

Form 39.08

2014

Hfx. No. 431696



SUPREME COURT OF NOVA SCOTIA

Between:

MUNICIPALITY OF THE DISTRICT OF GUYSBOROUGH

APPLICANT

and

THE HEIRS AT LAW OF JOSEPH FOGARTY, JAMES P. FOGARTY and FRANK FOGARTY

RESPONDENTS

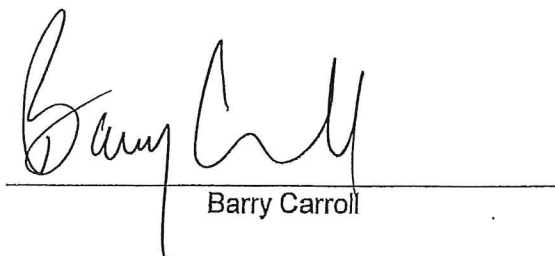
First Supplemental Affidavit of Barry Carroll

I **Barry Carroll** of the Municipal District of Guysborough, Province of Nova Scotia make oath and give evidence as follows:

1. I am the Chief Administrative Officer of the Municipality of the District of Guysbough ("MODG"), the Applicant in this matter.
2. I have personal knowledge of the evidence in his Affidavit except where otherwise stated to be based on information and belief.
3. I state, in this Affidavit, the source of any information that is not based on my own personal knowledge, and I state my belief in that source.
4. I make this Affidavit in support of the Applicants' motion for directions.
5. Since the commencement of this proceeding, MODG has received from Mr. Fogarty, through its solicitors, contact information for some of the potential heirs at law to Joseph Fogarty. A true copy of Mr. Frank Fogarty's correspondence with the attached list of heirs is attached hereto as **Exhibit "A"**.

Sworn to/Affirmed before me at Halifax Regional Municipality, Province of Nova Scotia this 23rd day of Oct, 2014


 Signature of Authority

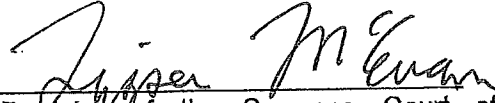

 Barry Carroll

Print Name: TIPPER McEWAN
 Official Capacity: A Barrister of the Supreme Court of Nova Scotia
 of the Supreme Court of Nova Scotia

2014

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This is Exhibit "A" to the Affidavit of Barry
Carroll, sworn before me on the 23rd day
of October, 2014.



A Barrister of the Supreme Court of
Nova Scotia

TIPPER McEWAN
A Barrister of the Supreme
Court of Nova Scotia

OCT 14 2014

Frank Fogarty
512 Parkland Drive Unit 418
Halifax, N.S. B3S 1N1

14-Oct-14

VIA COURIER
Stamp & Return

Stewart McKelvey
Suite 900 Purdy's Wharf Tower One
1959 Upper Water Street
Halifax, N.S. B3J 3N2
902-4220-3200

Oct 14, 2014
Tipper McEwan
Stewart McKelvey
1959 Upper Water Street
P.O. Box 997
Halifax, NS B3J 2X2

Attn: Mr Tipper McEwan
File Reference: SM003440-6

Dear Mr. McEwan;

Attached, please find a six (6) page document outlining the current living heirs of Joseph Fogarty of which I have knowledge of their existence, location and contact information for the purpose of Estate determination. As per the request in your letter, I have included only those heirs of which I have knowledge of their existence and their location and their contact information. Please acknowledge receipt of this list and return a stamped or signed copy for my records.

Frank Fogarty
512 Parkland Drive Unit 418
Halifax, N.S. B3S 1N1
902-222-3570

Heirs of Joseph Fogarty

Joseph Fogarty-Deceased
Son-Michael Vincent Fogarty-Deceased
Son-Patrick Fogarty-Deceased

1 Daughter of John
Patrick-

Carolyn Ann Mundle (nee Fogarty)

DOB 10-Feb-48

Address Pugwash Pt. Rd.
Pugwash, N.S.

Tel 902-243-4099

2 Daughter of
Carolyn Ann-

Patricia Maureen Shea

DOB 14-May-68

Address 2256 Murison Pl.
Duncan, BC
V9L 4W5

Tel 250-737-1964

3 Son of John
Patrick-

Brian Patrick Fogarty

DOB 18-Dec-50

Address Hackett's Cove
NS

Tel 902-823-1030

4 Son of Brian
Patrick-

Ryan Patrick Fogarty

DOB 27-Mar-80

Address 9218 Peggy's Cove Rd.
Halifax, NS B3Z 3N2

Tel 902-823-1030

5 Daughter of Ryan
Patrick-

Keilai Fogarty

DOB 09-May-13 09-May-13

Address 9218 Peggy's Cove Rd.
Halifax, NS B3Z 3N2

Tel 902-823-1030

6 Son of Brian
Patrick-

Timothy Vincent Fogarty

DOB 05-Oct-86

Address 9218 Peggy's Cove Rd.
Halifax, NS B3Z 3N2

Tel 902-823-1030

7 Daughter of John
Patrick-

Janet Marie Walsh(nee Fogarty)

DOB 08-Jan-53

Address 1153 Johnathon Dr.
Oakville, Ont. L6J 7J4

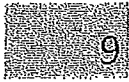
Tel 905-829-0426

8 Son of Janet Marie- Joseph Walsh

DOB 16-Apr-73

Address 1153 Johnathon Dr.

Tel Oakville, Ont. L6J 7J4
905-829-0426



Daughter of
Joseph Walsh- Caitlin Walsh

DOB 09-Jul-97
Address 1153 Johnathon Dr.
Tel Oakville, Ont. L6J 7J4
905-829-0426



Daughter of
Joseph Walsh- Emily Walsh

DOB 18-Apr-00
Address 1153 Johnathon Dr.
Tel Oakville, Ont. L6J 7J4
905-829-0426
Tel 902-443-8568



Son of John
Patrick-

Francis Howard Fogarty
DOB 05-Aug-54
Address 512 Parkland Dr. Unit 418
Halifax, NS B3S 1N1
Tel 902-443-8568



Son of Francis
Howard

Michael Brian Fogarty
DOB 30-Jul-81
Address 11-1 Sunae dong
Chunggue Bluewillw #510
Seongnam si
Gyeonggi do
Republic of Korea
Tel 82-010-7292-1981

13 Son of Francis
Howard-

Daniel Vincent Fogarty
DOB 16-Oct-84
Address 541 Burke Road
Camberwell, Melbourne
3124 Australia
Tel 61-411815542

14 Daughter of
Francis Howard-

Angela Chrstine Fogarty
DOB 03-Nov-85
Address #119-1450 Tunner Dr.
Courtenay, BC
V9N 9A6
Tel 250-898-9292

15 Son of John
Patrick-

John Wayne Fogarty
DOB 19-Apr-56
Address 10 Parkwood Dr
Moncton, NB E1E 3X4
Tel 506-389-1269

16 Son of John
Wayne-

James Alexander Fogarty
DOB 21-May-87
Address 10 Parkwood Dr
Moncton, NB E1E 3X4
Tel 506-389-1269

17 Daughter of John Wayne-

Mary Frances Fogarty
DOB 12-Aug-89
Address 10 Parkwood Dr
Moncton, NB E1E 3X4
Tel 506-389-1269

18 Son of John Wayne-

Thomas Patrick Fogarty
DOB 21-Jul-92
Address 10 Parkwood Dr
Moncton, NB E1E 3X4
Tel 506-389-1269

19 Daughter of John Patrick-

Diana Jean Wallis (nee Fogarty)
DOB 08-Apr-57
Address Braeside
Pictou, NS
Tel 902-485-4130

20 Son of John Patrick-

Terrance Michael Fogarty
DOB 20-Sep-58
Address 15 Kent Ave
Halifax, NS B3M 2G2
Tel 902-445-4056

21 Son of Terrance
Michael-

Colin David Fogarty

DOB 15-May-87

Address 15 Kent Ave

Halifax, NS B3M 2G2

Tel 902-445-4056

22 Daughter of
Terrance Michael-

Lauren Fogarty

DOB 15-Dec-89

Address 110 Lynden Place Unit 23

St. John's, NF

A1B 2F8

Tel 709-579-3572