



No. VLC-S-S-235348  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

Between:

MCEOWN AND ASSOCIATES LTD. in its capacity as RECEIVER  
OF 8655 GRANVILLE LIMITED PARTNERSHIP

Petitioner

and:

RED BUFFALO 8655 HOLDINGS LTD.

Respondent

**APPLICATION RESPONSE**

**Application response of:** Canadian Western Bank (the "application respondent(s)")

THIS IS A RESPONSE TO the notice of application of the Petitioner filed 10/NOV/2023.

**Part 1: ORDERS CONSENTED TO**

The application respondent(s) consent(s) to the granting of the orders set out in the following paragraphs of Part 1 of the notice of application on the following terms: para. #1.

**Part 2: ORDERS OPPOSED**

The application respondent(s) oppose(s) the granting of the orders set out in the following paragraphs of Part 1 of the notice of application: NONE

**Part 3: ORDERS ON WHICH NO POSITION IS TAKEN**

The application respondent(s) take(s) no position on the granting of the orders set out in the following paragraphs of Part 1 of the notice of application: NONE

**Part 4: FACTUAL BASIS**

1. The application respondent, Canadian Western Bank, is the holder of a first mortgage registered against the lands which are subject of the Receiver's application for Court approval of sale.

2. In separate foreclosure proceedings commenced against the subject lands by the application respondent on May 17, 2023 in BCSC, Vancouver Registry Action No. H-230378, the application respondent obtained Order Nisi from Master Bilawich on June, 22, 2023. The terms of the Order Nisi included a six-month redemption period expiring on December 22, 2023.
3. If the Receiver does not obtain Court approval for the sale of the subject lands as sought by the within application, the application respondent intends to seek conduct of sale following the expiration of the redemption period as noted in para. 3.

**Part 5: LEGAL BASIS**

1. NIL


**Part 6: MATERIAL TO BE RELIED ON**

1. NIL

The application respondent(s) estimate(s) that the application will take 20 minutes.

- The application respondent has filed in this proceeding a document that contains the application respondent's address for service.
- The application respondent has not filed in this proceeding a document that contains an address for service. The application respondent's ADDRESS FOR SERVICE is: 700 - 401 West Georgia Street, Vancouver, B.C. V6B5A1

Date: 12/DEC/2023

  
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Signature of **Daniel D. Nugent**, lawyer for  
application respondent

THIS RESPONSE is filed by Daniel D. Nugent, of the firm of Richards Buell Sutton LLP, whose place of business and address for service is 700 - 401 West Georgia Street, Vancouver, BC V6B 5A1, Telephone 604.682.3664.