



Court File No. CV-12-9934-00 CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL COURT**

THE HONOURABLE
JUSTICE HAINEY

) TUESDAY THE 15TH
) DAY OF AUGUST, 2017

B E T W E E N:

GODSTONE CO-OWNERSHIP INC.

Plaintiff

and

MAPLE RIDGE REAL ESTATE INVESTMENTS CORP.,
DUCA FINANCIAL SERVICES CREDIT UNION LTD.,
LYDIA LUCKEVICH, RGL PROPERTY SERVICES INC.,
1320950 ALBERTA LTD., 1336364 ALBERTA LTD., 1336365 ALBERTA LTD.,
1336366 ALBERTA LTD., 1336367 ALBERTA LTD., PETER ZHANG, CUI HUA SUN,
FRANCISCO CENDANA, ELIZABETH CENDANA, DAVE LALL, CARMEN MANGAL,
JOE DANIEL, JIM MILNE, CHERYL FORRIN, NOEL MORRISON,
RICHARDO ARCHER, HYACINTH HINES, WENDY WANG, JIAN HUANG,
SAUNDREA COBURN, DANIEL JOHNSTON, MARJORIE JOHNSTON, MARC LEAN
and JANET LOUISE HILSON

Defendants

ORDER

THIS MOTION made by Pollard & Associates Inc., in its capacity as the Court-appointed Interim Receiver (the "Receiver") of the Plaintiff, Godstone Co-Ownership Inc. (referred to herein as "Godstone") for inter alia, an order accepting and approving the actions and activities of the Receiver as set out in the Fifth Report of the Interim Receiver dated July 17, 2017 and the Supplementary Report of the Court Appointed Receiver dated August 11, 2017, was heard this day at the Ontario Superior Court of Justice, 330 University Avenue, Toronto, Ontario.

ON READING the Fifth Report of the Interim Receiver and the Supplementary Report of the Court Appointed Receiver, the Motion Record of DUCA Financial Services Credit Union Ltd. ("DUCA") and on hearing submissions of counsel for the Receiver, DUCA, Janet Louise Hilson ("Hilson"), Lydia Luckevich ("Luckevich"), RGL Property Services Inc. ("RGL"),

Godstone, Mark Lean, Richard Krug in trust ("Krug"), and Xiao Joing Yao appearing in person, no one else attending although properly served;

1. THIS COURT ORDERS that the actions and activities of the Receiver as set out in the Fifth Report of the Receiver dated July 17, 2017, are hereby approved subject to the determination of the priorities issues referred to below.

2. THIS COURT ORDERS the Receiver's Interim Statement of Receipts and Disbursements dated June 30, 2017 is hereby approved.

3. THIS COURT ORDERS that Hilson and Luckevich provide to the Receiver a copy of its Statement of Claim and the settlement agreement, which are to be provided to the Receiver on a confidential basis. Hilson and Luckevich will also provide to the Receiver a breakdown as to how the settlement funds were applied as between Hilson and Luckevich, within ten days of the date of this Order.

4. THIS COURT ORDERS that the claim by Godstone to priority over the mortgages of DUCA, Hilson and Luckevich be determined as follows:

- (a) Godstone shall deliver its motion record dealing strictly with its priority claim in this action and in Court file No. CV-17-11838-00CL by September 29, 2017;
- (b) DUCA, Hilson and Luckevich shall deliver responding material by October 15, 2017;
- (c) Godstone shall deliver any reply material by October 22, 2017;
- (d) Cross-Examinations and Rule 39.03 examinations to be conducted during the month of November 2017;
- (e) Godstone shall deliver its factum by December 15, 2017;
- (f) Responding Facta shall be delivered by January 15, 2018;
- (g) The motion is to be heard on January 18 and 19, 2018.

5. THIS COURT ORDERS that, once the issue of Godstone's priority claim has been determined, a hearing by way of a hybrid trial will be scheduled to determine the priority issues among DUCA, Hilson and Luckevich and Krug.

6. THIS COURT ORDERS that the claims of Xiao Jiong Yao, Yinquing Zhang, Stephan Cassan and Lupas Mihai are hereby disallowed.

7. THIS COURT ORDERS that DUCA's Motion for an interim distribution is adjourned to a date to be fixed with the Commercial List office.

8. THIS COURT ORDERS that this Order does not affect the calculation of damages that may be proven in the Counterclaim of RGL against Godstone in CV-12-9934-00 CL.



Angelique Palmer
Superior Court of Justice

OCT 20 2017

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

OCT 23 2017

PER / PAR:

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GODSTONE CO-OWNERSHIP INC.

and

MAPLE RIDGE REAL ESTATE
INVESTMENTS CORP. ET AL

Applicant

Respondents

Court File No. CV-12-9934-00 CL

ONTARIO

**SUPERIOR COURT OF JUSTICE
COMMERCIAL COURT**

Proceeding commenced at TORONTO

ORDER

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capacity as Court-appointed Receiver of
Godstone Co-Ownership Inc.