



This is Affidavit #1 of
Susan Danielisz in this case and
was made on September 20, 2024

NO. S-235306
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

NATIONAL BANK OF CANADA

PETITIONER

AND:

1239583 B.C. LTD.

RESPONDENT

A F F I D A V I T

I, **Susan Danielisz**, paralegal, of 2400 – 745 Thurlow Street, Vancouver, British Columbia,
SWEAR THAT:

1. I am a paralegal at McCarthy Tétrault LLP ("**McCarthy**"), counsel for FTI Consulting Canada Inc., the court-appointed receiver and receiver-manager of the assets, properties and undertakings of the Respondent, and as such, I 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. Attached hereto and marked as indicated are true copies of the following:

- (a) **Exhibit "A"** – Contract of Purchase and Sale Addendum / Amendment dated July 26, 2024 for property located at 9250 Somers Road, Port Alberni, British Columbia, and legally described as:

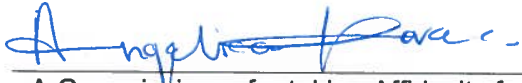
PID 008-620-741
District Lot 72 Alberni District

- (b) **Exhibit "B"** – Contract of Purchase and Sale Addendum / Amendment dated August 2, 2024 for property located at 9250 Somers Road, Port Alberni, British Columbia, and legally described as:

PID 008-620-741
District Lot 72 Alberni District

- (c) **Exhibit "C"** – Letter from Angelica Kovac of McCarthy to Shane Landreville of Ramsay Lampman Rhodes dated September 18, 2024; and
- (d) **Exhibit "D"** – Email from Shane Landreville to Angelica Kovac dated September 19, 2024.

SWORN BEFORE ME at the City of)
Vancouver, in the Province of British)
Columbia, this 20th day of September,)
2024.)




A Commissioner for taking Affidavits for)
British Columbia)



SUSAN DANIELISZ

ANGELICA M. KOVAC
Barrister & Solicitor
McCarthy Tétrault LLP
SUITE 2400 - 745 THURLOW STREET
VANCOUVER, B.C. V6E 0C5
DIRECT 604-643-5889

This is **Exhibit "A"** referred to in **Affidavit #1** of **Susan Danielisz**, sworn before me at Vancouver, British Columbia, this 20th day of September, 2024.


A Commissioner for taking Affidavits
for British Columbia



BCrea
British Columbia
Real Estate Association



**THE CANADIAN
BAR ASSOCIATION**
British Columbia Branch

CONTRACT OF PURCHASE AND SALE ADDENDUM / AMENDMENT

MLS® NO: **953527** DATE: **July 26 2024**

RE: ADDRESS: **9250 Somers Rd** **Port Alberni** **BC V6B 4N7**

LEGAL DESCRIPTION: **DISTRICT LOT 72, ALBERNI DISTRICT**

PID: **008-620-741** OTHER PID(S): _____

ADDENDUM TO / AMENDMENT MADE FURTHER TO AND FORMING PART OF THE CONTRACT OF PURCHASE AND SALE DATED **July 18 2024** MADE BETWEEN **Brian Dielissen** _____ AS BUYER(S), AND **FTI CONSULTING CANADA INC** _____ AS SELLER(S) AND COVERING THE ABOVE-MENTIONED PROPERTY, THE UNDERSIGNED HEREBY AGREE AS FOLLOWS:

The following subjects are fulfilled and shall be removed:

- 1. Subject to the Buyer being satisfied with the water licenses relating to the property by July 26, 2024**
This condition is for the sole benefit of the Buyer.
Seller agrees to pay the arrears costs up to completion date for the water licenses associated with the property.
- 3. Subject to the Buyer receiving, on or before Jul 26, 2024, approval by the Buyer's legal, accounting and other professional advisors of the terms and conditions of this Contract.**
This condition is for the sole benefit of the Buyer.
- 4. Subject to the Buyer obtaining approval, on or before Jul 26, 2024, from a licensed insurer for property (including fire) and liability insurance for the Property on terms and at rates satisfactory to the Buyer.**
This condition is for the sole benefit of the Buyer.

All other terms and conditions shall remain the same

DocuSigned by:
Brian Dielissen **SEAL**
BUYER _____
EF4D49EF0DA947A...
Brian Dielissen
PRINT NAME

BUYER _____ **SEAL**
PRINT NAME

BUYER _____ **SEAL**
PRINT NAME

WITNESS _____
Robert Kleebaum **SEAL**
SELLER _____
FTI CONSULTING CANADA INC
PRINT NAME
WITNESS _____

WITNESS _____
SELLER _____ **SEAL**
PRINT NAME
WITNESS _____

WITNESS _____
SELLER _____ **SEAL**
PRINT NAME
WITNESS _____



CONTRACT OF PURCHASE AND SALE ADDENDUM / AMENDMENT

MLS® NO: 953527 DATE: July 26 2024
RE: ADDRESS: 9250 Somers Rd Port Alberni BC V6B 4N7
LEGAL DESCRIPTION: DISTRICT LOT 72, ALBERNI DISTRICT
PID: 008-620-741 OTHER PID(S): _____

ADDENDUM TO / AMENDMENT MADE FURTHER TO AND FORMING PART OF THE CONTRACT OF PURCHASE AND SALE
DATED July 18 2024 MADE BETWEEN Brian Dielissen
_____ AS BUYER(S), AND
FTI CONSULTING CANADA INC

AS SELLER(S) AND COVERING THE ABOVE-MENTIONED PROPERTY, THE UNDERSIGNED HEREBY AGREE AS FOLLOWS:

To Extend:

**2. Subject to the Buyer receiving and being satisfied with their financing by July 26, 2024 is now August 2, 2024.
This condition is for the sole benefit of the Buyer.**

Also,

Buyer will assign the contract to his company, Arnprior Enterprises Ltd.

All other terms and conditions shall remain the same.

DocuSigned by:
Brian Dielissen **SEAL**
BUYER EF4D49EF0DA947A...

Brian Dielissen
PRINT NAME

WITNESS
Robert Kleebaum **SEAL**

SELLER
FTI CONSULTING CANADA INC
PRINT NAME

WITNESS

BUYER _____ **SEAL**

PRINT NAME

WITNESS

SELLER _____ **SEAL**

PRINT NAME

WITNESS

BUYER _____ **SEAL**

PRINT NAME

WITNESS

SELLER _____ **SEAL**

PRINT NAME

WITNESS

This is **Exhibit "B"** referred to in **Affidavit #1** of **Susan Danielisz**, sworn before me at Vancouver, British Columbia, this 20th day of September, 2024.

A handwritten signature in blue ink, appearing to read "Angela F. ...".

A Commissioner for taking Affidavits
for British Columbia

CONTRACT OF PURCHASE AND SALE ADDENDUM / AMENDMENT

MLS® NO: 953527 DATE: August 2, 2024

RE: ADDRESS: 9250 Somers Rd Port Alberni BC V6B 4N7

LEGAL DESCRIPTION: DISTRICT LOT 72, ALBERNI DISTRICT

PID: 008-620-741 OTHER PID(S): _____

ADDENDUM TO / AMENDMENT MADE FURTHER TO AND FORMING PART OF THE CONTRACT OF PURCHASE AND SALE
DATED July 18 2024 MADE BETWEEN Brian Dielissen

_____ AS BUYER(S), AND
FTI CONSULTING CANADA INC

AS SELLER(S) AND COVERING THE ABOVE-MENTIONED PROPERTY, THE UNDERSIGNED HEREBY AGREE AS FOLLOWS:

To extend the following subject:

2. Subject to the Buyer receiving and being satisfied with their financing by August 2, 2024. Is now to read August 9, 2024. This condition is for the sole benefit of the Buyer.

All other terms and conditions shall remain the same

DocuSigned by:

Brian Dielissen

SEAL

BUYER
Brian Dielissen
PRINT NAME

BUYER
PRINT NAME

BUYER
PRINT NAME

WITNESS
Robert Kleebaum
SELLER

WITNESS
SELLER

WITNESS
SELLER

FTI CONSULTING CANADA INC
PRINT NAME

PRINT NAME

PRINT NAME

WITNESS

WITNESS

WITNESS

This is **Exhibit "C"** referred to in **Affidavit #1** of **Susan Danielisz**, sworn before me at Vancouver, British Columbia, this 20th day of September, 2024.



A Commissioner for taking Affidavits
for British Columbia

McCarthy Tétrault LLP
Suite 2400, 745 Thurlow Street
Vancouver BC V6E 0C5
Canada
Tel: 604-643-7100
Fax: 604-643-7900

**mccarthy
tétrault**

Angelica Kovac
Associate | Sociétaire
Direct Line: 604-643-5889
Email: akovac@mccarthy.ca

Assistant: Junko Breen
Direct Line: 604-643-7114
Email: jbreen@mccarthy.ca

September 18, 2024

Via Email slandreville@rlr.law

Ramsay Lampman Rhodes
Lawyers
#211 – 1978 Cliffe Avenue
Courtenay BC V9N 2L1

Attention: Shane Landreville

Dear Sir:

Re: Sale of 9250 Somers Road, Port Alberni, British Columbia – National Bank of Canada and 1239583 B.C. Ltd.; S.C.B.C Action No. S-235306, Vancouver Registry

As you know, we represent the Receiver, FTI Consulting Canada Inc., in this matter. We understand you are assisting Brian and Lisa Dielissen (the "**Buyers**") with purchasing the subject property at 9250 Somers Road, Port Alberni, BC (the "**Property**").

A court application to approve the sale to the Buyers is set for Wednesday, September 25, 2024.

Please confirm the Buyers' details for title purposes, including:

- full legal names;
- addresses;
- occupations; and
- preference for joint tenancy or tenancy in common

If you have any questions, please contact the undersigned. We look forward to your prompt response.

Yours truly,

McCarthy Tétrault LLP



Angelica Kovac
Associate | Sociétaire

AK/jb

207091/576466
MT MTDOS 52100451v1

This is **Exhibit "D"** referred to in **Affidavit #1** of **Susan Danielisz**, sworn before me at Vancouver, British Columbia, this 20th day of September, 2024.

A handwritten signature in blue ink, appearing to read "Angelica Perce".

A Commissioner for taking Affidavits
for British Columbia

From: Shane Landreville <slandreville@rlr.law>
Sent: Thursday, September 19, 2024 11:48 AM
To: Kovac, Angelica
Cc: Williams, Lance; Bowron, Ashley
Subject: RE: [EXT] Lawyers for Receivers - 9250 Somers Rd, Port Alberni [MT-MTDOCS.FID3838275]

Angelica,

1. Full legal names: Brian William Dielissen and Lisa Marie Dielissen
2. Address: 5247 Headquarters Road, Courtenay BC V9J 1M1
3. Occupation: Farmers
4. Title held: joint tenancy

Thank you,

Shane Landreville

Lawyer

slandreville@rlr.law

Ramsay Lampman Rhodes



Courtenay Office:

#211-1978 Cliffe Avenue Courtenay, BC V9N 2L1



250-871-1114



250-754-1148



<https://rlr.law/>