
> New Delhi,  
>  
> Dear Vivek Ahuja,  
>

> I Gana Kiritharan regret to inform you that I failed to receive the first or  
> second parcel until today. If you have send the second parcel by REGISTERED  
> AIRMAIL POST and can assure that no changes of making mistake on writing the  
> address we can wait for one more week, otherwise we can assume that the  
> second parcel also get lost on post. As it is accepted commonsense that  
> postal services is not an accountable way to send important documents please  
> send the next set by an accountable courier services. Meanwhile did you find  
> out what happened to first parcel? If you have made some mistake on writing  
> the address then it may returned to you by this time.

> You have mentioned on the previous letter that you do not have my personal  
> mailing address, but I think the visiting card I have send you initially  
> have it on the back side. I have also sent it on the first letter when I am  
> requesting you send the courier. Anyway, I am sending my personal mailing  
> address and the address of two courier services in New Delhi who provide  
> tracking services on Internet by an attachment with this letter. You can  
> take printout of it and give a copy to dispatch department. Please send the  
> parcel by one of the courier I am mentioning and inform me the date of  
> sending and tracking number by Email. It will help me save lot of time by  
> arranging a delivery time.

>

> As we have wasted almost two months on correspondence delay, I like to ask  
 > you to send the next parcel with some personal care with out considering the  
 > cost of courier services. I regret to let to know that the present delay on  
 > correspondence make me to feel disappointed. I feel that we should start the  
 > printing work as early as possible, as we could see some early signs of  
 > economic growth started to come.  
 >  
 > I apologize for any inconvenience.  
 >  
 > Thank you for your time.  
 >  
 > Yours sincerely  
 >  
 > G. Kiritharan  
 >  
 >  
 > Gana Kiritharan,  
 > PO Box 53187,  
 > Ottawa ON K1N1C5  
 > Canada.  
 >  
 >  
 >  
 >  
 >  
 > Get your FREE download of MSN Explorer at <http://ezp3.exe.msn.com/inst1.asp>.

Reply | Reply All | Forward | Delete | Put in Folder... ▼

Previous | Next | Close



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When Gana Kiritharan was diagnosed with Chronic form of Toxic Metal Toxicity he started to buy several medications and other nutritional supplement on Internet Gana Kiritharan may experienced unusual form of postal delay on shipping of such materials. Following is one such delay. A parcel supposed to be delivered next day took almost 10 days for delivery. [Gana Kiritharan may made a complaint to his shippers and Canada Postal services regarding this shipment.]

**Tracking Number**

3717208089904361

**Product Type:** Expedited Parcels

**Expected Delivery :** 2012/10/30

**Reference Number 1:** 145805J

**Track History**

Date	Time	Location	Description	Retail Location	Signatory Name
2012/11/07	13:17	SCARBOROUGH	Item successfully delivered		
2012/11/05	14:05	SCARBOROUGH	Attempted delivery. Notice card left indicating where item can be picked up.		
2012/11/05	08:20	SCARBOROUGH	Item processed at postal facility		
2012/11/05	06:51	SCARBOROUGH	Item processed at local delivery facility		
2012/10/31	07:44	SCARBOROUGH	Item processed at local delivery facility		
2012/10/30	19:29	MISSISSAUGA	Item processed at postal facility		
2012/10/30	08:05	SCARBOROUGH	Item successfully delivered		
2012/10/30	08:05	SCARBOROUGH	Item out for delivery		
2012/10/30	07:50	SCARBOROUGH	Item processed at local delivery facility		
2012/10/30	07:32	SCARBOROUGH	Item processed at local delivery facility		
2012/10/29	23:27	MISSISSAUGA	Item processed at postal facility		
2012/10/29	13:08	ORILLIA	Item picked up by Canada Post		
2012/10/29	13:01	BARRIE	Electronic information submitted by shipper.		

**Shipping Options and Features for this Item**

**EXPEDITED PARCEL  
COLIS ACCÉLÉRÉS**

CANADA POST / POSTES CANADA  
From : [www.nationalnutrition.ca](http://www.nationalnutrition.ca)  
5 PROGRESS DR.  
ORILLIA ON L3V6H1

ESTOEE V12  
Mailer / Exp.  
3717208

PIN / NIP 3717 2030 8990 4361  
Ref/Ref: 1 : 145805J

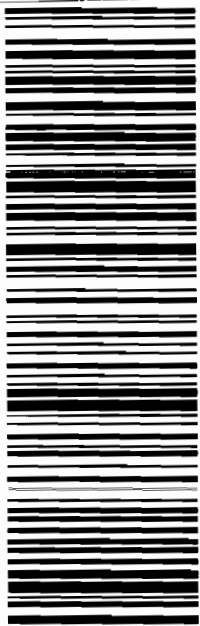
To / Dest :  
GANA KIRITHARAN  
PO BOX 92296  
SCARBOROUGH ON M1W3Y9

Method of Pay  
Mode de payer  
See Manifest /  
manifeste  
Weight/Poids  
0.152 KG

*Orillia to mail*

CPC Tracking Number / Numéro de repérage de la SCP  
3717 2080 8990 4361

**M1W3Y9**



**ATTENTION**

Signature Required  
Signature Requise





# Wireless Services for 416-820-8581

## ANA KIRITHARAN

Account Number: 5-5404-2044  
 Invoice Number: 1043546018  
 Invoice Date: Jan 23, 2012  
 Required Payment Date: Feb 19, 2012

### Savings

You saved **\$6.00** on your Wireless services.

You saved **\$300.00** on your Nokia N8 by choosing a 3-year contract.\*\*

### Your services include:

#### \*Mega Incoming 30

- 150 Outgoing Weekday Minutes
- Unlimited Incoming Minutes
- Unlimited Eve/Weekend Mins

#### \*Value Pack

- Call Display with Name Display
- Enhanced Voicemail
- 125 Sent Text Messages
- Unlimited Received Text Msgs
- Mobile Backup
- WhoCalled

This Value Pack saves you \$13/mth (52%) vs. individual pricing at time of subscription.

### Regular charges

Ending Jan 23	Wireless usage	85.68
Jan 24 - Feb 23	Mega Incoming 30*	30.00
	6GB Data Service Plan	30.00
	Value Pack*	12.00
	Tethering Access	0.00
	9-1-1 Emergency Access Fee	0.75
	System Access Fee	6.95

### Other charges and credits

**Savings:** 10% Off-Better Choice Bundles -6.00

**Total before taxes: \$159.38**  
 HST (862395381 RT0001) 20.72

**Total for Wireless: \$180.10**

### Wireless usage summary ending Jan 23/12

Type of usage	Usage Description	You used	Unit of measure	Total cost (\$)
Voice	150 Outgoing Weekday Minutes	46:00	Min:Sec	0.00
Voice	Unlimited Eve & Wknd Minutes	46:00	Min:Sec	0.00
Voice	Unlimited Incoming Local Calls	18:00	Min:Sec	0.00
Data	Data Usage - Included	6291456.00	KB	0.00
Data	6GB Data Service Plan	1914112.00	KB	85.68
Text Msg	Canada & Roaming - Received	4	Msgs	0.00

**Total Wireless Usage: \$85.68**

### LEGEND

- LD = Long Distance
- MMS = Multimedia Msg
- KB = Kilobyte
- MB = Megabyte
- GB = Gigabyte

### DATA GUIDE

- 1 MB = 1024 KB
- 1 GB = 1048576 KB
- 1 GB = 1024 MB

Visit [rogers.com/dataguide](http://rogers.com/dataguide) for more information

\*\*Based on device savings comparing Rogers term vs. no-term pricing at time of activation.

**Rate period**

NW = Weeknight/Weekend  
 OD = Mobile Internet

WD = Weekday

Account Number: 5-5404-2044  
 Phone Number: 416-820-8581  
 Invoice Number: 1043546018  
 Invoice Date: Jan 23, 2012  
 Required Payment Date: Feb 19, 2012

**Details of data usage  
 on Rogers network**

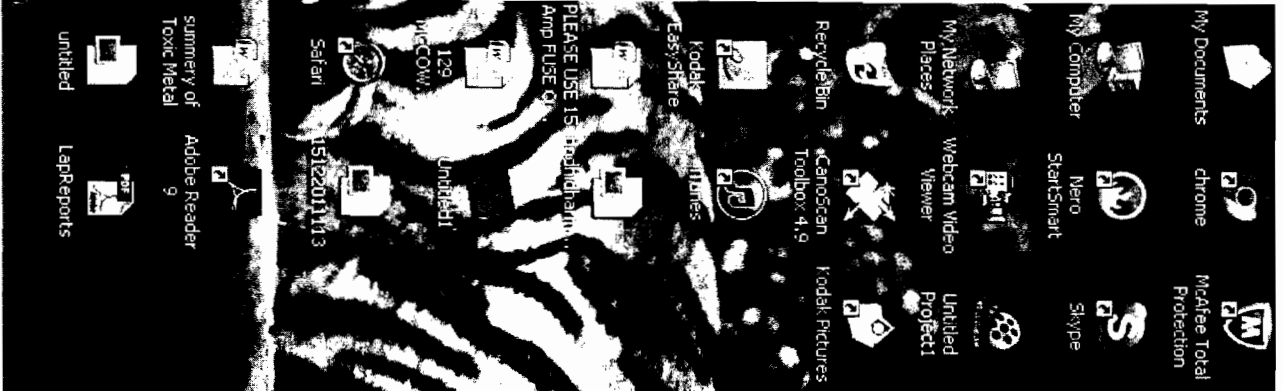
Date	Rate prd	Volume (KB)	Total charges (\$)
1 Fri Dec 23	OD	1206.00	0.00
2 Sat Dec 24	OD	927.00	0.00
3 Sun Dec 25	OD	4584.00	0.00
4 Mon Dec 26	OD	155619.00	0.00
5 Tue Dec 27	OD	16724.00	0.00
6 Wed Dec 28	OD	335535.00	0.00
7 Thu Dec 29	OD	259.00	0.00
8 Fri Dec 30	OD	140810.00	0.00
9 Sat Dec 31	OD	5229364.00	0.00
10 Sun Jan 01	OD	1649714.00	65.57
11 Mon Jan 02	OD	358.00	0.01
12 Tue Jan 03	OD	20250.00	0.61
13 Wed Jan 04	OD	126760.00	3.81
14 Thu Jan 05	OD	501.00	0.02
15 Fri Jan 06	OD	374.00	0.01
16 Sat Jan 07	OD	91569.00	2.75
17 Sun Jan 08	OD	25863.00	0.77
18 Mon Jan 09	OD	83643.00	2.51
19 Tue Jan 10	OD	4995.00	0.15
20 Wed Jan 11	OD	89810.00	2.70
21 Thu Jan 12	OD	153863.00	4.59
22 Fri Jan 13	OD	13917.00	0.42
23 Sat Jan 14	OD	702.00	0.02
24 Sun Jan 15	OD	7537.00	0.23
25 Mon Jan 16	OD	3639.00	0.11
26 Tue Jan 17	OD	23987.00	0.71
27 Wed Jan 18	OD	2461.00	0.07
28 Thu Jan 19	OD	8238.00	0.25
29 Fri Jan 20	OD	6550.00	0.20
30 Sat Jan 21	OD	1366.00	0.04
31 Sun Jan 22	OD	4443.00	0.13
<b>Total:</b>		<b>8205568.00</b>	<b>85.68</b>

**Summary of usage ending Jan 23/12**

Rate Period	Within Rogers Network		Total
	Airtime		
Weeknight/Weekend	55:00 (Mins)	55:00 (Mins)	55:00 (Mins)
Weekday	55:00 (Mins)	55:00 (Mins)	55:00 (Mins)
<b>Total minutes used:</b>	<b>110:00 (Mins)</b>	<b>110:00 (Mins)</b>	<b>110:00 (Mins)</b>
Data	8,205,568.00 (KB)	8,205,568.00 (KB)	8,205,568.00 (KB)
<b>Total data used:</b>	<b>8,205,568.00 (KB)</b>	<b>8,205,568.00 (KB)</b>	<b>8,205,568.00 (KB)</b>

**Long distance usage history**

Destination	Ending Nov 23	Ending Dec 23	Ending Jan 23
International	02:00 (Mins)	00:00 (Mins)	00:00 (Mins)
<b>Total:</b>	<b>02:00 (Mins)</b>	<b>00:00 (Mins)</b>	<b>00:00 (Mins)</b>



**Mcafee Total Protection**

**McAfee Total Protection**

Home  
 Navigation  
 About  
 Help

**✓ Your computer is secure (no action required)**

**McAfee SECURE**

Issues: **0**

**Full Scan complete**

✓ All issues have been resolved

McAfee has eliminated all threats on your PC

**Done** **View details**

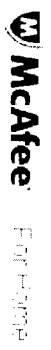
**Viruses, Trojans, and Cookies Removed**

- [Cookie-Quest.com.in](#)

**Scan Summary**

Total: 100899

- Files: 90131
- Cookies: 1777
- Processes: 74
- Registry Items: 8910
- Boot records: 2



### Search Results

You searched for 'Cookie-Questionmarke'

Sorry, we found 0 results matching your search criteria. Read the search tips below and try again.

#### Search Tips

- Check your entry for typos or spelling mistakes.
  - Try using a more general term or keyword.
  - Reduce the number of words or characters.
  - Try different keywords or synonyms.
- [View All Search Tips](#)

My Account

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Virus Removal Tools

Threat Activity

Top Tracked Viruses

Virus Hoaxes

Regional Virus Information

Global Virus Map

Virus Calendar

Glossary

Anti-Virus Tips

Display Threat Alerts on Your Site





## Cookie-Questionmarke

<b>Type</b>	Program
<b>SubType</b>	02/23/2005
<b>Discovery Date</b>	4432 (02/23/2005)
<b>Minimum DAT</b>	4432 (02/23/2005)
<b>Updated DAT</b>	5.1.00
<b>Minimum Engine</b>	02/23/2005
<b>Description Added</b>	04/18/2008 11:06 AM (PT)
<b>Description Modified</b>	

### Characteristics

McAfee(R) AVERT recognizes that this program may have legitimate uses in contexts where an authorized administrator has knowingly installed this application. If you agreed to a license agreement for this, or another bundled application, you may have legal obligations with regard to removing this software, or using the host application without this software. Please contact the software vendor for further information.

See <http://vil.nai.com/vil/DATReadme.asp> for a list of Program detections added to the DATs.

See <http://vil.nai.com/vil/pups/configuration.htm> for information about how to enable, disable, and exclude detection of legitimately installed programs.

### Purpose

This detection triggers on cookie-files installed upon browsing sites under the [www.questionmarket.com](http://www.questionmarket.com) and [www.safecount.net](http://www.safecount.net) domains. These cookies may be used to track personal settings, identification data, as well as behavioral and usage details.

Safecount's privacy policy is available at the following URL:  
<http://www.safecount.net/privacy.htm>

### Removal

#### Instructions on Enabling/Disabling Detection and Removal of Potentially Unwanted Programs

### Aliases

#### Aliases

N/A