



This is the 1st affidavit  
of Wen-Shih Yang in this case  
and was made on January 11, 2023

No. S015937  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

BANK OF CHINA

PLAINTIFF/JUDGMENT CREDITOR

AND:

XU CHAO FAN, also known as Hui Yat Fai;  
XU GAO JUN, also known as Xu Jue Jun, Xu Guo Jun, Kit Sun Hui; Hui Kit Shun  
Hui Kit Sun and Hui Kit Chun;  
YU ZHEN DONG, also known as Xu Zhen Dong, Yu Zhen-Dong, Yu Wing Chung,  
Yu Zhan Dong, Yu Wing Chong and Yu Chun Tung;  
KWONG WA PO;  
CINDY CHING YIU-CHU, also known as Sindy Ching, Ching Yu-Chu Sindy, Ching  
Fo-Chu and Ching Yu-Chu;  
KUANG WAN FANG, also known as Wendy Wan Fang Kuang;  
YING YI YU, also known as Yu Yung Yi;  
FION XU HUI YU, also known as Fion Yu and Xu Hu Yu;  
LI CONG XU  
SIU LING YAN  
XIA LI XU, also known as Carolyn Xia Li Xu and Carolyn X Xu;  
FAL KWONG CHING, also known as Fo Kong Ching, Fo Kong Cheung and Connie  
Fal Kwong Ching;  
WEN JING TAN;  
XU LIE MING;  
XU GANG QIANG;  
XU BIN YAN;  
TANG JIE YU, also known as Jie Yu Tang, Tan Jie Yu and Jie Yu Tan;  
YU BAO QUON, also known as Bao Quon Yu, Yu Bao Quan and Quan Bao Yu;  
LIANG BIN JIN;  
LIANG CUI E; and  
JOHN DOE

DEFENDANTS/JUDGMENT DEBTORS

**AFFIDAVIT**

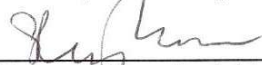
I, Wen-Shih Yang, legal assistant of 2800 Park Place, 666 Burrard Street, Vancouver, British  
Columbia, SWEAR THAT:

1. I am a legal assistant of DLA Piper (Canada) LLP ("**DLA Piper**"), counsel for the Plaintiff  
in these proceedings. As such I have personal knowledge of the facts and matters

hereinafter deposed to, except where stated to be known upon information and belief, and where so stated, I verily believe them to be true.

2. Attached hereto and marked as **Exhibit "A"** is a true copy of the judgment made in these proceedings by the Honourable Mr. Justice Skolrood on April 16, 2015 (the "**Judgment**").
3. Attached hereto and marked as **Exhibit "B"** is a true copy of the title to the lands bearing PID 004-014-111 (the "**Property**") showing the registration of the Judgment on the title to the Property.
4. Attached hereto and marked as **Exhibit "C"** is a true copy of the Affidavit of Delivery of Marie Hallam sworn on May 12, 2020.
5. Alvarez & Marsal Canada Inc. has provided a consent to act as receiver of Kuang Wan Fang in these proceedings dated March 3, 2021. Attached hereto and marked as **Exhibit "D"** is a true copy of the Consent to Act as receiver provided by Alvarez & Marsal Canada Inc.

SWORN BEFORE ME at Burnaby, British  
Columbia, on January 11, 2023.

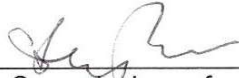
  
\_\_\_\_\_  
A Commissioner for taking Affidavits for  
British Columbia.

)  
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\_\_\_\_\_  
WEN-SHIH YANG

Samantha Arbor  
Articled Student  
DLA Piper (Canada) LLP  
666 Burrard Street, Suite 2800  
Vancouver, BC V6C 2Z7  
604.643.2960

This is **Exhibit "A"** referred to in the Affidavit of Wen-Shih Yang sworn before me at Burnaby, British Columbia on this the 11th day of January, 2023.



---

A Commissioner for taking Affidavits for  
British Columbia

Samantha Arbor  
Articled Student  
DLA Piper (Canada) LLP  
666 Burrard Street, Suite 2800  
Vancouver, BC V6C 2Z7  
604.643.2960



No. S015937  
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

BANK OF CHINA

PLAINTIFF

AND:

XU CHAO FAN, ALSO KNOWN AS HUI YAT FAI; XU GAO JUN, ALSO KNOWN AS XU JUO JUN, XU GUO JUN, KIT SUN HUI; HUI KIT SHUN HUI KIT SUN AND HUI KIT CHUN; YU ZHEN DONG, ALSO KNOWN AS XU ZHEN DONG, YU ZHEN-DONG, YU WING CHUNG, YU ZHAN DONG, YU WING CHONG AND YU CHUN TUNG; KWONG WA PO; CINDY CHING YIU-CHU, ALSO KNOWN AS SINDY CHING, CHING YU-CHU SINDY, CHING FO-CHU AND CHING YU-CHU; KUANG WAN FANG, ALSO KNOWN AS WENDY WAN FANG KUANG; YING YI YU, ALSO KNOWN AS YU YUNG YI; FION XU HUI YU, ALSO KNOWN AS FION YU AND XU HU YU; LI CONG XU; SIU LING YAN; XIA LI XU, ALSO KNOWN AS CAROLYN XIA LI XU AND CAROLYN X XU; FAL KWONG CHING, ALSO KNOWN AS FO KONG CHING, FO KONG CHEUNG AND CONNIE FAL KWONG CHING; WEN JING TAN; XU LIE MING; XU GANG QIANG; XU BIN YAN; TANG JIE YU, ALSO KNOWN AS JIE YU TANG, TAN JIE YU AND JIE YU TAN; YU BAO QUON, ALSO KNOWN AS BAO QUON YU, YU BAO QUAN AND QUAN BAO YU; LIANG BIN JIN; LIANG CUI E; AND JOHN DOE

DEFENDANTS

#### ORDER AFTER TRIAL

BEFORE	)	THE HONOURABLE MR. JUSTICE	)	
	)	SKOLROOD	)	April 16, 2015
	)		)	

THIS ACTION coming on for trial at 800 Smithe Street, Vancouver, BC V6Z 2E1, on November 24 - 27 and December 18 - 19, 2014, and on hearing Mr. D. R. Clark, Q.C., Ms. Monika Gehlen, and Mr. Jeffrey Horswill for the Plaintiff and Mr. L.J. Litman for the Defendants Kuang Wan Fang and Tan Wen Jing AND JUDGMENT being reserved to this date;

THIS COURT ORDERS that:

1. The Bank of China is granted judgment against Kuang Wan Fang in the amount of \$670,015,201 plus pre-judgment interest in the amount of \$2,166,076.54 according to the *Court Order Interest Act* from December 19, 2014 to the date of judgment, for a total of \$672,181,277.54;
2. The Bank of China is granted judgment against Tan Wen Jing in the amount of \$2,214,616 plus pre-judgment interest in the amount of \$611,203.68 according to the *Court Order Interest Act* from March 12, 2002 to the date of judgment, for a total of \$2,825,819.68;
3. The Bank of China is granted judgment against Tan Wen Jing in the amount of \$350,000 plus pre-judgment interest in the amount of \$96,595.21 according to the *Court Order Interest Act* from March 12, 2002 to the date of judgment, for a total of \$446,595.21;

4. The Bank of China is entitled to post-judgment interest according to the *Court Order Interest Act*,
5. The funds, including accrued interest, of Kuang Wan Fan, seized by order of this court on October 22, 2001 and currently held in the following bank accounts:

Royal Bank of Canada - No. 3 & Ackroyd  
8171 Ackroyd Road  
Richmond, BC V6X 3K1  
Branch #: 3880  
Account #: 5488887  
4586087

HSBC Bank Canada - Mandarin Centre  
1010-4380 No.3 Road  
Richmond, BC V6X 3V7  
Branch #: 10570-016  
Account#: 035104-290  
035104-250

Canadian Imperial Bank of Commerce - Three West Centre  
6011 No. 3 Road  
Richmond, BC V6Y 2B2  
Branch #: 900  
Account #: 8507333  
9353038

be released by cheque payable to DLA Piper (Canada) LLP, In Trust and be delivered to:

DLA Piper (Canada) LLP ATTN: Ross Clark, Q.C.  
Suite 2800 Park Place, 666 Burrard Street  
Vancouver, BC V6C 2Z7

within 30 days of delivery of this order.

6. The funds, including accrued interest, of Tan Wen Jing, seized by order of this court on March 12, 2002 and currently held in the followings bank accounts:

HSBC Bank Canada - Milliken Square  
15 Milliken Boulevard  
Scarborough, ON M1V 1V3  
Branch #: 10042-016  
Account#: 026883-150  
026883-355  
026883-250  
026883-320

Canadian Imperial Bank of Commerce - Three West Centre  
6011 No. 3 Road  
Richmond, BC V6Y 2B2  
Branch #: 900  
Account #: 8507236

be released by cheque payable to DLA Piper (Canada) LLP, In Trust and be delivered to:



DLA Piper (Canada) LLP ATTN: Ross Clark, Q.C.  
Suite 2800 Park Place, 666 Burrard Street  
Vancouver, BC V6C 2Z7

within 30 days of delivery of this order.

7. The property, the particulars of which are as follows (collectively, the "**Personal Property**"):
- (a) the personal property held by CIBC for the Defendants Kuang and Siu Ling Yan in safety deposit box no. 879 held at the Three West Centre branch of CIBC, located at 6011 No. 3 Road, Richmond, BC; and
  - (b) The personal property held by RBC for the Defendants Kuang, Sindy Yu Chu Ching, and Ying Yi Yu in safety deposit box no. 673 held at the No. 3 & Ackroyd branch of RBC, located at 8171 Ackroyd Road, Richmond, BC.

will be released by CIBC, its servants or agents to the Sherriff or Court Bailiff within 30 days of delivery of this order.


8. The Sherriff or Court Bailiff is hereby directed to sell the Personal Property in the same manner as if seized under a Writ of Seizure and Sale with the net sale proceeds to be delivered to:

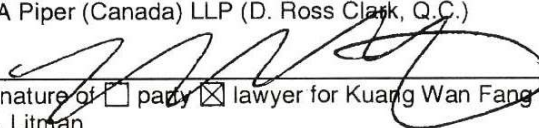
DLA Piper (Canada) LLP ATTN: Ross Clark, Q.C.  
Suite 2800 Park Place, 666 Burrard Street  
Vancouver, BC V6C 2Z7

in trust for the Plaintiff.

9. The Plaintiff shall recover the taxable costs of the action from the Defendant at Scale B.

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 ☒ lawyer for Bank of China  
DLA Piper (Canada) LLP (D. Ross Clark, Q.C.)

  
\_\_\_\_\_  
Signature of ☐ party ☒ lawyer for Kuang Wan Fang and Tan Wen Jing  
L.J. Litman

BY THE COURT

  
\_\_\_\_\_  
REGISTRAR  


No. S015937  
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

BANK OF CHINA

PLAINTIFF

AND:

XU CHAO FAN, ALSO KNOWN AS HUI YAT FAI;  
XU GAO JUN, ALSO KNOWN AS XU JUO JUN, XU GUO JUN,  
KIT SUN HUI; HUI KIT SHUN HUI KIT SUN AND HUI KIT  
CHUN; YU ZHEN DONG, ALSO KNOWN AS XU ZHEN DONG,  
YU ZHEN-DONG, YU WING CHUNG, YU ZHAN DONG, YU  
WING CHONG AND YU CHUN TUNG; KWONG WA PO;  
CINDY CHING YIU-CHU, ALSO KNOWN AS SINDY CHING,  
CHING YU-CHU SINDY, CHING FO-CHU AND CHING YU-  
CHU; KUANG WAN FANG, ALSO KNOWN AS WENDY WAN  
FANG KUANG; YING YI YU, ALSO KNOWN AS YU YUNG YI;  
FION XU HUI YU, ALSO KNOWN AS FION YU AND XU HU YU;  
LI CONG XU; SIU LING YAN; XIA LI XU, ALSO KNOWN AS  
CAROLYN XIA LI XU AND CAROLYN X XU; FAL KWONG  
CHING, ALSO KNOWN AS FO KONG CHING, FO KONG  
CHEUNG AND CONNIE FAL KWONG CHING; WEN JING TAN;  
XU LIE MING; XU GANG QIANG; XU BIN YAN;  
TANG JIE YU, ALSO KNOWN AS JIE YU TANG, TAN JIE YU  
AND JIE YU TAN; YU BAO QUON, ALSO KNOWN AS BAO  
QUON YU, YU BAO QUAN AND QUAN BAO YU; LIANG BIN  
JIN; LIANG CUI E; AND JOHN DOE

DEFENDANTS

---

ORDER AFTER JUDGMENT

---

DLA Piper (Canada) LLP  
Barristers & Solicitors  
2800 Park Place  
666 Burrard Street  
Vancouver, BC V6C 2Z7

Tel. No. 604.687.9444  
Fax No. 604.687.1612

Client Matter No. 49246-00001

DYE & DURHAM CORPORATION

7649657-1

JQG/jqg

July 16, 2015

This is **Exhibit "B"** referred to in the Affidavit of Wen-Shih Yang sworn before me at Burnaby, British Columbia, on this the 11th day of January, 2023.

  
A Commissioner for taking Affidavits for  
British Columbia

Samantha Arbor  
Articled Student  
DLA Piper (Canada) LLP  
666 Burrard Street, Suite 2800  
Vancouver, BC V6C 2Z7  
604.643.2960



**TITLE SEARCH PRINT**

File Reference: 049246-00001

Declared Value \$ 719626

2023-01-11, 10:46:59

Requestor: Dannis Yang

**\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\***

<b>Land Title District</b>	NEW WESTMINSTER
Land Title Office	NEW WESTMINSTER
<b>Title Number</b>	BR254258
From Title Number	BR179
<b>Application Received</b>	2001-09-28
<b>Application Entered</b>	2001-10-02
<b>Registered Owner in Fee Simple</b>	
Registered Owner/Mailing Address:	WAN FANG KUANG, HOUSEWIFE 6160 UDY ROAD RICHMOND, BC V7C 2X9
<b>Taxation Authority</b>	Richmond, City of
<b>Description of Land</b>	
Parcel Identifier:	004-014-111
Legal Description:	LOT 14 BLOCK 3 SECTION 18 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 15790
<b>Legal Notations</b>	
	ZONING REGULATION AND PLAN UNDER THE AERONAUTICS ACT (CANADA) FILED 10.02.1981 UNDER NO. T17084 PLAN NO. 61216
<b>Charges, Liens and Interests</b>	
Nature:	COURT ORDER
Registration Number:	BR347468
Registration Date and Time:	2001-12-20 15:12
Remarks:	LAND TITLE ACT, SEC. 284 PROHIBITS DEALINGS
Nature:	JUDGMENT
Registration Number:	CA4949695
Registration Date and Time:	2016-01-26 14:50
Registered Owner:	BANK OF CHINA

**TITLE SEARCH PRINT**

File Reference: 049246-00001

Declared Value \$ 719626

2023-01-11, 10:46:59

Requestor: Dannis Yang

Nature:	JUDGMENT
Registration Number:	CA6826969
Registration Date and Time:	2018-05-29 15:52
Registered Owner:	BANK OF CHINA
Remarks:	RENEWED BY CA8150067

Nature:	JUDGMENT
Registration Number:	CA8150067
Registration Date and Time:	2020-04-22 09:52
Registered Owner:	BANK OF CHINA
Remarks:	RENEWAL OF CA6826969 RENEWED BY CA9864146

Nature:	JUDGMENT
Registration Number:	CA9864146
Registration Date and Time:	2022-04-19 14:37
Registered Owner:	BANK OF CHINA
Remarks:	RENEWAL OF CA8150067

<b>Duplicate Indefeasible Title</b>	NONE OUTSTANDING
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<b>Transfers</b>	NONE
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<b>Pending Applications</b>	NONE
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This is **Exhibit "C"** referred to in the Affidavit of Wen-Shih Yang sworn before me at Burnaby, British Columbia, on this the 11th day of January, 2023.



A Commissioner for taking Affidavits for  
British Columbia

Samantha Arbor  
Articled Student  
DLA Piper (Canada) LLP  
666 Burrard Street, Suite 2800  
Vancouver, BC V6C 2Z7  
604.643.2960

NO. S015937  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

BANK OF CHINA

PLAINTIFFS/JUDGMENT CREDITOR

AND:

XU CHAO FAN, also known as Hui Yat Fai;  
XU GAO JUN, also known as Xu Jiao Jun, Xu Guo Jun, Kit Sun Hui; Hui Kit Shun Hui Kit Sun and Hui  
Kit Chun;  
YU ZHEN DONG, also known as Xu Zhen Dong, Yu Zhen-Dong, Yu Wing Chung, Yu Zhan Dong, Yu  
Wing Chong and Yu Chun Tung;  
KWONG WA PO;  
CINDY CHING YIU-CHU, also known as Cindy Ching, Ching Yu-Chu Sindy, Ching Fo-Chu and Ching  
Yu-Chu;  
KUANG WAN FANG, also known as Wendy Wan Fang Kuang;  
YING YI YU, also known as Yu Yung Yi;  
FION XU HUI YU, also known as Fion Yu and Xu Hu Yu;  
LI CONG XU  
SIU LING YAN  
XIA LI XU, also known as Carolyn Xia Li Xu and Carolyn X Xu;  
FAL KWONG CHING, also known as Fo Kong Ching, Fo Kong Cheung and Connie Fal Kwong Ching;  
WEN JING TAN;  
XU LIE MING;  
XU GANG QIANG;  
XU BIN YAN;  
TANG JIE YU, also known as Jie Yu Tang, Tan Jie Yu and Jie Yu Tan;  
YU BAO QUON, also known as Bao Quon Yu, Yu Bao Quan and Quan Bao Yu;  
LIANG BIN JIN;  
LIANG CUI E; and  
JOHN DOE

DEFENDANTS/JUDGMENT DEBTORS

**AFFIDAVIT OF DELIVERY**

I, MARIE HALLAM, Process Server of West Coast Title Search Ltd., of #100 - 840 Howe Street, in the  
City of Vancouver, in the Province of British Columbia, SWEAR THAT:

1. On Tuesday, May 5, 2020, at 2:25 p.m., I delivered to the OCCUPANTS, the following documents  
that have not been filed in this proceeding:

LETTER, a copy of which is attached to this Affidavit and marked as Exhibit "A".

2. I delivered each document referred to in Section 1 of this Affidavit by posting it to the door at 6160 Udy Road, Richmond, British Columbia, on Tuesday, May 5, 2020, at 2:25 p.m.

SWORN BEFORE ME in the City of  
New Westminster, British Columbia,  
this 12 day of May, 2020

\_\_\_\_\_  
A Commissioner For Taking Affidavits  
For British Columbia

\_\_\_\_\_  
MARIE HALLAM

**Taryn Michelle Brown**  
A Commissioner for Taking Affidavits  
For British Columbia  
My Appointment Expires October 31, 2022





DLA Piper (Canada) LLP  
Suite 2800, Park Place  
888 Burrard Street  
Vancouver, BC V6C 2Z7  
www.dlapiper.com

Karen Fellowes  
karen.fellowes@dlapiper.com  
T 604.643.8363  
F +1 604.687.1612

May 1, 2020

FILE NUMBER: 049246-00001

The Occupants of 6160 Udy Road  
6160 Udy Road  
Richmond, BC, V7C 2X9

Sir/Madam:

**Re: Proceedings under the Court Order Enforcement Act RSBC 1996, c. 78.**

We are counsel for the Bank of China. Our client obtained judgment in Court Action S015937 Vancouver Registry ("the Judgment") and has registered certificates of judgment against title to the property located at 6160 Udy Road with the legal description of Lot 14, Block 3, Section 18 Block 4 North Range 6 West New Westminster District Plan 15790 ("the Property").

Please take notice that proceedings to enforce the Judgment are being commenced under the *Court Order Enforcement Act*, section 92 ("the Act"). An Order for Sale of Land by the Sheriff will be sought in accordance with section 96 of the Act. In accordance with section 97 of the Act, all persons claiming an interest in the Property may be called to establish their claims to the Property to the Court in Chambers in a time to be limited by the Court.

In order to facilitate a Court-Ordered Sale of the Property, vacant possession of the Property will be sought as a condition of the Order for Sale of Land. Therefore, all occupants of the Property who do not have a valid interest in the Property should make arrangements to leave the Property and deliver vacant possession upon further Court Order. Please govern yourself accordingly.

Sincerely,  
DLA Piper (Canada) LLP  
Per:

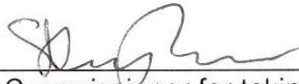
Karen Fellowes  
Counsel

KLF/ag

This is Exhibit " " referred to in  
the affidavit of  
made before me on this 12th  
day of May, 2020

A Commissioner for Taking Affidavits  
For British Columbia

This is **Exhibit "D"** referred to in the Affidavit of Wen-Shih Yang sworn before me at Burnaby, British Columbia, on this the 11th day of January, 2023.



---

A Commissioner for taking Affidavits for  
British Columbia

Samantha Arbor  
Articled Student  
DLA Piper (Canada) LLP  
666 Burrard Street, Suite 2800  
Vancouver, BC V6C 2Z7  
604.643.2960

COURT FILE NUMBER

S015937

SUPREME COURT OF BRITISH COLUMBIA

JUDICIAL CENTRE

VANCOUVER

IN THE MATTER OF SECTION 39 OF THE  
*LAW AND EQUITY ACT*, R.S.B.C. 1996 C. 253

AND

IN THE MATTER OF KUANG WAN FANG, JUDGMENT DEBTOR

DOCUMENT

**CONSENT OF THE RECEIVER**

ADDRESS FOR SERVICE AND  
CONTACT INFORMATION OF  
PARTY FILING THIS  
DOCUMENT

**ALVAREZ & MARSAL CANADA INC.**  
1680-400 Burrard Street  
Vancouver, BC V6C 3A6

**Attention: Anthony Tillman**


Telephone: 604 639 0849

Facsimile: 604 638 7441

Email: [atillman@alvarezandmarsal.com](mailto:atillman@alvarezandmarsal.com)

Alvarez & Marsal Canada Inc. does hereby consent to act as Receiver, without security, of all of the assets, undertakings and property in Canada of Kuang Wan Fang, otherwise known as Wendy Wan Fang Kuang, in these proceedings if so appointed by this Honourable Court.

Dated at the City of Vancouver, the Province of British Columbia, this 3<sup>rd</sup> day of March  
2021.

  
\_\_\_\_\_  
Name: Anthony Tillman  
Title: Senior Vice President

No. S015937  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

BANK OF CHINA

PLAINTIFF/JUDGMENT CREDITOR

AND:

XU CHAO FAN, also known as  
Hui Yat Fai;  
XU GAO JUN, also known as Xu Juo Jun, Xu  
Guo Jun, Kit Sun Hui; Hui Kit Shun Hui Kit Sun  
and Hui Kit Chun;  
YU ZHEN DONG, also known as Xu Zhen  
Dong, Yu Zhen-Dong, Yu Wing Chung, Yu  
Zhan Dong, Yu Wing Chong and Yu Chun  
Tung;  
And others

DEFENDANTS/JUDGMENT DEBTORS

---

**AFFIDAVIT**

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DLA Piper (Canada) LLP  
Barristers & Solicitors  
2800 Park Place  
666 Burrard Street  
Vancouver, BC V6C 2Z7

Tel. No. 604.687.9444  
Fax No. 604.687.1612

File No.: 049246-00001

JDB/day