



Canada Revenue
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DATE **FEBRUARY 14 2018**

This Exhibit 'M' referred to in the

AdvisorOnTrack Inc. Affidavit of Deandre Moore Appeals Officer Emer-Lyn Aquino-Tabios
7 Vanson Avenue sworn before me at the City of Ottawa, this Telephone (587) 475-2936
Nepean ON K2E 6A9 17 day of April, 2018 Our file GB 1629 8095 3113
Account Number 86546 5306 RC0001

Sylvia Reid
A Commissioner for taking affidavits

To Whom It May Concern,

Re: Notices of Objection for the years ending December 31, 2012 and 2013

We have granted the request for an extension to the deadline imposed in our letter dated January 11, 2018.

Please provide representations as per our telephone discussion to my attention at the address listed below on, or before, **April 30, 2018**. Please note that this will be the **only extension** granted at this time.

You can submit documentation supporting a Notice of Objection electronically through My Account, My Business Account, or Represent a Client.

Submit Documents is a secure method for you to electronically submit documents to the Canada Revenue Agency. If you choose to electronically submit documents, please select **I do not have a Case or Reference Number** on the Submit Documents main page.

You will receive a system-generated Reference Number and Confirmation Number at the end of your submission. Once you receive these numbers, please provide them to me at the number listed above.

You can add additional documents to your original submission at any time, using the Reference Number you received after your first submission. For more information on the Submit Documents Online Service, please go to our website at www.cra-arc.gc.ca and search Submit Documents.

Please note, if we do not hear from you by the deadline noted above, the file will be closed with no adjustments.

If you have any questions in regard to this matter please contact me at the number above.

Yours truly,

Emer-Lyn Aquino-Tabios
Appeals Officer, Appeals Division
Southern Alberta Tax Services Office – Calgary

125, 220 - 4th Avenue S.E.
Calgary, Alberta T2G 0L1
Fax: (403) 292-5613

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Canada

February 9, 2018

Emer-Lyn Aquino-Tabios
Canada Revenue Agency
125, 220-4th Avenue S.E.
Calgary, Alberta T2G 0L1

for 403-292-5613
CRA file GIB 1629 8095 3113

acc # 86546 5306 RC 0001

stopper submit through
my account

Dear Ms. Aquino-Tabios

Re: Notices of Objection

- for the years ending December 31, 2012 and 2013 for AdvisorOnTrack Inc.
- for the years ending December 31, 2012 and 2013 for Deirdre Moore
- for the assessment of recapture of GST/HST for AdvisorOnTrack Inc.

I have finally been able to turn my attention away from a newspaper-worthy divorce from my ex-husband and former business partner, Jonathan Kiska, to the matters of our shared company AdvisorOnTrack Inc. ("AOT") This letter is merely an introduction to the explanations that I plan to forward* in order to meet the deadline noted in your letter of January 11, 2018 where it was stated that if a response was not received by February 12, 2018 then the file would be closed. I trust that this letter is sufficient to delay the file closing until I can get up to speed on the file which was previously handled by Brian Mingie, CPA, CA (now of Mingie, Percival & Associates Professional Corporation) and has been fired.

Emer-Lyn, as we discussed over the phone a couple of weeks ago, I do not feel that our previous accountant sufficiently communicated with you the nature of our business, our plans for expansion or the legitimacy of its expenses. As a "boot-strapping" company, we felt we were accomplishing much more with our marketing dollars than other small companies who would have much higher marketing expenses—albeit incurred outside of the home—that did little to advance their business. Furthermore, all of the bookkeeping/accounting that was done for AOT was under the guidance of Mr. Mingie. If a gross negligence penalty is deemed appropriate by the CRA, in no way should it be applied against AOT or its shareholders. The reason for hiring a Chartered Accountant in the first place is to avoid such penalties/errors. As

an investment analyst, I have never worked in financial accounting and I do not believe it is reasonable for the CRA to expect that I know the intricacies of the Income Tax Act.

My plan is to send to you a series of letters which outlines my position. You can be assured that this file is now being dealt with seriously. I propose that the letters will detail:

- The nature of business of AOT, our marketing efforts and our plans for expansion
- The nature of AOT expenses, including the use of trips for marketing purposes
- The education, training and employment of AOT's two shareholders, namely myself and Mr. Kiska, which are not remotely related to financial accounting or corporate tax.

I feel that it is important to inform you of a couple of other items:

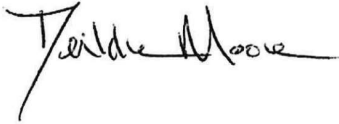
1. As per the attached Amended Answer, I have made several allegations against Mr. Kiska under the Family Law Act. He has done his best to delay trial and my access to funds is exceptionally limited. Therefore, I will be relying upon information available on the internet and/or provided by you in order to prepare my materials for you.
2. Mr. Kiska is failing to co-operate in any area ranging from the fair sharing of family expenses to adequate financial support and I suspect that his level of co-operation with various aspects of this audit will be no different as he informed my father that "[he was] going for the jugular". Just this week he agreed to co-sign cheques for shareholder loans (until the matrimonial home is sold) and after the cheques were signed, he stated that they were to be dividends. I suspect his actions were his attempt to artificially inflate my income so that he could lower his spousal support requirements. All this to say, I am doing my best to manage AOT with what I would call a "rogue" Officer/partner/50% shareholder.
3. During the 2013 and 2014 (when the bookkeeping for the years 2012 and 2013 were being done), I was committed to a psychiatric ward for 6 weeks and 8 weeks, respectively, following intense arguments with Mr. Kiska. While my mental health is now very stable, I have been advised to keep my involvement with him to a minimum due to his level of cruelty.
4. Other than a small invoice collected at the beginning of 2017, neither Mr. Kiska nor I have continued to bill under AOT. It is yet to be decided whether or not AOT will be

wound down or one of us will keep it. Given the lack of overall co-operation from Mr. Kiska, I suspect this decision will remain unresolved for quite some time.

5. In 2017, Mr. Kiska began a new company KISKA Management Consultants Inc. (Corporation #10145076) that he has been invoicing through. I also began a new company SAQOTU Inc. (Corporation #10010065) but have not enjoyed any level of success because Mr. Kiska told many people that I was severely mentally ill. Regardless, I will need to ascertain how to account for the physical assets (i.e. computers) that are now being used in entities other than AdvisorOnTrack Inc.

As I am the President of AdvisorOnTrack Inc., please deal with me directly and I will do my best to keep AOT on side with all CRA rules and regulations. Thank you for your patience and understanding.

Sincerely,



Deirdre Moore

cc. Margaret Towpich, Jonathan Kiska

attachment: FC-15-2446-0 Amended Answer by Deirdre Moore *page 1, 4, 5 of 12.*

*Please note that since the commencement of my disturbingly ugly divorce from Jonathan Kiska, I have experienced home invasions, car invasions and multiple technology hacks. My personal files and corporate files have been ransacked and it will take some time to re-assemble the receipts and documents that were already provided to the CRA auditor. However, this matter is important to me so I will organize all documents as quickly as I can.

ONTARIO

Superior Court of Justice, Family Court

(Name of Court)

Court File Number

FC-15-2446-0

at **161 Elgin Street, Ottawa, Ontario, K2P 2K1**

(Court office address)

Form 10: Answer

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Jonathan Kiska

1244 Lampman Crescent, Ottawa, Ontario K2C 1P8

mobile: 613-723-0010 jonathankiska@gmail.com

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Wade Smith

700-116 Lisgar Street, Ottawa, Ontario K2P 0C2

phone: 613-237-3444 wsmith@bellbaker.com

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Deirdre Moore

7 Vanson Avenue, Ottawa, Ontario K2E 6A9

mobile: 613-261-3520 deidre_cfa@icloud.com

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

n/a

INSTRUCTIONS: Financial Statement

COMPLETE A FINANCIAL STATEMENT (Form 13) IF:

- you are making or responding to a claim for spousal support; or
 - you are responding to a claim for child support; or
 - you are making a claim for child support in an amount different from the table amount specified under the Child Support Guidelines.
- You must complete all parts of the form **UNLESS** you are **ONLY** responding to a claim for child support in the table amount specified under the Child Support Guidelines **AND** you agree with the claim. In that case, only complete Parts 1, 2 and 3.

COMPLETE A FINANCIAL STATEMENT (Form 13.1) IF:

- you are making or responding to a claim for property or exclusive possession of the matrimonial home and its contents; or
- you are making or responding to a claim for property or exclusive possession of the matrimonial home and its contents together with other claims for relief.

TO THE APPLICANTS: Jonathan William Kiska

If you are making a claim against someone who is not an applicant, insert the person's name and address here.

AND TO: (full legal name) _____ **an added respondent,**
of (address of added party) _____

My name is (full legal name) **Deirdre Ann Moore**

- I agree with the following claim(s) made by the applicant: (Refer to the numbers alongside the boxes on page 4 of the application form.)
20-equalization of net family property
- I do not agree with the following claim(s) made by the applicant: (Again, refer to the numbers alongside the boxes on page 4 of the application form.)
11 – support for the children, 13- custody of the children, 14 – access of the children, 21- exclusive possession of matrimonial home, 30- costs, 32- prejudgement interest, 50 – other.
- ☒ I am asking that the applicant's claim (except for the parts with which I agree) be dismissed with costs.
- ☒ I am making a claim of my own. (Attach a "Claim by Respondent" page. Otherwise do not attach it.)
- ☒ The FAMILY HISTORY, as set out in the application,
☐ is correct ☒ is not correct

(If it is not correct, attach your own FAMILY HISTORY page and underline those parts that are different from the applicant's version.)

- The important facts that form the legal basis for my position in paragraph 2 are as follows: (In numbered paragraphs, set out the facts for your position.)

Set out below.

Give details of the order that you want the court to make. (Include any amounts of support (if known) and the names of the children for whom support, custody or access is claimed.)

1. An order for the awarding of compensation for general, aggravated and punitive damages due to the intentional infliction of mental suffering and emotional distress.
2. An order for the awarding of compensation due to attempted parental alienation.
3. An order for the awarding of compensation due to the tort of defamation.
4. An order for the awarding of compensation due to the tort of breach of fiduciary responsibility.
5. An order for the awarding of compensation for general, aggravated and punitive damages due to the negligent infliction of mental suffering and emotional distress.
6. An order for pecuniary damages related to the criminal act of Defamatory Libel.
7. An order for pecuniary damages related to the criminal act of Criminal Harassment.
8. An order for pecuniary damages related to the criminal act of Mischief.
9. An order for retroactive spousal and child support under the Divorce Act.
10. An order for constructive trusts and/or vesting orders for cost recovery and/or damages awards.
11. An order that the Applicant not come within 500 metres of the Respondent's home or harass Respondent by way of phone, text, e-mail or any other form of communication.
12. An order for a divorce;
13. An interim and permanent order for joint custody of the children of the marriage, namely, Sean Kiska (born May 8, 2006) and Cate Kiska (born November 30, 2007);
14. An interim and permanent order that the children reside with both parents in an equal timesharing arrangement on a 2/2/3 schedule or other schedule that the Court deems appropriate;
15. In the alternative, an order that the parties jointly retain the services of professional to prepare a custody and access assessment report that provides recommendations to the Court as to an appropriate parenting schedule;
16. An interim and permanent order for equal division of holiday time between the parties including Christmas, March Break, Easter holiday, Thanksgiving, etc.;
17. An interim and permanent order that either party is prevented from removing the children permanently from the jurisdiction of the City of Ottawa without the written consent of the other parent or a Court Order;
18. An interim and permanent order for child support payable pursuant to the Federal Child Support Guidelines having regard to the parenting arrangements in place;
19. An interim and permanent order that the children's special and extraordinary expenses be paid by the Applicant both parties in proportion to their respective incomes as set out in section 7 of the Federal Child Support Guidelines;

20. An interim and permanent order that the Applicant pay spousal support to the Respondent in an amount to be determined;
21. An interim and permanent order requiring the Applicant to ~~maintain a~~ purchase a paid-up policy of life insurance in an amount sufficient to secure his child and spousal support obligations and that he designate the Respondent as irrevocable beneficiary thereof in trust for the children;
22. An order for equalization of the parties' net family properties.
23. An order for the partition and sale of the jointly held matrimonial home located at 1244 Lampman Cr., Ottawa, Ontario, K2C 1P8;
24. An order for costs of this matter on a substantial indemnity basis.
25. An order for pre-judgement interest in accordance with the Courts of Justice Act.
26. An order that this order be police enforceable.
27. Such further and other orders as this Honourable Court deems just.

IMPORTANT FACTS SUPPORTING MY CLAIM(S)

(In numbered paragraphs, set out the facts that form the legal basis for your other claim(s).)

1. The parties began cohabiting in 1997 and were married on July 22, 2000 and separated on September 23, 2015. They have two (2) children of the marriage namely, Sean (age 9) and Cate (age 8).
2. Both parties have a background in finance. The Applicant ("Husband") holds a Bachelor of Commerce and a Chartered Professional Accountant Designation. The Husband also holds a Master's in Business Administration. The Respondent ("Wife") holds a Bachelors in Business Administration and has achieved her Chartered Financial Analyst designation.
3. Shortly after the parties were married, the Wife left her full time position with National Bank Financial to become an independent management consultant. She set up a consulting business, AdvisorOnTrack ("AOT"), which she operated as a sole proprietorship until January 2004, when she then incorporated this company.
4. Around this same time period, the Husband lost his position with InTouch Survey Systems and also decided to become an independent consultant. The parties began invoicing clients under AOT and have primarily earned dividend income from AOT since that time. The parties each own 50% of the shares of AOT and are both officers of the company.
5. Following the birth of their children, the parties agreed that the Wife would work from home-so that she could also focus her attention on childcare responsibilities. However, given the nature of their work as independent contractors and the fact that the Wife had been working as a consultant with AOT for a longer period by the time that the children were born, she had to take on more consulting work than was initially anticipated resulting in the Husband also taking some time off to be at home with the children in the first few months of their son's birth in 2006.
6. By 2007, the Husband had built up his reputation and client base and has since that time being the primary contractor for AOT allowing the Wife to focus her attention on the care of the children. The Wife is highly



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JANUARY 11 2018

AdvisorOnTrack Inc.
C/O Deirdre Moore
7 Vanson Avenue
Nepean ON K2E 6A9

Appeals Officer Emer-Lyn Aquino-Tabios
Telephone (587) 475-2936
Our file GB 1629 8095 3113
Account Number 86546 5306 RC0001

Dear Deirdre Moore,

Re: Notices of Objection for the years ending December 31, 2012 and 2013

The review of your objections for the above-noted years has been completed.

As a result of this review, we are now proposing to confirm the adjustments that were completed by audit as the documentation provided with the notices of objection does not support making any adjustments to the assessed amounts.

Your authorized representative indicated that information has been included with the notices of objection to support the amounts in dispute. The information provided was a letter from your current authorized representative which states that the filing of the notice of objection is based on the reasons set out in the letter from your previous authorized representative, Brian Mingie CPA, CA of Mingie, Percival & Associates Professional Corporation. The letter from Mr. Mingie was a response to the auditor's proposal letter dated March 21, 2016.

We have reviewed the representation provided by your authorized representative as well as the audit report and working papers. As such, we concur with the explanations provided by the auditor in the final letter sent to you regarding advertising and promotion, meals and entertainment, office expenses, and the gross negligence penalties applied.

Advertising and promotion:

As indicated the audit report and working papers, the information provided for the LCBO gift cards for \$200 for the 2012 tax year did not support that they were used for promotional purposes. In the letter from Mr. Mingie, it was explained that the gift cards were "given away in promotional effort to attract new business to the firm". However, the review of the corporate contracts completed by the auditor did not indicate Sir Winston Churchill Public School, or the individual who works at the school who received the gift cards were your clients.

The auditor determined the amount of \$5,500 reported as "AOT annual meetings" was a family trip for four people (including two children) to the Dominican Republic. An explanation for the trip was the corporation reimbursed the shareholders for the cancelled family trip to the Dominican Republic due to the illness of a shareholder caused by work related stress. We agree with the auditor that the expense was personal in nature.

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Meals and entertainment:

As indicated in the audit report and working papers, meals and entertainment were grouped into the following categories:

1. Home gatherings
2. Home parties
3. Shareholders meeting
4. Other restaurant meals
5. Other miscellaneous items (spa gift certificate, tickets for a show)

The auditor disallowed meals and entertainment expenses as they did not receive all the information as requested.

1. The auditor requested for an explanation of the business purpose of the monthly home gatherings including a list of attendees, their position, and contact information. A list was provided however, did not include all the information requested. There were no explanations provided regarding the business nature of the meetings. The auditor also states that you did not indicate the outcome of these parties in relationship to the new contracts or other benefits to the corporation.
2. In the audit report, it was noted that the corporation did not have any employees or subcontractors. As such, the auditor found to be unusual to have "staff parties" for non-existent staff members. Although there may be some business networking element at these parties, there was no explanations provided which relates to the direct business purpose of the parties.
3. The audit report and working papers state that staff meetings were regular staff meetings with another shareholder, who is also a spouse. It was also mentioned that some of the receipts provided include kids' menu items which indicate that these were expenses incurred for personal enjoyment as family outings and not for the purpose of business meetings.
4. The audit report and working papers indicate that although some of the meal receipts show the name of attendees, there is no explanation of the business nature of the expense.
5. The auditor disallowed the purchase of a spa gift certificate as there were no explanation as how it was incurred for earning or producing business income. The auditor also disallowed the tickets for a show at the Scotiabank Place as it was determined it was a personal expense.

Office expenses:

Office expenses were disallowed for coffee purchase for the home office, a laptop purchase, and corporate annual meetings.

Coffee purchases for the home office was disallowed as it should have been claimed as meals and entertainment expenses. The allowable amount for purchases of consumable food and beverages is limited to 50% as per subsection 67.1(1) of the Income Tax Act. However, the auditor determined that none of the contracts reviewed indicate that you have to meet your clients at the home office. You stated that coffee purchases are reasonable in the operation of an



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office and that the amounts are nominal, so they should be allowed. Based on the audit, the expense was found to be for personal consumption and was disallowed

The purchase of a laptop, was claimed as a current expense for the 2012 tax year. This capital asset was also added to the CCA schedule class 50 and the correct CCA amount was claimed. As such, the current expense was disallowed.

In 2012, a stay at the Quebec City hotel was claimed as "Annual AOT Meeting" under Other Expenses. The representation letter states that the corporation was engaged in contracts with clients in the provinces of Quebec and New Brunswick "during years other than the ones under audit", and because of that the trip to the province of Quebec to hold the annual meeting is a legitimate business expense. This explanation does not confirm that the expenses were incurred for the purposes of gaining or producing business income for the years under review.

In 2013 an Expedia booking for family trip to Mexico was also claimed under Other expenses. According to the audit report, the trip in 2013 was cancelled; however, the Office Expense account (as payable to shareholders) was adjusted by credit for \$5,000, instead of full amount of \$9,655.47. It was stated in the representation letter as the cost for the family trip to Mexico was excessive and the shareholders claimed only half of it (\$4,655.47) as a business expense, "a reasonable amount (\$1,000) representing the cost of the annual meeting" has to be allowed. This statement does not confirm that the expenses were incurred for the purposes of gaining or producing business income for the years under review.

As we did not receive any new information for advertising and promotion, meals and entertainment, and office expenses, we are proposing to confirm the assessments.

Gross negligence penalties:

The auditor determined that you or the person filing the return made a misrepresentation that was attributable to neglect, carelessness or wilful default or committed a fraud when filing the return. As such, gross negligence penalties were levied pursuant to Subsection 163(2) of the Income Tax Act.

In the letter from Mr. Mingie, it indicated that "at no time" the shareholders participated in what they were "aware was a false statement or omission", and that they were "genuinely of the view that all expenses as reported were deductible under the relevant provisions of the ITA". Mr. Mingie also acknowledged some "classification errors and inadvertent misunderstanding of the rules." He pointed out that the shareholders have been diligent in maintaining the corporate books and records.

Your current authorized representative states that "reasonable care was taken in maintaining the corporation's books and records and in filing the corporate income tax return". It was also stated that you "dealt with the auditor during the audit in an honest, prompt, and candid manner...and the audit revealed no falsification of records nor deceit of any kind. The undisputed audit adjustments resulted from a misunderstanding of the provisions of the ITA and CRA's assessing policies and not from gross negligence."

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Your current authorized representative also states the definition of gross negligence is "the intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting like and property of the other" (Black's Law Dictionary, 6th edition). A judicial definition – gross negligence must be taken to involve greater neglect than simply a failure to use reasonable care. It must involve high degree of negligence tantamount to intentional acting, an indifference as to whether the law has been complied with or not (Venne v. The Queen 84 DTC P6427 at 6249).

We do not see a basis for vacating the application of the gross negligence penalty which was laid out in the Auditor's Penalty report. We agree with the application of gross negligence penalties therefore propose to confirm the assessments.

We will delay the processing of the proposed confirmation for a period of **thirty (30) days** from the date of this letter so that you can submit any additional information or explanations you want us to consider.

If we do not hear from you by **February 12, 2018**, the file will be closed with no adjustments.

If you have any questions in regard to this matter please contact us at the number above.

Yours truly,

Emer-Lyn Aquino-Tabios
Appeals Officer, Appeals Division
Southern Alberta Tax Services Office – Calgary

c.c. Connelly & Koshy Professional Corporation
295 -1101 Prince of Wales Drive
Ottawa ON K2C 3W7



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DATE **JANUARY 11 2018**

Deirdre Moore
7 Vanson Avenue
Ottawa ON K2E 6A9

Appeals Officer Emer-Lyn Aquino-Tabios
Telephone (587) 475-2936
Our file GB 1629 8095 7492

Dear Deirdre Moore,

Re: Notices of Objection for the 2012 and 2013 taxation years.

The review of your objections for the 2012 and 2013 taxation years has been completed.

Your personal income tax return for the above-noted years were reassessed on August 15, 2016 to include a taxable shareholder benefit of \$9,017 for 2012 and \$12,960 pursuant to subsection 15(1) of the *Income Tax Act* as a result of an audit completed for AdvisorOnTrack Inc. which you are 50% shareholder.

The taxable shareholder benefit resulted from the disallowance of personal expenses (advertising and promotion, meals and entertainment, and office expenses) paid by AdvisorOnTrack Inc. as it was determined the expenses were personal in nature and not incurred to earn or produce business income.

Your authorized representative indicated that information has been included with the notices of objection to support the amounts in dispute. The information provided was a letter from your current authorized representative which states that the filing of the notice of objection is based on the reasons set out in the letter from your previous authorized representative, Brian Mingie CPA, CA of Mingie, Percival & Associates Professional Corporation. The letter from Mr. Mingie was a response to the auditor's proposal letter dated March 21, 2016.

We have reviewed the representation provided by your authorized representative as well as the audit report and working papers. As a result of our review, we are now proposing to confirm the adjustments that were completed by audit as the documentation provided does not support making any adjustments to the assessed amounts.

We will delay the processing of the proposed confirmation for a period of **thirty (30) days** from the date of this letter so that you can submit any additional information or explanations you want us to consider.

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JANUARY 11 2018

Deirdre Moore
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Appeals Officer Emer-Lyn Aquino-Tabios
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Yours truly,

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Southern Alberta Tax Services Office – Calgary

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Margaret Towpich
Appeals Division
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January 16, 2018

Our file Notre référence
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GB1727 1093 4497

Account Number - Numéro de compte
86546 5306 RT0001

Deirdre Moore
AdvisorOnTrack Inc.
7 Vanson Avenue
Nepean, ON K2E6A9

Dear Deirdre Moore:

This letter refers to your Notice of Objection dated September 5, 2017 to the Goods and Services Tax / Harmonized Sales Tax (GST/HST) assessment covering the period 2012-01-01 to 2014-12-31.

Based on a review of the available information, I am unable to recommend any changes to your assessment.

In dispute is the assessment of recapture of GST/HST on meals and entertainment expenses in the amount of 789.01 and \$816.62 in the periods ending 2013-12-31 and 2014-12-31 respectively (for 2012 and 2013 years) and, the denial of your input tax credit (ITC) claims of \$559.99 and \$212.41 for the reporting periods ending 2012-12-31 and 2013-12-31 respectively.

The assessment of recapture of GST/HST on meals and entertainment expenses and the disallowed ITCs was based on the Income Tax audit.

For registrants that are annual filers, the recapture of GST/HST (50%) on meals and entertainment expenses is required to be included in the person's particular annual reporting period. The evidence is that the audit adjustments for the recaptured amounts for 2012 and 2013 under section 236 of the *Excise Tax Act* (ETA) were incorrectly assessed in the next following fiscal periods. We propose to reassess these amounts in the proper periods.

Your representations do not provide a basis for reducing the meals and entertainment adjustments, allowing the disputed ITCs or for vacating the application of the gross negligence penalty under section 285 of the ETA. We propose to confirm the disallowed ITCs and the application of gross negligence penalties in the circumstances subject to the changes in the reporting periods noted above.

125, 220 - 4th Avenue SE
Calgary, Alberta
T2G 0L1

125, 220 - 4^e avenue sud-est
Calgary, Alberta
T2G 0L1

Canada

deirdre_cfa@icloud.com

From: deirdre_cfa@icloud.com
Sent: January 25, 2018 10:56 AM
To: 'Brian Mingie'; 'John Kiska'
Subject: RE: Status

I'll tell you what the letters say Brian.

They say, among other things, "The auditor determined that you or the person filing the return made a misrepresentation that was attributable to neglect, carelessness or wilful default or committed a fraud when filing the return."

So, thank you for your offer but I think I'll take over from here.

Not only was advice on what was an allowable vs. not allowable expense wrong; but, advice on how to manage this audit was wrong.

We provided you with names of prospects and clients in attendance at the functions which occurred in our home and you chose to withhold them from the CRA stating it was none of their business. We explained to you our approach of gifting people who were in a position to advocate our skills on our behalf. We explained to you that the nature of a home-based consulting business was "always be marketing"; including when we are down south (where you have a plane full of business people—our age—from Ottawa—with school-aged children—often at the same resort).

We explained that it would be impossible to find a similar marketing opportunity here in Ottawa. Yet, this was all news to Emer-Lyn when I spoke to her yesterday at length. Actually, it would seem that most of our discussion was news to her.

Please let me know when any remaining AOT materials are available for pick-up.

Deirdre Moore

From: Brian Mingie [mailto:bmingie@ck-ca.com]
Sent: January 24, 2018 4:45 PM
To: John Kiska <jonathankiska@gmail.com>; Deirdre Moore <deirdre_cfa@icloud.com>
Subject: Re: Status

Hello John and Deirdre,

I am now back from vacation. I had a quick look at the letters sent by Emer-Lyn Aquino-Tabois and noticed that we need to respond by February 12th. Give me a couple of days to read the letters in full, then I will be in touch to discuss how best to respond.

Thanks,

Brian R. Mingie, CPA, CA
Associate

Connelly & Koshy Professional Corporation

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To

Emer-Lyn Aquino-TabiosPhone (587) 475-2936Fax (403) 292 5613CC Margaret Towpich

From

Deirdre MoorePhone (613) 261-3520Fax () n/a

Remarks

☒ Urgent☐ For your review☐ Reply ASAP☐ Please comment

Please confirm receipt & discuss
next steps.