

H091522
Vancouver Registry



IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

COAST CAPITAL SAVINGS CREDIT UNION

PETITIONER

AND:

THE SYMPHONY DEVELOPMENT CORPORATION, GURMEL SINGH KAINTH, SHMINDER JOHAL, 497308 B.C. LTD., 0769932 B.C. LTD., EMCO CORPORATION, PACIFIC UTILITY CONTRACTING LTD., UNLIMITED EXCAVATING & LANDSCAPING LTD., JACK CEWE LTD., C&C TRUCKING (1988) LTD., OCEAN CONSTRUCTION SUPPLIES LIMITED, NORA ROSALIE MARVIN, BASSI BROTHERS FRAMING LTD., UNITED RENTALS OF CANADA INC., MCRAE'S ENVIRONMENTAL SERVICES LTD., GRAESTONE READY MIX INC., VALLEY GEOTECHNICAL ENGINEERING SERVICES LTD., D.K. BOWINS & ASSOCIATES INC., VANCOUVER CITY SAVINGS CREDIT UNION

RESPONDENTS

ORDER

**BEFORE THE HONOURABLE
MR. JUSTICE WALKER**

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**TUESDAY, THE 1st DAY OF
JUNE, 2010**

THE APPLICATION of Pricewaterhouse Coopers Inc. (the "Receiver") dated May 27, 2010, and **THE APPLICATION** of Malkit Singh Johal for Directions respecting the disclosure of information pursuant to paragraph 3 of the Order granted herein on March 25, 2010, both coming on for hearing at Vancouver, British Columbia, this day; and on hearing Steven Dvorak, counsel to the Receiver, William L. MacLeod, counsel


to Bassi Brothers Framing Ltd., Kibben Jackson, counsel to Gurmel Singh Kainth ("Kainth"), Martin A. Thomas, counsel to Malkit Singh Johal ("Johal"), and Shawn Poisson, counsel to Coast Capital Savings Credit Union ("Coast Capital"), and no one appearing of behalf of the other Respondents although duly served:

THIS COURT ORDERS that:

1. The Receiver is granted leave to file the Affidavit of Cinda Ferguson #1 (the "Affidavit") under seal, and the Affidavit shall remain under seal until further Order of this Court;
2. Malkit Singh Johal is added as a Respondent to this proceeding, *nunc pro tunc*, without the requirement to amend the Petition or to effect service of the Petition upon the said Malkit Singh Johal.
3. Pursuant to paragraphs 15 and 22(b) of the Order granted on March 25, 2010, the Receiver is authorized and directed to review each Proof of Claim related to any secured claim or a claim of builders' lien delivered to the Receiver by the Claims Bar Date, and to accept, revise or disallow such claims in accordance with the Claims Process set out at paragraphs 12 through 20, both inclusive, of the March 25, 2010 Order (the "Claims Process").
4. The Direction contained in paragraph 3 of this Order shall be without prejudice to the right of any party to make application to this Court for an Order varying the Claims Process.

- 5. The application of Malkit Singh Johal for further disclosure respecting the offers received for the Albion Slopes Lands, pursuant to paragraph 3 of the Order granted on March 25, 2010, is dismissed.

BY THE COURT

W. J. J.


 REGISTRAR

APPROVED AS TO FORM:

#

see signatures attached

Counsel to the Receiver

Counsel to the Petitioner, Coast
Capital Savings Credit Union

Counsel to Malkit Singh Johal



 Counsel to Gurmel Singh Kainth

Counsel to Bassi Brothers Framing Ltd.

attached signatures


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- 5. The application of Malkit Singh Johal for further disclosure respecting the offers received for the Albion Slopes Lands, pursuant to paragraph 3 of the Order granted on March 25, 2010, is dismissed.

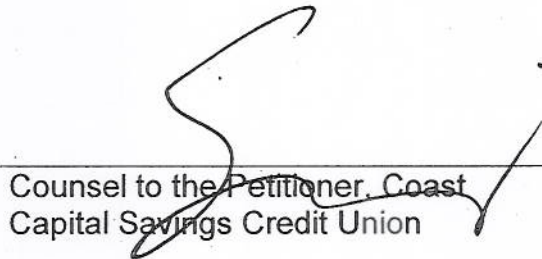
BY THE COURT

REGISTRAR

APPROVED AS TO FORM:



Counsel to the Receiver



Counsel to the Petitioner, Coast
Capital Savings Credit Union

Counsel to Malkit Singh Johal

Counsel to Gurmel Singh Kainth

Counsel to Bassi Brothers Framing Ltd.

*attached signature
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- 5. The application of Malkit Singh Johal for further disclosure respecting the offers received for the Albion Slopes Lands, pursuant to paragraph 3 of the Order granted on March 25, 2010, is dismissed.

BY THE COURT

REGISTRAR

APPROVED AS TO FORM:

Counsel to the Receiver

Counsel to the Petitioner, Coast
Capital Savings Credit Union

M.A. Thomas

Counsel to Malkit Singh Johal

Counsel to Gurmel Singh Kainth

Counsel to Bassi Brothers Framing Ltd.

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BETWEEN:

COAST CAPITAL SAVINGS CREDIT UNION

PETITIONER

AND:

THE SYMPHONY DEVELOPMENT CORPORATION, and
Others

RESPONDENTS

REQUISITION *ORR*

BULL, HOUSSER & TUPPER LLP

Barristers & Solicitors

3000 - 1055 West Georgia Street

Vancouver, B.C. V6E 3R3

Telephone: (604) 687-6575

Facsimile: (604) 641-4949

Attention: STEVEN D. DVORAK

SDD/cef

#10-2231