

1 COMMONWEALTH OF THE BAHAMAS  
2 IN THE COURT OF APPEAL  
3 SCCivApp & CAIS No. 1 of 2012  
4

5 KPMG Inc  
6 (In its capacity as the Receiver and Manager of New Life  
7 Capital Corp., New Life Capital Investments Inc.,  
8 New Life Capital Advantage Inc., New Life Capital  
9 Strategies Inc., 1660690 Ontario Ltd., 2126375  
10 Ontario Inc., 2108375 Ontario Inc., 2126533 Ontario  
11 Inc., 2152042 Ontario Inc., 2100228 Ontario Inc., and  
12 2173817 Ontario Inc.)  
13 Applicant/Appellant

14 And  
15 L. Jeffrey Pogacher 1st Respondent  
16 and  
17 Paola Lombardi 2nd Respondent  
18 and  
19 Lexington Consulting Inc. 3rd Respondent  
20 and  
21 Amarcord International Inc. 4th Respondent  
22

23 (Substantive Appeal -  
24 Part-Heard)

25 Before: The Hon Mrs Justice Allen, President  
The Hon Mr Justice Blackman, JA  
The Hon Mr Justice John, JA

Mr Moree, QC with Ms Diane Stewart, Counsel for  
Appellant  
Mr Darron Ellis, with Mr Ian Winder, Counsel for  
Respondents

19 June 2012

