



This is Affidavit #1
of Kibben Jackson in this case
and was made on November 4, 2022

No. H220369
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

PLW INVESTMENT LTD.

PETITIONER

AND:

1025332 B.C. LTD. and others

RESPONDENTS

AFFIDAVIT

I, Kibben Jackson, of 2900 - 550 Burrard Street, Vancouver British Columbia, lawyer,
AFFIRM THAT:

1. I am a Partner at Fasken Martineau DuMoulin LLP ("**Fasken**"), counsel for the Petitioner, PLW Investment Ltd. ("**PLW**"), and as such have personal knowledge of the facts hereinafter deposed to except where stated to be on information and belief, in which case I verily believe them to be true.
2. I am the lawyer who has had primary carriage of this matter at Fasken and I am authorized to make this affidavit on behalf of Fasken.
3. On October 27, 2022, on the application of PLW, for which I appeared, the Honourable Mr. Justice Giaschi granted an order (the "**Receivership Order**") in these proceedings appointing Alvarez & Marsal Canada Inc. (the "**Receiver**") as receiver and manager of certain lands and other assets, undertakings and property of the Debtors (as defined in the Receivership Order).

4. Attached to the Receivership Order as Schedule "B" is a list of lands owned by the Debtors and over which the Receiver was appointed.

5. During the time the materials in respect of the Receivership Order, including the order itself, were being drafted certain lands were transferred from the Respondent, Prarda Developments Corporation ("**Prarda**"), to an unrelated third party.

6. In particular, the following lands were transferred from Prarda to the third party:

PID: 010-871-438

Lot 10 Block 720 District Lot 526 Plan 6539

PID: 010-871-471


Lot 11 Block 720 District Lot 526 Plan 6539

(together, the "**Properties**").

7. The Properties were included in Schedule "B" as lands owned by Prarda when, in fact, at the time the Receivership Order was granted, the Properties were owned by an unrelated third party.

8. I make this affidavit expressly for the purposes of the Petitioner's application for an order under Rule 13-1(17) of the *Supreme Court Civil Rules*, B.C. Reg. 241/2010, as amended, authorizing the substitution of Schedule "B" to the Receivership Order, as it now is, with a revised Schedule "B" removing the Properties. Nothing herein is intended to be a waiver of solicitor-client privilege by the Receiver.

AFFIRMED BEFORE ME at Vancouver,
British Columbia, on November 4, 2022



A Commissioner for taking Affidavits for
British Columbia



KIBBEN JACKSON

MISHAAL S. GILL
Barrister & Solicitor
Fasken Martineau DuMoulin LLP
2900 - 550 Burrard Street
Vancouver, BC V6C 0A3
604 631 4881