

**SCHEDULE “D”**

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**NOTICE OF DISPUTE OF AMENDED AND RESTATED DEPOSIT STATEMENT  
IN RESPECT OF A DEPOSIT PAID TO TARN CONSTRUCTION CORPORATION**

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Capitalized terms not defined herein have the meanings given to them in the Deposit Confirmation Procedure Order of the Ontario Superior Court of Justice dated April 13, 2018 (the “**Deposit Confirmation Procedure Order**”), the Deposit Statement or the Amended and Restated Deposit Statement.

**I. PARTICULARS OF PURCHASER**

**Deposit Reference Number:**

\_\_\_\_\_ [Insert Deposit Reference Number listed on the Amended and Restated Deposit Statement]

**Full Legal Name of Purchaser**

**Full Mailing Address of Purchaser**

**Telephone Number**

**Email Address**

**Attention (Contact Person)**

**II. DISPUTE OF KNOWN ADDITIONAL DEPOSIT SET OUT IN AMENDED AND RESTATED DEPOSIT STATEMENT**

The Purchaser hereby disputes the classification, amount and/or nature of the Known Additional Deposit set out in the Amended and Restated Deposit Statement and asserts the Additional Deposits as set out in the following table (*see next page*).

**KNOWN ADDITIONAL DEPOSIT MADE AFTER MARCH 31, 2018**

<b>Payment Type</b>	<b>Deposit Date</b>	<b>Deposit Amount</b>	<b>Deposit Classification (APS Deposit or Upgrades)</b>
<b>Total</b>			

**III. REASONS FOR DISPUTE**

Provide full particulars below as to the basis for the Purchaser’s dispute of the Known Additional Deposit as set out in the Amended and Restated Deposit Statement and provide supporting documentation. This includes, without limitation, description and copies of agreement(s) giving rise to the Additional Deposit and proof of Additional Deposit dates and amounts (copies of cheques, bank statements or other form of proof from a financial institution to confirm that a deposit was paid by the Purchaser named on the APS). The particulars provided must support the value of the Additional Deposit as stated by the Purchaser in the table above.

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Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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Signature of Purchaser or its  
Authorized Signatory

This Notice of Dispute of Amended and Restated Deposit Statement **MUST** be delivered to the Receiver at the address below by no later than **5:00 PM Eastern Standard Time thirty (30) calendar days after the date set out on the Amended and Restated Deposit Statement** (the “**Deposit Confirmation Bar Date**”).

KPMG Inc.,  
in its capacity as court-appointed Receiver and Manager  
of Tarn Construction Corporation  
333 Bay Street, Suite 4600  
Toronto, Ontario, M5H 2S5

Attention: Marcel Réthoré  
Phone: 1-855-222-8083  
Fax: 416-777-3364  
E-mail: [tarn@kpmg.ca](mailto:tarn@kpmg.ca)

If a completed Notice of Dispute of Amended and Restated Deposit Statement in respect of the Known Additional Deposit is not received by the Receiver by the Deposit Confirmation Bar Date, the Purchaser shall be forever barred from disputing the classification, amount or nature of the Known Additional Deposit and any Additional Deposit of a different classification or nature or in excess of the amount specified in the Known Additional Deposit shall be forever barred and extinguished.

**IF A NOTICE OF DISPUTE OF AMENDED AND RESTATED DEPOSIT STATEMENT IS NOT RECEIVED BY THE RECEIVER WITHIN THE PRESCRIBED TIME PERIOD, THE KNOWN ADDITIONAL DEPOSIT AS SET OUT IN THE AMENDED AND RESTATED DEPOSIT STATEMENT WILL BE DEEMED TO BE THE KNOWN ADDITIONAL DEPOSIT OF THE PURCHASER AND WILL BE FINAL AND BINDING ON THE PURCHASER FOR ALL PURPOSES.**