



COURT NO. B121430  
ESTATE NO. 11-1693965  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

**IN BANKRUPTCY AND INSOLVENCY**

IN THE MATTER OF THE BANKRUPTCY OF  
RASHIDA ABDULRASUL SAMJI

**NOTICE OF APPLICATION**

Name of applicant: Clark Wilson LLP ("**CW**"), counsel for Boale, Wood & Company Ltd., in its capacity as Trustee in Bankruptcy (the "**Trustee**") of Rashida Abdulrasul Samji ("**Ms. Samji**"), Rashida Samji, Notary Corporation ("**RSNC**") and Samji & Assoc. Holdings Inc. ("**SAHI**") (collectively, the "**Debtors**")

TO: THE PARTIES LISTED ON **SCHEDULE "A"** ATTACHED HERETO

TAKE NOTICE that an application will be made by CW by the Applicant to the presiding Judge at the Courthouse at 800 Smithe Street, Vancouver, British Columbia on Thursday, August 22, 2019 at 9:45 a.m. for the orders set out in Part 1 below.

**Part 1: ORDERS SOUGHT**

1. The Order sought is substantially in the draft form attached as **Schedule "B"** hereto for the passing of the accounts of the Trustee's counsel, Clark Wilson LLP ("**CW**") in the total amount of \$1,644,300.06.

## Part 2: FACTUAL BASIS

### Background

1. The background of the administration of the Estate is set out in the Trustee's Preliminary Report filed on January 3, 2013, the Trustee's First Report to the Court filed March 13, 2015 and the Trustee's Second Report to the Court dated November 20, 2015 (collectively, the "**Reports**").

2. As set forth in the Reports:

- (a) Ms. Samji was a notary public of British Columbia;
- (b) The Debtors operated a scheme whereby Ms. Samji represented to over 200 investors (the "**Investors**") that they could make an investment by placing funds in her notary trust account that would then be used, without direct access, as collateral for loans in foreign countries where the Mark Anthony Group conducted its wine business (the "**Scheme**");
- (c) Ms. Samji represented that the Investors would receive interest-like annual returns of 12% and more;
- (d) Between 2003 and 2012, the Debtors received over \$100 million from the Investors;
- (e) Contrary to Ms. Samji's representations, the Scheme was not related in any way to the Mark Anthony Group and the Trustee found no indication that the Investors' funds (the "**Funds**") were used for investment. Instead, the Trustee understood that the Funds were initially deposited to accounts in the name of RSNC and then disbursed to SAHI, Ms. Samji and others;
- (f) A number of Investors commenced lawsuits (the "**Investor Actions**") against the Debtors, claiming that the Scheme was a Ponzi scheme that paid false "returns" to Investors from Funds placed in the Scheme by other Investors;
- (g) In or around January 2012, the British Columbia Securities Commission (the "**Securities Commission**") commenced an investigation of the Scheme, took possession of the Debtors' books and records, froze the Debtors' accounts and liened secured eight

properties held (wholly or in part) by Ms. Samji and associated with the Scheme (the “**Lands**”);

- (h) On February 8, 2012, the Society of Notaries of British Columbia (the “**Notaries’ Society**”) obtained an Order of this Court appointing a custodian over the assets of RSNC in order to manage Ms. Samji’s notarial practice;
- (i) On April 3, 2012, the Securities Commission obtained an Order of this Court appointing MNP (the “**Receiver**”) as the Receiver over funds held in the accounts of SAHI at the Toronto Dominion Bank and Vancouver City Savings and Credit Union;
- (j) On December 6, 2012, the Receiver made an unsuccessful application to expand its powers to include control over the other property of the Debtors so that the Receiver could continue its investigation of the Scheme and recover funds to be distributed to Investors in accordance with further Order. At the same time, the Receiver further sought, unsuccessfully, to stay the bankruptcy proceedings against the Debtors on the basis that the Trustee’s duties would be duplicative and unnecessary. The Receiver’s application was successfully opposed by the Trustee and others and was ultimately dismissed;
- (k) Subsequently, as part of its investigation of the Debtors, the Royal Canadian Mounted Police (the “**RCMP**”) seized books and records relating to the Scheme, including books and records previously seized by the Securities Commission; and
- (l) On March 2, 2012, a class action was commenced in the case of *Jer et al v Samji et al*, BCSC Vancouver Registry No. S-121627 against the Debtors, the financial institutions the Debtors operated through and the Notaries’ Society. Settlements have been reached in the class action proceedings.

3. In May 2016, Ms. Samji was convicted in the BC Provincial Court of theft and fraud on criminal charges in relation to the Scheme.

#### **Engagement of CW as Counsel for the Trustee**

4. On December 5, 2012, the Debtors were assigned into bankruptcy pursuant to section 49 of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3

(the “**BIA**”) and the Trustee was appointed as the trustee of the Debtors’ bankruptcy estates (the “**Estate**”).

5. On June 26, 2013, this Court issued an order consolidating the actions against each of the Debtors and their respective estates into a single action under Court No. B121430. The Trustee was directed and authorized to administer the consolidated Estate of the Debtors.

6. In or around February 2013, Dentons Canada LLP (“**Dentons**”) was retained by the Trustee to act as its counsel in connection with the Trustee’s administration of the Estate.

7. At that time, Christopher Ramsay was a partner of Dentons and lead counsel to the Trustee in connection with this matter.

8. In or about February 2014, Mr. Ramsay left Dentons to continue his practice as a partner at CW.

9. On or about March 21, 2014, the inspectors of the Estate (the “**Inspectors**”) resolved to engage CW as the Trustee’s counsel and, as of April 4, 2014, CW became the solicitor of record for the Trustee in place of Dentons.

10. On April 14, 2016, Madam Justice Gerow granted an order approving the fees and disbursements of CW for services provided as counsel for the Trustee from March 20, 2014 to February 1, 2016, which was in the total amount of \$985,571.27 (the “**2016 Taxation**”). At the time of the application, Madam Justice Gerow was seized of these bankruptcy proceedings. Her Ladyship is no longer seized of these proceedings.

#### **Complexity of Work Performed by CW and Value of Assets Realized**

11. This engagement has, to date, dealt with a large-scale fraudulent investment Scheme that involves hundreds of investors who invested, in the aggregate, approximately \$100 million over an approximate 10-year period.

12. The complexity of the Scheme made establishing the basic factual matrix extremely difficult. The following appears to be the characteristics of the Scheme:

- (a) when an Investor invested Funds, such Funds were deposited into a series of pooled accounts;

- (b) when Investors subsequently received disbursements from the Scheme, these disbursements, in some cases, came from the pooled account into which such Investor's Funds were deposited, but in some cases came from other pooled accounts;
- (c) disbursements were also paid out of pooled accounts to non-Investor third parties apparently on the direction of Investors;
- (d) in some cases, Investors' requests for disbursements of Funds to third parties were documented, but in other cases, no such documentation appeared to be available;
- (e) some Investors appeared to earn a certain rate of interest return on their Funds whereas other Investors appeared to earn interest returns in an inconsistent manner; and
- (f) some investors appeared to earn further returns as a form of "commission" for inducing new Investors under commission arrangements which were at least, in some cases honoured by the Debtors, though they may not have been privy to the details thereof.

13. As an end result of this partially documented, circuitous flow of Funds and disbursements, establishing ownership over the distributed and non-distributed Funds was a major logistical and legal challenge. Further, investigating whether certain Investors had made profits or losses in this complicated matrix while lacking substantial information was equally difficult.

14. In addition to the forensic challenges, the Trustee and its counsel have needed: to liquidate the Lands acquired with the Funds; participate in proceedings brought by certain Investors to group the Investor Actions under a class proceeding; and engage with the Securities Commission, the RCMP, and the custodian of the Debtors with regard to their investigation of the Scheme.

15. The forensic services of MNP Ltd. (the "**Forensic Accountant**") were retained by the Trustee to perform an analysis of all the financial documents gathered from various sources, including those documents seized by the Securities Commission and the RCMP. The investigation into each of the transactions made by Ms. Samji from her various accounts was and continues to be a laborious ongoing and complex process.

16. The complexity of the Scheme resulted in a number of legal alternatives available to the Trustee in regards to collecting Funds properly part of the Estate. As part of its services offered to date, CW has provided advice on multiple potential causes of action, many with different limitation periods, legal requirements, and probabilities of success.

17. In order to realize assets for the Estate, the Trustee took collection steps against those Investors who appeared to receive, directly and/or indirectly, more than they had invested in the Scheme (the “**Net Winners**”). Recovery efforts were complicated by the legal status of the Net Winners and other recipients of Funds, who were individuals, corporations, notaries, and charities, some of whom had unknown identities. Each type of Net Winner required different approaches to tracing and recovery of Funds.

18. Since the time of the 2016 Taxation, CW's efforts have been predominantly focused on pursuing recovery against the Net Winners. A number of actions against Net Winners have been commenced, resulting in some cases in lengthy investigations and settlement negotiations, and in others in extensive preparation for hearings and trial (including a trial, Summary Trial Applications, Examinations for Discovery and extensive document discovery and exchange).

19. To date, one action against a Net Winner has proceeded to trial, with the Trustee successfully obtaining judgment against the Net Winner in *Boale, Wood & Company Ltd. v. Whitmore*, 2017 BCSC 1917 [*Whitmore*], for the return to the Estate of the profits the Net Winner received from the Scheme. The decision of Mr. Justice G.C. Weatherill in *Whitmore* is the most comprehensive decision rendered by a Court in Canada to date, confirming a bankruptcy trustee's legal ability to recover funds received by Net Winners in a Ponzi scheme. The *Whitmore* decision has been advantageous to the Trustee as it has assisted with persuading other Net Winners into entering into provident settlements with the Estate.

20. In summary, the complexity of the proceedings required CW to advise the Trustee on a broad range of areas including insolvency, commercial litigation, real estate, privacy law, trusts and administrative law. CW utilized a core legal team of two insolvency lawyers and four civil litigators, while also drawing on the experience of other colleagues on discrete matters as they arose.

21. To date, the total sum of \$7,287,284.53 has been recovered for the benefit of the Estate. CW submits that the vast majority of these recoveries were obtained during CW's engagement as counsel for the Trustee.

22. In addition, many of CW's recovery efforts initiated and/or continued on behalf of the Trustee, such as unresolved actions against Net Winners, remain ongoing. As such, the value of the assets that will be realized will not be known until a future time.

### **Part 3: LEGAL BASIS**

1. The Trustee has a prima facie right to be paid its fees and disbursements, including those of its counsel from a bankruptcy estate in priority to others. *Shevas Irons Management Ltd. (Re)*, 2013 BCSC 1657 ("Shevas").

2. The leading case on approval of the accounts of a Receiver is *Federal Business Development Bank v. Belyea* (1983), 46 CBR (NS) 244 (NB CA) ("Belyea"), in which Mr. Justice Stratton of the New Brunswick Court of Appeal held at paragraphs 3 and 9:

There is no fixed rate or settled scale for determining the amount of compensation to be paid a receiver. He is usually allowed either a percentage upon his receipts or a lump sum based upon the time, trouble and degree of responsibility involved. The governing principle appears to be that the compensation allowed a receiver should be measured by the fair and reasonable value of his services and while sufficient fees should be paid to induce competent persons to serve as receivers, receiverships should be administered as economically as reasonably possible. Thus, allowances for services performed must be just, but nevertheless moderate rather than generous.

...

The considerations applicable in determining the reasonable remuneration to be paid to a receiver should, in my opinion, include the nature, extent and value of the assets handled, the complications and difficulties encountered, the degree of assistance provided by the company, its officers and its employees, the time spent, the receiver's knowledge, experience and skill, the diligence and thoroughness displayed, the responsibilities assumed, the results of the receiver's efforts, and the cost of comparable services when performed in a prudent manner.

3. The principles set out in *Belyea* have been adopted in most Canadian jurisdictions, including British Columbia: see *Bank of Montreal v. Nican Trading*

Co. (1990), 78 CBR (NS) 85 (BC CA) and apply equally to Receivers or Trustees: see Shevas.

4. In *Confectionary Yours Inc., Re* (2002), 36 CBR (4th) 200 (Ont CA) the Court accepted that, subject to any specific issues arising out of a consideration of the Belyea factors, "fair and reasonable compensation can, in proper circumstances, equate to remuneration based on hourly rates and time spent." In that respect, the Court followed the decisions in *Chartrand v. De la Ronde* (1999), 9 CBR (4th) 20 (Man QB), *Peat, Marwick Limited v. Farmstart* (1983), 61 CBR (NS) 127 (Sask QB), and *Prairie Palace Motel Ltd. v. Carlson* (1980), 35 CBR (NS) 312 (Sask QB), where the Courts in each case approved the remuneration of receivers on the basis of the hours spent at their standard hourly rate.

5. In this case, the fees charged by the Trustee's counsel represent the hourly rates of its lawyers and legal support staff multiplied by the time spent on various matters.

6. In addition, a consideration of the Belyea factors supports approval of the Trustee's counsel fees in this matter. In particular:

- a. the CW insolvency lawyers advising the Trustee have a high degree of skill and expertise required to advise the Trustee on a large scale bankruptcy proceeding of this nature. CW further enhanced time and cost efficiencies for the Trustee by involving CW lawyers who have the specialized skill and expertise to assist the Trustee on discrete issues involving real estate, litigation and other matters as they arose;
- b. as the many payments of Funds in and from the Scheme were inconsistently accounted and poorly documented, the legal actions taken to investigate the Samji Group's activities and reclaim the Estate's funds were extremely complex and required CW to analyze and advise the Trustee on a broad range of legal issues; and
- c. the legal services provided by CW for the Trustee have directly contributed to the recoveries obtained during CW's engagement as counsel. To date, the total sum of \$7,287,284.53 has been recovered for the Estate and CW submits that the vast majority of these recoveries were obtained during CW's engagement as counsel for the Trustee;



7. The fees sought to be approved by CW have been approved by the Trustee and the Inspectors.

8. As a result of the foregoing, CW submits that its fees and disbursements are fair and reasonable.

**Part 4: MATERIAL TO BE RELIED ON**

1. The Affidavit No. 1 of Christopher J. Ramsay, made August 9, 2019;
2. Trustee's First Report to the Court filed March 13, 2015; and
3. Trustee's Second Report to the Court filed November 20, 2015.

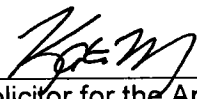
The applicant estimates that the application will take 30 minutes.

**X This matter is not within the jurisdiction of the Master.**

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to this Notice of Application, you must, within 5 business days after service of this Notice of Application or, if this application is brought under Rule 9-7, within 8 business days of service of this Notice of Application,

- (a) file an Application Response in Form 33,
- (b) file the original of every affidavit, and of every other document, that
  - (i) you intend to refer to at the hearing of this application, and
  - (ii) has not already been filed in the proceeding, and
- (c) serve on the applicant 2 copies of the following, and on every other party of record one copy of the following:
  - (i) a copy of the filed Application Response;
  - (ii) a copy of each of the filed affidavits and other documents that you intend to refer to at the hearing of this application and that has not already been served on that person;
  - (iii) if this application is brought under Rule 9-7, any notice that you are required to give under Rule 9-7(9).

Date: 13 / August / 2019

  
\_\_\_\_\_  
Solicitor for the Applicants,  
Katie G. Mak

To be completed by the court only:

Order made

in the terms requested in paragraphs \_\_\_\_\_ of  
Part 1 of this Notice of Application

with the following variations and additional terms:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Signature of  Judge  Master

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**APPENDIX**

**THIS APPLICATION INVOLVES THE FOLLOWING:**

- discovery: comply with demand for documents
- discovery: production of additional documents
- other matters concerning document discovery
- extend oral discovery
- other matter concerning oral discovery
- amend pleadings
- add/change parties
- summary judgment
- summary trial
- service
- mediation
- adjournments
- proceedings at trial
- case plan orders: amend
- case plan orders: other
- experts

NO. B121430  
ESTATE NO. 11-1693965  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA  
IN BANKRUPTCY AND INSOLVENCY**

**IN THE MATTER OF THE BANKRUPTCY OF  
RASHIDA ABDULRASUL SAMJI**

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**NOTICE OF APPLICATION  
(PASSING OF ACCOUNT OF COUNSEL OF TRUSTEE)**

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**CLARK WILSON LLP**  
Barristers & Solicitors  
900 – 885 West Georgia Street  
Vancouver, BC V6C 3H1  
Tel. No. 604.687.5700  
Fax No. 604.687.6314

**IN THE MATTER OF THE BANKRUPTCY OF SAMJI**

**SERVICE LIST – ALL ACTIONS**

Updated: August 9, 2019

<p>Clark Wilson LLP 900 – 885 West Georgia Street Vancouver, BC V6C 3H1</p> <p><b>Attention:</b> Christopher J. Ramsay Katie Mak Deborah Hamann-Trou (Paralegal)</p> <p>Telephone: 604-643-3176 Fax: 604-687-6314 Email: <a href="mailto:cjr@cwilson.com">cjr@cwilson.com</a> <a href="mailto:kgm@cwilson.com">kgm@cwilson.com</a> <a href="mailto:dht@cwilson.com">dht@cwilson.com</a></p> <p><i>Counsel for the Trustee</i></p>	<p>Boale, Wood &amp; Company Ltd. 1140 - 800 West Pender Street Vancouver, B.C. V6C 2V6</p> <p><b>Attention:</b> John McEown</p> <p>Telephone: 604-605-3335 Facsimile: 604-605-3359 Email: <a href="mailto:jmceown@boalewood.ca">jmceown@boalewood.ca</a></p> <p><i>Trustee of the Bankrupts</i></p>
<p>Harper Grey 650 W Georgia St., Suite 3200 Vancouver, BC V6B 4P7</p> <p><b>Attention:</b> Rod Anderson Owais Ahmed</p> <p>Telephone: 604- 687.0411 Fax: 604- Email: <a href="mailto:randerson@harpergrey.com">randerson@harpergrey.com</a> / <a href="mailto:oahmed@harpergrey.com">oahmed@harpergrey.com</a></p> <p><i>Counsel for Rashida Samji, Samji Holdings and Samji and Associates</i></p>	<p>Hordo Bennett Mounteer LLP 1400 – 128 West Pender Vancouver, BC V6B 1R8</p> <p><b>Attention:</b> Paul R. Bennett Reidar Mogerman</p> <p>Telephone: Fax: 604-639-3681 Email: <a href="mailto:pb@hbmlaw.com">pb@hbmlaw.com</a> <a href="mailto:rmogerman@cfmlawyers.ca">rmogerman@cfmlawyers.ca</a></p> <p><i>Counsel for Lawrence and Jun Jer and Janette Scott</i></p>

SCHEDULE "A"

<p>Fasken Martineau DuMoulin LLP 2900, 550 Burrard St. Vancouver, BC V6C 2K1</p> <p><b>Attention:</b> Tracey Cohen</p> <p>Email: <a href="mailto:tcohen@fasken.com">tcohen@fasken.com</a></p> <p><i>Counsel for Vancity Savings</i></p>	<p>Blake, Cassels &amp; Graydon LLP 595 Burrard St., Suite 2600 Vancouver, BC V7X 1L3</p> <p><b>Attention:</b> Sean Boyle</p> <p>Telephone: Fax: Email: <a href="mailto:sean.boyle@blakes.com">sean.boyle@blakes.com</a></p> <p><i>Counsel for Arvin Patel</i></p>
<p>McCarthy Tétrault LLP 1300 – 777 Dunsmuir Street P.O. Box 10424, Pacific Centre Vancouver BC V7Y 1K2</p> <p><b>Attention:</b> Jill Yates Alex Cocks</p> <p>Telephone: 604- 643-7908 Fax: 604- 622-5708 Email: <a href="mailto:jyates@mccarthy.ca">jyates@mccarthy.ca</a> / <a href="mailto:acocks@mccarthy.ca">acocks@mccarthy.ca</a></p> <p><i>Counsel for TD Bank</i></p>	<p>Gowlings 550 Burrard St., Suite 2300 Vancouver, BC V6C 2B5</p> <p><b>Attention:</b> Shayne Strukoff</p> <p>Email: <a href="mailto:shayne.strukoff@gowlings.com">shayne.strukoff@gowlings.com</a></p> <p><i>Counsel for RBC</i></p>
<p>Hunter Litigation Chambers Suite 2100 – 1040 W Georgia St. Vancouver, BC V6E 4H1</p> <p><b>Attention:</b> Ken McEwan, QC</p> <p>Email: <a href="mailto:kmcewan@litigationchambers.com">kmcewan@litigationchambers.com</a></p> <p><i>Counsel for Worldsource Financial Management</i></p>	<p>South Coast Law Group 6 – 15243 91 Avenue Surrey, BC V3R 8P8 (604) 496-5096</p> <p><b>Attention:</b> David Greig cc: Elaine (paralegal)</p> <p>Email: <a href="mailto:david@southcoastlaw.ca">david@southcoastlaw.ca</a> <a href="mailto:elaine@southcoastlaw.ca">elaine@southcoastlaw.ca</a></p> <p><i>Counsel for Kim Kratky</i></p>

SCHEDULE "A"

<p>Hamilton Duncan Armstrong &amp; Stewart Law Corporation 1450 – 13401 108<sup>th</sup> Avenue Surrey, BC V3T 5T3</p> <p><b>Attention:</b> Robert Rogers David Hunter</p> <p>cc: Wendy Traill</p> <p>Email: rbr@hdas.com <a href="mailto:dah@hdas.com">dah@hdas.com</a> <a href="mailto:wat@hdas.com">wat@hdas.com</a></p> <p>Tel: 604-581-4677 Fax: 604-581-5947</p> <p><i>Counsel for Bellrose-Fox</i></p>	<p>Pyper Law Group 5455 152<sup>nd</sup> Street South Surrey, BC V3S 5A5</p> <p><b>Attention:</b> Gerhard Pyper</p> <p>Email: <a href="mailto:Gerhard@pyperlaw.com">Gerhard@pyperlaw.com</a></p> <p><i>Counsel for Kelly</i></p>
<p>Eyford MacAulay Shaw &amp; Padmanabhan LLP 1510 – 650 West Georgia Street PO Box 11635 Vancouver, BC V6B 4N9</p> <p><b>Attention:</b> Doug Eyford</p> <p>Email: <a href="mailto:deyford@emlawyers.ca">deyford@emlawyers.ca</a></p> <p><i>Counsel for SunLife</i></p>	<p><b>Attention:</b> Larry Gold</p> <p>Email: <a href="mailto:larrythelawyer@shaw.ca">larrythelawyer@shaw.ca</a></p> <p><i>Counsel for Datta</i></p>
<p>David F. Sutherland &amp; Associates 2000 Ontario Street Vancouver, BC V5T 2W7</p> <p><b>Attention:</b> David F. Sutherland</p> <p>Telephone: 604-737-8711 Email: <a href="mailto:dfs@dfsutherland.com">dfs@dfsutherland.com</a></p> <p><i>Counsel for Mohinder Singh Sandhu, Parminder Vickram, Dr. Cameron Vickram and Atul K. Mehra</i></p>	<p>Andrew Schroeder 500 – 525 Seymour Street Vancouver, BC V6B 3H7</p> <p><b>Attention:</b> Drew Schroeder</p> <p>Email: <a href="mailto:fschroeder@schroeder.bc.ca">fschroeder@schroeder.bc.ca</a></p> <p><i>Counsel for Manning</i></p>

SCHEDULE "A"

<p>Lawson Lundell LLP 925 W Georgia St., Suite 1600 Vancouver, BC V6C 3L2</p> <p><b>Attention:</b> William Roberts</p> <p>Telephone: 604-631-9163 Email: <a href="mailto:wroberts@lawsonlundell.com">wroberts@lawsonlundell.com</a></p> <p><i>Counsel for BC Securities Commission</i></p>	<p>Bull Housser Tupper LLP Suite 3000 – 1055 W Georgia St. Vancouver, BC V6E 3R3</p> <p><b>Attention:</b> Kieran Siddall</p> <p>Email: <a href="mailto:kes@bht.com">kes@bht.com</a></p> <p><i>Counsel for Court Appointed Receiver, MNP Ltd.</i></p>
<p>The Society of Notaries Public of B.C. Suite 1220 – 625 Howe Street Vancouver, BC V6C 2T6</p> <p>Attention: Ron Usher Todd McKendrick</p> <p>Telephone: 778-327-6386 Email: <a href="mailto:Rusher@society.notaries.bc.ca">Rusher@society.notaries.bc.ca</a> <a href="mailto:tmckendrick@maclaw.bc.ca">tmckendrick@maclaw.bc.ca</a></p> <p><i>Counsel for Society of Notaries Public</i></p>	<p>Morgan Creek Corporate Centre #302, 15252 – 32 Avenue Surrey, BC V3S 0R7</p> <p>Attention: Robert Doran</p> <p>Telephone: 604-542-9455 Fax: 604-542-9493 Email: <a href="mailto:rdoran@radoranlaw.com">rdoran@radoranlaw.com</a></p> <p><i>Counsel for Jatinder and Randip Gill</i></p>
<p>British Columbia Office of the Superintendent of Bankruptcy 300 Georgia Street W, Suite 2000 Vancouver, BC V6B 6E1</p>	<p>Arvay Finlay 1512 - 808 Nelson Street Box 12149 Nelson Square Vancouver, BC, V6Z 2H2</p> <p>Attention: Mark Underhill</p> <p>Telephone: 604-696-9828 Email: <a href="mailto:munderhill@arvayfinlay.ca">munderhill@arvayfinlay.ca</a></p> <p><i>Counsel for Eric Manning</i></p>
<p>Whitelaw Twining Law Corporation 200 Granville St. #2400 Vancouver, BC V6C 1S4</p> <p><b>Attention:</b> Ryan Darby</p> <p>Telephone: 604-682-5466 Email: <a href="mailto:rdarby@wt.ca">rdarby@wt.ca</a></p> <p><i>Counsel for Kanester Johal</i></p>	<p>Nirmal Binnag &amp; Sukhjinder Binnag 14792 – 74th Avenue Surrey, BC V3S 8Y8</p> <p>Telephone: 604-761-2923 Email: <a href="mailto:nirmal.binnag@gmail.com">nirmal.binnag@gmail.com</a></p> <p><i>On their own behalf</i></p>



SCHEDULE "A"

<p><b>Inspectors:</b> Email: <a href="mailto:pb@hbmlaw.com">pb@hbmlaw.com</a> Email: <a href="mailto:Rusher@society.notaries.bc.ca">Rusher@society.notaries.bc.ca</a></p>	<p>Sugden, McFee &amp; Roos LLP The Landing 700 – 375 Water Street Vancouver, BC V6B 5C6</p> <p><b>Attention:</b> Michael D. Shirreff Telephone: 604.687.7700 Email: <a href="mailto:mshirreff@smrlaw.ca">mshirreff@smrlaw.ca</a></p> <p><i>Counsel for Dr. Prakash Amin &amp; Ansun Enterprises Ltd.</i></p>
<p>Shapray Cramer Fitterman Lamer LLP Suite 670 - 999 Canada Place World Trade Centre Vancouver, BC V6C 3E1</p> <p>Attention: Francis Lamer</p> <p>Email: <a href="mailto:francis@scfl-law.com">francis@scfl-law.com</a></p> <p><i>Counsel for Sunil Sinha</i></p>	

Schedule "B"

COURT NO. B121430  
ESTATE NO. 11-1693965  
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA  
IN BANKRUPTCY AND INSOLVENCY

IN THE MATTER OF THE BANKRUPTCY OF  
RASHIDA ABDULRASUL SAMJI

ORDER MADE AFTER APPLICATION  
(Passing of Accounts)

BEFORE ) THE HONOURABLE JUSTICE )  
) ) August 20, 2019  
) )

ON THE APPLICATION OF Clark Wilson LLP ("CW"), counsel for Boale, Wood & Company Ltd. (the "Trustee"), in its capacity as Trustee in Bankruptcy of Rashida Abdulrasul Samji, coming on for hearing at 800 Smithe Street, Vancouver, B.C., on this day and on hearing Katie G. Mak, counsel for the Trustee, AND UPON READING the material filed including the Affidavit #1 of Christopher J. Ramsay, sworn August 9, 2019 (the "Ramsay Affidavit");

THIS COURT ORDERS AND DECLARES THAT:

1. The fees and disbursements of CW for services provided as counsel for the Trustee from February 2, 2016 to April 30, 2019 and set out in the Ramsay Affidavit, are hereby approved.

2. Notwithstanding any provision herein, this Order shall not affect any person to whom notice of these proceedings was not delivered as required by the *Bankruptcy and Insolvency Act* and regulations thereto, any other applicable enactment or any other Order of this Court.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

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Signature of Katie G. Mak  
Lawyer for the applicant, Clark Wilson LLP

BY THE COURT

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REGISTRAR

**Schedule "A"**

Name of Counsel:	Party: