



This is the 1<sup>st</sup> affidavit of Katerina Doumakis in this case and was made on May 17, 2024

NO. S-194717  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

IN THE MATTER OF THE *BUSINESS CORPORATIONS ACT*, S.B.C. 2002, c. 57 and the *BUSINESS CORPORATIONS ACT*, R.S.A. 2000, c. B-9

AND

IN THE MATTER OF THE LOUIS RACZ CO. LTD.

AND

Between

1012109 B.C. LTD. and LISA MADDESS

PETITIONERS

and

ETHEL MARY RACZ a/k/a ETUS MARIA RACZ and MICHAEL SIWIK

RESPONDENTS

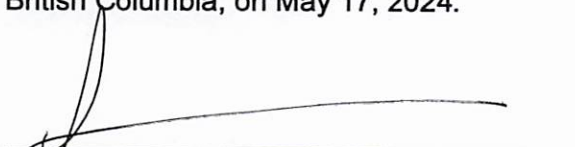
**A F F I D A V I T**

I, Katerina Doumakis, legal assistant, of Suite 2400 – 745 Thurlow Street, Vancouver, British Columbia, SWEAR THAT:

1. I am a legal assistant with the law firm of McCarthy Tétrault LLP, counsel to MNP Ltd., in its capacity as liquidator of Louis Racz Co. Ltd. and, as such, I have personal knowledge of the matters hereinafter deposed except where stated to be on information and belief, in which case I verily believe them to be true.

2. Attached hereto and marked as **Exhibit "A"** to this my affidavit is a fax received from Etus Maria Racz to Ashley Bowron, dated and received on May 15, 2024.

SWORN BEFORE ME at Vancouver, British Columbia, on May 17, 2024.

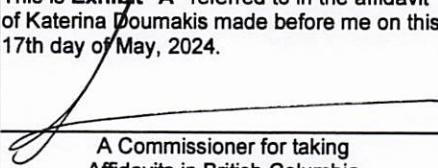
  
\_\_\_\_\_  
A Commissioner for taking Affidavits for  
British Columbia

  
\_\_\_\_\_  
Katerina Doumakis

**ASHLEY BOWRON**  
Barrister & Solicitor  
**McCarthy Tétrault LLP**  
SUITE 2400 - 745 THURLOW STREET  
VANCOUVER, B.C. V6E 0C5  
604-643-7973

TO: MCCARTHY TETRAULT  
 ATT: ASHLEY BOWRON (FAX 604-643-7900)  
 FROM: ETUS MARIA RACZ  
 DATE: MAY 15, 2024  
 RE: LOUIS RACZ CO. LTD.  
 NO. OF PAGES INCLUDING COVER: 36

This is Exhibit "A" referred to in the affidavit of Katerina Doumakis made before me on this 17th day of May, 2024.



A Commissioner for taking Affidavits in British Columbia

Etus Maria Racz  
715 Saraguay Blvd. E.  
Pierrefonds, Que. H8Y 2G3

May 15, 2024

BY FACSIMILE

McCarthy Tetrault  
Suite 2400, 745 Thurlow Street  
Vancouver, B.C. V6E 0C5  
(FAX 604-643-7900)

ATTN : Ashley Bowron

RE : Louis Racz Co. Ltd. The « company »

Dear Ms. Bowron,

I have reviewed the documents you provided. The documents include Ms. Wood's second report and my letter of March 12, 2024. Of great concern to me is paragraph 34 in the second report. Paragraph 34 refers to « various historical grievances ». perhaps you have not been provided with information and evidence of these « historical grievances ».

The first paragraph of my letter refers to Bull Housser & Tupper's letter of May 15, 2014. The letter describes the Pipeline plan to the beneficiaries and states « In order to implement the plan the participation of all of the shareholders (the Estate, Etus, Rita and the Trust) is required ».

1 of 4

The second paragraph of my letter states my position in the Company at that time and explains why I disagreed with the plan. As neither Michael nor I wanted to participate in the plan, we wrote to Bull, Housser & Tupper rejecting the plan in our letter of June 2, 2014 (enclosure #1).

When Mr. Friesen requested an annual general meeting to approve the plan (letter dated June 6, 2014), I responded to Mr. Friesen stating that I had already rejected the plan in my letter of June 18, 2014 (enclosure #2). The Pipeline should not have gone forward.

I was never removed as director. This is shown in the Registry reports (enclosure #3). However, the plan did go forward as Mr. Topley chose to align himself with Rita and chose to cooperate in her fraudulent transactions (enclosure #4). I believe Mr. Topley's fiduciary duty was to me, a beneficiary, not to Rita who was not a beneficiary. Mr. Topley has lied in his sworn affidavit (enclosure #5) and the Pipeline was approved (Gropper, J. 2015).

The sixth paragraph of my letter details Mr. Turner and Ms. Wood's efforts to convince Revenue Quebec that the sale of Cedar Terrace occurred in 2019. Revenue Quebec has decided that the sale occurred in 2020 when I, a director, accepted the cheques. This validated a sale which otherwise was an unlawful sale. While Ms. Wood tries to distance herself from actions over the past years, she has been a member of Mr. Topley's team since 2007 and has worked closely with Mr. Turner in regard to the sale. This is shown in Mr. Turner's invoices (enclosure #6).

Cedar Terrace was sold for \$17,200,000. Tax paid on the sale was \$4,302,159. The Montreal shareholders were entitled to 50% of the proceeds after taxes were paid. They were entitled to \$6,448,920. They received \$5,000,000.

If the \$2,000,000 loan was procured to pay out the 1481 D Preferred shares of which I was entitled to one third, to date I have not received the one third, \$494,000.

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In addition to the \$1,942,920 as shown above, there is 50% of the \$440,000 paid by the Company (capital and interest) on the Vancity loan (\$220,000 payable to the Montreal shareholders); loss of rental income (10 months in 2019, 9 months in 2020), an approximate loss of \$200,000 to the Montreal shareholders; my legal costs well in excess of \$100,000; interest compounded over 10 years and other amounts (i.e. cheques not cashed).

The cheques received in 2022 and 2023 were not cashed as the cheques showed the wrong amount. When the Montreal shareholders receive a cheque for the correct amount, the cheques will be cashed and they will agree to a wind-up of the Company.

Paragraph 8 of my letter mentions Rita's and Lisa's behaviour dating to 2001 with good reason. Their unlawful attempts to take over the Company were unsuccessful in 2001 but with Mr. Topley's cooperation, they did succeed in 2014.

Adair, J.'s decision 2019, states the responsibility of a liquidator to creditors. The Montreal shareholders are creditors. Adair, J.'s decision further states at paragraph 10 : « The Liquidator shall incur no liability or obligation as a result of its appointment or the carrying out the provisions of this Order, save and except : a. For any harm caused by any gross negligence or wilful misconduct on its part. »

The « historical grievances » as stated by Ms. Wood are criminal acts, perjury and fraud. All court decisions beginning with Gropper, J. 2015 are based on approving criminal acts, perjury and fraud.

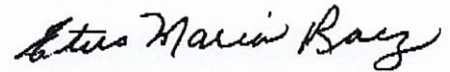
The sale of Cedar Terrace was not necessary. The Company was not insolvent. Even while paying \$132,000 to Vancity (capital and interest), the Company was showing a profit. Ms. Wood knows the difference between an involuntary wind-up and a voluntary wind-up. A voluntary wind-up requires the agreement between the directors. As a director, I will agree when Ms. Wood pays the Montreal shareholders (creditors) what they are owed.

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The sale of Cedar Terrace is not an unlawful act nor is the wind-up of the Company an unlawful act. It is that Mr. Topley and Ms. Wood have used unlawful means to accomplish the sale and wind-up. Conspiracy is a criminal act.

What remains to be explained is why the sale and wind-up was so important to Mr. Topley and Ms. Wood that they have taken such extreme measures to achieve their ends.

Yours truly,



Etus Maria Racz

Enclosures :

- 1. June 2, 2014 letter – 2 pages
- 2. June 18, 2014 letter – 1 page
- 3. Registry reports – 4 pages
- 4. Fraudulent transactions – 12 pages
- 5. Mr. Topley's affidavit – 5 pages
- 6. Mr. Turner's invoices – 7 pages

c.c. Patty Wood with enclosure #6

Scott Turner with enclosure #6

Stikeman Elliott (ATTN : Forrest Finn)

Ken Friesen with enclosures #2,3,4

Barbara Carmichael, ADAG all enclosures

Moe Liebman

Pierre Paul Persico

4 of 4

Etus Maria Racz  
 715 Saraguay Blvd. E.  
 Pierrefonds, Quebec H8Y 2G3  
 June 18, 2014

BY FACSIMILE AND POST

Friesen & Epp  
 5660 Yew Street  
 Vancouver, B.C. V6M 3Y3

Dear Mr. Friesen,

RE: Louis Racz Co. Ltd. Annual General Meeting (AGM) – your letter dated June 9, 2014

I do not agree to an AGM at this time as its only purpose is to consider Bull, Housser & Tupper's proposal which I have already rejected. The Estate cannot ask the Company to redeem shares held in trust. When the beneficiaries have received their shares, they can, if they choose, have their shares redeemed. The shares have not been distributed; the proposal is premature.

As I do not accept the decision on the Will, I do not accept Lisa Maddess, your client, as a beneficiary.

Rita Racz, the mother of Lisa Maddess, in asking for an AGM to discuss the proposal, is acting in the interest of her daughter, not in the interest of the Company. I believe there is a conflict.

Liebman Legal Inc. will review the 2008 Trial as well as the 2001 Application in which Rita Racz played a major role. The complaint to the Law Society clearly shows that in 2001, Rita acted in the interest of her daughter and against the Company.

The double-tax, as envisioned by the proposal, can be easily avoided by selling the shares of Louis Racz Co. Ltd. if and when Cedar Terrace is sold.

Yours truly,



Etus Maria Racz

c.c. Moe Liebman

1 of 1

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Huz Maria Racz  
715 Saragway Blvd. B.  
Pierrefonds, Quebec H8Y 2G3  
June 2, 2014

Bull Houser & Tupper LLP  
Suite 900-900 Howe Street  
Vancouver, B.C. V6Z 2M4

Attention: Barbara E. Janzen

RE: Estate of Rozalia Racz

Dear Ms. Janzen,

As you are aware, I am pursuing a criminal investigation into the cause and circumstances of Rozalia's death. It is ongoing. This investigation will include a review of the 2001 Application for Commitment and the 2008 Trial on the Will. Over the past four years, I have provided all parties with evidence of criminal acts committed in both the Application and the Trial. The evidence from LVCC shows forcible confinement and the failure to provide the necessities of life which caused Rozalia's death. These are criminal acts.

I believe an investigation will conclude that Lisa Maddess cannot inherit from Rozalia's Estate. It would also determine the legitimate costs to be paid by the Estate. I do not believe this would include costs of criminal acts.

Considering the evidence which I have provided to all parties, it is inconceivable that any person aware of the seriousness of the crimes and the terrible suffering and death caused by these acts would not be in favour of a criminal investigation unless the person is involved in the criminal acts or in the cover-up.

I do not agree to your proposal. It is premature. Michael Siwik is in agreement with my decision.

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This fax was received by GFI FaxMaker fax server. For more information, visit <http://www.gfi.com>



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Yours truly,

*Elisa Maria Racz*

Elisa Maria Racz  
(Trustee for the Racz Family Trust)  
(Director of Louis Racz Co. Ltd.)

*Michael Sivik*

Michael Sivik  
(Trustee for the Racz Family Trust)

c.c. Mos Liebman  
Ken Priesen  
Elizabeth Gidney  
Larry South

2 of 2

This fax was received by GFI FaxMaker fax server. For more information, visit: <http://www.gfi.com>



BC Registry Services

Mailing Address: PO Box 9431 Stn Prov Govt Victoria BC V8W 9V3 www.corporateonline.gov.bc.ca

Location: 2nd Floor - 940 Blanshard Street Victoria BC 1 877 526-1526

BC Company Summary

For LOUIS RACZ CO. LTD.

Date and Time of Search: December 01, 2014 12:07 PM Pacific Time
Currency Date: November 10, 2014

ACTIVE

Incorporation Number: BC0072725
Name of Company: LOUIS RACZ CO. LTD.
Recognition Date: Incorporated on January 31, 1967
Last Annual Report Filed: January 31, 2013
In Liquidation: No
Receiver: No

REGISTERED OFFICE INFORMATION

Mailing Address: 101 1575 ESQUIMALT WEST VANCOUVER BC V7V 1R4 CANADA

Delivery Address: 101 1575 ESQUIMALT WEST VANCOUVER BC V7V 1R4 CANADA

RECORDS OFFICE INFORMATION

Mailing Address: 101 1575 ESQUIMALT WEST VANCOUVER BC V7V 1R4 CANADA

Delivery Address: 101 1575 ESQUIMALT WEST VANCOUVER BC V7V 1R4 CANADA

DIRECTOR INFORMATION

Last Name, First Name, Middle Name: RACZ, RITA LOUISE

Mailing Address: 2363 MARINE DRIVE WEST VANCOUVER BC BC V7V 1K9 CANADA

Delivery Address: 2363 MARINE DRIVE WEST VANCOUVER BC BC V7V 1K9 CANADA

Last Name, First Name, Middle Name: RACZ, ETHEL MARY

Mailing Address: 715 SARAGUAY BLVD. PIERREFONDS, QUEBEC H8Y2G3

Delivery Address: 715 SARAGUAY BLVD. PIERREFONDS, QUEBEC H8Y2G3

1 of 4

**OFFICER INFORMATION AS AT January 31, 2013**

**Last Name, First Name, Middle Name:**

RACZ, RITA LOUISE

**Office(s) Held:** (Secretary)

**Mailing Address:**

2363 MARINE DRIVE  
WEST VANCOUVER BC BC V7V 1J5  
CANADA

**Delivery Address:**

2363 MARINE DRIVE  
WEST VANCOUVER BC BC V7V 1J5  
CANADA

**Last Name, First Name, Middle Name:**

RACZ, ETHEL MARY

**Office(s) Held:** (President)

**Mailing Address:**

715 SARAGUAY BLVD.  
PIERREFONDS, QUEBEC H8Y2G3

**Delivery Address:**

715 SARAGUAY BLVD.  
PIERREFONDS, QUEBEC H8Y2G3

2 of 4

Date and Time: December 5, 2014 10:39 AM Pacific Time


**BC Registry  
Services**
**Mailing Address:**  
 PO Box 9431 Stn Prov Govt  
 Victoria BC V8W 9V3  
 www.corporateonline.gov.bc.ca

**Location:**  
 2nd Floor - 940 Blanshard Street  
 Victoria BC  
 1 877 526-1526

## Notice of Change of Directors

FORM 10  
 BUSINESS CORPORATIONS ACT  
 Section 127

**Filed Date and Time:** December 5, 2014 10:39 AM Pacific Time

**Incorporation Number:**

BC0072725

**Name of Company:**

LOUIS RACZ CO. LTD.

### Date of Change of Directors

July 3, 2014

### Director(s) who have ceased to be Directors

**Last Name, First Name, Middle Name:**

RACZ, ETHEL MARY

**Mailing Address:**

 715 SARAGUAY BLVD.  
 PIERREFONDS, QUEBEC H8Y2G3

**Delivery Address:**

 715 SARAGUAY BLVD.  
 PIERREFONDS, QUEBEC H8Y2G3

### Director(s) as at July 3, 2014

**Last Name, First Name, Middle Name:**

RACZ, RITA LOUISE

**Mailing Address:**

 2363 MARINE DRIVE  
 WEST VANCOUVER BC BC V7V 1K9  
 CANADA

**Delivery Address:**

 2363 MARINE DRIVE  
 WEST VANCOUVER BC BC V7V 1K9  
 CANADA

3 of 4

Dec. 9. 2014 9:18AM Dye & Durham Victoria

No. 5155 P. 2  
BC 0072725



BC Registry  
Services

APPLICATION TO CORRECT  
THE CORPORATE REGISTER

FORM 47

Telephone: 1 877 628-1528  
www.bcregistryservices.gov.bc.ca

Mailing Address: PO Box 8431 Stn Prov Govt  
Victoria BC V8W 8V3

Location: 200 - 840 Blanshard Street  
Victoria BC V8W 3E8

INSTRUCTIONS:

Please type or print clearly in block letters and ensure that the form is signed and dated in ink.

The Application to Correct the Corporate Register form is to be used to correct some types of information in a record that was filed with the registrar.

Future Effective Dates: If a record has a future effective date and an error is found before the specified date and time of the filing, the record must be withdrawn, corrected and re-filed. Please visit our website at www.bcregistryservices.gov.bc.ca or phone 1 877 628-1528 for information on how to file these notices.

Item B Enter the name exactly as shown on the Certificate of Incorporation, Registration, Amalgamation, Continuation, or Change of Name.

Item C Indicate the record to be amended and the date and time that record was filed. Enter the reason for the amendment including what the record stated at the time of filing. For example: Notice of Change of Directors, filed November 23, 2004, Director's name spelled incorrectly - John Smith should have read John Smythe.

Item D If the applicant is a corporation or firm, enter the full name of the corporation or firm.

Item E The applicant must be an authorized signing authority for the company. If the applicant is a corporation or firm, this form must be signed by an authorized signing authority for that corporation or firm.

Filing Fee: \$20.00 Submit this form with a cheque or money order made payable to the Minister of Finance, or provide the registry with authorization to debit the fee from your BC OnLine Deposit Account. Please pay in Canadian dollars or in the equivalent amount of US funds.

Freedom of Information and Protection of Privacy Act (FOIPPA): Personal information provided on this form is collected, used and disclosed under the authority of the FOIPPA and the Business Corporations Act for the purposes of assessment. Questions regarding the collection, use and disclosure of personal information can be directed to the Executive Coordinator of the BC Registry Services at 1 877 628-1528, PO Box 8431 Stn Prov Govt, Victoria BC V8W 8V3.

OFFICE USE ONLY - DO NOT WRITE IN THIS AREA

FILED  
DEC 08 2014  
04:03 AM  
REGISTRAR OF COMPANIES

A INCORPORATION/REGISTRATION NUMBER OF CORPORATION

BC0072725

B NAME OF CORPORATION

LOUIS RACZ CO, LTD.

C RECORD TO BE AMENDED

Name of Record to be Amended: Annual Report

Filed Date: 2014/12/05 and Time 10:41  a.m. or  p.m. Pacific Time

Reason for Amendment:  
Deleted the Wrong person

Should be Rita Louise Racz, 2363 Marine Drive, West Vancouver, BC V7V 1K9

D FULL NAME OF APPLICANT

LAST NAME FIRST NAME MIDDLE NAME  
Epp Harold

CORPORATION OR FIRM NAME

Friesen & Epp

E CERTIFIED CORRECT - I have read this form and found it to be correct.

NAME OF APPLICANT SIGNATURE OF APPLICANT DATE SIGNED  
Harold Epp [Signature] 2014/12/05

FORM 47/WEB Rev. 2014 / 02 / 24

4 of 4

022

SPECIAL RESOLUTION #1 OF  
THE DIRECTORS OF

LOUIS RACZ CO. LTD.

(the "Company")

Whereas an Annual General Meeting was scheduled for June 26, 2014 at 10 a.m. and as quorum of members was not present at 10:30 a.m., the matter was adjourned pursuant to section 10.3 of the Articles to July 3, 2014 to 10 a.m. at which time the meeting resumed and, the undersigned, being a director of the Company entitled to vote on the resolution;

And whereas the Estate of Rosalia Racz (the "Estate") owns 1481 shares (the "Preferred Shares") in the Company with a fair market value of and adjusted costs base of \$1,481,000 and the Estate wishes to sell the Preferred Shares to another company so that it has cash to distribute to its beneficiaries, the majority of which have requested same;

And whereas a reorganization plan has been developed for the purpose of the redemption of the Preferred Shares in a tax efficient manner and in keeping with the plan;

RESOLVED, as a special resolution, that the Company:

1. Rita Racz be appointed chairperson;
2. The financial statements for Louis Racz Co. Ltd. for the period ending June 30, 2013 be approved as presented;
3. The option of appointing auditors for the year ending June 30, 2014 be waived;
4. The plan as set out in the letter of Barbara Janzen dated May 15, 2014 (the "Pipeline Plan") as attached herewith is hereby approved;
5. There is approval of the sale of the shares in the Company to the New Company as set out in the Pipeline Plan;
6. There being no further business, the meeting was adjourned at 10:35 a.m.


This is Exhibit " E " referred to in the

Affidavit of Colin Turley

Sworn before me at Vancouver

this 11 day of February, 2015

A Commissioner for Taking Affidavits  
for British Columbia

  
RITA RACZ, director

Racz Estate/0442

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**CONSENT RESOLUTIONS OF THE DIRECTORS OF**

**1012109 B.C. LTD.  
(the "Company")**

The undersigned, being all of the directors of the Company entitled to vote on the resolutions, hereby consent to and adopt in writing the following resolutions:

WHEREAS the Company has been incorporated under the British Columbia *Business Corporations Act* on August 28, 2014 and has received Incorporation Number BC1012109.

**Allotment of Incorporator's Share**

WHEREAS the Company has received \$1.00 in respect of 1 Non-Participating Common share without par value in the authorized share structure of the Company subscribed for by Riley R. Burr (the "Incorporator") in the incorporation agreement of the Company (the "Incorporator's Share").

RESOLVED THAT:

1. \$1.00 be set as the issue price for the Incorporator's Share and the Incorporator's Share be allotted and issued to the Incorporator as fully paid for \$1.00 per share; and
2. share certificate no. 1C representing the Incorporator's Share be issued and the Incorporator's name and other necessary particulars be entered in the Central Securities Register of the Company.

**Transfer of the Incorporator's Share**

RESOLVED THAT:

1. the transfer of the Incorporator's Share to Rita Louise Racz be approved and consented to;
2. share certificate no. 1C representing the Incorporator's Share be cancelled; and
3. share certificate no. 2C representing 1 Non-Participating Common share be executed and delivered to Rita Louise Racz and the name of the shareholder and other necessary particulars of the share transferred be entered in the Central Securities Register of the Company.

**Quorum**

RESOLVED that the quorum for meetings of directors be fixed at a majority of the Board.

**General Signing Authority**

RESOLVED that all documents and instruments, other than banking documents, executed on behalf of the Company, may be signed in accordance with the terms of a resolution of the directors or, failing such a resolution, then by:

1. any two directors;

MKD1346575.DOCX

This is Exhibit " 8 " referred to in the affidavit of LISA MARKLASS sworn before me on 21 APR 20 19

*[Handwritten signature]*  
2 of 12

- 2. any officer, together with any director; or
- 3. if the Company only has one director, that director.

**Appointment of Solicitors and Authority to Sign Notices**

RESOLVED that the firm of Bull, Housaar & Tupper LLP (the "Company's Solicitors") be appointed solicitors for the Company, and that any partner of, or associate employed by, the Company's Solicitors who has the relevant knowledge of the Company be authorized to sign and file (electronically or otherwise) any annual report, notice of directors or change of directors, notice of change of address, and any other document or Notice required to be filed with the Registrar of Companies and similar regulatory authorities in other jurisdictions to record any matter already authorized by resolution of the directors or shareholders of the Company.

**Fiscal Year End**

RESOLVED that the fiscal year end of the Company be September 30 of each year.

**Registered and Records Offices**

RESOLVED that the Company appoint Turlex Office Services Limited Partnership ("Turlex") as its agent for the maintenance of the Company's registered and records office under the provisions of the British Columbia *Business Corporations Act*, and that the said offices be located at Suite 900-900 Howe Street, Vancouver, British Columbia, V6Z 2M4, or at such other location within the City of Vancouver, Province of British Columbia, as Turlex may from time to time determine.

**Registered and Records Offices Agreement**

RESOLVED THAT:

- 1. the Company do enter into that certain agreement submitted by Turlex between the Company and Turlex relating to the registered and records offices of the Company;
- 2. any one director may, for and on behalf of the Company, execute and deliver such agreement; and
- 3. if Turlex gives notice to the Company that it will no longer act as agent for the maintenance of the Company's registered and records offices, the director[s] authorize Turlex to file a Notice of Change of Address changing the registered and records offices of the Company to the current British Columbia prescribed address of a director or officer of the Company.

**Bankers**

RESOLVED that the Company appoint as its bank \_\_\_\_\_, and adopt such banking resolutions as required by the said bank.

**Accounting Records**

RESOLVED that the accounting records of the Company be kept at the Company's head office or principal place of business or at such other place as the directors may from time to time determine.

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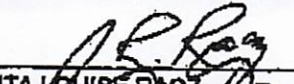
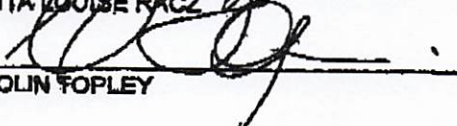


Appointment of Accountants

RESOLVED that \_\_\_\_\_ be appointed accountants of the Company to hold office until the next annual reference date of the Company.

Execution by Counterparts

These resolutions may be consented to by the directors signing separate counterparts of the resolutions, which may be delivered by electronic means, and notwithstanding the respective dates of execution of the separate counterparts shall be deemed to be effective as at August 28, 2014.

  
 \_\_\_\_\_  
 RITA LOUISE RACZ  
  
 \_\_\_\_\_  
 COLIN TOPLEY

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**CONSENT RESOLUTIONS OF THE DIRECTORS OF**

**1012109 B.C. LTD.**  
(the "Company")

The undersigned, being all of the directors of the Company entitled to vote on the resolutions, hereby consent to and adopt in writing the following resolutions:

**Approval of Agreement**

WHEREAS the Company proposes to enter into an agreement (the "Purchase and Sale Agreement") with Rita Louise Racz (the "Vendor"), in connection with the purchase and sale of 50 Class "B" Voting Common, 15 Class "C" Common and 431 Class "D" Preferred shares (the "Subject Shares") held by the Vendor in the authorized share structure of Louise Racz Co. Ltd. in consideration for the allotment and issuance to the Vendor of 49 Common, 15 Non-Voting Common and 431 Preference shares without par value in the authorized share structure of the Company in payment therefor.

RESOLVED THAT the Purchase and Sale Agreement be and the same is hereby approved, and that any one director of the Company be and is hereby authorized to negotiate and finalize the terms of and to execute the Purchase and Sale Agreement on behalf of the Company, and to do all things as he or she may consider necessary or desirable to carry out the purchase of shares of Louis Racz Co. Ltd. thereunder.

**Allotment of Shares**

WHEREAS, pursuant to the Purchase and Sale Agreement, the Company has agreed to allot and issue 49 Non-Participating Common, 15 Non-Voting Common and 431 Preference shares without par value to the Vendor who has transferred to the Company the Subject Shares with a fair market value of \$1,267,885 in payment for such shares.

RESOLVED THAT:

1. the directors of the Company determine the fair market value of the Subject Shares as of the date of the purchase of the Subject Shares which are to be purchased by the allotment and issue of 49 Common, 15 Non-Voting Common and 431 Preference shares without par value in the authorized share structure of the Company to the Vendor, to be in all circumstances of this transaction the sum of \$1,267,885;
2. 49 Non-Participating Common shares without par value in the authorized share structure of the Company be allotted and issued as fully paid and non-assessable at and for the price of \$1 each to the Vendor;
3. 15 Non-Voting Common shares without par value in the authorized share structure of the Company be allotted and issued as fully paid and non-assessable at and for the price of \$55,789 each to the Vendor;

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4. 431 Preference shares without par value in the authorized share structure of the Company be allotted and issued as fully paid and non-assessable at and for the price of \$1,000.00 each to the Vendor
5. the following amounts be added to the capital of the Company:
  - (a) \$49.00 with respect to the Non-Participating Common shares;
  - (b) \$15.00 with respect to the Non-Voting Common shares; and
  - (c) \$4.31 with respect to the Preference shares;
6. the following share certificates be executed by any one director of the Company:
 


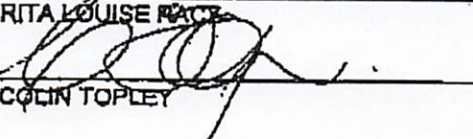
Certificate No.	Registered Holder	Number and Class of Shares
3C	Rita Louise Racz	49 Non-Participating Common
1NVC	Rita Louise Racz	15 Non-Voting Common
1P	Rita Louise Racz	431 Preference
7. the necessary particulars in respect of such shares and such allotment be entered in the Central Securities Register of the Company.

Approval of Election Form T2057

RESOLVED THAT the election form contemplated by paragraph 6 of the Purchase and Sale Agreement be and the same is hereby approved, and that it be executed by any one director of the Company signing the same on behalf of the Company.

Execution by Counterparts

These resolutions may be consented to by the directors signing separate counterparts of the resolutions, which may be delivered by electronic means, and notwithstanding the respective dates of execution of the separate counterparts shall be deemed to be effective as at October 22 2014.

  
 \_\_\_\_\_  
 RITA LOUISE RACZ  
  
 \_\_\_\_\_  
 COLIN TOPLEY

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6 of 12

CONSENT RESOLUTIONS OF THE DIRECTORS OF

1012109 B.C. LTD.  
(the "Company")

The undersigned, being all of the directors of the Company entitled to vote on the resolutions, hereby consent to and adopt in writing the following resolutions:

Approval of Agreement

WHEREAS the Company proposes to enter into an agreement (the "Purchase and Sale Agreement") with Colin Topley, as executor of the Estate of Rosilia Racz (the "Vendor"), in connection with the purchase and sale of 1,481 Class "D" Preferred shares with a par value of \$0.01 each (the "Subject Shares") held by the Vendor in the authorized share structure of Louis Racz Co. Ltd. in consideration for the issuance of a promissory note in payment therefor.


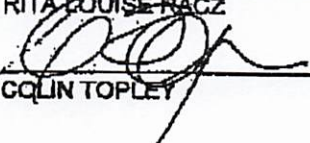
RESOLVED THAT the Purchase and Sale Agreement be and the same is hereby approved, and that any one director of the Company be and is hereby authorized to negotiate and finalize the terms of and to execute the Purchase and Sale Agreement on behalf of the Company, and to do all things as he or she may consider necessary or desirable to carry out the purchase of shares of Louis Racz Co. Ltd. thereunder.

Approval of Promissory Note

RESOLVED THAT the promissory note contemplated by paragraph 4 of the Purchase and Sale Agreement, in the principal amount of \$1,481,000, be and the same is hereby approved, and that the said promissory note be executed by any one director of the Company signing the same on behalf of the Company.

Execution by Counterparts

These resolutions may be consented to by the directors signing separate counterparts of the resolutions, which may be delivered by electronic means, and notwithstanding the respective dates of execution of the separate counterparts shall be deemed to be effective as at October 22, 2014.

  
\_\_\_\_\_  
RITA LOUISE RACZ  
  
\_\_\_\_\_  
COLIN TOPLEY

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7 of 12

CONSENT RESOLUTIONS OF THE DIRECTOR OF  
LOUIS RACZ CO. LTD.  
(the "Company")

The undersigned, being the sole director of the Company entitled to vote on the resolutions, hereby consents to and adopts in writing the following resolutions:

Transfer of Shares

WHEREAS, pursuant to an agreement of Purchase and Sale dated the date hereof between Rita Louise Racz and 1012109 B.C. Ltd., Rita Louise Racz agreed to sell and 1012109 B.C. Ltd. agreed to buy 50 Class "B" Voting Common shares with a par value of \$1.00 each, 15 Class "C" Common shares with a par value of \$1.00 each and 431 Class "D" Preferred shares with a par value of \$0.01 each in the authorized share structure of the Company.

RESOLVED THAT:

- the transfer of 50 Class "B" Voting Common shares with a par value of \$1.00 each, 15 Class "C" Common shares with a par value of \$1.00 each and 431 Class "D" Preferred shares with a par value of \$0.01 each in the authorized share structure of the Company from Rita to 1012109 B.C. Ltd. be approved and consented to;
- the following share certificates be cancelled:

Certificate No.	Registered Holder	Number and Class of Shares
39	Rita Louise Racz	50 Class "B" Voting Common
40	Rita Louise Racz	15 Class "C" Common
41	Rita Louise Racz	431 Class "D" Preferred

- the following share certificates be executed by any one director of the Company:

Certificate No.	Registered Holder	Number and Class of Shares
43	1012109 B.C. Ltd.	50 Class "B" Voting Common
44	1012109 B.C. Ltd.	15 Class "C" Common
45	1012109 B.C. Ltd.	431 Class "D" Preferred

- the necessary particulars in respect of such shares and the aforementioned transfers be entered in the Central Securities Register of the Company.

DATED as at October 22, 2014.

*R. Racz*

This is Exhibit "U" referred to in RITA LOUISE RACZ  
affidavit of USA Address  
sworn before me on 15/ APR /20 14

5286729

*8 of 12*

**CONSENT RESOLUTIONS OF THE DIRECTOR OF**

**LOUIS RACZ CO. LTD.  
(the "Company")**

The undersigned, being the sole director of the Company entitled to vote on the resolutions, hereby consents to and adopts in writing the following resolutions:


Transfer of Shares

WHEREAS, pursuant to an agreement of Purchase and Sale dated the date hereof between Colin Topley, as executor of the Estate of Rosilla Racz (the "Estate") and 1012109 B.C. Ltd., the Estate agreed to sell and 1012109 B.C. Ltd. agreed to buy 1,481 Class "D" Preferred shares with a par value of \$0.01 each in the authorized share structure of the Company.

**RESOLVED THAT:**

1. the transfer of 1,481 Class "D" Preferred shares with a par value of \$0.01 each in the authorized share structure of the Company from the Estate to 1012109 B.C. Ltd. be approved and consented to;
2. share certificate no. 38, representing 1,481 Class "D" Preferred shares in the name of Rosilla Racz, be cancelled;
3. share certificate no. 42, representing 1,481 Class "D" Preferred shares in the name of 1012109 B.C. Ltd. be executed by any one director of the Company; and
4. the necessary particulars in respect of such shares and the aforementioned transfer be entered in the Central Securities Register of the Company.

DATED as at October 22, 2014.

  
\_\_\_\_\_  
RITA LOUISE RACZ

5286418

9 of 12

CONSENT RESOLUTIONS OF THE DIRECTOR OF

LOUIS RACZ CO. LTD.  
(the "Company")

The undersigned, being the sole director of the Company entitled to vote on the resolutions, hereby consents to and adopts in writing the following resolutions:

Redemption of Class "D" Preferred Shares

WHEREAS, pursuant to the Articles of the Company, the Company intends to redeem 431 Class "D" Preferred shares at a price of \$1,000.00 per share from 1012109 B.C. Ltd. and the holder of the said shares has waived the notice provisions on the redemption.

RESOLVED THAT:

1. 431 Class "D" Preferred shares with a par value of \$0.01 each be redeemed, from the sole shareholder, by the payment (in accordance with the terms set out in the Articles of the Company) of \$1,000.00 (together with all dividends declared thereon but unpaid) for each such share to be redeemed and that such redeemed shares be restored to the status of authorized but unissued shares;
2. share certificate no. 45 representing 431 Class "D" Preferred shares registered to 1012109 B.C. Ltd. be cancelled; and
3. the necessary particulars in respect of such redemption be entered in the Central Securities Register of the Company.

These resolutions and the redemption authorized hereby are approved upon the director of the Company having been satisfied that the Company is not insolvent and that the redemption of the Class "D" Preferred shares will not render the Company insolvent.

DATED as at October 22, 2014.

  
\_\_\_\_\_  
RITA LOUISE RACZ

WAIVER AND CONSENT

The undersigned hereby waives notice of the Company's intention to redeem shares as set out in the within resolutions, and hereby consents to said redemption and the procedures followed herein.

DATED as at October 22, 2014.

1012109 B.C. LTD.  
Per:   
\_\_\_\_\_

5334734

10/12

This is Exhibit "V" referred to in the affidavit of LISA MADNESS sworn before me on 17 APR 20 19

**CONSENT RESOLUTIONS OF THE DIRECTOR OF  
LOUIS RAGZ CO. LTD.  
(the "Company")**

The undersigned, being the sole director of the Company entitled to vote on the resolutions, hereby consents to and adopts in writing the following resolutions:

Redemption of Class "D" Preferred Shares

WHEREAS, pursuant to the Articles of the Company, the Company intends to redeem 1,481 Class "D" Preferred shares at a price of \$1,000.00 per share from 1012109 B.C. Ltd. and the holder of the said shares has waived the notice provisions on the redemption.

**RESOLVED THAT:**

1. 1,481 Class "D" Preferred shares with a par value of \$0.01 each be redeemed, from the sole shareholder, by the payment (in accordance with the terms set out in the Articles of the Company) of \$1,000.00 (together with all dividends declared thereon but unpaid) for each such share to be redeemed and that such redeemed shares be restored to the status of authorized but unissued shares;
2. share certificate no. 42 representing 1,481 Class "D" Preferred shares registered to 1012109 B.C. Ltd. be cancelled; and
3. the necessary particulars in respect of such redemption be entered in the Central Securities Register of the Company.

These resolutions and the redemption authorized hereby are approved upon the director of the Company having been satisfied that the Company is not insolvent and that the redemption of the Class "D" Preferred shares will not render the Company insolvent.

DATED as at 11/28/14, 2014.

R. Ragz  
RITA LOUISE RAGZ

**WAIVER AND CONSENT**

The undersigned hereby waives notice of the Company's intention to redeem shares as set out in the within resolutions, and hereby consents to said redemption and the procedures followed herein.

DATED as at 11/28/14, 2014.

1012109 B.C. LTD.

Per: R. Ragz

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This is Exhibit "W" referred to in the affidavit of Lisa Maddess sworn before me on 15 APR 2019

LOUIS RACZ CO. LTD.  
(the "Company")

RESOLUTIONS CONSENTED TO IN WRITING AS OF THE 4th DAY OF SEPTEMBER, 2015, BY THE SOLE DIRECTOR OF THE COMPANY AND THEREBY TAKING EFFECT AS IF PASSED AT A MEETING OF THE DIRECTOR DULY CALLED AND CONSTITUTED

EMR →

The Company may from time to time borrow money and mortgage its property to secure repayment of such money and as the Director is of the reasonable and honest opinion that it is in the best interests of the Company that it borrow \$2,000,000.00 (the "Principal Amount") from Vancouver City Savings Credit Union (the "Lender").

Under and pursuant to a commitment letter dated August 19th, 2015, as may be amended from time to time, (the "Commitment Letter") issued by the Lender to the Company and accepted by the Company, the Lender has agreed to make available to the Company the Principal Amount for the purpose set forth in the Commitment Letter.

RESOLVED that:

1. The Company borrow the Principal Amount from the Lender.
2. The Commitment Letter is approved, ratified and confirmed.
3. The demand promissory note, all indebtedness mortgage and assignment of rents, environmental indemnity agreement and general security agreement (collectively the "Security") presented to the Director be granted by the Company to the Lender substantially in the forms as presented, and be executed for and in the name of the Company by the Secretary or any director of the Company, with such changes, if any, as may be required by the Lender and approved by the person executing the same on behalf of the Company and that such execution shall be conclusive evidence of the approval of the Security.
4. The security for repayment of the Principal Amount is, among other things, a first all indebtedness mortgage of the Company's interest in Parcel Identifier: 008-837-358, Lot B Block 3 South 1/2 of District Lot 1055 Plan 12609 and Parcel Identifier: 010-793-783, Lot 2 of Lot B Block 3 South 1/2 of District Lot 1055 Plan 8902.
5. The person or persons authorized to execute the Security is or are authorized for and in the name of the Company to execute and deliver under the seal of the Company or otherwise all such other documents, including all collateral security relating to the Security and for such purpose, the Company hereby adopts as its seal any wafer attached to the Security and to do all acts that such person or persons, exercising discretion may consider to be necessary to give effect to this resolution or as may be required by the Lender.

R. Racz  
Rita Louise Racz

4828765.1

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This is the 4th affidavit of Colin W. Topley in this case and was made on 11/Feb/2015

No. P050204 Vancouver Registry

In the Supreme Court of British Columbia

In Probate Concerning the Estate of ROSILIA RACZ otherwise known as ROSALIA RACZ and ROZALIA RACZ

AFFIDAVIT

I, COLIN W. TOPLEY, of Vancouver, British Columbia, Certified General Accountant (Retired), SWEAR (OR AFFIRM) THAT:

- 1. I am the Administrator of the estate of Rosilia Racz, also known as Rosalia Racz and Rozalia Racz (the "Deceased"), and as such have knowledge of the matters herein deposed to and where so stated I verily believe them to be true.
2. I was the Administrator Pendente Lite of this estate from 28/July/2006 until I was granted letters of Administration with will annexed on July 8, 2010.
3. A copy of the Grant of Administration with Will annexed, and Order of Master Donaldson appointing me to serve as Administrator, are attached as Exhibits 2 and 3 to the Affidavit #3 I swore in respect of these proceedings.
4. Master Donaldson's Order established terms on which I was to serve as Administrator, including the provision that I not sell, transfer, assign, pledge or otherwise encumber any of the shares the Estate owns in Louis Racz Co. Ltd. (incorporation No. 72725) (the "Company") without further order of this Court.
5. In this application I seek approval to proceed with a plan to complete an income tax strategy to minimize the potential income tax liability from the redemption of the shares of the Company for the benefit of the beneficiaries. This plan, which I refer to as the "Pipeline Plan", will require me to reorganize the Company and the shares, and in particular redeem the 1481 Class D preferred shares held by the Estate.
6. I am also seeking approval to proceed with necessary repairs and remediation to a residential high-rise apartment building located at 1919 Bellevue Avenue, West Vancouver ("Port Royal") 50% of which property is owned by the Estate. The repairs and remediation are summarized as follows:

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- (c) A money market account at Dundee Securities Corporation;
- (d) A Canada Trust bank account;
- (e) Two capital accounts for the Port Royal Apartments at 1590 Bellevue Avenue; and
- (f) Miscellaneous household good and personal effects.

***The Company and the Estate Freeze***

14. This Application regards Orders sought with respect to the Deceased's interest in the Company, specifically 1481 Class "D" preferred Shares in the Company.
- EMR → 15. The Company was incorporated in 1967. The current director is Rita.
16. At the date of the Company's incorporation in 1967, the Deceased owned 100 Class A (voting) shares, and 100 Class B (common) shares of the Company. In October 1991, the Deceased's husband Louis died and left his shares in the Company to the Deceased under the terms of his will. The Deceased acquired 292 Class A and 292 Class B common shares of the Company, so that as of March 1998, she owned 396 Class A Common Shares and 396 Class B Shares. Both classes of shares were participating shares at the time.
17. In March of 1998, an estate freeze ("Freeze") and the Racz Family Trust (the "Trust") were instituted with respect to the Deceased's shares the Company.
18. The Freeze resulted in a two-step reorganization of the Company:
- (a) On March 17, 1998, new classes of "C" common and "D" preferred shares were added. All class "B" common shares were redeemed, and 600 new voting, non-participating shares were issued in exchange. The new class "B" shares were valued at \$1.00 per share, which reduced the paid up capital of each new share.
  - (b) On April 1, 1998, all of the shareholders including the Deceased exchanged their class "A" common and class "B" common shares for class "D" preferred shares with a redemption value of \$1,000 per share. The class "D" preferred shares also had a par value of \$0.01 per share, which reduced the paid up capital of the shares received. The transaction occurred on a tax-deferred basis under s. 86 of the Income Tax Act.
19. Ernest, Etus and the Trust, which was settled on March 31, 1998, then purchased common shares of the Company. The initial trustees of the Trust were Ernest and Etus and are now Etus and Michael. Rita, Lisa and Michael Siwik are the beneficiaries of the Trust.
20. The end result for the Deceased was that after the Freeze and the settlement of the Trust, her interest in the Company was confined to ownership of 1641 Class "D"

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2015

Johanne Gidney Estate and the Counterclaim action was dismissed on December 16, 2013. Now attached as Exhibit "C" to this affidavit is a copy of the dismissal order.

39. As part of the settlement, Elizabeth assigned her interest in the Estate to Lisa, making Lisa a beneficiary of 2/3 of the residue of the Estate. In exchange, Elizabeth will receive \$1.9 million dollars, which payment will be made to Elizabeth from the first \$1.9 million payable to Lisa from the residue of the estate. Lisa must personally pay to Elizabeth any shortfall, over time, if the Estate has insufficient funds to make this payment.

The Pipeline Plan

40. Once the Counterclaim was dismissed, all litigation embroiling the Estate was at an end and I could proceed with the administration of the Estate.
41. In earlier reports to the beneficiaries, including my July 28, 2010 report to the beneficiaries which was attached to my Affidavit #3 (pages 59-69), I first proposed that income tax planning for the future redemption of shares owned by the Estate may result in considerable tax savings. I recommended that, after the litigation involving the Freeze was resolved, a meeting should be convened with the Company's accountants to discuss the tax implications and develop a strategy of action related to this significant asset.
42. In consultation with the Estate's accountants, I determined that there was a potential for the Estate to be double taxed with respect to any gain on the Class D Shares of the Company, and I alerted the beneficiaries and their counsel to this problem.
43. Now attached as Exhibit "D" to this affidavit is a copy of a letter forwarded by my counsel to all parties with an interest in the Estate, setting out the double taxation problem and my proposed solution to avoid the double taxation (the "Pipeline Plan").
44. As noted in Exhibit D, the Pipeline Plan could lead to as much as \$562,483.80 potential tax savings for the Estate. Any amount saved would flow through to the beneficiaries of the Estate.
45. Since my counsel sent the Pipeline Plan to the beneficiaries, Rita as Director of the Company, and Lisa have confirmed their consent to the Plan.
46. Elizabeth has apparently expressed concern to my counsel that the Pipeline Plan will delay the distribution of the estate to the beneficiaries, however, in response I say that this concern is not valid. If anything, the Pipeline Plan will expedite the liquidation of approximately \$1.5 million dollars and will enable the Estate to make an interim distribution to the beneficiaries more quickly than if the Class D Preferred shares were held and subject to double taxation. Moreover, as Elizabeth's interest in this Estate has been limited as a result of the settlement as explained in paragraph 39 above, I do not believe that her concerns should carry any weight.

47. To date, I am not aware of any objections raised by either Etus or Michael with respect to the Pipeline Plan.

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3 of 5

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48. Since the Pipeline Plan was presented to the interested parties in May 2014, certain steps have been taken by me and the Company in furtherance of the Plan.

EMR → 49.

On July 3, 2014, Rita was appointed the sole director of the Company. Also on July 3, 2014, a Special Resolution of the Directors approved the Pipeline Plan. Now shown to me and marked as Exhibit "E" is a copy of the Special Resolution approving the Pipeline Plan.

50. On August 28, 2014, a new company was formed (1012109 B.C. Ltd.) of which I as Administrator and Rita are the directors.

51. On the 22nd of October, 2014, I transferred all of the Estate's 1,481 Class "D" Preferred shares of the Company to 1012109 B.C. Ltd. in exchange for a promissory note in the principal amount of \$1,481,000.

52. Also on the 22nd of October, 2014, Rita transferred her 50 Class "B" Voting Common, 15 Class "C" Common, and 431 Class "D" Preferred shares of the Company to 1012109 B.C. Ltd. in exchange for equivalent shares of 1012109 B.C. Ltd. (these being 50 Non-Participating Common, 15 Non-Voting Common and 431 Preference shares of 1012109 B.C. Ltd.).

53. Pursuant to the Articles of Incorporation of the Company; when the shareholders request the retraction of the Class "D" preferred shares, the Director of the Company is required to take the necessary steps to redeem the shares as mandated in the Articles. Accordingly, I as Administrator and shareholder, and Rita, requested the retraction of the Class "D" preferred shares of the Company.

54. Consequently, On November 28, 2014 following the transfer of the Estate's Class "D" Preferred shares of the Company to 1012109 B.C. Ltd., Rita, as director of the Company authorized the redemption of the 1,481 Class "D" Preferred shares held by 1012109 B.C. Ltd. at their redemption price of \$1,000 each.

55. The result of the steps taken since July 2014 has not changed the Estate's interest in the proceeds of the Class "D" Preferred Shares; rather, the interest is now held by 1012109 BC Ltd. awaiting final implementation of the Pipeline Plan.

#### ***The Management of Port Royal***

56. As with the Pipeline Plan, the history of discord in the family has made it difficult for me to obtain the approval of all beneficiaries with respect to other matters necessary to complete the administration of the estate. Another such example is my dealings with Port Royal. Although Port Royal is managed by Colliers Macaulay Nicholls Inc. (Colliers), I have found it difficult to make decisions to protect the Estate's interest in this valuable asset due to the failure of Etus to make decisions, or agree to decisions, regarding the maintenance and upkeep of the property. As noted above, Etus is also an owner, in her own right, of 20% of Port Royal.

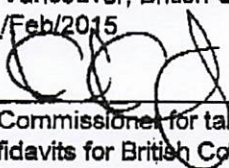
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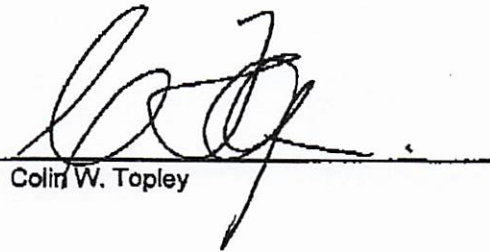
this application is to mitigate and redress the imminent harm to the Estate as soon as possible.

- 78. I swear this Affidavit in support of an Order approving the actions I have undertaken on behalf of the Estate in furtherance of the Pipeline Plan and approval to proceed with the remaining steps in order to fully implement the Pipeline Plan with respect to the Estate's interest in the Company and 1012109 BC Ltd.
- 79. I also swear this Affidavit in support of Orders authorizing the Remediation of Port Royal to proceed.

SWORN (OR AFFIRMED) BEFORE ME )  
 at Vancouver, British Columbia, on )  
 11 Feb/2015 )  
 \_\_\_\_\_ )  
 A Commissioner for taking )  
 Affidavits for British Columbia )



**KIMBERLY KUNTZ**  
 BARRISTER & SOLICITOR  
 BULL, HOUSSEY & TUPPER LLP  
 #800 - 900 HOWE STREET  
 VANCOUVER, B.C. V6Z 2M4  
 (604) 641-4887



\_\_\_\_\_  
 Colin W. Topley



Burns Fitzpatrick LLP  
 Suite 1400, 510 Burrard Street,  
 Vancouver, BC, Canada V6C 7A8  
 t: 604.602.5000 | f: 604.685.2104

1012109 B.C. Ltd.  
 2363 Marine Drive  
 West Vancouver, BC V7V 1K9

Attention: Lisa Maddess

Date: Sep. 21, 2020  
 File No.: 20694

Account No.: 29836  
 G.S.T. REG. No.: 127402295RT0001

RE: Louis Racz Co. Ltd. And Racz Family Trust

TO ALL PROFESSIONAL SERVICES RENDERED to date with respect to the captioned matter, particulars of which are set out as follows:

DATE	INIT	DESCRIPTION OF SERVICE	HOURS	AMOUNT
Jul. 29, 2019	BK	Review documents for Chambers;	0.20	20.00
Jul. 29, 2019	BK	Attend Chambers w/ Scott;	2.10	210.00
Jul. 29, 2019	BK	Review Order and other documents, draft resolution;	1.80	160.00
Aug. 26, 2019	SAT	Attend to distribution of funds, payment to CRA;	1.00	500.00
Aug. 30, 2019	SAT	Email to P. Wood; consider request for tax returns;	0.20	100.00
Aug. 30, 2019	BK	Research re shareholder right to inspect tax returns; Draft memo;	1.10	110.00
Sep. 2, 2019	SAT	Call and letter to P. Wood (liquidator) re: remaining funds of Louis Racz Co. Ltd. and re: refusal of Ethel Racz to accept payment; consider same;	0.50	250.00
Sep. 3, 2019	SAT	Letter to P. Wood; call to P. Wood; letter re: cheque; emails;	1.00	500.00
Sep. 5, 2019	SAT	Letter to P. Wood re: Michael Siwik;	0.20	100.00
Sep. 9, 2019	SAT	Correspondence with Lisa Maddess and Greg Ibbott;	0.20	100.00
Oct. 29, 2019	SAT	Review Articles of Louis Racz Co.; consider plan for dealing with unclaimed funds and review Unclaimed Property Act and related case law;	1.20	600.00
Feb. 11, 2020	SAT	Search for resolution;	0.20	100.00

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Feb. 14, 2020	SAT	To multiple emails and calls to and from Francis Wong and Patty Wood regarding what to do about Ethel's refusal to accept money;	2.00	1,000.00
Feb. 25, 2020	SAT	Correspondence with Patty Wood regarding refusal by Ethel to accept payment;	1.00	500.00
Mar. 26, 2020	SAT	Letter and email to client seeking instructions regarding "refused" money; email to P. Wood regarding sale; Call to L. Williams; research regarding Unclaimed Property Act;	4.00	2,000.00
Mar. 30, 2020	SAT	Research regarding disclaimed gifts;	1.00	500.00
Mar. 31, 2020	SAT	Prepare motion materials (disclaimed money); emails to P. Wood;	4.00	2,000.00
Apr. 1, 2020	SAT	Further research regarding unclaimed dividends, revise Affidavit; work on Notice of Application;	4.00	2,000.00
Apr. 2, 2020	SAT	Work on Notice of Application and Affidavit; Email to client regarding same; calls to P. Wood;	4.00	2,000.00
Apr. 3, 2020	SAT	Work on Notice of Application; further research;	3.80	1,900.00
Apr. 4, 2020	BK	Research to support Application; note up legislation from New Brunswick and email to SAT regarding the same.	1.70	306.00
Apr. 6, 2020	SAT	Revise A. Lee Affidavit; revise Notice of Application and send to P. Wood and L. Williams for comment;	2.50	1,250.00
Apr. 7, 2020	SAT	Review memo from Balpreet on unclaimed property;	1.00	500.00
Apr. 7, 2020	BK	Research on case law to support Application; review bona vacantia as it applies to this situation; email to SAT regarding the same;	2.10	378.00
Apr. 8, 2020	SAT	Revise Notice of Application (to reflect Commonwealth Financial Services case) and draft Affidavit for Lisa; email to L. Williams and P. Wood; consider service on Administrator for Unclaimed Property Act;	3.00	1,500.00
Apr. 8, 2020	BK	Look up administrator of the unclaimed property per the Unclaimed Property Act for serving notice of the application; email to SAT regarding the same;	0.30	54.00
Apr. 9, 2020	SAT	Revise L. Maddess #2; draft P. Wood #2;	2.00	1,000.00

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Accounts are payable on the date the account is rendered and if any account remains outstanding for more than 30 days, interest will be charged on the outstanding balance of the account at the rate of 1.5% per month (18% per annum).



Apr. 9, 2020	BK	Correspondence w Lindsey Moore at Unclaimed Property Society regarding service of NOA; email updates to SAT regarding the same;	0.50	90.00
Apr. 17, 2020	SAT	Email to L. Williams regarding serving Quebec Minister of Revenue; review Quebec Unclaimed Property Act and email to V. Edouard regarding same;	1.00	500.00
Apr. 20, 2020	SAT	Meet with Lisa to witness Affidavit; contact Montreal counsel about serving Quebec Minister for Revenue; revise Notice of Application;	1.50	750.00
Apr. 21, 2020	SAT	Letter to P. Wood regarding Disclaimed Money; revise P. Wood Affidavit #2; revise Notice of Application;	1.30	650.00
Apr. 22, 2020	SAT	Changes to Notice of Application; correspondence with Montreal counsel;	1.20	600.00
Apr. 22, 2020	BK	Legal research bona vacantia; bailli and related database searches for English case law and texts; courthouse library and UBC law library searches for bona vacantia text; calls and emails to libraries;	1.50	270.00
Apr. 24, 2020	SAT	Finalize, file Notice of Application; draft letter to Quebec Minister of Revenue;	1.20	600.00
Apr. 28, 2020	SAT	Finalize service letters;	0.60	300.00
May. 1, 2020	SAT	Attend to finalizing and securing package to Montreal;	0.20	100.00
May. 7, 2020	SAT	Correspondence with Montreal counsel;	0.10	50.00
Jun. 4, 2020	SAT	Attend to procedural matters; correspondence with Revenue Quebec and with Montreal counsel (telephone call); email exchange with B.C. Unclaimed Property Society;	1.50	750.00
Jun. 4, 2020	BK	Communicate with SAT and AL regarding service of NOA on BCUPS;	0.10	18.00
Jun. 8, 2020	SAT	Attend to service; revise letter to Ethel;	0.80	400.00
Jun. 9, 2020	SAT	Attend to service of affidavits; letter to Ethel; prepare for telephone hearing;	1.50	750.00
Jun. 11, 2020	SAT	Call from Marc Lemieux regarding service;	0.60	300.00
Jun. 12, 2020	SAT	Attend to finalizing and filing application materials; Affidavit #3 of A. Lee;	1.60	800.00
Jun. 16, 2020	SAT	Prepare for hearing;	2.00	1,000.00
Jun. 17, 2020	SAT	Prepare for and attend Chambers (telephone); draft Order; report to client;	5.00	2,500.00
Jul. 17, 2020	SAT	Update;	0.20	100.00

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Accounts are payable on the date the account is rendered and if any account remains outstanding for more than 30 days, interest will be charged on the outstanding balance of the account at the rate of 1.5% per month (18% per annum).

Jul. 28, 2020	SAT	Review Reasons (Majawa); report to client; draft Order; Letter to Registry and attend to entry; Draft letter to Ethel;	4.00	2,000.00
Sep. 6, 2020	SAT	To all correspondence with J. Facchin regarding application to set aside; email to client regarding position;	1.50	750.00
Sep. 8, 2020	SAT	Email to J. Facchin regarding costs; lengthy call from J. Facchin;	0.90	450.00
Sep. 12, 2020	SAT	Draft Response (costs); email to J. Facchin regarding same; send offer;	1.00	500.00
Sep. 14, 2020	SAT	Review and consider consent order; email to J. Facchin;	0.20	100.00
Sep. 15, 2020	SAT	Attend to Consent Order and correspondence with P. Wood (liquidator).	0.20	100.00

**OUR FEE**

**\$34,066.00**

**TAXABLE DISBURSEMENTS**

Courier Charges	62.85	
Courier - Federal Express	210.18	
Postage	14.99	
West Coast Title Search-agents fees	102.00	
Company Search	7.00	
Scanning#	128.10	
BC Online Access Charge#	8.00	
Photocopies#	176.05	
Lasertrak#	856.80	
<b>Total Taxable Disbursements</b>		<b>\$ 1,566.97</b>

**NON-TAXABLE DISBURSEMENTS**

CSB Filing Fees	\$21.00	
West Coast Title Search-filing fees	\$80.00	
<b>Total Non-Taxable Disbursements</b>		<b>\$ 101.00</b>

**TOTAL DISBURSEMENTS**

**\$ 1,666.97**

**GOODS AND SERVICES TAX**

G.S.T. on Disbursements:	78.30	
G.S.T. on Fees:	1,703.30	
<b>TOTAL G.S.T. (5%)</b>		<b>\$ 1,781.60</b>

**PROVINCIAL SALES TAX**

P.S.T. on Disbursements:	81.83	
P.S.T. on Fees:	2,384.62	
<b>TOTAL P.S.T. (7%)</b>		<b>\$ 2,466.45</b>

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Accounts are payable on the date the account is rendered and if any account remains outstanding for more than 30 days, interest will be charged on the outstanding balance of the account at the rate of 1.5% per month (18% per annum).

**TOTAL AMOUNT OWING**

**\$39,981.02**

**Burns Fitzpatrick LLP**

Per:

Scott A. Turner

E & O.E.

**STATEMENT OF ACCOUNT**

Current fees including all taxes

38,153.92

Current disbursements including all taxes

1,827.10

**AMOUNT DUE AND OWING TO DATE**

**\$39,981.02**

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Accounts are payable on the date the account is rendered and if any account remains outstanding for more than 30 days, interest will be charged on the outstanding balance of the account at the rate of 1.5% per month (18% per annum).

**LEMIEUX****DROIT DES AFFAIRES**

600, Place d'Armes, bureau 2810, Montréal (Québec) H2Y 2W2

22 septembre 2020

The Louis Racz Co. Ltd., in liquidation (c/o  
Burns Fitzpatrick)

a/s Scott Turner

510 Burrard Street, Suite 1410

Vancouver (Colombie-Britannique) V6C 3A8

Objet : Compte d'honoraires  
N/D : 0167-001 Service of proceedings in Quebec  
Facture no : 00216Pour services professionnels et débours encourus pour la période terminée le  
22-09-2020

Honoraires assujettis à la TPS et à la TVP

Total des honoraires	3 412,50 \$
Total des débours taxables	0,00 \$
Total des débours non-taxables	0,00 \$
Sous-total	3 412,50 \$
TPS	170,63 \$
TVP	238,86 \$
<b>Total facturé</b>	<b>3 822,01 \$</b>
Moins acompte(s) reçu(s)	0,00 \$
<b>Total à payer</b>	<b>3 822,01 \$</b>

Merci de payer par le biais d'un chèque à l'ordre de MARC LEMIEUX, ou par virement courriel Interac à [mlemieux@lda-lbl.com](mailto:mlemieux@lda-lbl.com), ou par virement de fonds au compte suivant :

Nom de la banque du bénéficiaire : Banque de Nouvelle-Écosse  
 Nom du détenteur: MARC LEMIEUX  
 Adresse de la banque du bénéficiaire : 645, boul. René-Levesque Ouest, Montréal (QC) H3B 1S5  
 Succursale: 90191  
 Transit: 002  
 Numéro de compte: 05934-27  
 Code SWIFT: NOSCCATT

TPS no. 815004130  
 TVQ no. 1077872619

607

TPS - 815004130  
 TVP -

Honoraires professionnels			Temps	Tarif	Montant
22-04-2020	ML	Review service requirements for a claim against the Minister of Revenue of Quebec acting as curator of unclaimed property.	1,00	375,00	375,00
11-05-2020	ML	Call the bailiff and prepare materials for service. Voicemail to Scott Turner providing a status report.	1,00	375,00	375,00
12-05-2020	ML	Call from the bailiff to advise as to status.	0,30	375,00	112,50
15-05-2020	ML	Arrange for notification by email to the Attorney General. Prepare notification materials.	1,00	375,00	375,00
08-06-2020	ML	Printing and assembly of materials to be served on E.M. Rasz and M. Siwik. Service of said documents on said individuals. Telephone conversations with Scott Turner to confirm instructions and service.	3,80	375,00	1 425,00
09-06-2020	ML	Review draft affidavit prepared by bailiff in respect of earlier service to Minister of National Revenue. Review draft affidavit of service prepared by Scott Turner in respect of service to Ms. Rasz and M. Siwik. Email to bailiff with comments and instructions to complete. Return signed affidavit to Scott Turner.	1,30	375,00	487,50
10-06-2020	ML	Return original affidavit of service on Ms. Rasz and M. Siwik to Scott Turner.	0,40	375,00	150,00
12-06-2020	ML	Email from bailiff with sworn affidavit of service. Review and circulate to Scott Turner.	0,30	375,00	112,50

Nombre d'heures facturées 9,10  
Total des honoraires 3 412,50

Lemieux, Marc 9,10 heure(s) 375,00/heure

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