

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**BETWEEN:**

**GANA KIRITHARAN**

**Plaintiff**

**and**

**TD CANADA TRUST**

**Defendant**

**AFFIDAVIT OF DOCUMENT 3 CIVIL**

**(GANA KIRITHARAN'S ATTEMPTS TO COMMUNICATE WITH  
TD CANADA TRUST AND CONFUSING REPLY FROM THE BANK)**

I, Gana Kiritharan, of the City of Toronto, of Province of Ontario, the Plaintiff in this action,

MAKE OATH AND SAY AS FOLLOWS:

1. When I, Gana Kiritharan, visited TD Branch at Kennedy and Eglinton in Scarborough on 3<sup>rd</sup> April 2007, the branch manager after printing my line of credit account details from computer system called TD Canada Communication center at 1 888 453 0334 and with the ID of NRT # 035546976 and collected following information
2. Then she said my line of credit is placed for collection with Global Credit Collection and the balance was 12,673.70 and the interest is being charged on the daily basis.

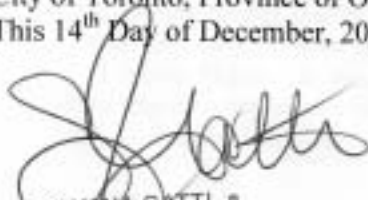
3. Then I pointed my finger at following transaction and asked, what is this means?

Date	Trans Description	Trans Amount	Balance
10/19/2005	Collection Item	11,611.72 CR	
10/19/2005	Close Account	0.00 DR	0.00

4. The bank manager said bank paid its money into my account and closed it. Then bank placed my account for collection.
5. Then on 10<sup>th</sup> May 2007, I again called TD Canada Communication center 1 888 453 0334 and with the ID of NRT # 035546976 and get informed the balance on that day of my line of credit was 12,770.41 and the interest is being charged is 7.5%.

6. The said interest rate may explain how 12,673.70 on 3<sup>rd</sup> April 2007 become 12770.41 on 10<sup>th</sup> May 2007. But it will not explain how 11,611.72 on 19<sup>th</sup> October 2005 become 12,673.70 on 3<sup>rd</sup> April 2007.
7. I expressed my dissatisfaction on a letter send to Ottawa branch manager on 4<sup>th</sup> April 2007 but failed to receive any reply. Again I sent another letter to branch manager on 12<sup>th</sup> July 2007. This time I also sent copies of the letter to Mr. Tim Hockey, executive, group head personal banking at Toronto Dominion center at Toronto, also to TD Ombudsman at Toronto Dominion center at Toronto. But I failed receive any reply.
8. Again, I hired services of CB Associate & Consultancy to correspond regarding my line of credit with TD Canada Trust between 7<sup>th</sup> September 2007 and 16<sup>th</sup> of October 2007. They also failed to give any clear explanation for me.
9. I am enclosing copies of correspondence with TD Canada Trust, calculation of Interest at 7.5% charged on daily basis, and information provided by CB Associate & Consultancy with this document.

SWORN Before Me at the  
City of Toronto, Province of Ontario  
This 14<sup>th</sup> Day of December, 2007

  
SILVANA GATTI, a  
Commissioner, etc., City of Toronto,  
for the Government of Ontario,  
Ministry of the Attorney General

  
Signature of Plaintiff

12<sup>th</sup> March 2007

From : Gana Kiritharan,  
307 - 10 StoneHill Court,  
Scarborough ON M1W 2X8

To: Branch Manager,  
TD Canada Trust,  
100 Bayshore Drive  
Nepean ON K2B 8C1

Dear Sir/Madam

I, Gana Kiritharan, have enough reasons to believe that your bank holding some money belong to me in an undisclosed account. The money may be the payments for my intellectual works from various people. The reasons for my suspicions as follows:

1. During November 2004 - March 2005 period whenever I visited TD Canada Trust branches in Scarborough area for financial transaction, the banking staff tried to print some additional transactions than ones I was doing on that day in a separate sheet and attach to the transaction slip of the day. Some times these additional transactions were printed on the back of the transaction slip of the day. Though I tried to have a look into these transactions, the banking staff prevented me from doing so. (Please see Page 2 to Page 9)
2. While I was away from Canada during March 2005 - May 2006 period payments were made for my line of credit with TD Canada Trust and some more credit cards with other banks. (Please see Page 10 to Page 12)

I would like to ask you to forward full details (Who opened it? Who deposited money into it? Is any money taken from such account? If so details of such withdrawals.) of any such account immediately by registered mail to my present mailing address at:

Gana Kiritharan,  
307 - 10 Stonehill Court,  
Scarborough ON M1W 2X8  
Canada.

(Please see Page 13 to Page 14 for Identity Confirmation and Address Confirmation)

I am expecting a reply on or before 30<sup>th</sup> March 2007 that is two weeks from today. I prefer to receive a reply by writing. I may not be able to visit any of your branches regarding this issue. I may not like to receive a reply by phone or by Email. Failure to receive a responsible reply may force me to seek legal help on solving this issue.

Yours truly,

G. Kiritharan

Canada Post Tracking Number  
RW 043 646 919 CA



## Canada Trust

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

March 28, 2007

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

Dear Mr. Kiritharan;

I received your letter dated March 12, 2007 where you requested certain information regarding your account and line of credit.

I have ordered the entries you are enquiring about but this will take some time as they date back to 2005. Unfortunately, I will be unable to send you this information by mail even though you included id as part of your correspondence. For privacy reasons you will need to go to a TD Canada Trust to identify yourself. They will in turn take your identification and confirm your identity and address your concerns. Upon request I will forward the requested documentation to that branch.

Thank You for your co-operation.

Yours Truly

Eileen Vaughan  
Manager



BR #: 1625 ACCOUNT: 4457424 CRL  
PERIOD: FROM : 01 / 01 / 2005

SHORTNAME: KIRITHARAN G  
TO : 04 / 03 / 2007

FN	DATE	TRANS DESCRIPTION	TRANS AMOUNT	BALANCE
-	01/04/2005	GM W/D 002353	20.00 DR	
-	01/04/2005	PYT FRM: 59263188100	329.35 CR	10,669.05-
-	01/05/2005	GC 1795-CASH WITHDRA	300.00 DR	10,969.05-
-	01/07/2005	TRF 05926-3188100	110.00 CR	
-	01/07/2005	GM W/D 007522	20.00 DR	10,879.05-
-	01/10/2005	SHOPPERS DRUG M	67.68 DR	
-	01/10/2005	GM W/D 008503	20.00 DR	10,966.73-
-	01/14/2005	GM DEPOSIT 008295	326.56 CR	
-	01/14/2005	GM W/D 008296	60.00 DR	
-	01/14/2005	SHOPPERS DRUG M	143.18 DR	10,843.35-
-	01/21/2005	GM DEPOSIT 004398	326.56 CR	

FN==> C - COPY REQUEST, S - SELECT TRANSACTION  
USER ID: RAMBAJ PSWD:

1/HELP 3/END 4/MENU 5/PRINT 7/BKWD 8/FWD 12/LOGOFF  
IMSTX TDASHF LTRM M2001200 MOD DASHFEO 2007-04-03 11.10

Branch 1488 at Eglinton & Kennedy  
Address 2428 Eglinton Ave East  
Scarborough ON M1S 4B7  
Phone: (416) 751-3810

\$ 12,673.70

1888 453 0334

1800 563 4929

GLOBAL CREDIT COLLECTION

NR T#035546976

FOR VISA

POMER

AND BOCCIA

1888 858 5529

\$ 3050.70

APPL: CPA TRAN: EAF  
BR #: 1488

ID:

DEPOSIT ACCOUNT HISTORY  
FINANCIAL ENQUIRY

SC: 5  
PAGE 2 OF 5

BR #: 1625 ACCOUNT: 4457424 CRL  
PERIOD: FROM : 01 / 01 / 2005

SHORTNAME: KIRITHARAN G  
TO : 04 / 03 / 2007

FN	DATE	TRANS DESCRIPTION	TRANS AMOUNT	BALANCE
-	01/21/2005	GM W/D 004399	20.00 DR	10,536.79-
-	01/24/2005	GM W/D 006202	100.00 DR	10,636.79-
-	01/28/2005	TRF 05926-3188100	225.00 DR	10,861.79-
-	01/31/2005	GM W/D 000607	60.00 DR	
-	01/31/2005	INTEREST	78.16 DR	10,999.95-
-	02/01/2005	PYT FRM: 59263188100	329.99 CR	10,669.96-
-	02/02/2005	TRF 05926-3188100	32.00 CR	
-	02/02/2005	GC 1795-CASH WITHDRA	300.00 DR	
-	02/02/2005	GM W/D 002554	60.00 DR	10,997.96-
-	02/11/2005	TRF 05926-3188100	27.00 CR	
-	02/11/2005	GM W/D 008593	20.00 DR	10,990.96-

FN==> C - COPY REQUEST, S - SELECT TRANSACTION

USER ID: RAMBAJ PSWD:

1/HELP 3/END 4/MENU 5/PRINT 7/BKWD 8/FWD 12/LOGOFF  
IMSTX TDASHF LTRM M2001200 MOD DASHFEO 2007-04-03 11.11

APPL: CPA TRAN: EAF  
BR #: 1488

ID:

DEPOSIT ACCOUNT HISTORY  
FINANCIAL ENQUIRY

SC: 5  
PAGE 3 OF 5

BR #: 1625 ACCOUNT: 4457424 CRL  
PERIOD: FROM : 01 / 01 / 2005

SHORTNAME: KIRITHARAN G  
TO : 04 / 03 / 2007

FN	DATE	TRANS DESCRIPTION	TRANS AMOUNT	BALANCE
-	02/14/2005	GC 1795-DEPOSIT	326.56 CR	
-	02/14/2005	GC 1795-CASH WITHDRA	300.00 DR	10,964.40-
-	02/18/2005	GM W/D 003252	20.00 DR	
-	02/18/2005	GM DEPOSIT 003253	326.56 CR	10,657.84-
-	02/21/2005	GM W/D 003950	100.00 DR	
-	02/21/2005	GM W/D 000422	100.00 DR	10,857.84-
-	02/25/2005	TRF 05926-3188100	80.00 DR	10,937.84-
-	02/28/2005	TRF 05926-3188100	20.00 CR	
-	02/28/2005	INTEREST	71.17 DR	10,989.01-
-	03/02/2005	TRF 05926-3188100	10.85 DR	10,999.86-
-	03/03/2005	DIRECT STAFFING SOL	326.56 CR	

FN==> C - COPY REQUEST, S - SELECT TRANSACTION

USER ID: RAMBAJ PSWD:

1/HELP 3/END 4/MENU 5/PRINT 7/BKWD 8/FWD 12/LOGOFF  
IMSTX TDASHF LTRM M2001200 MOD DASHFEO 2007-04-03 11.11

APPL: CPA TRAN: EAF  
BR #: 1488

ID:

**DEPOSIT ACCOUNT HISTORY**  
**FINANCIAL ENQUIRY**

SC: 5  
PAGE 4 OF 5

BR #: 1625 ACCOUNT: 4457424 CRL  
PERIOD: FROM : 01 / 01 / 2005

SHORTNAME: KIRITHARAN G  
TO : 04 / 03 / 2007

FN	DATE	TRANS DESCRIPTION	TRANS AMOUNT	BALANCE
-	03/03/2005	GC 1795-DEPOSIT	10.00 CR	
-	03/03/2005	GC 1795-CASH WITHDRA	300.00 DR	10,963.30-
-	03/04/2005	TRF 05926-3188100	36.70 DR	11,000.00-
-	03/31/2005	INTEREST	79.40 DR	11,079.40-
-	04/29/2005	INTEREST	77.40 DR	11,156.80-
-	05/31/2005	INTEREST	80.54 DR	11,237.34-
-	06/30/2005	INTEREST	78.51 DR	11,315.85-
-	07/29/2005	INTEREST	81.69 DR	11,397.54-
-	08/31/2005	INTEREST	82.28 DR	11,479.82-
-	09/30/2005	INTEREST	82.01 DR	11,561.83-
-	10/19/2005	INTEREST	49.89 DR	

FN==> C - COPY REQUEST, S - SELECT TRANSACTION

USER ID: RAMBAJ PSWD:

1/HELP 3/END 4/MENU 5/PRINT 7/BKWD 8/FWD 12/LOGOFF  
IMSTX TDASHF LTRM M2001200 MOD DASHFEO 2007-04-03 11.11



APPL: CPA TRAN: EAF  
BR #: 1488

ID:

DEPOSIT ACCOUNT HISTORY  
FINANCIAL ENQUIRY

SC: 5  
PAGE 5 OF 5

BR #: 1625 ACCOUNT: 4457424 CRL  
PERIOD: FROM : 01 / 01 / 2005

SHORTNAME: KIRITHARAN G  
TO : 04 / 03 / 2007

FN	DATE	TRANS DESCRIPTION	TRANS AMOUNT	BALANCE
-	10/19/2005	COLLECTION ITEM	11,611.72 CR	
-	10/19/2005	CLOSE ACCOUNT	0.00 DR	0.00

FN==> C - COPY REQUEST, S - SELECT TRANSACTION

USER ID: RAMBAJ PSWD:

1/HELP 3/END 4/MENU 5/PRINT 7/BKWD 8/FWD 12/LOGOFF  
IMSTX TDASHF LTRM M2001200 MOD DASHFEO 2007-04-03 11.11

**Confusing Interest Rate For Gana Kiritharan's Line of Credit when on Collection**

Date	At 7.5 Inter Rate	At 7.5 Inter Rate	At 6.01607 Inter Rate
19-Oct-05	\$11,611.72		\$11,611.72
20-Oct-05	\$11,614.11		\$11,613.63
21-Oct-05	\$11,616.49		\$11,615.55
22-Oct-05	\$11,618.88		\$11,617.46
23-Oct-05	\$11,621.27		\$11,619.38
24-Oct-05	\$11,623.65		\$11,621.29
25-Oct-05	\$11,626.04		\$11,623.21
26-Oct-05	\$11,628.43		\$11,625.12
27-Oct-05	\$11,630.82		\$11,627.04
28-Oct-05	\$11,633.21		\$11,628.96
29-Oct-05	\$11,635.60		\$11,630.87
30-Oct-05	\$11,637.99		\$11,632.79
31-Oct-05	\$11,640.38		\$11,634.71
1-Nov-05	\$11,642.78		\$11,636.63
1-Dec-05	\$11,714.76		\$11,694.30
1-Jan-06	\$11,789.61		\$11,754.20
1-Feb-06	\$11,864.94	\$11,611.72	\$11,814.41
2-Feb-06	\$11,867.38	\$11,614.11	\$11,816.36
1-Mar-06	\$11,933.40	\$11,678.71	\$11,869.06
1-Apr-06	\$12,009.65	\$11,753.33	\$11,929.85
1-May-06	\$12,083.90	\$11,826.00	\$11,988.98
1-Jun-06	\$12,161.11	\$11,901.57	\$12,050.39
1-Jul-06	\$12,236.30	\$11,975.15	\$12,110.12
1-Aug-06	\$12,314.48	\$12,051.67	\$12,172.15
1-Sep-06	\$12,393.17	\$12,128.67	\$12,234.50
1-Oct-06	\$12,469.79	\$12,203.66	\$12,295.14
1-Nov-06	\$12,549.47	\$12,281.64	\$12,358.12
1-Dec-06	\$12,627.06	\$12,357.57	\$12,419.37
1-Jan-07	\$12,707.74	\$12,436.53	\$12,482.99
1-Feb-07	\$12,788.94	\$12,515.99	\$12,546.93
1-Mar-07	\$12,862.72	\$12,588.20	\$12,604.96
1-Apr-07	\$12,944.91	\$12,668.64	\$12,669.53
2-Apr-07	\$12,947.57	\$12,671.24	\$12,671.61
3-Apr-07	\$12,950.23	\$12,673.84	\$12,673.70
4-Apr-07	\$12,952.89	\$12,676.45	\$12,676.31
5-Apr-07	\$12,955.55	\$12,679.05	\$12,678.91
6-Apr-07	\$12,958.21	\$12,681.66	\$12,681.52
7-Apr-07	\$12,960.87	\$12,684.26	\$12,684.12
8-Apr-07	\$12,963.54	\$12,686.87	\$12,686.73
9-Apr-07	\$12,966.20	\$12,689.48	\$12,689.34
10-Apr-07	\$12,968.87	\$12,692.08	\$12,691.94
11-Apr-07	\$12,971.53	\$12,694.69	\$12,694.55
12-Apr-07	\$12,974.20	\$12,697.30	\$12,697.16
13-Apr-07	\$12,976.86	\$12,699.91	\$12,699.77
14-Apr-07	\$12,979.53	\$12,702.52	\$12,702.38
15-Apr-07	\$12,982.20	\$12,705.13	\$12,704.99
1-May-07	\$13,024.94	\$12,746.96	\$12,746.82
2-May-07	\$13,027.62	\$12,749.58	\$12,749.44
3-May-07	\$13,030.30	\$12,752.20	\$12,752.06
4-May-07	\$13,032.97	\$12,754.82	\$12,754.68
5-May-07	\$13,035.65	\$12,757.44	\$12,757.30
6-May-07	\$13,038.33	\$12,760.06	\$12,759.92
7-May-07	\$13,041.01	\$12,762.69	\$12,762.55
8-May-07	\$13,043.69	\$12,765.31	\$12,765.17
9-May-07	\$13,046.37	\$12,767.93	\$12,767.79
10-May-07	\$13,049.05	\$12,770.56	\$12,770.41

Please note the 7.5% interest charged on daily basis may explain how 12673.70 on 3 Apr 2007 become 12770.41 on 10 May 07. But this will fail to explain how 11611.72 on 19 Oct 2005 become 12673.70 on 3 Apr 2007.

Confusing Interest Rate For		Gana Kiritharan's Line of	Credit when on Collection
Date	At 7.5 Inter Rate	At 7.5 Inter Rate	At 6.01607 Inter Rate
38644	11611.72		11611.72
38645	=(B4/100*7.5/365)+B4		=(D4/100*6.01607/365)+D4
38646	=(B5/100*7.5/365)+B5		=(D5/100*6.01607/365)+D5
38647	=(B6/100*7.5/365)+B6		=(D6/100*6.01607/365)+D6
38648	=(B7/100*7.5/365)+B7		=(D7/100*6.01607/365)+D7
38649	=(B8/100*7.5/365)+B8		=(D8/100*6.01607/365)+D8
38650	=(B9/100*7.5/365)+B9		=(D9/100*6.01607/365)+D9
38651	=(B10/100*7.5/365)+B10		=(D10/100*6.01607/365)+D10
38652	=(B11/100*7.5/365)+B11		=(D11/100*6.01607/365)+D11
38653	=(B12/100*7.5/365)+B12		=(D12/100*6.01607/365)+D12
38654	=(B13/100*7.5/365)+B13		=(D13/100*6.01607/365)+D13
38655	=(B14/100*7.5/365)+B14		=(D14/100*6.01607/365)+D14
38656	=(B15/100*7.5/365)+B15		=(D15/100*6.01607/365)+D15
38657	=(B16/100*7.5/365)+B16		=(D16/100*6.01607/365)+D16
38687	=(B46/100*7.5/365)+B46		=(D46/100*6.01607/365)+D46
38718	=(B77/100*7.5/365)+B77		=(D77/100*6.01607/365)+D77
38749	=(B108/100*7.5/365)+B108	11611.72	=(D108/100*6.01607/365)+D108
38750	=(B109/100*7.5/365)+B109	=C109+(C109/100*7.5/365)	=(D109/100*6.01607/365)+D109
38777	=(B136/100*7.5/365)+B136	=C136+(C136/100*7.5/365)	=(D136/100*6.01607/365)+D136
38808	=(B167/100*7.5/365)+B167	=C167+(C167/100*7.5/365)	=(D167/100*6.01607/365)+D167
38838	=(B197/100*7.5/365)+B197	=C197+(C197/100*7.5/365)	=(D197/100*6.01607/365)+D197
38869	=(B228/100*7.5/365)+B228	=C228+(C228/100*7.5/365)	=(D228/100*6.01607/365)+D228
38899	=(B258/100*7.5/365)+B258	=C258+(C258/100*7.5/365)	=(D258/100*6.01607/365)+D258
38930	=(B289/100*7.5/365)+B289	=C289+(C289/100*7.5/365)	=(D289/100*6.01607/365)+D289
38961	=(B320/100*7.5/365)+B320	=C320+(C320/100*7.5/365)	=(D320/100*6.01607/365)+D320
38991	=(B350/100*7.5/365)+B350	=C350+(C350/100*7.5/365)	=(D350/100*6.01607/365)+D350
39022	=(B381/100*7.5/365)+B381	=C381+(C381/100*7.5/365)	=(D381/100*6.01607/365)+D381
39052	=(B411/100*7.5/365)+B411	=C411+(C411/100*7.5/365)	=(D411/100*6.01607/365)+D411
39083	=(B442/100*7.5/365)+B442	=C442+(C442/100*7.5/365)	=(D442/100*6.01607/365)+D442
39114	=(B473/100*7.5/365)+B473	=C473+(C473/100*7.5/365)	=(D473/100*6.01607/365)+D473
39142	=(B501/100*7.5/365)+B501	=C501+(C501/100*7.5/365)	=(D501/100*6.01607/365)+D501
39173	=(B532/100*7.5/365)+B532	=C532+(C532/100*7.5/365)	=(D532/100*6.01607/365)+D532
39174	=(B533/100*7.5/365)+B533	=C533+(C533/100*7.5/365)	=(D533/100*6.01607/365)+D533
39175	=(B534/100*7.5/365)+B534	=C534+(C534/100*7.5/365)	=(D534/100*6.01607/365)+D534
39176	=(B535/100*7.5/365)+B535	=C535+(C535/100*7.5/365)	=(D535/100*7.5/365)+D535
39177	=(B536/100*7.5/365)+B536	=C536+(C536/100*7.5/365)	=(D536/100*7.5/365)+D536
39178	=(B537/100*7.5/365)+B537	=C537+(C537/100*7.5/365)	=(D537/100*7.5/365)+D537
39179	=(B538/100*7.5/365)+B538	=C538+(C538/100*7.5/365)	=(D538/100*7.5/365)+D538
39180	=(B539/100*7.5/365)+B539	=C539+(C539/100*7.5/365)	=(D539/100*7.5/365)+D539
39181	=(B540/100*7.5/365)+B540	=C540+(C540/100*7.5/365)	=(D540/100*7.5/365)+D540
39182	=(B541/100*7.5/365)+B541	=C541+(C541/100*7.5/365)	=(D541/100*7.5/365)+D541
39183	=(B542/100*7.5/365)+B542	=C542+(C542/100*7.5/365)	=(D542/100*7.5/365)+D542
39184	=(B543/100*7.5/365)+B543	=C543+(C543/100*7.5/365)	=(D543/100*7.5/365)+D543
39185	=(B544/100*7.5/365)+B544	=C544+(C544/100*7.5/365)	=(D544/100*7.5/365)+D544
39186	=(B545/100*7.5/365)+B545	=C545+(C545/100*7.5/365)	=(D545/100*7.5/365)+D545
39187	=(B546/100*7.5/365)+B546	=C546+(C546/100*7.5/365)	=(D546/100*7.5/365)+D546
39203	=(B562/100*7.5/365)+B562	=C562+(C562/100*7.5/365)	=(D562/100*7.5/365)+D562
39204	=(B563/100*7.5/365)+B563	=C563+(C563/100*7.5/365)	=(D563/100*7.5/365)+D563
39205	=(B564/100*7.5/365)+B564	=C564+(C564/100*7.5/365)	=(D564/100*7.5/365)+D564
39206	=(B565/100*7.5/365)+B565	=C565+(C565/100*7.5/365)	=(D565/100*7.5/365)+D565
39207	=(B566/100*7.5/365)+B566	=C566+(C566/100*7.5/365)	=(D566/100*7.5/365)+D566
39208	=(B567/100*7.5/365)+B567	=C567+(C567/100*7.5/365)	=(D567/100*7.5/365)+D567
39209	=(B568/100*7.5/365)+B568	=C568+(C568/100*7.5/365)	=(D568/100*7.5/365)+D568
39210	=(B569/100*7.5/365)+B569	=C569+(C569/100*7.5/365)	=(D569/100*7.5/365)+D569
39211	=(B570/100*7.5/365)+B570	=C570+(C570/100*7.5/365)	=(D570/100*7.5/365)+D570
39212	=(B571/100*7.5/365)+B571	=C571+(C571/100*7.5/365)	=(D571/100*7.5/365)+D571

<= 7.5 Inter Rate

Please note the 7.5% interest on 3 Apr 2007 become 12770. how 11611.72 on 19 Oct 2005

charged on daily basis may 41 on 10 May 07. But this will become 12673.70 on 3 Apr

explain how 12673.70 fail to explain 2007

4<sup>th</sup> April 2007

From : Mr. Gana Kiritharan,  
307 – 10 StoneHill Court,  
Scarborough ON M1W 2X8

To: Mr. Eileen Vaughan,  
Branch Manager,  
TD Canada Trust,  
100 Bayshore Drive  
Nepean ON K2B 8C1

Dear Eileen Vaughan,

Thank you for your reply for my inquiry regarding my accounts with TD Canada Trust.  
As you requested I went to the TD Branch at;

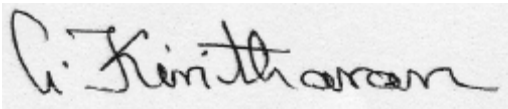
TD Canada Trust Branch  
Branch 1488 at Eglinton & Kennedy,  
Scarborough ON M1K 2P7  
Canada

and presented my ID. The banking Staff who helped me after checking my ID printed some documents from the computer system and gave them as the status of my account. Though I pointed that I may have to receive some documents from Bayshore Branch the person did not give any attention for it. According to the information provided to me my present account status. I have to pay 12,473.70 for my line of credit to Global Credit Collector and I have to pay 3050.70 for my Visa card to Power and Boccia credit collectors. No other information was provided. As I am not satisfied with the answer I am preparing to for legal help to solve my problem.

I am enclosing the details of the information provided to me with this letter. If you have any more information than provided here please forward them immediately to the TD Branch at above address and inform me about it, so that I can go collect them.

Thank You,

Yours truly,



12<sup>th</sup> July 2007

From : Gana Kiritharan,  
307 – 10 StoneHill Court,  
Scarborough ON M1W 2X8

To: Eileen Vaughan,  
Branch Manager,  
TD Canada Trust,  
100 Bayshore Drive  
Nepean ON K2B 8C1

Dear Eileen Vaughan,

I, Gana Kiritharan, have made an inquiry into my banking details with TD Canada Trust on 12<sup>th</sup> March 2007. I received a reply for it from Scarborough Branch at Kennedy and Eglinton on 3<sup>rd</sup> of April 2007 and expressed my displeasure regarding the reply on my letter to you on 4<sup>th</sup> of April 2007 (Pages 3-5). I failed to receive any reply regarding my concerns after that. So I want to bring this problem to possible highest level in TD Canada Trust problem solving mechanism and wants immediate explanation for all my concerns. Please note in addition to financial strains I suffered until this day, this problem stated to affect my health as well. Now I am diagnosed with stress and depression and on medical care for these problems. I am expecting complete explanation for all my concerns on or before 3<sup>rd</sup> August 2007. This letter shall be considered a formal notification before any civil action regarding this matter in Canadian Civil court.

My Concerns are:

1. During November 2004 – March 2005 period when I visited TD Canada Trust branches in Scarborough area for financial transaction, the banking staff printed some additional transactions than ones I was doing on that day in a separate sheet and attach this sheet to the regular transaction sheet of that day. Some times these additional transactions were printed on the back side of the regular transaction sheet of the day. Though I tried to have a look into these transactions, the banking staff prevented me from doing so. What is this additional Information? (Page 6)
2. What happened to my line of credit with TD Bank? According to the information I gathered from TD Bank on 3<sup>rd</sup> April 2007 and 10<sup>th</sup> May 2007 it was closed in October 2005 by Bank and subsequently placed for collection on 7.5% interest rate which charged on daily basis. If so why my Credit Reports with TransUnion of Canada is saying Balance 0, Stopped Reporting Oct 2005 and Closed on consumer Request. Also my Credit Reports with Equifax Canada though giving a balance of 11,000 Dollars there also you stopped reporting from Dec 2005. What is the correct explanation for the transaction on Oct 19 2005 in my Line of Credit? Collection Item - 11,611.72 CR, Close Account – 0.00 DR. Also please note the said interest rate may fail to explain the balances (Pages 7 - 10).

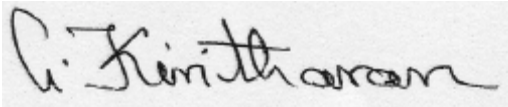
3. What is Last Financial Activity on my TD Visa Emerald card? According to August 11, 2006 TransUnion Credit report it is Oct 2005, According to April 26, 2007 TransUnion Credit report it is May 2005 and According to Equifax of Canada Credit Report it is April 2005. Why is this confusion? (Page 11).
4. Are there any other accounts other than the following were managed in my name in TD Canada Trust.
- |                                   |                     |
|-----------------------------------|---------------------|
| Checking Account (Value Account): | 5926 – 3188100      |
| Line of Credit:                   | 1625 – 4457424      |
| TD Visa Emerald:                  | 4520 0500 0241 3878 |

I am looking forward for an immediately complete reply by registered mail to my present mailing address at:

Gana Kiritharan,  
307 – 10 Stonehill Court,  
Scarborough ON M1W 2X8  
Canada.

Thank you,

Yours truly,



Cc: Tim Hockey,  
Executive,  
Group Head Personal Banking,  
P. O. Box 1  
Toronto-Dominion Center  
Toronto ON M5K 1A2

TD Ombudsman,  
P. O. Box 1  
Toronto-Dominion Center  
Toronto ON M5K 1A2

**CB ASSOCIATES & CONSULTANTS**  
CAN-00001

INVOICE No.

R1112

Date: September 7, 2007

<b>Billing To:</b>	Gana Kiritharan 307-10 Stonejill Court Scarborough ON M1W 2X8
--------------------	--

Type Of Service	
-----------------	--

Please pay this invoice. No statement will be sent (unless requested).

DATE	DESCRIPTION OF SERVICES PROVIDED	Fees	TOTAL Paid
Sept/07/07	Reviewed all related documents by counsel.		
	Corresponding with TD Bank to obtain an explanation of dispute for owing amount for account # 1625 4457424 by above said client.	\$350.00	\$350.00
		Misc.	
		Amount Owed	\$350.00
		Amount Paid	\$350.00
		G.S.T    6%	
		TOTAL DUE	

**Canada Trust**

TD Canada Trust  
Account & Recovery Management Group  
3500 Steeles Ave East, Tower 1, Level 4  
Markham, Ontario L3R 0X1  
T: 416-307-6334 F: 416-982-8860

---

**To:**  
Henry Nicholas

---

**Date:**  
October 12 2007

---

**Fax number:**  
416-759-7547

---

**From:**  
Angel Wang

---

**Subject:**  
Acct#4457424 branch#1625 Mr. Gana Kiritharan

---

**Number of pages (including cover):**  
51

Hi Mr. Nicholas:

Please find attached history of the above mentioned account for Mr. Kiritharan. If you have any questions please call me.

Thanks

Angel

The information in this facsimile may contain confidential information intended only for the person(s) named above. If you have received this facsimile in error, please notify us immediately by a collect telephone call to the sender's number and return the original transmission to us by mail. We will reimburse you for postage. Please do not disclose the contents to anyone by either dissemination, distribution or the copying of this communication.

# Fax



BR #: 1625 ACCOUNT: 4457424 CRL SHORTNAME: KIRITHARAN G  
 PERIOD: FROM : 01 / 01 / 2000 TO : 10 / 12 / 2007

FN	DATE	TRANS DESCRIPTION	TRANS AMOUNT	BALANCE
-	05/22/2002	LINE OF CREDIT OPEN	0.00 CR	0.00
-	05/27/2002	CIBC VISA K9U6W5	2,000.00 DR	
-	05/27/2002	HSBC MSTRCD K9U6W7	1,000.00 DR	3,000.00-
-	05/31/2002	INTEREST	3.39 DR	3,003.39-
-	06/13/2002	GC 0354-DEPOSIT	100.00 CR	2,903.39-
-	06/28/2002	INTEREST	19.96 DR	2,923.35-
-	07/02/2002	TRF 05926-3188100	100.00 DR	3,023.35-
-	07/08/2002	TRF 05926-3188100	2,500.00 DR	5,523.35-
-	07/11/2002	TRF 05926-3188100	2,000.00 DR	7,523.35-
-	07/12/2002	GM DEPOSIT 008583	2,975.00 CR	4,548.35-
-	07/26/2002	IP264 TFR-FR 436031A	1,400.00 CR	3,148.35-

FN==> C - COPY REQUEST, S - SELECT TRANSACTION

USER: [REDACTED] PSWD:

1/HELP 3/END 4/MENU 5/PRINT 7/BKWD 8/FWD 12/LOGOFF  
 IMSTX TDASHF LTRM M5901107 MOD DASHFEO 2007-10-12 12.11

This document Contains another 49 pages  
which gives the details of transactions  
of Gana Kiritharan's Line of Credit  
from opening till closed by bank.

APPL: CPA TRAN: EAF

ID:

SC:

BR #: 3879

DEPOSIT ACCOUNT HISTORY  
FINANCIAL ENQUIRY

PAGE 52 OF 53

BR #: 1625 ACCOUNT: 4457424 CRL  
PERIOD: FROM : 01 / 01 / 2000SHORTNAME: KIRITHARAN G  
TO : 10 / 12 / 2007

FN	DATE	TRANS DESCRIPTION	TRANS AMOUNT	BALANCE
-	03/03/2005	GC 1795-CASH WITHDRA	300.00 DR	10,963.30-
-	03/04/2005	TRF 05926-3188100	36.70 DR	11,000.00-
-	03/31/2005	INTEREST	79.40 DR	11,079.40-
-	04/29/2005	INTEREST	77.40 DR	11,156.80-
-	05/31/2005	INTEREST	80.54 DR	11,237.34-
-	06/30/2005	INTEREST	78.51 DR	11,315.85-
-	07/29/2005	INTEREST	81.69 DR	11,397.54-
-	08/31/2005	INTEREST	82.28 DR	11,479.82-
-	09/30/2005	INTEREST	82.01 DR	11,561.83-
-	10/19/2005	INTEREST	49.89 DR	
-	10/19/2005	COLLECTION ITEM	11,611.72 CR	

FN==&gt; C - COPY REQUEST, S - SELECT TRANSACTION

USER ID: PSWD:

1/HELP 3/END 4/MENU 5/PRINT 7/BKWD 8/FWD 12/LOGOFF  
IMSTX TDASHF LTRM M5901107 MOD DASHFEO 2007-10-12 12.13

APPL. Oct. 12. 2007. 1:02PM TO Default Recovery No. 2005 P. 1 JC:  
BR #: 3879 DEPOSIT ACCOUNT HISTORY PAGE 53 OF 53  
FINANCIAL ENQUIRY

BR #: 1625 ACCOUNT: 4457424 CRL SHORTNAME: KIRITHARAN G  
PERIOD: FROM : 01 / 01 / 2000 TO : 10 / 12 / 2007

FN	DATE	TRANS DESCRIPTION	TRANS AMOUNT	BALANCE
_	10/19/2005	CLOSE ACCOUNT	0.00 DR	0.00

FN==> C - COPY REQUEST, S - SELECT TRANSACTION  
USER ID: WANGA4 PSWD:

1/HELP 3/END 4/MENU 5/PRINT 7/BKWD 8/FWD 12/LOGOFF  
IMSTX TDASHF LTRM M5901107 MOD DASHFEO 2007-10-12 12.13

16<sup>th</sup> October 2007,

To: CB Associate and Consultants,  
2390, Eglinton Avenue, East, Suite 202-A  
Toronto ON M1K 2P5

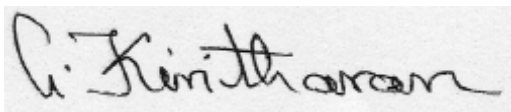
From: Gana Kiritharan,  
307 - 10 StoneHill Court,  
Scarborough ON M 1 W 2X8

Notice of Termination of contract of Service for Corresponding with TD Bank.

On 7<sup>h</sup> September 2007, I, Gana Kiritharan, hired your services to Correspond with TD Bank to obtain an explanation of dispute for owing amount for account # 1625 4457424 (Your Invoice No: R 1112). As I am preparing file a civil action regarding this matter in Canadian Civil Court, I would like to terminate this contract with you. This notice come in to effective as of 16<sup>th</sup> October 2007, 5.00 PM. Thank you for your all effects regarding this matter and please forwards all your communication with TD to me. Also, I am looking forward to sign a new contract with your lawyer Mr. Peter to get his assistance and expertise on filing the civil action. So, please help me to get direct contract with him.

Thank you,

Yours truly,

A handwritten signature in black ink, reading "G. Kiritharan", on a light-colored rectangular background.

Gana Kiritharan.



## CB ASSOCIATES & CONSULTANTS

Gana Kiritharan  
307-10 Stonehill Court  
Scarborough ON  
M1W 2X8

October 18, 2007

**Re: Gana Kiritharan vs. Dispute amount of \$11,611.72 with  
TD BANK  
NRT # 35546976**

To: Gana Kiritharan

As per our conversation, and the letter I received from you dated October 16, 2007. CB Associates & Consultants will have no further correlation with your matter concerning TD Bank and we have terminated the services on this matter.

All documentations we have obtained and communicated with TD Bank thus far including; acquiring appropriate customer relations number and NTR #, retaining authorization, obtaining account balance and corresponding with Angle Wang of TD Bank account recovery and fraud management department regarding this matter. Receiving a fax from Angle Wang stating your current account balance of \$11,611.72 and how the unpaid balance has been assigned to Global Credit & Collections Inc. for further collection efforts.

All the documents pertaining to this file is ready for you to pick up. Please let us know how you wish to receive the file.

If you have any questions or concerns regarding matters or CB Associates & Consultants has handled thus far, please do not hesitate to contact us at the undersigned.

Thank You,

Henry Nicholas  
CB Associates & Consultants

**Canada Trust**

**TD Canada Trust**  
Account & Recovery Management Group  
3500 Steeles Ave East, Tower 1, Level 4  
Markham, Ontario L3R 0X1  
T: 416-307-6334 F: 416-982-8860

---

**To:**  
Henry Nicholas

---

**Date:**  
October 17 2007

---

**Fax number:**  
416-759-7547

---

**From:**  
Angel Wang

---

**Subject:**  
NRT#035546976

---

**Number of pages (including cover):**  
2

Hi Mr. Nicholas: Please find enclosed letter as per your requested.

Thanks

Angel

The information in this facsimile may contain confidential information intended only for the person(s) named above. If you have received this facsimile in error, please notify us immediately by a collect telephone call to the sender's number and return the original transmission to us by mail. We will reimburse you for postage. Please do not disclose the contents to anyone by either dissemination, distribution or the copying of this communication.

# Fax



**Canada Trust**

TD Canada Trust  
Account Recovery and Fraud Management  
TD Centre  
P.O. Box 347  
Toronto, Ontario M5K 1K7

October 17 2007

Send by fax: 416-759-7547

CB Associates and Consultants  
2390 Eglinton Avenue East Suite 202-A  
Toronto, Ontario  
M1K 2P5

Attention: Henry Nicholas

Re: **Account # 4457424 branch 1625**  
**Customer- Gana Kiritharan**

Dear Mr. Henry Nicholas:

Please note the principal balance outstanding on the above mentioned account as of October 19 2005 was **\$11,611.72**. This unpaid balance was assigned to an agency for further collection efforts.

Currently, this account is being handled by **Global Credit & Collections Inc** at **1-800-563-4929**. Kindly contact them to discuss further payment arrangement for Mr. Gana Kiritharan.

Sincerely,

Angel Wang  
Account Recovery and Fraud Management  
1-888-453-0334





28<sup>th</sup> October 2007,

To: CB Associate and Consultants,  
2390, Eglinton Avenue, East,  
Suite 202-A  
Toronto ON M1K 2P5

From: Gana Kiritharan,  
307 - 10 StoneHill Court,  
Scarborough ON M 1 W 2X8

Request for more Information regarding Service of Corresponding with TD Bank.

As you requested on your 18<sup>th</sup> October 2007 letter I visited your office on 25<sup>th</sup> October 2007 to pick up the details of correspondence you made with TD Canada Trust regarding my Line of Credit. I was provided only with a Fax received by your office from TD Canada Trust on 17<sup>th</sup> October 2007. Despite it was received by your office one day after I requested to terminate the correspondence with the bank, it failed to make any break through in the issue. Above mentioned Fax and the Fax received by your office on 12<sup>th</sup> October 2007 shall be considered more formal repeat of information I received on my visit to TD Canada Trust Branch at Kennedy and Eglinton in Scarborough on 3<sup>rd</sup> April 2007.

I feel two important questions in the issue are not yet answered. They are:

- 1) Why my line of credit is being reported on TransUnion Credit report as follows: Balance 0.00, Closed on consumer Report.

Reported	Opened	Last Activity	High Credit	Balance	Past Due Terms Amount	Account Type/Current Payment	Payment History
							30 60 90 #m
TORONTO DOMINION BANK							
Oct 01, 2005	May 2002	Oct 2005	11,000	0	0	346/Month R5 REVOLVING AT LEAST 120 DAYS OVERDUE	1 1 5 42
Comments: CLOSED CONSUMER'S REQUEST, LINE OF CREDIT							

- 2) What is the detail explanation for the transaction on October 19<sup>th</sup> 2005 in my line of credit.

Date	Trans Description	Trans Amount	Balance
10/19/2005	Collection Item	11,611.72 CR	
10/19/2005	Close Account	0.00 DR	0.00

As the information I left in your office I have filed a civil action regarding this matter. I hope it will bring clear explanation regarding this matter from TD Canada Trust.

Mean Time, I would like to ask more detailed information regarding the correspondence you have made with TD Canada Trust regarding my line of credit.

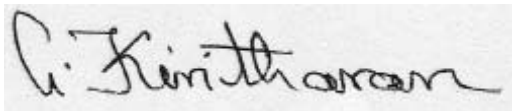
Please provide me with more information regarding following issues:

- 1) You have informed me, during your service, your lawyer Mr. Peter was corresponding with TD Canada Trust regarding this matter. Please provide me more details of correspondence he made regarding this issue with the Bank.
- 2) During the correspondence once TD Canada Trust invited us for a face to face meeting during first week of October 2007. Even though I was prepared for the meeting you or your lawyer canceled the meeting. What is the proper explanation for this cancellation?
- 3) During the correspondence you have mentioned some officials of TD Canada Trust told you the Bank had sold my Line of Credit to third party. That is the reason my line of credit is being reported as balance 0.00 in credit reports. Please provide me name of the officials who gave this explanation and their department in the bank. Did they provide any evidence for this explanation?

As I need above mentioned information to file evidences for my Civil Action, please provide them as early as possible.

Thank you,

Yours truly,

A handwritten signature in black ink, appearing to read 'G. Kiritharan', written on a light-colored background.

Gana Kiritharan.

*(Short Title of Proceedings)*

KIRITHARAN VS TD CANADA TRUST

Court File No:

07 – CV – 341987PD 2

**SUPERIOR COURT OF JUSTICE**  
**CIVIL -**  
**393 University Ave – 10<sup>th</sup> Fl**  
**Toronto ON M5G 1E6 .**

Proceeding commenced at Toronto

**AFFIDAVIT OF DOCUMENT 3 CIVIL**

(Name, Address & Telephone Number of Party)

Gana Kiritharan  
307 – 10 StoneHill Court  
Scarborough ON M1W 2X8  
TEL: 416 – 820 8581