



No. H220369  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

**BETWEEN:**

PLW INVESTMENT LTD.

PETITIONER

**AND:**

1025332 B.C. LTD. and others

RESPONDENTS

**NOTICE OF APPLICATION**

**Name of applicant:** PLW Investment Ltd., the Petitioner (“PLW” or the “Petitioner”)

**To:** The persons on the Service List

**And to:**

Alix Abela and  
Thanh Tran  
4991 Cambie Street  
Vancouver, B.C.

Hikari Yasuhara  
Mereani Vaileba  
Paolo Bianchin  
Gelareh Hashemishayan  
Charlie Goodchild  
Jenny Goodchild and  
Nicolas Binon  
4215 Cambie Street  
Vancouver, B.C.

TAKE NOTICE that an application will be made by the applicant to Justice Blake at the courthouse at 800 Smithe Street, Vancouver, B.C. on Friday, November 1, 2024 at 9:30 a.m. for the order set out in Part 1 below.

The applicant estimates that the application will take 5 minutes.

This matter is not within the jurisdiction of an associate judge.

## **Part 1 ORDER SOUGHT**

1. An order, substantially in the form attached hereto as Schedule “A”, adding Alix Abela, Thanh Tran, Hikari Yasuhara, Mereani Vaileba, Paolo Bianchin, Gelareh Hashemishayan, Charlie Goodchild, Jenny Goodchild and Nicolas Binon (collectively, the “**Tenants**”) as respondents to these proceedings.

## **Part 2 FACTUAL BASIS**

### **Background**

1. On October 27, 2022, on the application of the Petitioner, the Honourable Mr. Justice Giaschi granted an order (the “**Receivership Order**”), among other things, appointing Alvarez & Marsal Canada Inc. (the “**Receiver**”) as receiver and manager of certain lands and other assets, undertakings and property (collectively, the “**Property**”) of the Respondents 1025332 B.C. Ltd., 1025334 B.C. Ltd., 1025336 B.C. Ltd., Chongye Developments Ltd., Washington Properties (Point Grey) Inc., Washington Properties (QEP) Inc., Lucky Five Investments Ltd., 1094321 B.C. Ltd., Prarda Developments Corporation, 1256306 B.C. Ltd., 1256319 B.C. Ltd., Amy Barsha Washington (a.k.a. Fengyun Shao), Edison Washington (a.k.a. Qiang Wang) and Linda Washington (collectively, the “**Debtors**”).
2. On December 18, 2023, on the application of the Petitioner, the Honourable Madam Justice Blake granted an order, among other things, adding Washington Properties (West 27th) Inc. and Washington Properties (West 29th) Inc. as respondents in these proceedings.
3. Subsequently, the Petitioner filed its amended petition to the court on February 1, 2024, reflecting the addition of the new respondents as parties to these proceedings.

4. Through the Receiver, the Petitioner has been made aware of the identities of several tenants living at two of the properties comprising the Property, being those properties bearing the civic addresses of:
  - (a) 4491 Cambie Street, Vancouver, B.C. (“4491”); and
  - (b) 4215 Cambie Street, Vancouver, B.C. (“4215”).
5. The Petitioner is aware of the following tenants currently occupying 4491:
  - (a) Alix Abela; and
  - (b) Thanh Tran.
6. The Petitioner is aware of the following tenants currently occupying 4215:
  - (a) Hikari Yasuhara;
  - (b) Mereani Vaileba;
  - (c) Paolo Bianchin;
  - (d) Gelareh Hashemishayan;
  - (e) Charlie Goodchild;
  - (f) Jenny Goodchild; and
  - (g) Nicolas Binon.

### **Part 3 LEGAL BASIS**

1. The Petitioner relies on:
  - (a) the *Supreme Court Civil Rules*, B.C. Reg. 241/2010, as amended (the “SCCR”);
  - (b) the inherent and equitable jurisdiction of this Honourable Court; and
  - (c) such further and other legal bases and authorities as counsel may advise and this Honourable Court may permit.

Adding Parties

2. The Petitioner seeks to add the Tenants as Respondents in these proceedings pursuant to Rule 6-2(7) of the SCCR, which reads, in part, as follows:

**Adding, removing or substituting parties by order**

(7) At any stage of a proceeding, the court, on application by any person, may, subject to subrules (9) and (10),

...

(b) order that a person be added or substituted as a party if

(i) that person ought to have been joined as a party, or

(ii) that person's participation in the proceeding is necessary to ensure that all matters in the proceeding may be effectually adjudicated on, and

(c) order that a person be added as a party if there may exist, between the person and any party to the proceeding, a question or issue relating to or connected with

(i) any relief claimed in the proceeding, or

(ii) the subject matter of the proceeding

that, in the opinion of the court, it would be just and convenient to determine as between the person and that party.

3. The Petitioner seeks to add the Tenants as Respondents in these proceedings, as they ought to have been joined as parties as occupants of properties comprising the Property.

**Part 4 MATERIAL TO BE RELIED ON**

1. Affidavit #1 of Suzanne Volkow, sworn October 18, 2024.

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to this Notice of Application, you must, within 5 business days after service of this Notice of Application or, if this application is brought under Rule 9-7, within 8 business days after service of this Notice of Application,

- (a) file an Application Response in Form 33,
- (b) file the original of every affidavit, and of every other document, that
  - (i) you intend to refer to at the hearing of this application, and
  - (ii) has not already been filed in the proceeding, and
- (c) serve on the applicant 2 copies of the following, and on every other party of record one copy of the following:

- (i) a copy of the filed Application Response;
- (ii) a copy of each of the filed affidavits and other documents that you intend to refer to at the hearing of this application and that has not already been served on that person;
- (iii) if this application is brought under Rule 9-7, any notice that you are required to give under Rule 9-7(9).

Dated: 18-Oct-2024

"M. Gill"  
Signature of Lawyer for Applicant  
Mishaal Gill

***To be completed by the court only:***

Order made

☐ in the terms requested in paragraphs ..... of Part 1 of this Notice of Application

☐ with the following variations and additional terms:

.....  
.....  
.....

Date:

.....  
Signature of ☐ Judge ☐ Master

The Solicitors for the Petitioners are Fasken Martineau DuMoulin LLP, whose office address and address for delivery is 550 Burrard Street, Suite 2900, Vancouver, BC V6C 0A3 Telephone: +1 604 631 3131 Facsimile: +1 604 631 3232. (Reference: Mishaal Gill/313022.00006)

## **APPENDIX**

### **THIS APPLICATION INVOLVES THE FOLLOWING:**

- ☐ discovery: comply with demand for documents
- ☐ discovery: production of additional documents
- ☐ other matters concerning document discovery
- ☐ extend oral discovery
- ☐ other matter concerning oral discovery
- ☐ amend pleadings
- ☐ add/change parties
- ☐ summary judgment
- ☐ summary trial
- ☐ service
- ☐ mediation
- ☐ adjournments
- ☐ proceedings at trial
- ☐ case plan orders: amend
- ☐ case plan orders: other
- ☐ experts
- ☒ OTHER

SCHEDULE "A"

No. H220369  
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

PLW INVESTMENT LTD.

PETITIONER

AND:

1025332 B.C. LTD., 1025334 B.C. LTD., 1025336 B.C. LTD.,  
CHONGYE DEVELOPMENTS LTD., WASHINGTON  
PROPERTIES (POINT GREY) INC., WASHINGTON  
PROPERTIES (QEP) INC., LUCKY FIVE INVESTMENTS  
LTD., 1094321 B.C. LTD., PRARDA DEVELOPMENTS  
CORPORATION, 1256306 B.C. LTD., 1256319 B.C. LTD.,  
AMY BARSHA WASHINGTON (a.k.a. FENGYUN SHAO),  
EDISON WASHINGTON (a.k.a. QIANG WANG), LINDA  
WASHINGTON, 35 PARK PARKING INC. and EARLSTON  
MORTGAGE CORP., WASHINGTON PROPERTIES (WEST  
27<sup>TH</sup>) INC. and WASHINGTON PROPERTIES (WEST 29<sup>TH</sup>)  
INC.

RESPONDENTS

**ORDER MADE AFTER APPLICATION**

	)	)	
	)	)	
BEFORE	)	)	NOVEMBER 1, 2024
	)	)	
	)	)	
	)	)	

THE HONOURABLE  
MADAM JUSTICE BLAKE

ON THE APPLICATION OF the Petitioner coming on for hearing at Vancouver, British Columbia on November 1, 2024, and on hearing [REDACTED], counsel for the Petitioner, and those other counsel listed on Schedule "A", and no one else appearing although duly served, and upon reading the material filed;

THIS COURT DECLARES AND ORDERS that:

1. The following parties are added as respondents in this proceeding:

- (a) Alix Abela;
- (b) Thanh Tran;
- (c) Hikari Yasuhara;
- (d) Mereani Vaileba;
- (e) Paolo Bianchin;
- (f) Gelareh Hashemishayan;
- (g) Charlie Goodchild;
- (h) Jenny Goodchild; and
- (i) Nicolas Binon.

(collectively, the “**Additional Respondents**”), with the style of cause amended accordingly.

2. The Petitioner is granted leave to file a Second Amended Petition, amending the Amended Petition filed in this proceeding on February 1, 2024.

3. The Petitioner may serve the Second Amended Petition, together with a copy of this Order, substitutionally on Alix Abela and Thanh Tran (together, the “**4491 Respondents**”) by:

- (a) posting copies thereof to the door of the residence at 4491 Cambie Street, Vancouver, B.C. in sealed envelopes addressed to each of the 4491 Respondents;
- (b) mailing copies thereof to each of the 4491 Respondents by regular mail to 4491 Cambie Street, Vancouver, B.C.; and
- (c) emailing copies thereof to [alixabela88@gmail.com](mailto:alixabela88@gmail.com).

4. The Petitioner may serve the Second Amended Petition, together with a copy of this Order, substitutionally on Hikari Yasuhara, Mereani Vaileba, Paolo Bianchin, Gelareh Hashemishayan, Charlie Goodchild, Jenny Goodchild and Nicolas Binon (collectively, the “**4215 Respondents**”) by:



- (a) posting copies thereof to the door of the residence at 4215 Cambie Street, Vancouver, B.C. in sealed envelopes addressed to each of the 4491 Respondents;
  - (b) mailing copies thereof to each of the 4215 Respondents by regular mail to 4215 Cambie Street, Vancouver, B.C.; and
  - (c) emailing copies thereof to unickpainting@gmail.com.
5. The Additional Respondents shall be deemed to have been properly served with the Second Amended Petition and this Order on the date that is 14 days following after such documents have been mailed and emailed in the manner described above.
6. The time within which the Additional Respondents may file a Response to Petition will be 21 days after completion of service.
7. Endorsement of this Order by counsel appearing on this application other than counsel for the Petitioner is dispensed with.

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

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Lawyer for the Petitioner

BY THE COURT

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REGISTRAR

Schedule A

LIST OF COUNSEL

Name of Party	Counsel Name