

No. VA-H170498  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

**BETWEEN:**

**FORJAY MANAGEMENT LTD.**

**AND:**

**PETITIONER**

0981478 B.C. LTD., MARK CHANDLER, CANADIAN WESTERN TRUST COMPANY in trust, HMF HOME MORTGAGE FUND CORPORATION, 625536 B.C. LTD., JAMES MERCIER, MORRIS KADYLO, URSZULA PIASECZNA, U.S. BANK NATIONAL ASSOCIATION, BARAMUNDI INVESTMENTS LTD., CHARANJIT KAUR, SIMRAT VIRDI, MUKHTIAR SINGH NIJJAR, MOHAN VILKHU, JASPREET SINGH KHATRA, AMANDEEP SINGH DHALIWAL, NIRMAL SINGH CHOHAN, SAJAL JAIN, SUPARNA JAIN, BABAL RANI BANSAL, SATPAL BANSAL, PARMINDER K. MANN, LEENA JAIN, VASANT PATEL, 1074936 B.C. LTD. 1084165 B.C. LTD., 1084164 B.C. LTD., 1084322 B.C. LTD., SURJIT KAUR PARMAR, HARBHAJAN SINGH PARMAR, DALJEET KAUR GILL, BHASHAM KAUR GILL, 812 CAPITAL HOLDINGS LTD., CATALYST ASSETS CORP., 0951019 B.C. LTD., WONDER MARBLE & STONE INC., INTECH PAY LTD. 1086286 B.C. LTD., 1085537 B.C. LTD. AND 1083516 B.C. LTD.

**RESPONDENTS**

**ORDER MADE AFTER APPLICATION**

BEFORE )  
          ) THE HONOURABLE )  
          ) MADAM JUSTICE FITZPATRICK ) ON THE 20TH DAY OF  
          ) ) NOVEMBER, 2017  
          ) )  
          ) )

ON THE APPLICATION OF The Bowra Group, in its capacity as Court-appointed Receiver (the "Receiver") for 0981478 B.C. Ltd. (the "Debtor") coming on for hearing at Vancouver,

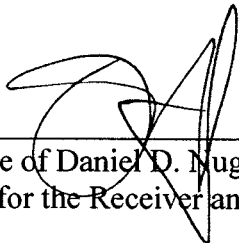
British Columbia on the 20th day of November, 2017, and on hearing Daniel D. Nugent, counsel for the Receiver, and those other counsel listed in Schedule "A" hereto, and upon reading the material filed, including Affidavit #2 of Mario Mainella sworn November 15, 2017 and the Affidavit #1 of J.P. Dhaliwal sworn November 17, 2017;

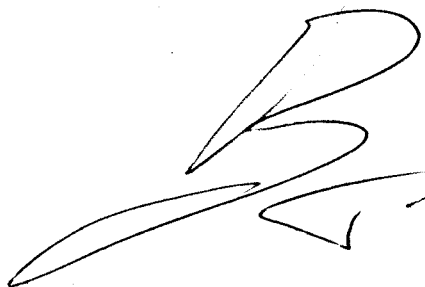
THIS COURT ORDERS AND DECLARES that:

1. The time for service of the Notice of Application and supporting materials is hereby abridged.
2. This Court directs that the definition of "Property" in paragraph 2 of the Order of this Court pronounced on October 4, 2017 as amended by the Order of this Court pronounced October 12, 2017 (the "Amended Receivership Order") includes information and documentation in the possession or control of the Debtor regarding all monies received by the Debtor from all pre-sale contract purchasers in relation to the development on the subject property (the "Pre-sale Contacts").
3. The Debtor shall provide to the Receiver forthwith, or in any event no later than 4:00 p.m. on the 27th day of November, 2017, the following:
  - (a) correspondence received from the pre-sale purchasers identified in the Pre-sale Contracts;
  - (b) copies of all contracts of purchase and sale in connection with the subject development other than copies already provided to the Receiver by the Debtor or its legal counsel;
  - (c) a copy of the complete general ledger of the Debtor to the extent that it has not already been provided to the Receiver;
  - (d) disclosure from the Debtor as to the use of the monies paid to it by all purchasers who are not part of the pre-sales purchasers represented by Gowlings WLG; and


- (e) statements and any copies of cancelled cheques from all bank accounts maintained by the Debtor in which funds relating to promissory notes and pre-payment of any pre-sale purchase monies were deposited.
  
- 4. This Court directs that any Reports to the Court prepared by the Receiver which make specific reference to the information the Debtor is directed to produce at paragraph 3 herein are to be provided first to Counsel for the Debtor for review regarding concerns in relation to the release of confidential information in the Report. In the event there is disagreement between the Receiver and the Debtor regarding the inclusion in any Report to the Court of information provided by the Debtor to the Receiver per paragraph 3 herein, the Receiver and/or the Debtor may seek directions from the Court in relation to the same. Alternatively, any Reports to the Court prepared by the Receiver with specific reference to information provided by the Debtor per paragraph 3 herein may be redacted before filing, allowing Counsel for the parties and the Receiver to apply to Court for directions on the contentious portions of the same.
  
- 5. Endorsement of this Order by counsel appearing, other than counsel for the Receiver is hereby dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

  
\_\_\_\_\_  
Signature of Daniel D. Nugent  
Lawyer for the Receiver and Manager, The Bowra Group Inc.



BY THE COURT

\_\_\_\_\_  
REGISTRAR 

**Schedule "A"****List of Counsel**

<b>Name of Counsel</b>	<b>Party Represented</b>
Daniel D. Nugent	The Bowra Group Inc.
Tim Louman-Gardiner	0981478 B.C. Ltd.
Heather M. Ferris	Kaur Group
Kibben Jackson	Forjay Management
Jeremy E. Shragge / Matthew Nied	625536 B.C. Ltd.
Amanda Baron	Canadian Western Trust Company I n trust and HMF Mortgage Fund Corporation
Joni Worton	Superintendent of Real Estate

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

**BETWEEN:**

FORJAY MANAGEMENT LTD.

**PETITIONER**

**AND:**

0981478 B.C. LTD., MARK CHANDLER, CANADIAN WESTERN TRUST COMPANY in trust, HMF HOME MORTGAGE FUND CORPORATION, 625536 B.C. LTD., JAMES MERCIER, MORRIS KADYLO, URSZULA PIASECZNA, U.S. BANK NATIONAL ASSOCIATION, BARAMUNDI INVESTMENTS LTD., CHARANJIT KAUR, SIMRAT VIRDI, MUKHTIAR SINGH NIJJAR, MOHAN VILKHU, JASPREET SINGH KHATRA, AMANDEEP SINGH DHALIWAL, NIRMAL SINGH CHOHAN, SAJAL JAIN, SUPARNA JAIN, BABAL RANI BANSAL, SATPAL BANSAL, PARMINDER K. MANN, LEENA JAIN, VASANT PATEL, 1074936 B.C. LTD. 1084165 B.C. LTD., 1084164 B.C. LTD., 1084322 B.C. LTD., SURJIT KAUR PARMAR, HARBHAJAN SINGH PARMAR, DALJEET KAUR GILL, BHASHAM KAUR GILL, 812 CAPITAL HOLDINGS LTD., CATALYST ASSETS CORP., 0951019 B.C. LTD., WONDER MARBLE & STONE INC., INTECH PAY LTD. 1086286 B.C. LTD., 1085537 B.C. LTD. AND 1083516 B.C. LTD.

**RESPONDENTS**

---

**ORDER MADE AFTER APPLICATION**

---

WEBSTER HUDSON & COOMBE LLP  
510 - 1040 West Georgia Street  
Vancouver, British Columbia, V6E 4H1  
Phone: (604) 682-3488 / Fax: (604) 682-3438

Attention: ~~Daniel Nugent~~

Agent: Mike Bive