

COURT FILE NUMBER **2401-**  
COURT COURT OF KING'S BENCH OF ALBERTA  
JUDICIAL CENTRE Calgary



IN THE MATTER OF THE COMPANIES'  
CREDITORS ARRANGEMENT ACT, RSC 1985  
c C-36, as amended

AND IN THE MATTER OF THE  
COMPROMISE OR ARRANGEMENT OF  
ANGUS A2A GP INC., ANGUS MANOR  
PARK A2A GP INC., ANGUS MANOR PARK  
A2A CAPITAL CORP., ANGUS MANOR  
PARK A2A DEVELOPMENTS INC.,  
WINDRIDGE A2A GP INC., WINDRIDGE  
A2A DEVELOPMENTS, LLC, FOSSIL  
CREEK A2A GP INC., FOSSIL CREEK A2A  
DEVELOPMENTS, LCC, A2A  
DEVELOPMENTS INC., SERENE COUNTRY  
HOMES (CANADA) INC. and A2A CAPITAL  
SERVICES CANADA INC.

DOCUMENT **AFFIDAVIT**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT  
Robyn Gurofsky/Kaitlyn Wong  
Fasken Martineau DuMoulin LLP  
3400, 340 7<sup>th</sup> Avenue SW  
Calgary, AB T2P 3N9  
Telephone: (403) 261-9469  
Email: rgurofsky@fasken.com / kwong@fasken.com  
File No. 321102-00017

**AFFIDAVIT OF BRIAN RICHARDS**

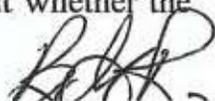
**Sworn on November 12, 2024**

I, Brian Richards, of the City of Kelowna, in the Province of British Columbia, SWEAR AND SAY THAT:

- 1) I am an investor in the Trails of Fossil Creek, an A2A Group real estate development project located in Fort Worth, Texas. As such, I have personal knowledge of the matters

hereinafter sworn to in this Affidavit, except where stated to be based on information and belief, and where so stated, I verily believe the same to be true.

- 2) I make this Affidavit to supplement the Affidavits sworn by Michael Edwards and my financial advisor, Paul Lauzon, who sold the Fossil Creek investment to me.
- 3) I am 84 years old and retired. Prior to my retirement, I worked in the telecommunication industry for approximately 32 years, including holding positions with, among others, BC Tel, Telus, and the Canadian Broadcasting Corporation. I was also a member of the Royal Canadian Air Force.
- 4) My wife, Judith and I, were introduced to the A2A Group by Mr. Lauzon who handled our investments. We were told that we could invest in a real estate development in Texas, which I understand to be the Trails of Fossil Creek residential development project.
- 5) In total, we invested \$10,000 jointly and received 100 units in the Fossil Creek Trust. After the second Canadian offering for the Trails of Fossil Creek closed, we received an investment closing package from Mr. Dirk Foo, the President and Chief Executive Officer of A2A Capital Management. Attached hereto and marked as **Exhibit "A"** is a copy of the investment closing package, including a copy of the trust unit certificate we received.
- 6) Since purchasing the Fossil Creek units in late 2014, I have not received any reporting from the A2A Group of Companies including the Fossil Creek Trust, whether it be financial reporting or any reporting on the status of the Fossil Creek development, outside of what we received in the investment closing package in early 2015.
- 7) Further, I have not received any distributions or repayments from the Fossil Creek Trust or the A2A Group.
- 8) As a result of the complete lack of information provided by the A2A Group since I invested in late 2014, I have significant concerns about the A2A Group remaining in control of the Fossil Creek property. I also have significant concerns about whether the





COURT FILE NUMBER     **2401-**  
COURT                     COURT OF KING'S BENCH OF ALBERTA  
JUDICIAL CENTRE         Calgary

Clerk's Stamp

IN THE MATTER OF THE *COMPANIES'*  
*CREDITORS ARRANGEMENT ACT*, RSC 1985,  
c C-36, as amended

AND IN THE MATTER OF THE  
COMPROMISE OR ARRANGEMENT OF  
ANGUS A2A GP INC., ANGUS MANOR PARK  
A2A GP INC., ANGUS MANOR PARK A2A  
CAPITAL CORP., ANGUS MANOR PARK  
A2A DEVELOPMENTS INC., WINDRIDGE  
A2A GP INC., WINDRIDGE A2A  
DEVELOPMENTS, LLC, FOSSIL CREEK A2A  
GP INC., FOSSIL CREEK A2A  
DEVELOPMENTS, LCC, A2A  
DEVELOPMENTS INC., SERENE COUNTRY  
HOMES (CANADA) INC. and A2A CAPITAL  
SERVICES CANADA INC.

DOCUMENT                 **AFFIDAVIT**

ADDRESS FOR SERVICE  
AND CONTACT  
INFORMATION OF PARTY  
FILING THIS DOCUMENT

Robyn Gurofsky/Kaitlyn Wong  
Fasken Martineau DuMoulin LLP  
3400, 340 7<sup>th</sup> Avenue SW  
Calgary, AB T2P 3N9  
Telephone: (403) 261-9469  
Email: rgurofsky@fasken.com / kwong@fasken.com  
File No. 321102-00017

---

**AFFIDAVIT OF BRIAN RICHARDS**

**Sworn on November 12, 2024**

---

I, Brian Richards, of the City of Kelowna, in the Province of British Columbia, SWEAR AND SAY THAT:

- 1) I am an investor in the Trails of Fossil Creek, an A2A Group real estate development project located in Fort Worth, Texas. As such, I have personal knowledge of the matters

KW

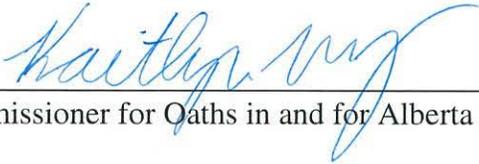
hereinafter sworn to in this Affidavit, except where stated to be based on information and belief, and where so stated, I verily believe the same to be true.

- 2) I make this Affidavit to supplement the Affidavits sworn by Michael Edwards and my financial advisor, Paul Lauzon, who sold the Fossil Creek investment to me.
- 3) I am 84 years old and retired. Prior to my retirement, I worked in the telecommunication industry for approximately 32 years, including holding positions with, among others, BC Tel, Telus, and the Canadian Broadcasting Corporation. I was also a member of the Royal Canadian Air Force.
- 4) My wife, Judith and I, were introduced to the A2A Group by Mr. Lauzon who handled our investments. We were told that we could invest in a real estate development in Texas, which I understand to be the Trails of Fossil Creek residential development project.
- 5) In total, we invested \$10,000 jointly and received 100 units in the Fossil Creek Trust. After the second Canadian offering for the Trails of Fossil Creek closed, we received an investment closing package from Mr. Dirk Foo, the President and Chief Executive Officer of A2A Capital Management. Attached hereto and marked as **Exhibit "A"** is a copy of the investment closing package, including a copy of the trust unit certificate we received.
- 6) Since purchasing the Fossil Creek units in late 2014, I have not received any reporting from the A2A Group of Companies including the Fossil Creek Trust, whether it be financial reporting or any reporting on the status of the Fossil Creek development, outside of what we received in the investment closing package in early 2015.
- 7) Further, I have not received any distributions or repayments from the Fossil Creek Trust or the A2A Group.
- 8) As a result of the complete lack of information provided by the A2A Group since I invested in late 2014, I have significant concerns about the A2A Group remaining in control of the Fossil Creek property. I also have significant concerns about whether the money I put in was properly recorded by the A2A Group in their records and am further concerned about what they did with the money I invested.

KLW

- 9) Mr. Lauzon has spoken to me about the court application that is being brought. I am supportive of that application and in particular, the Fossil Creek companies being placed into a court process that will provide me with some transparency into what happened with my money.
- 10) In swearing this Affidavit, I was not physically present before the commissioner for oaths but was linked with the commissioner for oaths utilizing video technology, and to the best of my knowledge, the process described in the Court of King’s Bench of Alberta Notice to the Profession and Public on Remote Commissioning Affidavits for use in Civil and Family Proceedings during the COVID-19 pandemic dated March 25, 2020 was followed.

SWORN BEFORE ME at Kelowna, British Columbia, this 12<sup>th</sup> day of November, 2024.



\_\_\_\_\_  
Commissioner for Oaths in and for Alberta

)  
)  
)  
)  
)  
)  
)

\_\_\_\_\_  
BRIAN RICHARDS

**Kaitlyn Wong**  
Barrister & Solicitor  
3400, 350 7<sup>th</sup> Avenue SW  
Calgary, Alberta T2P3N9  
Ph: 1-403-261-7388



This is Exhibit "A" referred to  
In the Affidavit of Brian Richards  
Sworn before me this 12<sup>th</sup> day of November, 2024



\_\_\_\_\_  
Commissioner for Oaths in and for the Province of Alberta

**Kaitlyn Wong**  
Barrister & Solicitor  
3400, 350 7<sup>th</sup> Avenue SW  
Calgary, Alberta T2P3N9  
Ph: 1-403-261-7388

# A2A

A2A CAPITAL SERVICES CANADA INC  
744 Fourth Avenue SW Suite 900 Calgary Alberta T2P 3T4 Cana  
T:+1 403 460 9

Brian & Judith Richards  
1040 Cactus Road  
Kelowna, British Columbia V1X 3N7

Dear Brian & Judith,

We are very proud to announce that our second Canadian offering, "The Trails of Fossil Creek" is completely sold out, and we have officially closed the offering of this project here in Canada. Globally, we were able to successfully raise USD\$21 Million Dollars for this project located in the Dallas Fort Worth market. This accomplishment would not have been possible without your support and your belief in the business we are building here in Canada, and for that we thank you.

A2A had a year filled with many milestones, namely; reaching 6000 clients globally, successfully re-zoning four of our projects, with three projects at tendering stage awaiting offers for exit. Globally we raised over CDN\$329 million in great North American investment opportunities from our clients around the world. In addition to this, A2A broke ground and began construction on your Trails of Fossil Creek development in September 2014.

Inside this investment closing package you will find the following items (from front of package to back):

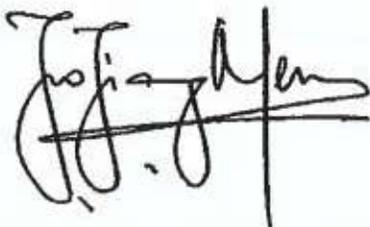
- Our latest Corporate Profile and Investor Care brochure highlighting the scope of our global business
- A copy of the latest Trails of Fossil Creek Offering Memorandum on a USB Flash Drive
- An A2A Client Portfolio Introduction letter with your online login details
- A copy of your Unit Trust Certificate highlighting your legal unit ownership.
  - Original copies for cash investors will be kept with our legal counsel Craig L. Bentham Barrister and Solicitor at #605, 2303 - 4 Street SW, Calgary, Alberta T2S 2S7.
- An additional copy of your executed subscription agreement
- An update presentation, providing a complete review of development activity in the Trails of Fossil Creek

We are committed to providing you with the highest level of client service possible and firmly believe that the success of our business lies solely with the satisfaction of our clients. If for any reason you have questions or comments, we would be delighted to hear from you. Call us at 403-460-9921, or send us email [reception.calgary@a2aglobal.com](mailto:reception.calgary@a2aglobal.com) and we will get back to you as soon as possible.

At your preference, we will also be in contact with you and your dealing representative regarding future project updates, appreciation events and the first distributions to take place on the Trails of Fossil Creek Project.

Again, thank you for interest and investment. We look forward to serving you.

Sincerely,





January 28, 2015

Brian & Judith Richards  
1040 Cactus Road  
Kelowna, British Columbia  
V1X 3N7

Dear Brian & Judith,

The A2A Client Portfolio Portal

It is our pleasure to introduce our Client Portfolio Portal (CPP) as the latest enhanced feature of the A2A website.

The CPP provides online accessibility to your personal investment portfolio with A2A. With this feature, you can view your investment holdings and status instantly and easily, at the touch of a button.

To activate your CPP account, follow the "*Your Portfolio*" link on the homepage of the [www.a2aglobal.com](http://www.a2aglobal.com) website and login using your designated User ID and Password:

User ID : SG03482  
Password : WKSUVUWOW

At your leisure, we recommend you change your User ID and Password for added security.

We encourage you to log in to your account at [www.a2aglobal.com](http://www.a2aglobal.com) and check out your investment portfolio. We hope you will find the CPP convenient and easy to navigate within the website and we look forward to hearing from you on any comments or suggestions you may have to improve this point of accessibility.

The CPP facility is just one of many more services being introduced to benefit our clients over the coming months. In addition to this, please also follow us on Twitter **@A2ACapital** for exclusive and up to date information on all of our development activity.

With kind regards,  
**A2A Capital Management Pte Ltd**

**Marie Lind**  
Executive Vice President - Administration

*This is a computer-generated letter. No signature is required.*

# PINNACLE

## Connected & Related Issuer Disclosure & Acknowledgement

Exempt Market Dealers are required to provide timely written disclosure of a conflict of interest where a reasonable client would expect to be informed of the conflict when entering into a proposed transaction as per section 13.6 and 14.2 of National Instrument 31-103 & its Companion Policy 31-103CP. There is guidance & requirements when recommending related or connected securities and relationship disclosure information. NI 31-103 considers a conflict of interest to be any circumstance where the interests of different parties, such as the interests of a client and those of a registrant, are inconsistent or divergent. Exempt Market Dealers must take reasonable steps to identify existing material conflicts of interest and potential material conflicts that may be reasonably expected to arise between the firm and a client. Information regarding a conflict with a connected or related issuer should be made available to clients before or at the time of the advice or trade giving rise to the conflict, so that clients have a reasonable amount of time to assess it.

Fossil Creek AZA Trust "The Trust" is considered a "connected issuer" and a "related issuer" of Pinnacle Wealth Brokers Inc. "Pinnacle" under Canadian securities law.

Description of the nature of the firm's relationship with the issuer is summarized as followed:

<p><b>Connected Individuals</b></p> <p>• <b>Rick Unrau</b></p>	<p><b>Positions held:</b></p> <p><b>Fossil Creek AZA Trust</b> (an open-ended unincorporated investment trust governed by the laws of the Province of Alberta)</p> <ul style="list-style-type: none"><li>- <b>Trustee</b> (March 17, 2014 - Current)</li></ul> <p><b>Pinnacle Wealth Brokers Inc.</b></p> <ul style="list-style-type: none"><li>- <b>Director</b> (Nov 30th, 2011 - Dec 18, 2014)</li><li>- <b>Officer</b> (Nov 30th 2011 - Dec 2, 2014)</li><li>- <b>Shareholder</b> (Nov 30th, 2011 - Current)</li></ul> <p><b>Compensation:</b></p> <p>Mr Unrau will be paid an Annual Retainer/Trustee Fee of \$10,000 per Annum by "the Trust" to act as a Trustee. The fee will be paid by Fossil Creek Developments from the Development Fund as part of the Funding Agreement.</p>
--	--

I understand the above potential conflict of interest and choose to participate in subscribing to this offering.

*Brian & Judith Richards*

Client Name

*FEB 25/15*

Date

*Brian Richards*

*Jm Richards*

Client Signature

**UNLESS PERMITTED UNDER SECURITIES LEGISLATION, THE HOLDER OF THIS SECURITY SHALL NOT TRADE THE SECURITY BEFORE THE DATE THAT IS FOUR MONTHS AND A DAY AFTER THE DATE FOSSIL CREEK A2A TRUST BECAME A REPORTING ISSUER IN ANY PROVINCE OR TERRITORY IN CANADA.**

**CERTIFICATE OF TRUST UNITS**

**FOSSIL CREEK A2A TRUST**

(a trust created under the laws of the Province of Alberta  
by a Declaration of Trust dated March 17, 2014 as amended October 22, 2014)

Certificate No. 53

One Hundred (100) Trust Units

**\$10,000 TEN THOUSAND \$CDN**

THIS CERTIFIES THAT

**BRIAN RICHARDS / JUDITH RICHARDS; 1040 Cassin Road, Kelowna, British Columbia, V1X 3N7** is the registered holder of One Hundred (100) fully paid Trust Unit issued by Fossil Creek A2A Trust (the "Trust") transferable only on the books of the Trust by the registered holder hereof in person or by attorney duly authorized upon surrender of this certificate properly endorsed.

The Trust Unit(s) represented by this certificate are issued upon the terms and subject to the conditions of a declaration of trust (which declaration of trust together with all other instruments supplemental or ancillary thereto is herein referred to as the "Declaration of Trust") made as of March 17, 2014 as amended October 22, 2014 which Declaration of Trust is binding upon all holders of Trust Units and, by acceptance of this certificate, the holder assents to the terms and conditions of the Declaration of Trust. Terms defined in the Declaration of Trust have the same meaning when used herein.

A copy of the Declaration of Trust pursuant to which this certificate and the Trust Units represented hereby are issued may be obtained by any Unitholder on demand and on payment of reasonable reproduction costs from the head office of the Trust.

This certificate may only be transferred, upon compliance with the conditions prescribed in the Declaration of Trust, on the register to be kept at the office of the transfer agent in the City of Calgary and at such other place or places, if any, as the Trustees may designate, by the registered holder thereof or his executors or administrators or other legal representatives or his or their attorney duly appointed by an instrument in writing in form and execution satisfactory to the Trustees, and upon compliance with such reasonable requirements as the Trustees may prescribe.

The Declaration of Trust contains provisions for the holding of meetings of Unitholders and rendering resolutions passed at such meetings binding upon all Unitholders.

The Declaration of Trust contains restrictions on the ownership of Trust Units by non-residents of Canada within the meaning of the *Income Tax Act* (Canada) and the Trust shall take all necessary steps to monitor the ownership of Trust Units to carry out such intentions. If at any time the Trust, becomes aware that the beneficial owners of 49% or more of the Trust Units then outstanding are or may be non-residents or that such a situation is imminent, the Trust, by or through an administrator on the Trust's behalf, shall take such action as may be necessary to carry out the intentions evidenced in the Declaration of Trust.

**OM Receipt Acknowledgement Form**

To Whom It May Concern:

I Brian Richards and Judith Richards hereby acknowledge and confirm that I have been provided with, and am in receipt of the Offering Memorandum in relation to **Fossil Creek A2A Trust** dated **May 7, 2014**.



Judith M. Richards  
Signature

21 OCTOBER 2014  
Date

Paul J. Lauzon  
Dealing Representative Name

Pinnacle Wealth Brokers  
Exempt Market Dealer

- 2 -  
SCHEDULE C

OFFERING MEMORANDUM RISK ACKNOWLEDGEMENT

(THIS FORM MUST BE COMPLETED IN DUPLICATE BY SUBSCRIBERS)  
SUBSCRIBER'S COPY TO BE SUBMITTED WITH EXECUTED SUBSCRIPTION AGREEMENT

RISK ACKNOWLEDGEMENT

- I acknowledge that this is a risky investment.
- I am investing entirely at my own risk.
- No securities regulatory authority or regulator has evaluated or endorsed the merits of these securities or the disclosure in the offering memorandum.
- The person selling me these securities is not registered with a securities regulatory authority or regulator and has no duty to tell me whether this investment is suitable for me. *[Instruction: Delete if sold by registrant]*
- I will not be able to sell these securities except in very limited circumstances. I may never be able to sell these securities.
- These securities are redeemable, but I may only be able to redeem them in limited circumstances.
- I could lose all the money I invest.

I am investing \$10,000.00 [total consideration] in total; this includes any amount I am obliged to pay in future. Fossil Creek A2A Developments, LLC will pay \$800 [amount of fee or commission] of this to Pinnacle Wealth Brokers [name of exempt market dealer selling the securities] as a fee or commission.

I acknowledge that this is a risky investment and that I could lose all the money I invest.

DATED this 20<sup>TH</sup> day of OCTOBER, 20 14

Brian Richards and Judith Richards

Full legal name of Subscriber – please print

*Brian Richards*

Signature of Subscriber

*Judith M. Richards*

Name of Signatory (if different than Subscriber)

Official Capacity or Title, if applicable

Sign 2 copies of this document. Keep one copy for your records.

**You have 2 business days to cancel your purchase**

To do so, send a notice to Fossil Creek A2A Trust stating that you want to cancel your purchase. You must send the notice before midnight on the 2<sup>nd</sup> business day after you sign the agreement to purchase the securities. You can send the notice by fax or email, or deliver it in person to Fossil Creek A2A Trust at its business address. Keep a copy of the notice for your records.

Issuer Name & Address:

Fossil Creek A2A Trust  
c/o A2A Capital Services Canada Inc.  
Suite 900, 744 Fourth Avenue SW  
Calgary Alberta T2P 3T4

Telephone / E-mail:

P: 403.460.9921 E: [fossilcreektrust@a2acanada.ca](mailto:fossilcreektrust@a2acanada.ca)

WARNING

**ACKNOWLEDGEMENT AND DIRECTION**

To: **FOSSIL CREEK A2A TRUST (the "Issuer")**

**ACKNOWLEDGEMENT**

The undersigned acknowledges having received the Offering Memorandum of the Issuer dated May 7, 2014 (the "Offering Memorandum") and having subscribed (the "Subscription") for Trust Units of the Issuer offered thereunder. The minimum offering amount under the Offering Memorandum was \$1,650,000 (the "Minimum Offering Amount") and was to be closed on or before November 1, 2014 (the "Initial Closing Date"), failing which the Issuer was to return subscription proceeds received from subscribers. The Issuer did not close on the Minimum Offering Amount by the Initial Closing Date and now anticipates closing on its Minimum Offering Amount on or before February 1, 2015.

In fulfilling the disclosure requirements of applicable securities laws, the Issuer has prepared an amendment to the Offering Memorandum dated November 18, 2014 (the "Amendment") that brings current to November 18, 2014 the disclosure relating to the proposed offering of Trust Units by the Issuer.

In order to comply with the disclosure requirements under applicable securities laws, the Issuer is required to provide the undersigned with a copy of the Amendment and to grant to the undersigned the option to rescind all or part of the Subscription and have all or part of the funds advanced by the undersigned pursuant to the Subscription returned to the undersigned.

**DIRECTION**

**BRIAN RICHARDS  
AND JUDITH RICHARDS**

hereby acknowledges that:

*Print name of undersigned*

1. he/she/it has subscribed for 100 Trust Units of the Issuer under the Offering Memorandum for a total investment amount of \$10,000.00; and
2. has received the Amendment; and
3. elects to (Check one):

<input checked="" type="checkbox"/>	Continue with the investment in the Issuer made pursuant to the Subscription; or
<input type="checkbox"/>	Rescind all of the Trust Units subscribed for through the Subscription and have the total investment amount above returned to it; or
<input type="checkbox"/>	Rescind only _____ Trust Units from the Subscription representing \$ _____ and have the aforesaid amount returned to me and continue with my subscription for the balance of _____ Trust Units.

Nov 23/2014  
Date

[Signature]  
Signature of undersigned

[Signature]

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
UNDERSIGNED

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

Include address of the undersigned above if option 2 is chosen

**ACKNOWLEDGEMENT AND DIRECTION**

To: **FOSSIL CREEK A2A TRUST (the "Issuer")**

**ACKNOWLEDGEMENT**

The undersigned acknowledges having received the Offering Memorandum of the Issuer dated May 7, 2014 (the "Offering Memorandum") and having subscribed (the "Subscription") for Trust Units of the Issuer offered thereunder. The minimum offering amount under the Offering Memorandum was \$1,650,000 (the "Minimum Offering Amount") and was to be closed on or before November 1, 2014 (the "Initial Closing Date"), failing which the Issuer was to return subscription proceeds received from subscribers. The Issuer did not close on the Minimum Offering Amount by the Initial Closing Date and now anticipates closing on its Minimum Offering Amount on or before February 1, 2015.

In fulfilling the disclosure requirements of applicable securities laws, the Issuer has prepared an amendment to the Offering Memorandum dated November 18, 2014 (the "Amendment") that brings current to November 18, 2014 the disclosure relating to the proposed offering of Trust Units by the Issuer.

In order to comply with the disclosure requirements under applicable securities laws, the Issuer is required to provide the undersigned with a copy of the Amendment and to grant to the undersigned the option to rescind all or part of the Subscription and have all or part of the funds advanced by the undersigned pursuant to the Subscription returned to the undersigned.

**DIRECTION**

**BRIAN RICHARDS**  
**AND JUDITH RICHARDS**

hereby acknowledges that:

*Print name of undersigned*

1. he/she/it has subscribed for 100 Trust Units of the Issuer under the Offering Memorandum for a total investment amount of \$10,000.00; and
2. has received the Amendment; and
3. elects to (Check one):

<input checked="" type="checkbox"/>	Continue with the investment in the Issuer made pursuant to the Subscription; or
<input type="checkbox"/>	Rescind all of the Trust Units subscribed for through the Subscription and have the total investment amount above returned to it; or
<input type="checkbox"/>	Rescind only _____ Trust Units from the Subscription representing \$ _____ and have the aforesaid amount returned to me and continue with my subscription for the balance of _____ Trust Units.

Nov 23/2014  
Date

[Signature]  
Signature of undersigned

[Signature]

WITNESS

UNDERSIGNED

Print Name

Print Name

Include address of the undersigned above if option 2 is chosen

**ACKNOWLEDGEMENT AND DIRECTION**

To: **FOSSIL CREEK A2A TRUST** (the "Issuer")

**ACKNOWLEDGEMENT**

The undersigned acknowledges having received the Offering Memorandum of the Issuer dated May 7, 2014 (the "Offering Memorandum") and having subscribed (the "Subscription") for Trust Units of the Issuer offered thereunder. The minimum offering amount under the Offering Memorandum was \$1,650,000 (the "Minimum Offering Amount") and was to be closed on or before November 1, 2014 (the "Initial Closing Date"), failing which the Issuer was to return subscription proceeds received from subscribers. The Issuer did not close on the Minimum Offering Amount by the Initial Closing Date and now anticipates closing on its Minimum Offering Amount on or before February 1, 2015.

In fulfilling the disclosure requirements of applicable securities laws, the Issuer has prepared an amendment to the Offering Memorandum dated November 18, 2014 (the "Amendment") that brings current to November 18, 2014 the disclosure relating to the proposed offering of Trust Units by the Issuer.

In order to comply with the disclosure requirements under applicable securities laws, the Issuer is required to provide the undersigned with a copy of the Amendment and to grant to the undersigned the option to rescind all or part of the Subscription and have all or part of the funds advanced by the undersigned pursuant to the Subscription returned to the undersigned.

**DIRECTION**

**BRIAN RICHARDS**  
**AND JUDITH RICHARDS** hereby acknowledges that:  
*Print name of undersigned*

1. he/she/it has subscribed for 100 Trust Units of the Issuer under the Offering Memorandum for a total investment amount of \$10,000.00; and
2. has received the Amendment; and
3. elects to (Check one):

<input checked="" type="checkbox"/>	Continue with the investment in the Issuer made pursuant to the Subscription; or
<input type="checkbox"/>	Rescind all of the Trust Units subscribed for through the Subscription and have the total investment amount above returned to it; or
<input type="checkbox"/>	Rescind only _____ Trust Units from the Subscription representing \$ _____ and have the aforesaid amount returned to me and continue with my subscription for the balance of _____ Trust Units.

Nov 23/2014  
Date  
Bob Mason \*

WITNESS  
BOB MASON  
Print Name

[Signature]  
Signature of undersigned

UNDERSIGNED  
\_\_\_\_\_  
Print Name

Judith M. Richards

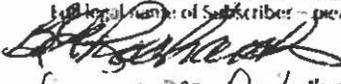
Include address of the undersigned above if option 2 is chosen

\* COMPARED TO SIGNATURE ON FILE

**SUBSCRIPTION AGREEMENT FOR TRUST UNITS - MUST BE COMPLETED IN FULL**

10: **FOSSIL CREEK A2A TRUST**, an open ended unincorporated investment trust governed by the laws of the Province of Alberta (the "Trust")

The undersigned (hereinafter referred to as the "Subscriber") hereby irrevocably subscribes for and agrees to purchase from the Trust that number of trust units (the "Units"), for the aggregate purchase price, set forth below, upon and subject to the terms and conditions set forth in the attached "Terms and Conditions of Subscription" and the attached Schedules and Exhibits (collectively, the "Subscription Agreement"). The Subscriber agrees, without limitation, that we may rely on the Subscriber's representations, warranties and covenants contained herein in connection with the issuance of Units.

<b>100</b> Number of Units <small>(issued at \$100/Unit)</small>	<b>\$ 10,000.00</b> Aggregate Purchase Price <small>(# of Units x \$100)</small>	Date: <u>21 OCTOBER</u> , 20 <u>14</u>
<b>Subscriber Information <sup>1</sup></b>		
Brian Richards and Judith Richards <small>Full legal name of Subscriber - please print</small>	1040 Cactus Road <small>Subscriber's address</small>	
 Signature of Subscriber or its Authorized Signatory	Kelowna B.C. V1X 3N7 <small>City, Province and postal code</small>	
Name of Authorized Signatory (if applicable)	250 860 5823 <small>Telephone number (including area code)</small>	
Brian 419 320 098 Judith 720 638 675 <small>Social Insurance Number / Business Number</small>	bgrich@telus.net <small>E-mail address</small>	
Registration and Delivery Instructions: <input checked="" type="checkbox"/> (Check box if same as above)		
Name to appear on the register	Delivery address	
Account reference, if applicable <small>(check box as to type of Deferred Plan)</small>	City, Province, and postal code	
<input type="checkbox"/> RRSP <input type="checkbox"/> RRSP (Transfer) <input type="checkbox"/> TFSA <input type="checkbox"/> RESP <input type="checkbox"/> RRIF <input type="checkbox"/> LIRA <input checked="" type="checkbox"/> Other (specify) <u>CASH</u>	Telephone number (including area code)  Contact name	

If the Subscriber is signing as agent for one or more persons (a "Beneficial Purchaser") and is not a trust corporation or a portfolio manager, in either case purchasing as a trustee or an agent for accounts fully managed by it, provide the requested information for each beneficial purchaser and ensure that the applicable schedule attached hereto are completed in respect of each Beneficial Purchaser.

**For Office Use Only**

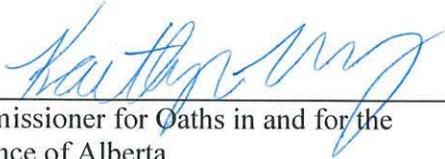
**ACCEPTANCE:** The Trust hereby accepts the subscriptions as set forth above on the terms and conditions contained herein

<b>FOSSIL CREEK A2A TRUST</b>	Date:	Certificate No. issued:
By _____	_____ . 201	_____
<small>Authorized Signatory</small>		

**CERTIFICATE OF COMMISSIONER FOR OATHS**

The undersigned Commissioner of Oaths certifies that the enclosed Affidavit was declared utilizing video technology following the process described in the Court of King's Bench of Alberta Notice to the Profession and Public *RE: Remote Commissioning of Affidavits for Use in Civil and Family Proceedings During the COVID-19 Pandemic* dated March 25, 2020 for remote commissioning of affidavits. The undersigned is satisfied that the process was necessary because it was impossible or unsafe, for medical reasons, for the deponent of the affidavit and the undersigned commissioner to be physically present together.

DATED at Calgary, Alberta on this 12<sup>th</sup> day of November, 2024.



\_\_\_\_\_  
Commissioner for Oaths in and for the  
Province of Alberta

**Kaitlyn Wong**  
Barrister & Solicitor  
3400, 350 7<sup>th</sup> Avenue SW  
Calgary, Alberta T2P3N9  
Ph: 1-403-261-7388