

COURT FILE NUMBER 2101-00793

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

APPLICANT **THOMAS H. FERGUSON**

RESPONDENTS **ALI TEJPAN, ZAHRA TEJPAN, REGISTRAR OF TITLES for the LAND TITLES OFFICE, JOHN DOE, JANE DOE, and ABC CORPORATION**

DOCUMENT **RESPONSES TO UNDERTAKINGS GIVEN BY DAVID SCHULLI**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT Curtis E. Marble  
**Carbert Waite LLP**  
 2300 Encor Place, 645 - 7th Avenue SW  
 Calgary, Alberta, T2P 4G8  
 Phone: 403-705-3642 Fax: 403-263-5553  
 File No.: 120632.001

**Responses to Undertakings given by David Schulli at his cross-examination held on April 30, 2021:**

<b>Undertaking #1:</b>	For David Schulli to review his records and to provide copies of the emails between himself and Mr. Engbloom relating to this application and his cross-examination - <b><u>TAKEN UNDER ADVISEMENT</u></b>
Response:	Relevant emails which are not covered by litigation privilege are attached.
<b>Undertaking #2:</b>	For David Schulli to review his records and to produce a copy of the letter that Gordon Ross sent to his father in 2018 regarding a potential sale of the property – <b><u>BEST EFFORTS</u></b>
Response:	No responsive records were located.

## UNDERTAKING 1



David Schulli <dschulli@gmail.com>

---

**Re: Contact Info**

1 message

---

**Robert Engbloom** <r.engbloom@gmail.com>  
To: David Schulli <dschulli@gmail.com>

Wed, Feb 3, 2021 at 2:18 PM

Hi David

I really appreciate you contacting me and I am eager to speak with you. I am swamped through the end of the week so I will aim to give you a call at the beginning of the week.

Many thanks.

Bob

Robert Engbloom  
403 829-5724

> On Feb 3, 2021, at 1:56 PM, David Schulli <dschulli@gmail.com> wrote:

>

>

> Hi Bob,

>

> Here are my phone numbers:

>

> 403-278-1961 - Home

> 403-870-9393 - Cell

>

> Feel free to call any time between 9:00 AM and 9:00 PM

>

>

> Dave Schulli

>

>



David Schulli <dschulli@gmail.com>

---

**Re: Caveat Paper Trail - Success**

1 message

---

**r.engbloom@gmail.com** <r.engbloom@gmail.com>  
To: David Schulli <dschulli@gmail.com>

Wed, Apr 7, 2021 at 3:23 PM

David, this is very helpful.

Thank you for your efforts – most appreciated.

I will discuss with counsel and let you know if there is anything further.

Best Regards.

Bob

---

**From:** David Schulli <dschulli@gmail.com>  
**Date:** Wednesday, April 7, 2021 at 3:14 PM  
**To:** r.engbloom@gmail.com <r.engbloom@gmail.com>  
**Subject:** Caveat Paper Trail - Success

Hi Bob,

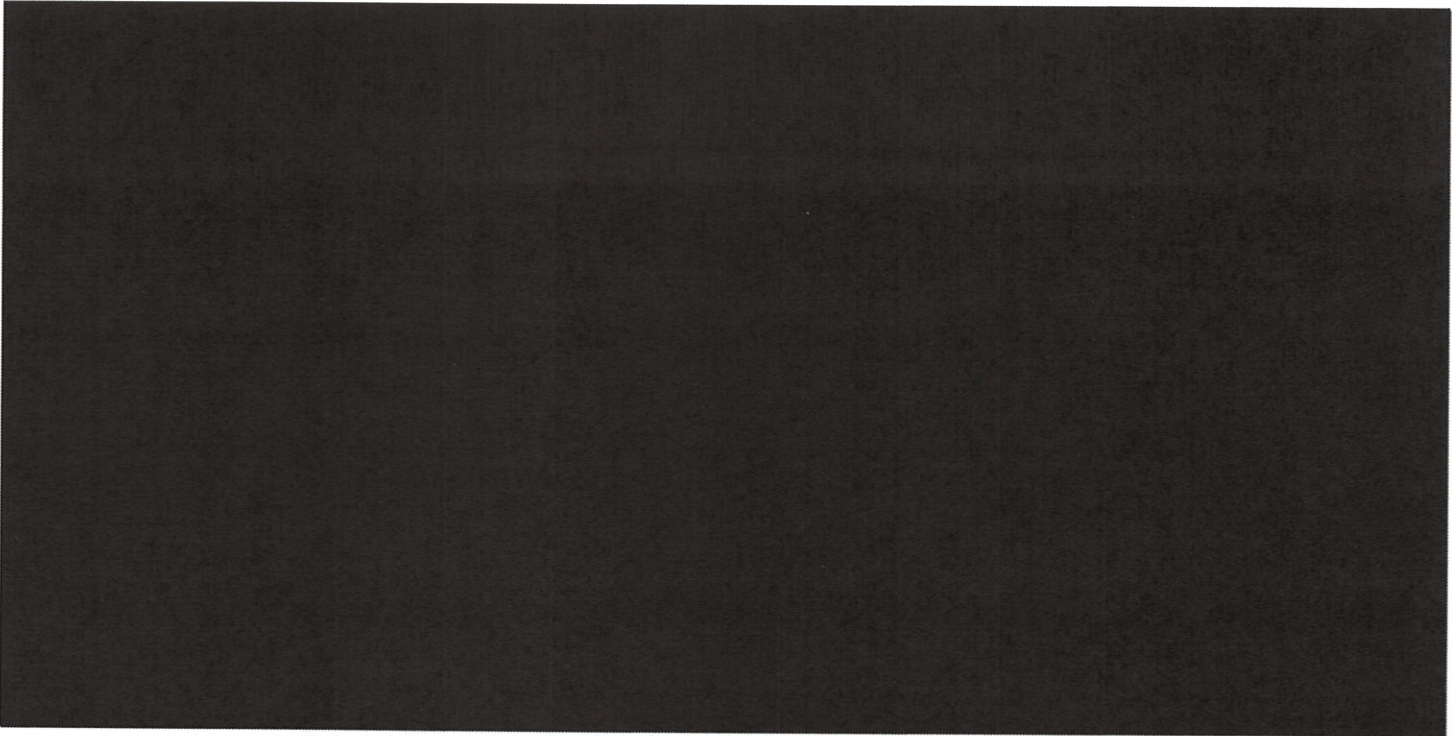
I've attached a PDF of an e-mail chain between my agent and the purchaser's agent that transpired on Tuesday January 7, 2020, the day before we were released from conditions and the final deposit was due.

It clearly details the events that I previously described to you.

Please call if you would like to discuss.

Dave

403-278-1961



**From:** Gordon W. Ross  
**Sent:** Tuesday, January 7, 2020 4:01 PM  
**To:** Kamil Lalji <klalji@cirrealty.ca>  
**Subject:** RE: 1023 32 Avenue SW

Hi Kamil,

<https://mail.google.com/mail/u/0?ik=95e4f4026f&view=pt&search=all&permthid=thread-f%3A1696404895321861236%7Cmsg-f%3A16964048953218...> 1/3

4/7/2021

Gmail - FW: 1023 32 Avenue SW

He is not interested in changing the price or removing the caveat, please let me know how your clients would like to proceed.

All the best,

**Gordon W. Ross**

**RE/MAX Real Estate (Central)**

**Pager: 403-216-1600**

**Direct: 403-245-2703**

***Selling more inner city homes than any individual Realtor in the #1 RE/MAX office in the world!***

**From:** Kamil Lalji <klalji@cirrealty.ca>  
**Sent:** Tuesday, January 7, 2020 10:42 AM  
**To:** Gordon W. Ross <info@gordonwross.com>  
**Subject:** Re: 1023 32 Avenue SW

Hi Gord,

Do you think there is any flexibility on price or removal of caveat whatsoever?

Best Regards,

Kamil Lalji  
Associate Broker  
CIR Realty  
www.yycreadvisors.com

100 707 10th Ave SW

Calgary, AB T2R 0B3  
Office: 403-294-1500

Cell: 403-383-1579

On Tue, Jan 7, 2020 at 10:31 AM Gordon W. Ross <info@gordonwross.com> wrote:

Hi Kamil,

The seller is not willing to accept \$1,250,000 nor is he interested in removing the caveat.

Your clients need to remove their conditions or move on as we have other interest.

Please advise as soon as possible how your clients are proceeding.

Best regards,

**Gordon W. Ross**

**RE/MAX Real Estate (Central)**

**Pager: 403-216-1600**

**Direct: 403-245-2703**

***Selling more inner city homes than any individual Realtor in the #1 RE/MAX office in the world!***