



This is Affidavit #1 of Tom Powell in this proceeding and was made on December 11, 2020.

No. H200268  
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

HONG LIU and MENG RUI LI a.k.a. MENGRUI LI

PETITIONERS

AND:

EAGLE Q PARTNERS INC.,  
JIAN JIN,  
ZHIHONG CHU a.k.a. ZHI HONG CHU,  
TIE FENG FU, and  
HANYUM DEVELOPMENT CORP.

RESPONDENTS

AFFIDAVIT

I, Tom Powell, licensed insolvency trustee, of 1450 – 701 W Georgia Street, Vancouver, British Columbia, MAKE OATH AND SAY AS FOLLOWS:

1. I am a senior managing director at FTI Consulting Canada Inc. (“FTI”), the court-appointed receiver (in such capacity, the “Receiver”), without security, of all of the assets, undertaking and property of the Respondent Eagle Q Partners Inc. and as such, I have personal knowledge of the facts deposed to in this Affidavit, except where stated to be based on information and belief, in which case, I believe that such information is true and accurate.
2. True copies of the Receiver’s accounts (the “Accounts”) are attached as Appendix B to the First Report of the Receiver dated December 8, 2020 (the “Report”). The Accounts are:

Invoice Number	Invoice Date	Amount
29004330	July 31, 2020	\$ 42,363.69
29004444	September 30, 2020	\$ 708.75

29004520	November 17, 2020	\$ 2,281.36
29004530	November 30, 2020	\$ 9,345.00
<b>TOTAL:</b>		<b>\$ 54,698.80</b>

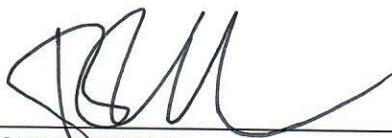
3. As detailed in the Accounts, from May 26, 2020 to November 30, 2020, the Receiver's fees and disbursements, inclusive of taxes, amounted to a total of \$54,698.80, which consists of \$50,570.00 in fees, \$1,524.09 in disbursements, and \$2,604.71 in GST.
4. Appendix B of the Report also summarizes the fees set out in the Accounts, specifying the hours spent by the Receiver's personnel, multiplied by the applicable standard hourly rates charged by FTI in its insolvency practice. The total time expended by the Receiver's personnel in relation to the Accounts was 101.2 hours.
5. To the best of my knowledge, information and belief, the information contained in the Accounts as to the number of hours worked, the nature of the work performed, the identity of the individuals who performed the work and the rates charged for the work performed is true and correct in all respects.
6. Details of the work carried out by the Receiver are described in the Report, and set out in the time narratives in the Accounts.
7. I have reviewed the Accounts and the Report and confirm that, to the best of my knowledge, information and belief:
  - (a) the work detailed therein was carried out by the Receiver, that such work was necessary to the Receiver completing its obligations in these proceedings, and the fees and disbursements were properly incurred, fair and reasonable in the circumstances;
  - (b) the work completed by the Receiver was delegated to the appropriate FTI professionals, according to their seniority and hourly rates, and performed in a prudent and economical manner; and
  - (c) the Receiver's fees in this matter are consistent with fees charged by other trustee firms of a similar size for work of a similar nature and complexity in British Columbia.
8. I have reviewed the accounts of Borden Ladner Gervais LLP ("BLG") that were issued between May 19, 2020 and November 30, 2020 in relation to these proceedings. I am satisfied that the work detailed

therein was completed by BLG at the request of the Receiver and was necessary in the circumstances. In my experience as an insolvency professional, the fees and rates charged by BLG are consistent with those charged by other law firms for work of a similar nature and complexity in British Columbia.

9. This affidavit is sworn in support of an application for approval of the fees incurred by the Receiver and BLG in these proceedings.
10. I am swearing this affidavit using video conference, and am not physically present before the commissioner hereof. In swearing this affidavit, I am advised by the commissioner and do verily believe, that we have followed the process described in the "Notice to the Profession, the Public and the Media Re: Affidavits for use in Court Proceedings", issued on March 27, 2020 by Chief Justice C.E. Hinkson of the Supreme Court of British Columbia.

SWORN BEFORE ME at the City of Vancouver )  
in the Province of British Columbia, this 11<sup>th</sup> day )  
of December, 2020. )  
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**A Commissioner for taking Affidavits  
for British Columbia**

  
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**TOM POWELL**



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HANYUM DEVELOPMENT CORP.

**RESPONDENTS**

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**AFFIDAVIT #1 OF TOM POWELL**

BORDEN LADNER GERVAIS LLP  
1200 Waterfront Centre  
200 Burrard Street, P.O. Box 48600  
Vancouver, BC V7X 1T2  
Attn: Ryan Laity  
Tel: 604.632.3544  
Email: rlaity@blg.com  
File: 555391/000007

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  - (a) the work detailed therein was carried out by the Receiver, that such work was necessary to the Receiver completing its obligations in these proceedings, and the fees and disbursements were properly incurred, fair and reasonable in the circumstances;
  - (b) the work completed by the Receiver was delegated to the appropriate FTI professionals, according to their seniority and hourly rates, and performed in a prudent and economical manner; and
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9. This affidavit is sworn in support of an application for approval of the fees incurred by the Receiver and BLG in these proceedings.
10. I am swearing this affidavit using video conference, and am not physically present before the commissioner hereof. In swearing this affidavit, I am advised by the commissioner and do verily believe, that we have followed the process described in the "Notice to the Profession, the Public and the Media Re: Affidavits for use in Court Proceedings", issued on March 27, 2020 by Chief Justice C.E. Hinkson of the Supreme Court of British Columbia.

SWORN BEFORE ME at the City of Vancouver )  
in the Province of British Columbia, this 11<sup>th</sup> day )  
of December, 2020. )  
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**A Commissioner for taking Affidavits  
for British Columbia**

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**TOM POWELL**

**RYAN M. LAITY**  
*Barrister & Solicitor*  
**BORDEN LADNER GERVAIS LLP**  
1200 Waterfront Centre, 200 Burrard Street  
P.O. Box 48600, Vancouver, Canada V7X 1T2  
604-632-3544

*RML*

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TIE FENG FU, and  
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RESPONDENTS

CERTIFICATE

I, Ryan M. Laity, Lawyer, of 1200 – 200 Burrard Street, Vancouver, British Columbia, MAKE OATH  
AND SAY AS FOLLOWS:

1. I am an associate at Borden Ladner Gervais LLP (“**BLG**”), counsel for FTI Consulting Canada Inc., the court-appointed receiver (in such capacity, the “**Receiver**”), without security, of all of the assets, undertaking and property of the Respondent Eagle Q Partners Inc.
2. I commissioned the affidavit of Tom Powell sworn 11 December 2020 by video conference pursuant to the process described in the “Notice to the Profession, the Public and the Media Re: Affidavits for use in Court Proceedings”, issued on March 27, 2020 by Chief Justice C.E. Hinkson of the Supreme Court of British Columbia. This process was necessary because, in the circumstances, it was unsafe, for medical reasons, for Mr. Powell and I to be physically present together.

Date:

December 11, 2020

  
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RYAN M. LAITY