

HAROLD C. GAFFNEY

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Tuesday, January 22, 2008

BRITISH COLUMBIA LIBERAL PARTY

ATTN: Hon. Carole Taylor/ Minister of Finance

Hello Ms. Carole Taylor -- Minister of Finance for British Columbia
with special Hello to the following:

Hello to all Duly elected members of the BC Provincial Legislature
and an extra special Hello to the following:

Hello to Mr. Dick Cheney – US Vice President

Hello to Mr. John P. Walters - Director of Office of National Drug Control Policy

1. Thank you Ms. Taylor for your reply to my *heads-up* to the duly elected and appointed members of the BC legislature regarding, inter alia, how the attorney general's protection of his realtor brother Harry Oppal's **extreme marijuana** grow operation is corrupting the moral fabric of British Columbia generally. You suggested I direct my submissions to Attorney General Wally Oppal. Reporting crime to Attorney General Wally Oppal is like *'barking at the proverbial dead horse's backside.'*
2. I am always reminded of the first sadness in my life when I was growing up In Ontario on a farm with a dog, a horse, and a simple home. I was fixing fence, when I heard Mutt barking loudly. Jessie was sleeping on her side, like she often liked to do when it is sunny and there is no sound for miles around. Mutt was trying to get her up to run up and down the pasture like they often used to do --- there wasn't any frisbees in those days for dogs to play. I told Mutt to shut-up, but he just kept barking. After some time I sensed Mutt was unhappy, very sad even. So I walked over to them --- not realizing then, but seeing now, I was being called like a judge *to settle an order*. That Jessie should just get up. When Mutt saw I was coming over, he started barking louder and running around Jessie and even barking very close to her face. I thought maybe she was just lying down exhausted from swatting horse-flies. I called to her, "Jessie get up!". But as I followed Mutt around her a few times, I saw Jessie wasn't breathing. Mutt stopped barking. We took a moment of silence and I said, "*Mutt, let's go.*" As we walked away together in silence, he looked up at me and we both knew that Jessie wouldn't be with us any longer.
3. It is not me who *judges the judges*. It is the duty and within the power of the duly elected and appointed members of the legislature to impeach a judge if necessary – even after he steps down from the bench and especially when he has insinuated himself into the office of the attorney general.
4. I write now to show that Attorney General Wally Oppal is **vertically integrating** the **extreme ecstasy** trafficking into British Columbia's *crown culture*. The Hon. Antonio Lamer defined "*Crown culture*" in the *Lamer Report*, about 30 May 2006, which is downloadable from the Newfoundland Justice Dept web --- which in my simple words means, '*Once the crown is into doing something wrong, it just can't stop on its own.'*
5. The conduct of British Columbia in this matter has finally got the attention of the US Administration as apparent from the Forbes Report posted on 20 Jan 08, copy attached hereto.
6. Before leaving the subject of the Attorney General's brother's **extreme marijuana** grow operation, as the custodian of the BC Finance Ministry Accounts, I ask you, Ms. Taylor, if Harry Oppal's lover

- Ms. Elaine Frizzel has been compensated for her loss by way of the fraudulent transfer of her property --- the Oppal's grow-op property --- by funds drawn from the Land Title Insurance account. I would ask Attorney General Wally Oppal himself, but I remember my Jessie and my poor dog Mutt barking at her butt. (It still saddens me that Jessie could not respond.)
7. It is reported that you recently acquired a residential property — a beach house as you call it, somewhere near Hollywood I expect and probably \$4 million or more. Consider it could haunt you --- in your future enjoyment of sunny Southern California, where they have a *love-hate relationship* with **BCBud**, BC's **extreme marijuana** --- if under your watch, funds from the BC treasury were used to pay for property transfer fraud and for the losses from damages done to the residence which Ms. Elaine Frizzel and her lover, Harry Oppal purchased together and she admitted to having done a fraud at the land title office <http://www.canada.com/theprovince/news/story.html?id=0be5d7d3-afce-4384-b68b-e006ba9a3a50> --- a little **off-balance sheet transaction** on BC Books that could effect your husband, Art Phillips', *really big* mutual fund business – Phillips Hager and North.
 8. Furthermore, in your capacity as custodian of the BC Public Accounts, please advise if BC AG Wally Oppal --- in his dual role, of shielding his brother Harry, and the AG office funding a second study by a second Vancouver lawyer, Mr. George Macintosh, as to whether his brother should be charged, and how soon, if at all, Macintosh will give his report — you could prod him with threat to close his account, you being Finance Minister and prudent in all financial matters. It seems to me such a brazen conflict that has run far too long, that it occurred to me that you may have already advised AG Oppal that he should be funding Mr. Macintosh out of his personal account, or his brother Harry funding him out of his account. If you have not closed that *Oppal family account*, please advise the financial particulars on that prima facie conflict.
 9. Ms. Taylor, I especially like the new shoes you wear when you Table a new Budget. Picture yourself in AB Premier Ed Stelmack's shoes --- as he grapples with what California now alleges is "**dirty oil**" --- and you **grappling with dirty hydro** — shown here after his meeting with Vice-President Cheney, *not a happy camper* one could say. I am an advocate of clean hydro-electric power, where BC Hydro and the BC Treasury profit from sales in the export market --- California in particular is BC's largest customer. However, I have found recently --- on 10 Jan 08 --- that BC Hydro is knowingly aiding and abetting the production of **extreme ecstasy**. Connect the dots and you will find that BC Hydro is North America's leading power supplier to the **extreme ecstasy** market. Something that US Drug Secretary Walters would likely want to talk to you about. While we're purporting to be giving them **clean hydro**, we're really giving them **dirty hydro** — **extreme ecstasy** being the **value-added** component manufactured here in **Columbia North**.
 10. Aiding and Abetting gets serious time south of *'the 49'*; In Columbia North it just **finessing**. After BC Hydro recognized the error they made wrongfully transferring my account on 14 Dec 07 and sent me an invoice for it, which I attach a copy, I called BC Hydro and they reversed it back to my name, see attached. When I asked BC Hydro to update me on the power consumption at my condo at 312 - 450 Bromley, Coquitlam, as they agreed to do on 16 Jan 08, and I had asked further for a electronic transmitting meter to be installed on my service to show whether the illegal occupant was using power for **extreme marijuana** or **extreme ecstasy**, the legal department of BC Hydro, namely Messrs. Ray Aldeguer and David Avren, ruled in favour of **masking the electrical power footprint** that appears when a pill-punching machine runs like they are known to do in the apartments and condos throughout the Lower Mainland, see attached e-mail with BC Hydro Ms. Joyce Davidson. In effect the BC Hydro Legal Department re-transferred my power meter account back to the purported buyer Brent Tremain. I don't know what happened to "Mariana Oviendo Ovando - research assistant", the other purported buyer of my property. I suspect Keith Oliver was only using that name for the Property Transfer Tax Form.

11. Furthermore in this same regard, Ms. Taylor, I presume that you knew or ought to have known when you agreed to replace BC Hydro Chairman Larry Bell with the chairman of Xantrex Technology, a company Mr. Mossadiq Umedaly ran up quickly from \$10 million annual sales in 1998 to \$270 million in 2007, that he promotes equipment that masks the unique footprint of an **extreme ecstasy pill-making machines** from the larger ones for the living room to some so small they can sit on your kitchen counter. Like a miniature jack-hammer **tap---tap---tapping** at slow speed on your kitchen floor.
12. Furthermore, Ms. Taylor even if you never knew that power smoothing cost/benefit of the new chairman's first day-job, you knew or ought to have known that the Chairman of a power interruption equipment supply company would have a conflict of interest, just from the appearance of the potential for dumbing-down the quality of service to BC Hydro customers, so they would simply go out and get their own stand-by power supply from guess who – Chairman Xantrex. One might even expect BC Hydro to make a good thing even better, to offer financial assistance to customers whose service is worst effected, and possibly there would be pamphlets which would indicate those models with proven power smoothing effects for **extreme ecstasy** pill-making machines --- like if as a customer you are going to buy this particular size of pill-making machine, you need the chairman's top of the line -- really-smooth-filtering --- power-conditioning device. But if you are not a pill punching kind of customer, then how about something from Xantrex — recently announced wind power generation product line. BC Hydro is suddenly *really-big* on buying wind power generation, since Chairman Xantrex joined the BC Hydro Board.
13. I want to now go **vertical integration** and to property transfer fraud, **crimes at the land title office**, and the arrest of a lawyer in Toronto who in effect set up a criminal organization for property transfer fraud, much like Edmonton lawyer Scott Park, who was charged but not yet convicted in **R v Ellis**, 29 Nov 07 -- <http://www.canlii.org/en/ab/abqb/doc/2007/2007abqb722/2007abqb722.pdf> similar to the lawyer attempting to defraud me of my property, Keith Oliver, the undisputed son of former conflict of interest commissioner Herbert Arnold Dimitri Oliver.
14. It is worthy of note that Toronto Police Department Inspector was quoted to say in an article in the **Globe and Mail** — *“It was all choreographed,” said Detective Craig Ellis of the fraud squad. “The (buyers) were recruited, told there was an investment plan and this is what they had to do. ” Phantom real estate was only part of it, police say. With the phony mortgages secured, allegedly with inside help at the bank and aid from a realtor and a real-estate lawyer accused of being a conduit for the money, those customers' credentials were then used to obtain personal and business credit lines that were maxed-out before sinking in a sea of red ink. The customers knew nothing of the credit lines, any more than they ever visited the condominiums they'd supposedly bought. As dupes they were effectively invisible. And – perhaps strangest of all – none appears to have thought anything amiss until authorities came knocking. The scheme ran from 1998 to 2000 and hinged on two rented properties owned by brothers Patrick and Kam Cheun Chan, aged 61 and 54, Detective Ellis said. One was a high-rise on Spadina Avenue north of Queen Street West, the other a Markham plaza on Ferrier Street comprising small retail outlets. In both instances, the buyers were told they were buying condominiums, rented out to respectable tenants and ranging in price from \$150,000 to twice that amount. ...”* ---- that everyone involved in the fraud by documents was in the criminal organization --- from the real estate lawyer on down to the real estate listing agent to the mortgage broker, to the banks approving the loan, and the TD Bank covered up.
<http://www.theglobeandmail.com/servlet/story/RTGAM.20080117.wcondofraud0117/BNStory/National/home>
15. What a conspiracy!!! I call it **vertical integration**. Every actor in the Toronto mortgage fraud was in the criminal organization. I found that to be true in my complaint against Keith Oliver, who also found willing participants in his scheme, including getting his old class mate of 1980 from UBC Law faculty now Mr. Justice Lance Bernard who ordered the sale of my property for \$17,500 less than what was offered and less than the BC Assessment Roll value, see attached document.

16. I wondered how he could get a judge to approve a sale of my property for \$17,500 less than what was offered in Court and less money than the city assessment and I answered my own question: *"It's nice having friends on the bench to help commit such serious crimes."* Keep in mind that H.A.D. Oliver, the former Conflict of Interest Commissioner and former BC Supreme Court Judge, was in his early years also a criminal lawyer, defending drug dealers — when heroin and cocaine were traffickers choice. He was criticized last year for serving as the ethics advisor to the Vancouver police board due to his complicity with acquitting drug dealers by using the Charter of Rights and Freedom.
17. It was that "**everyone**" in the Toronto Police Inspector Craig's statement that made me think maybe lawyer Keith Oliver was tipped by lawyers in BC Hydro that Mr. Larry Bell was leaving on 14 Dec 07 and the new really-smoothing power-smoothing chairman Mr. Mossadiq Umedaly was taking over, that Keith Oliver had his straw buyer using the name of Brent Tremain, apply to switch my power service that same day to the hands of his straw buyer, who to this day, 21 Jan 08, appears to be occupying my condo but has not yet raised the necessary \$220,900 mortgage from TD Bank -- I suspect he is still working on it — pressing pills.
18. I am speculating now, but in other times I have always been right, so here goes. After being tipped by lawyers in BC Hydro that Oliver deals with, particularly on matters of electric service for newly situated straw buyers with no residence, in need of identification for residency to enter on Finance Minister Carole Taylor's property tax transfer form -- prima facie fraud in the income stream of the Ministry of Finance — and being told by BC Hydro lawyers if there is a problem they would intervene and come to his assistance with the BC Hydro customer accounts representative --- read in this case, Ms Joyce Davidson --- which they did, see attached e-mail. The BC Hydro lawyers simply told her to back off and reinstated the fraud again.
19. Bear with me a while on this Ms. Taylor --- discuss it with your husband Mr. Art Phillips (head of PHN mutual funds) who is familiar with complex financial matters and we all need all the knowledge we can get to deal with the heat coming from the US on our **value-added extreme ecstasy industry** --- because if you don't inform yourself thoroughly, I predict that it will soon come to haunt you in your new -- as the case may be, part-time, full time --- residence in southern California, and particularly with the media drawing potential for you being sought out to testify at some hypothetical California Senate hearing on the new attention Californian's Governor Schwarzenegger and President George W. Bush might give to "**dirty hydro**" used for production of **extreme ecstasy** when you were Finance Minister of what might by then be called the "**dirty hydro**" state.
20. Note also that if and when you are called to testify, that you must bring all documents with you, including this e-mail and attachments hereto, about when you first learned about **vertical integration** in the **extreme ecstasy** and property transfer fraud industry – the final home for laundering the proceeds of drug sales to your California neighbors. It just won't do to say that you just directed me to Mr. Wally Oppal, who was attorney general at the time.
21. Think of yourself in AB Premier Ed Stelmack's shoes. It is like one day he was on top, and now they are trying to say he is a bum, for not having financial incentives into cleaning up the greenhouse gas effluent from the Tar Sands plants --- hardly can he say, there is no money with \$100/bbl oil, after just having put through a bigger cut for Province of Alberta but nothing more for the environment --- like he is thinking he does not want to *kill the goose that lays the golden eggs*.
22. Life is pretty much about perceptions, you know. A Freudian slip might soon start to show: Like someone who knows first hand about the evils of 20 years of **extreme drugs from BC**, introducing you as the Ambassador from the Northern end of Governor Schwarzenegger's **extreme ecstasy** highway, whoops, I meant, *Clean Hydrogen Highway*. Followed with an introduction line, like *'And maybe she will tell you about what Californians can expect from the former chairman of Ballard Hydrogen, in his new role as the chairman of Clean Hydro --- gotch yuh, You thought I might say 'Dirty*

Hydro'.

23. American's are kinda funny, remember how Canadian comedian Rich Little's public appearances plummeted for several years when he made the joke about "...*then Lady Bird said something stupid, like Vietnam...*".
24. Let me go back to **extreme ecstasy** and **Dirty Hydro**. First you need to set aside your concerns about not wanting to deal with the problem of the undisputed son of the former Conflict of Interest Commissioner unduly influencing the BC Hydro lawyers — Messrs. Ray Aldeguer and David Avren — in the Legal Department to transfer my account to the name of Brent Tremain so he can make real money stamping out **extreme ecstasy** pills so he can raise the \$140,000 or more, necessary to payout my CIBC mortgage. Mr. Oliver e-mailed me on 20 Dec 07 to advise all the other money goes to his legal costs. Mr. Oliver had sent me the e-mail to dupe me to believe he had paid off my CIBC mortgage — but all he gave me was estimates of accounts of how he Keith Oliver could divert all the proceeds of crime to himself for legal costs. On 10 Jan 08, he purported to have secured the mortgage from TD-Bank for \$220,900, which he filed in second position. But no Priority Agreement was filed.
- would not authorize**
- a. I need to talk about something unrelated about the second mortgage position problems, in relation to your knowledge about the \$20 million loan to CN-Illinois Central Chairman David McLean in 5 July 1999 --- what I call a refresher course on how to jump a second mortgage. A Priority Agreement was filed by Mr. McLean's lawyers together with a \$10 million CIBC mortgage a few days after Mr. McLean received the \$20 million drawn from BC Treasury, but the premier of the day, Mr. Glenn Clark would authorize AG Dosanjh to approve the Priority Agreement that would have jumped CIBC to first position, because it left the people of BC with no equity for security on what was appraised as the Grandview Properties at only \$30 million. When Mr. Clark was forced from office over a purported \$3,000 deck kickback that never happened, and Mr. Dosanjh took over, the first thing he did was allowed the priority agreement to jump the CIBC mortgage to first position. If you check the title you will see, Mr. Oliver was unable to persuade CIBC to join in on a priority agreement scam, and let TD Bank jump ahead of them on title to my property.
- b. You may want to check if the \$20 million government mortgage has been struck off the Vancouver Film Studios property.
25. Let me particularize how Attorney General Wally Oppal received a benefit by way of Land Title fraud for his brother and his brother's lover, immediately after his brother Harry's **extreme marijuana** grow operation was busted by the RCMP in October 2005.
- a. *"Recent amendments to the Land Title Act, included in Bill 16, the Miscellaneous Statutes Amendment Act (No. 2), 2005 ensure immediate legal certainty of land title for a person acting in good faith, who unknowingly acquired a fee simple interest in the property through a forged transfer, provided the individual did not participate in the fraud. The legislative changes, which received Royal Assent on November 24, 2005, also allow for compensation to claimants whose loss is partially a result of an administrative error of the Registrar and partially a result of their own actions."* — note the emphasis in red, **which reads directly on Harry Oppal and Elaine Frizzell.**
- b. The ordinary words of which are: When a property transfer fraud is committed electronically that one doesn't get the property back, one has to apply for property fraud insurance. That suggests to me that AG Wally Oppal was setting up the legislation for transferring the property fraud costs back to your ministry, Ministry of Finance, in consideration for the fact that you transferred realtor fraud regulation to him because your husband was in the mutual fund business, and heaven knows a woman does not want to try to regulate her husband ---

as our Multi-cultural minister well knows.

26. Ms. Taylor, you are familiar with the *Bank Act*, that a Canadian charter bank can not give a mortgage for more than 75% of the assessed value. Mr. Keith Oliver filed a court ordered appraisal on 26 Nov 07 in the amount of \$225,000, which I attach a copy. According to the electronic filing at the land title office in New Westminster, TD Bank fronted the purported buyers, by the name of Brent Tremain and Mariana Oviendo Ovando, for \$220,000. The realtor who did the appraisal Eric Linquist of Sutton Group Vancouver has a link to the mortgage fraud website in Sacramento, CA, which, as you know, is the capital of California. The former Governor of California Jerry Brown, is now the attorney general, will probably be meeting with you after you settle in your new California home, and is likely going to ask, '*What do you know about Vancouver Sutton Group?*' and you can then tell him about how I told you about them being specialists in dual appraisals, a low one for fraudulent property transfer to straw buyers, and a higher one for the straw buyers to raise a second mortgage, if in fact Keith Oliver never intends to pay me out until he and REMAX realtor Noella Neale, have flipped my property to the name of another straw buyer and or to say another drug dealer.
27. I am sure that you are not just going to California to shall we say, ***hunker down***, until the ***extreme ecstasy*** thing and ***dirty hydro*** blows over.
28. What I am suggesting now is how you can avoid potentially being labeled, for example: '*The Canadian Queen of ***Extreme Ecstasy and Dirty Hydro****' for having failed to act to stamp out the ***extreme ecstasy*** rush on the BC Hydro Lower Mainland service area --- that has just been given an extra push from the *conflict of interest* of the new BC Hydro chairman.
29. Ms. Taylor, I would like you to call Mr. Mossadiq Umedaly, Chairman of BC Hydro, and tell him that my electric service account must be transferred back to me, from the straw buyer Brent Tremain as a result of wrongfully being put there by his solicitors, Keith Oliver and William Cadman. It is said, '*Judges sometimes get it wrong*', and *former judges sometimes get it ***even wronger****, one might say, thinking back now to the words the former judge should have said to his undisputed son, when he suddenly announced his retirement on 23 Nov 07.
30. You see, Ms. Taylor, what I wanted to establish on 10 Jan 08, and continue to want to establish, is whether the power consumption being registered by the illegal occupant of my condo from 18 Dec 07, is for the production of the usual good old ***BCBud extreme marijuana*** or the new menace ***extreme ecstasy*** which now has the heart and mind of President Bush, Vice- President Cheney and his secretary of Drug Control Mr. John Walters. I feel that if I can just get a copy of the strip-chart that shows the needle on the BC Hydro recording wattmeter *bouncing to the beat* of the pill-pressing machine pumping ***extreme ecstasy*** pills at \$20 each and send that strip-chart on to President Bush, and Vice-President Cheney, e-mail address attached hereto, he will have evidence that he is looking for --- on what is in my view, North America's own ***Axis of Evil***.
31. Ms. Taylor, being Minister of Finance, you can appreciate the importance of ***cash flow*** --- that a druggie could raise the necessary funding many times faster punching out ***extreme ecstasy*** pills simply by flicking an off-on switch than standing watching an ***extreme marijuana*** plant grow --- which is like watching paint dry in comparison. CIBC tells me that the matter of my \$140,00 mortgage should be financially settled by the end of January 2008, which is about 45 days since the straw buyers claimed to illegally occupying my property on 15 Dec 07.
32. I suggest that the purported buyers could easily raise the full amount in cash by pumping pills from a readily available on the web type pill stamping machine. One must wonder as I do, who would park their new Ferrari in the visitor's parking lot in my complex, especially since a Ferrari is worth as much as my property -- \$285,000.00. Without sounding prejudicial, my first instinct is the Ferrari comes from drug money — just a chip off the old block of the ***"... two million tablets per week.."***

33. Again yesterday, the head of the Whitehouse Office of National Drug Control Policy released a statement warning public health and safety officials of the dangers posed by **turbo-charged ecstasy** from Canada and the Canadian Drug Police estimates the production capacity of Canadian ecstasy laboratories at over \$2 million tablets per week, which was confirmed on 4 Jan 08, in the Globe & Mail, in an article entitled, "**Extreme Ecstasy**," a blend of both drugs that U.S. authorities say is being manufactured in bulk in Canada..." wherein **RCMP Superintendent Ron Allen of Toronto Ontario was quoted to say, inter alia, that Southern Ontario and British Columbia's Lower Mainland appear to be the chief points of entry on the ecstasy trade.** Now RCMP - Richmond, BC Inspector Pierre Nadeau of national drug branch, is attempting to debunk the truth about the production of **ecstasy** especially in Vancouver British Columbia. Not surprising **Vancouver RCMP Paul Nadeau is dumbing down Ontario RCMP Supt Ron Allen's claims to the production of Extreme Ecstasy at "...two million tablets per week.."** — Allen's not under the thumb of BC AG Wally Oppal who is investigating Richmond Detachment's 4 RCMP officers tasing Polish immigrant Mr. Robert Dziekansky in the waiting room of Vancouver International Airport - on 14 Oct 07, when he had seized the video camera and had to cough it up in a Supreme Court action bought in late November 07 by the camera owner.
34. Accordingly Ms. Taylor, You can learn to "**Just say, No! – to approval of fraudulent transfers of property at public expense.**" You can tell Attorney General Wally Oppal to finance his brother's case from his personal account and you can tell the director of the Land Title Office, lawyer Mr. Ian Smith, who keeps executing fraudulent transfers, like the one he did for Wally's brother --- that when he purports to have made a mistake when he fraudulently transferred the property of Ms. Elaine Frizzel's that he should pay his fair share of the fraud from his own pockets — for all of the expenses that Ms. Frizzel and her parents incurred, particularly if he purports to have just been doing a favour for Wally Oppal's brother when he fraudulently transferred the property. Also Harry is still a realtor in good standing with Royal LePage - Coronation — as a result of his brother Wally regulating him, albeit on tip toe ever so softly. I raise that only because this group — sans the brother and his lover — did the same to me when they purport to have transferred my condo property.
35. You can also talk with Premier Gordon Campbell, and tell him that you cannot continue as the Minister of Finance, if he continues to expect you to turn a blind-eye to crimes being committed, as result of unregulated bodies implemented by your boss, Gordon Campbell — the P... P...Ps — that are [*expletive deleted*] on the moral fabric of British Columbia.
36. I heard you say that British Columbia will not escape the woes of the United States ---- reference to the currency crisis. You know at the rate of mortgage fraud going on now, from what I am alerting you to now, is the reason the USA is in trouble. In effect the AG's in the USA are now prosecuting everyone involved in the most complex schemes of mortgage fraud, including the lawyers who mastermind them.
37. You have a duty as custodian of the treasury of this province to act responsibly for every dime that goes in and out of the treasury. My evidence should be helpful to you rather than it seems you see it as a burden. I am sure US authorities would have appreciated information and complaints made such as mine, prior to their debacle with real estate.
38. And even if they didn't, they would appreciate knowing the particulars of the **extreme ecstasy** tsunami from Canada that is about to hit them.

I await your immediate response on my complaint and questions I have posed to you.

Sincerely,

Harold Gaffney

312-450 Bromley Street, Coquitlam, BC V3K 6S5 Phone Fax: 604.685.6518

Subject: RE: Mortgage Number 6248031.1--312-450 Bromley Street, B.C.
Date: Wed, 16 Jan 2008 14:26:43 -0800
From: Betty.Marshall@leg.bc.ca
To: harold_gaffney1@hotmail.com
CC: AG.Minister@gov.bc.ca

Hello Mr. Gaffney:

I am acknowledging receipt of your several messages over the past month. While I appreciate knowing of this ongoing issue, and while you are sending the messages to a number of different offices, the Minister under whose mandate this issue falls in the provincial government is the Attorney General, the Honourable Wally Oppal, and I would suggest that you provide his office with the information as well. His address is AG.minister@gov.bc.ca

I wish you the best of luck in resolving this matter.

Sincerely,
Carole Taylor, MLA
Vancouver-Langara

From: Harold Gaffney [mailto:harold_gaffney1@hotmail.com]
Sent: Wednesday, January 09, 2008 10:09 AM

To: gerry.mccaughey@cibc.com
Cc: michael.capatides@cibc.com; tom.woods@cibc.com; ed.clark@td.com;
william.downe@bmo.com; US Justice Dept; FBI Law Enforcement; Farnworth.MLA, Mike;
James.MLA, Carole; Taylor.MLA, Carole
Subject: FW: Mortgage Number 6248031.1--312-450 Bromley Street, B.C.

Mr. Gerry McCaughey,

Please find an email sent to me by one of your subordinates Mr. Bruce Bellefeuille, wherein he is evidently lying to me. According to Mr. Bellefeuille, my mortgage has been paid out however in the letter to Oliver & Co. dated December 20th, 2007, attached herein, it says that, "Approximately four to six weeks **after** the mortgage is paid out and shows a balance of zero, we will mail out the necessary discharge documents to remove the mortgage from the property's title". In the ordinary words of the letter of December 20th, 2007, CIBC did not receive any pay outs of the mortgage. Basically CIBC appears to have relied on the undertaking from lawyers Keith Oliver and William Cadman that the mortgage would be paid out in December of 2007, which clearly has not happened.

I have advised CIBC of the straw buyers that Keith Oliver has used in court to have my property sold for less than its fair market value. Attached is my property assessment for July 1, 2007 in the amount of \$234,100.00 however my property has been allegedly sold for \$225,000.00, an appraised value made by another of Mr. Keith Oliver's associate Mr. Eric Linquist, which he is being investigated at this time.

Due to the letter of December 20th, 2007, to Oliver and Co. clearly indicating that the CIBC mortgage has not been paid out by Keith Oliver and won't be paid out by Keith Oliver, unless the bank fronts him the money, contrary to the Proceeds of Crime and Money Laundering and Bank Act Legislation, in the absence of legitimate proof of my mortgage being paid out, I will continue to pay my monthly mortgage as I have paid my mortgage for the month January 2008 and paid out my mortgage in the previous years and months.

In the event CIBC insist in claiming that my mortgage has been paid out, I expect you to email or fax me the discharge documents or electronic registration notice forthwith. In the absence of legal documents showing the discharge of my mortgage by CIBC, please note that I will continue to service my mortgage.

I am reminded that CIBC has been in the news in the last years on different scandals under the alleged watchful eye of the CEO of CIBC Mr. Gerry McCaughey. I don't believe that Mr. McCaughey is prepared to have another scandal on his hands involving the incestuous relationship between the bar and the bank to commit its money laundering and mortgage scams.

I await your immediate response.

Signed,

Harold Gaffney
312-450 Bromley Street,
Coquitlam, BC V3K 6S5
Fax 604.685.6518

Subject: Mortgage Number 6248031.1--312-450 Bromley Street, B.C.
Date: Tue, 8 Jan 2008 13:17:25 -0500
From: Bruce.Bellefeuille@cibc.com
To: harold_gaffney1@hotmail.com

Personal and Confidential

Mr. Harold Gaffney
312-450 Bromley Street
Coquitlam, BC V3K 6S5
Dear Mr. Gaffney,

RE: 312-450 Bromley Street, Coquitlam, BC

I am responding to your emails of December 31 and January 4 addressed to Mr. M. Capatides, and other CIBC executive officers, regarding the sale of the above-noted property.

You are in receipt of responses from CIBC dated December 1 and December 6 regarding your concerns about the sale of the above-noted property. The last response from Mr. Layne, confirmed that CIBC was not a party to the Supreme Court of British Columbia proceedings that resulted in the order issued for the sale of the above-noted property. Consequently, while CIBC holds the first mortgage on the property, we are not able to address your concerns.

CIBC received payout for mortgage #6248031.1 in the amount of \$131,661.68 on December 20, 2007, the said proceeds having been received from Oliver & Co., barristers and solicitors. I attach a copy of the discharge statement supporting the payout to provide you with a summary of how the funds were applied to the outstanding mortgage account. The mortgage discharge has been prepared and delivered to Oliver & Co. and we expect it should be registered on title to the above-noted property by the end of January.

I would like to suggest once again that you consult with legal counsel on your options, if any, with respect to the sale of the above-noted property. In the event you would like to correspond further with CIBC regarding this matter, contact the CIBC Ombudsman at the following coordinates:

CIBC Ombudsman, P.O. Box 342, Commerce Court East, Toronto, Ont., M5L 1G2
Phone: 1-800-308-6959 / Fax 1-800-308-6861
Email: ombudsman@cibc.com

Yours truly,

Bruce Bellefeuille
Senior Director Customer Care & Loyalty

Cc: G. McCaughey, President & CEO
M. Capatides, SEVP and General Counsel
S. Baxendale, SEVP, Retail Markets
T. Woods, SEVP and CFO

Bruce Bellefeuille / Senior Director, CIBC Customer Care & Loyalty / Distribution Services / Retail Markets / CCW 5 / Tel: (416) 980-2891/ Fax: (416) 980-5712 / E-mail: bruce.bellefeuille@cibc.com

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[British Columbia](#) >> [Court of Appeal](#) >>

This document: 1998 CanLII 5698 (BC C.A.)

Citation: *Thailand v. Saxena*, 1998 CanLII 5698 (BC C.A.)

Parallel citations: (1998), 129 C.C.C. (3d) 518

Date: 1998-10-21

Docket: CA024974

US recently was successful in extraditing Saxena, a \$66 million fugitive from Thailand, who was given safe haven by order by now AG Wally Oppal, when he was a judge some 10 years ago.

[\[Noteup\]](#) [\[Cited Decisions and Legislation\]](#)

Date: 19981021

Docket: CA024974

Registry: Vancouver

COURT OF APPEAL FOR BRITISH COLUMBIA

ORAL REASONS FOR JUDGMENT:

BEFORE THE HONOURABLE

October 21, 1998

MR. JUSTICE BRAIDWOOD

IN CHAMBERS

Vancouver, B.C.

BETWEEN:

THE KINGDOM OF THAILAND

APPELLANT

AND:

decided to call an additional witness and, accordingly, applied to re-open the case, which extended the hearing until June 1998. There was also, at this time, a change of counsel acting for Mr. Saxena.

6. On 8 June 1998, Mr. Saxena applied to Maczko J. for release. Maczko J. declined to hear the application on the ground, as advised by counsel, that he preferred not to hear the evidence relating to interim release which might be inadmissible in the extradition hearing and prejudicial to Mr. Saxena.

7. On 23 June 1998, Oppal J. reviewed the detention order of Dohm A.C.J. He granted Mr. Saxena judicial interim release on \$2 million bail of which \$1 million was to be deposited, \$500,000 was without deposit and \$500,000 was by way of a surety. Mr. Saxena was also to remain under 24-hour house arrest in the most unusual circumstances of being in the custody of guards employed by him.

8. On 21 September 1998, the case was scheduled to recommence, but counsel for the Crown fell ill.

9. Because of the need for the new counsel to be briefed, this case is not scheduled to recommence until 22 February 1999. The estimated time for the conclusion of the hearing is ten days. It was estimated, in that the case was exceedingly complicated, there would need to be an adjournment for counsel to file written argument. First, counsel seeking extradition would file a written argument, and thereafter, counsel opposing would file his answer; following this, there would be a reply. After that, the trial judge would need time to consider the arguments and reach a decision. The estimate, on a conservative basis, is that this case will be completed by the end of June or possibly even into September of 1999.

[4] It was submitted by counsel on behalf of the Kingdom of Thailand that Mr. Justice Oppal erred:

1) in principle in applying the wrong sections of the *Criminal Code* to the matter before him;


2)in principle in assessing the credibility of witnesses heard by the Associate Chief Justice and in substituting his opinion of the credibility of those witnesses and the weight to be given to their evidence;

3)in principle in finding that the evidence before him regarding the respondent's proposal for self-funded house arrest, was sufficient fresh evidence to constitute a material change in circumstance;

4)in principle in releasing the respondent into self-funded semi-detention. The applicant submits that this order was not available under the applicable section of the *Criminal Code*.

[5] I agree with the applicant's first submission that his Lordship, in his reasons for judgment, relied on s. 522 of the *Criminal Code* for his jurisdiction and this was an error. Section 522 applies only if the accused is being charged with offences listed under s. 469 the usual one of which is for murder. The correct section would have been s. 520 which contemplates a review procedure based upon new evidence, namely, here, the review of Dohm A.C.J. The accused was detained pursuant to s. 524(8) by the Associate Chief Justice which would allow the accused to apply under s. 524(13) to a review under s. 520.

[6] Although in either instance the onus of proof rests upon the applicant, there is a difference in that under s. 520, the usual principles of comity are applied to the findings and reasons of the judge who first heard the matter; whereas under s. 522, the matter is heard fresh as at the first instance.

[7] That being so, the appropriate test that would be applied is that the order of Dohm A.C.J. would not be interfered with unless there were special circumstances. See *R. v. Sharma* (1995), 67 B.C.A.C. 241 (B.C.C.A.); *R. v. Semenick*  reflex, (1985), 2 W.W.R. 132 (Man. C.A.); and *In the Matter of United*

States of America v. Halpert (1997), CAO22927 (B.C.C.A.).

[8] The second ground of error mentioned above need not be discussed, for Mr. Justice Oppal did not in substance interfere with the basic finding of the Associate Chief Justice where he stated:

. . . I do accept that Mr. Saxena put in motion the machinery, including the financial part, to obtain an illegal passport and that such a passport was obtained by him through his agent Mike Andric. The obtaining of an illegal passport at a time when he was obligated as a term of release on bail to surrender his own passport clearly calls for an order revoking bail and I so order.

[9] Counsel for Mr. Saxena did not concede that the finding was correct on the evidence, but did concede that it was not his purpose to attempt to review it in this form.

[10] The nub of this case concerns grounds 3 and 4 mentioned above. With respect to both of these grounds, the argument did not focus on whether there was sufficient fresh evidence to overturn the findings of Dohm A.C.J. or whether the order could be made under the *Criminal Code*. The essence of the submission of counsel for the Kingdom of Thailand was that there was an onus on Mr. Saxena to "show cause", and he could only "show cause" if there was fresh evidence before Mr. Justice Oppal that there was no longer a danger of flight; that is, that the applicant did not attempt to obtain a forged passport.

[11] I am of the opinion that this submission is incorrect.

[12] It is standard in these courts for persons accused of crimes and, indeed, serious crimes to address the question of whether or not they would return for their trial after being released from custody by: (i) posting a bond; (ii) having parents pledging their house; (iii) having parents or guardians taking custody of them and promising to impose curfews; (iv) having stringent conditions, i.e., reporting to a parole officer every day; and/or (v) abstaining from the consumption

of alcohol and the like. If, in the exercise of the judge's discretion, the plan put forward appears adequately to address the risk of failing to appear at the hearing or trial, then the appropriate terms for the order for release are made.

[13] To show cause does not mean that there is no risk. The issue is: Does the plan meet the need? The more serious the crime, the greater presumption of risk there is. Therefore, it will follow that the plan must be more stringent by way of controlling the applicant in order to satisfy the requirement that the accused or here, Mr. Saxena, will return for the hearing or trial.

[14] The next question to consider is whether or not the plan put forward is in all of the circumstances appropriate and, more particularly, does it satisfy the high degree of risk presented by the findings of Dohm A.C.J.?

[15] When the matter is viewed in this sense there is no conflict between the order of the Associate Chief Justice and that of Judge Oppal. Dohm A.C.J. found there was a risk and revoked bail. Oppal J., on the hearing of new evidence, accepted, in effect, the findings of Dohm A.C.J. as to the degree of risk and decided whether or not the plan put forward would be appropriate to satisfy Mr. Saxena's return, having regard to the risk presented by the attempt to obtain the false passport.

[16] My jurisdiction in reviewing the decision of Oppal J. is the same as cited above; namely, there should be special circumstances which exist before I would interfere with Oppal J.'s discretion.

[17] It is true that he exercised his discretion under the wrong section of the *Criminal Code*, but it is an academic exercise in the circumstances of this case to consider whether or not he was revisiting the findings of Dohm A.C.J. or merely basing his decision on the plan for release presented.

[18] As discussed above, the approach taken by Oppal J. was to determine whether or not the plan satisfied the risk presented. In this sense he was accepting the findings of Dohm

A.C.J., and was embarking on an inquiry which was not before the Associate Chief Justice; namely, whether or not the plan appropriately dealt with the risk of whether or not Mr. Saxena would return for his hearing.

[19] At first blush, one approaches this matter with a strong dislike for an arrangement that would allow someone with large resources at his command to set up a luxurious style of living rather than being incarcerated, as would certain others in our community if they found themselves to be in his position.

[20] This concern is addressed by the principles that apply.

[21] It is common when an offender appears in court for bail for him to indicate that he has, for example, responsible parents who are able to have him live at their home and perhaps post their home for security for bail. This opportunity would not be open to an alleged offender who has not such substantial parents. Likewise, often a surety is required and they must post a bond to insure that the accused will return. An accused can only do so if he is fortunate enough to have a responsible relative, or friend, who is willing to post such funds.

[22] The first principle to be applied in these circumstances is, of course, the presumption of innocence. Here, there has been no hearing by a judicial authority that there is even a *prima facie* case against Mr. Saxena. We start out with the proposition that he is presumed to be innocent.

[23] In *United States of America v. Halpert, supra*, the following appears:

This view was continued in *R. v. Pearson*, [1992 CanLII 52 \(S.C.C.\)](#), [1992] 3 S.C.R. 665 which confirms entrenchment of the presumption of innocence at the bail stage of a criminal proceeding. At p. 691, Lamer C.J.C., said:

Most of the current bail provisions in the [Criminal Code](#) were enacted in the *Bail Reform Act*, S.C. 1970-71-72, c. 37. The *Bail Reform Act* established a basic

entitlement to bail. Bail must be granted unless pre-trial detention is justified by the prosecution. In *R. v. Bray* (1983), 2 C.C.C. (3d) 325 at p. 328, 144 D.L.R. (3d) 305, 32 C.R. (3d) 316, (Ont. C.A.), Martin J.A. described the *Bail Reform Act* as "a liberal and enlightened system of pre-trial release." In my view, s. 11(e) transforms the basic entitlement of this liberal and enlightened system into a constitutional right. Section 11(e) creates a basic entitlement to be granted reasonable bail unless there is just cause to do otherwise.

[24] However, in a practical world there still must be a consideration of all of the circumstances.

[25] The circumstances here include the fact that through no fault of the Crown, and yet because of the Crown, this matter that was set to recommence in September 1998 will not now recommence until 22 February 1999, and will probably be concluded, as mentioned above, in late June or maybe even September of 1999.

[26] In addition, the plan allowed by Mr. Justice Oppal has been in existence since the end of June of this year, and counsel was not able to indicate that there were any failures in any aspect of the plan, or any risk detected, over the past three and one half months since it has been in effect.

[27] If I were to revoke the current bail arrangement based on the submissions of the requesting State, an individual whose trial was delayed through no fault of his own, and presumed to be innocent, would be incarcerated at public expense when a proven alternative is available.

[28] It is also to be noted, of course, that the public bears no expense as would be the case if Mr. Saxena was placed in our ordinary institutions.

[29] In his reasons for judgment, Mr. Justice Oppal stated, in

part, "that the risk of fleeing is minimal in these circumstances. . ." and that "Ms. Strachan [counsel for the Kingdom of Thailand] has generally conceded that the proposal which Mr. Chamberlain has relied on addresses the risk of flight to a large extent."

[30] It would be useful to set down the conditions that Mr. Justice Oppal visited upon Mr. Saxena, and they are as follows:

1. That he enter into a recognizance in the amount of 2 million dollars of which said sum 1 million dollars will be deposited by way of cash or other form of cash like instruments satisfactory to the Registry of this Honourable Court, \$500,000 of which will be without deposit of any valuable security, together with sureties (one to five in number) who can justify to the Registrar of this Honourable Court in total the sum of \$500,000.

2. That a surety in the amount of \$1,000.00 be provided for by Intercon Security which has as its address for business Suite 2200 - 1177 W. Hastings, in the City of Vancouver, Province of British Columbia, together with a signatory as surety by Bruce Marginson, its general manager, which said firm will on a 24-hour per day basis ensure that all conditions of the Applicant's judicial interim release are complied with.

3. To surrender any and all passports in the Applicant's name to the RCMP forthwith and to agree not to apply for any passport anywhere in the world.

4. To remain under house arrest at premises located at Suite 206 - 1600 Hornby Street, in the City of Vancouver, Province of British Columbia save and except on the following exceptions.

(a) to attend to any hospital or

medical care provider; and

(b)to attend to the law offices of S. R. Chamberlain for the purposes of working and preparing his defence to the extradition proceeding; and

(c)to attend to the Law Courts for the purpose of attending to court.

5.Should the Applicant leave his premises, Intercon Security shall provide 24 hour notice in the case of attending to his solicitor and/or court to a designated member or members of the RCMP of his intention to travel from his premises to the office of his lawyer, S.R. Chamberlain in Richmond, B.C. and/or the Supreme Court and the length of time he is expected to remain there and his time of return to his residence. In the case of medical emergency as much notice to the RCMP as is possible must be given as is reasonably practicable in all of the circumstances of his absence from his premises.

6.Not to change his place of residence and/or house confinement without further Order of this Court.

7.The Applicant shall surrender himself into custody if so required by the Supreme Court of British Columbia.

8.The Applicant will abstain absolutely from the consumption, imbibing or otherwise, taking of alcohol beverages or illicit drugs and will consent to the attendance of a Royal Canadian Mounted Police officer or any other peace officer without notice to his premises to determine whether or not the Applicant is in compliance with his conditions of release and will provide such samples of his breath as a peace officer should, in his absolute

discretion, demand to enable proper analysis to determine whether the Applicant is [sic] imbibed alcohol or to provide such urine or blood samples that are necessary to determine whether or not he has violated the condition of this judicial interim release with respect to the use of drugs and/or alcohol.

9.The Applicant consents to, in the absolute discretion of the surety, Intercon Security and its employees, monitor openly and/or clandestinely and covertly all telecommunications to and from the premises at Suite 206 - 1600 Hornby Street, Vancouver and to put into place such listening devices anywhere within or without the confines of the said premises to enable the security company to ensure that they can discharge their duty to the Court to monitor the conditions of the release of the Applicant.

10.That he not use or have in his possession a cellular telephone.

11.All Visitors of Mr. Saxena be pre-approved by Intercon Securities which reserves to itself the right to have up to forty-eight (48) hours notice of visitors and which has the absolute discretion to exclude visitors.

12.That the Security Contract entered into between the Law Firm of Mr. S.R. Chamberlain, Q. C. and Intercon Security be part of the provisions of the surety of the Security Firm.

13.That Mr. Saxena will abide with the order to have no contact, (directly or indirectly) in person or by telephone, with persons who are listed by the RCMP as inappropriate for contact with Mr. Saxena; such list to be provided by the R.C.M.P. to Intercon Security. Mr. Saxena has liberty to apply if a difficulty with this

provision arises.

[31] In the *United States of America v. Halpert, supra*, the Court quotes from *R. v. Di Matteo* (1981), 60 C.C.C. (2d) 262 at 266, where Craig J.A. said:

. . . although a Judge who is conducting a review under s. 457.5(1) [now s. 520(1)] may have the power to substitute his assessment of the application for that of the Justice, I would not do so unless I felt that the Justice had erred in principle or that he was clearly wrong or that it would be unjust not to order the release of the applicant.

[32] Mr. Justice Oppal has exercised his discretion in determining whether or not the plan advanced would address the risk found by the Associate Chief Justice. I cannot say that he was wrong and, accordingly, I would not interfere. This application is dismissed.

"The Honourable Mr. Justice Braidwood"

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by  _____ for the Federation of Law Societies of Canada 

INFORMATION BULLETIN

2005LTSA002
Nov 25, 2005

LAND TITLE ACT Amendments to Assurance Fund Provisions

The *Land Title Act* provides the legal framework for British Columbia's land title registration system. The land titles system in B.C. is considered world-class and is modeled on the Torrens land registration system, which establishes an assured legal title upon registration.

The *Land Title Act* establishes an assurance fund for the Province for claims arising from actions prior to establishment of the Land Title and Survey Authority, and for the Authority for claims arising since its inception in January 2005. The compensation rules for administering the funds are established in the *Land Title Act* to compensate individuals in the rare cases where they are deprived of title due to an error in the operation of the *Land Title Act* or in the administration of the land title system under the Registrar's direction.

Recent amendments to the *Land Title Act*, included in Bill 16, the [*Miscellaneous Statutes Amendment Act \(No. 2\)*, 2005](#) ensure immediate legal certainty of land title for a person acting in good faith, who unknowingly acquired a fee simple interest in the property through a forged transfer, provided the individual did not participate in the fraud. The legislative changes, which received Royal Assent on November 24, 2005, also allow for compensation to claimants whose loss is partially a result of an administrative error of the Registrar and partially a result of their own actions.

"The proposed changes will work to ensure legal fairness and protection to both owners and purchasers of property in British Columbia." said Ralston Alexander, President of the Law Society of B.C. "The Law Society supports these amendments as they will increase public confidence in our Land Title System, which is already highly regarded."

- 30 -

Media Contacts: [Registrar / Director of Land Titles and Deputy Registrars](#)

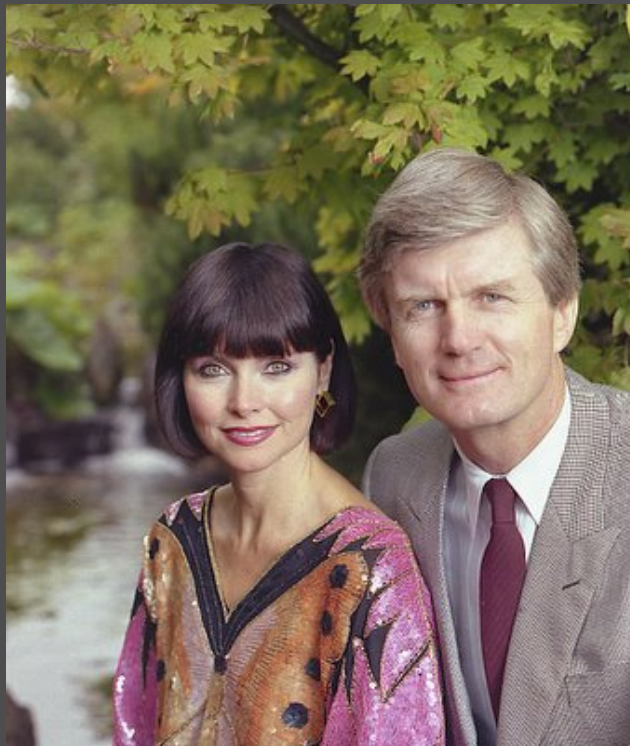
For more information about the Authority, visit our website at www.ltsa.ca.

BC Premier Gordon Campbell was an aid to the then Vancouver mayor Art Phillips and Carole Taylor was a Councillor member. When Phillips left city hall in 1976, Campbell worked from 1976 to 1981 with CPR owned Marathon Realty, where he became general manager of development. In 1981, Campbell founded Citycore Development Corporation.

PHOTOGRAPHY AS A

Carole Taylor, Art Phillips and the three Russians

Thursday, February 23, 2006



This week when talking to my friend John Lekich he suggested I blog about Carole Taylor considering that she had just introduced the new Provincial budget. This would be a good excuse to post one of your many lovely portraits of that lovely woman.

When Kerrisdale hair wizard Richard Jeha was cutting my hair yesterday I had a Bill Richardson/Bunny Watson moment. I spied Jeha's three Russians conspiring in a corner. With beautifully shaped and deft hands the poker-faced Sergei cut off Paulina's folksingerish long hair while Svetlana watched the master who had represented Belaurus in recent World Cup Hairstyling Championships. In about 15 minutes Paulina emerged as a Russian femme fatale to die for.

For years I had faithfully followed a personal hairdresser who would change venues once a month. There were days when she would tell me, "I am not in the mood for cutting your hair." So I searched for a less stressful replacement. About ten years ago my wife Rosemary suggested, "Try Richard, if he is good enough for Art Phillips, the ex-Vancouver mayor, he

should be good enough for you."

While pleasing John by posting a picture here of our Finance Minister I can satisfy my own train of thought by showing her with her husband Art Phillips. Richard Jeha and his staff (including the three Russians) are not only good enough for Art Phillips but for Canada, too! They have swept Canadian hairstyling competitions with many firsts in the last few years and they are poised to represent us in world competition.

[Link to: Carole Taylor, Art Phillips and the three Russians](#)

er else is on his mind.

THE WRITTEN WORD

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MDA turns away from space

Canadarm and satellite mapping arms sold as company focuses on down-to-earth pursuits

Fiona Anderson

Vancouver Sun

Wednesday, January 09, 2008

MacDonald, Dettwiler and Associates Ltd., known for its satellite mapping systems and the Canadarm, is selling its space business for \$1.35 billion so it can focus on earthly information services.

Minnesota-based Alliant Techsystems is paying cash for MDA's information systems and geospatial services operations. That leaves the Richmond-based company to run its property-related information products such as BC Online, the province's information system on land titles and property assessments. The company operates similar systems, as well as other information systems, in the United Kingdom and the United States.

It's a big change for a company that started 30 years ago providing information services to the space and aeronautics fields, then went on to develop the Canadarm used by NASA's space shuttle.

The company has been remaking itself for about seven years, shifting into real estate information so the move makes sense, MDA's president and CEO Daniel Friedmann said in an interview.

"Most of us, including myself, don't want to shake off the stuff I grew up with," Friedmann said. "But the reality is that today the real estate transaction business is well over two-thirds of our business and our legacy business, which captures the imagination of people more easily, is a smaller part."

For a Canadian company to expand its satellite and aerospace business, where the largest customer is the U.S. government, was not possible, Friedmann told analysts in a conference call. And that meant the inherent value of the business was not reflected in the stock.

"We believe the price we have obtained reflects that value," Friedmann said.

MDA plans to use the cash to accelerate its acquisition strategy, especially in the U.S. where the slowdown in the economy has created some attractive opportunities.

Moving titles electronically to facilitate insolvency fraud.

Friedmann believes there is plenty of growth potential in the real estate transaction business.

MDA is the company that provides all the information needed to buy, mortgage and insure a home, Friedmann said.

"Look anywhere in the industrialized world and developing economies, people's ownership, and protection of, and borrowing for their houses is where it all starts and ends," he said. "There are lots of transactions all the time. And those transactions need accurate and timely information."

About 1,900 of MDA's 3,000 employees will move to Alliant. Of the 700 to 800 employees in B.C., 100 will be staying with MDA which will have to find new office space, as Alliant will be taking over its current building, Friedmann said.

For now, Friedmann said MDA's head office will stay in B.C. "so long as we have a strong business base here with BC Online going forward."

The sale is subject to shareholder and regulatory approval. However MDA said none of its current contracts are affected by a change in ownership.

Shares of MDA traded at \$42.51, down 15 cents on the Toronto Stock Exchange Monday before being halted at the request of the company to allow for news of the sale to disseminate.

fionaanderson@png.canwest.com

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CLOSE WINDOW

Soon will become known for the massive hole in the BCOnline electronic fence created to give easy access to money laundering pigs to run in and out of the land title registry and eat up unsuspecting persons equity.

Canada fuelling production of 'extreme ecstasy'

TIMOTHY APPLEBY

From Friday's Globe and Mail on January 4, 2008

First there was methamphetamine, a stimulant that in assorted forms has been around for decades. Then came the designer drug ecstasy, otherwise known as MDMA and popularized by the rave culture that mushroomed in the 1990s.

Now there's "extreme ecstasy," a blend of both drugs that U.S. authorities say is being manufactured in bulk in Canada and shipped wholesale across the border.

"This probably goes back at least two years," said RCMP Superintendent Ron Allen, who heads drug-enforcement in the greater Toronto region.

"When we have taken samples of MDMA for analysis, we have very frequently found there is a [methamphetamine] content. There was a case we did about a year and a half ago, a 10,000-pill seizure, that came back as 80 per cent meth.

"We've been telling the U.S. this is going on. This is a very active market."

Just how active is illustrated by statistics released yesterday by the White House's Office of National Drug Control Policy.

In the 10 northern U.S. states that border Canada, federal authorities intercepted 568,220 doses of ecstasy believed to be Canadian-made in 2003. By 2006, that number had soared almost tenfold to 5,485,619.

And while the 2007 data are still being collated, samples from last year show that more than 55 per cent contained methamphetamine.

Southern Ontario and British Columbia's Lower Mainland appear to be the chief points of entry, reflective of Asian organized crime rings' long-standing grip on the ecstasy trade, with bikers playing a lesser role.

The United States is by far the largest market for Canadian-made ecstasy – an industry that churns out more than two million pills a week, by RCMP estimates – but it is by no means the only one.

Up until about 2004, ecstasy was chiefly a European product, with the Netherlands, Belgium, Germany and Britain leading the way.

But tighter regulations governing the sale of its ingredients, which then as now originate principally in China, India and Eastern Europe, shifted much of the trade to Canada, where drug laws are significantly less punitive than in the United States.

That same logic fuels the cross-border marijuana industry, another perennial thorn in Canada-U.S. relations.

Canadian-produced ecstasy, however, travels further than Canadian-grown marijuana and has shown up as far afield as Australia, Japan and even Colombia.

So why create a cocktail of ecstasy and meth?

As with all drugs that get “cut” with other ingredients, the big reason is cost. The ingredients for meth are cheaper than those found in MDMA, and are often easier to obtain. And for a large-scale operation, as the dozens of Canadian ecstasy labs dismantled in recent years have almost invariably been, the extra profits are significant.

As well, the meth component increases the addictive potential, adding what the Office of National Drug Control Policy describes as “a facelift” to a drug whose popularity has declined somewhat since peaking in the late 1990s.

Methamphetamine is the base of the fiercely addictive street drug crystal meth, also known as crank, which has steadily moved from west to east in the past decade, wreaking havoc on rural communities throughout the Prairies and the U.S. Midwest. The Atlantic provinces have also been badly afflicted.

And while ecstasy has long been regarded as far more dangerous than aficionados often realize because of its toxic impact on the brain, adding meth to the mix severely compounds the risks.

Both drugs can disrupt the body's ability to regulate temperature, heating up a person's system to a point that can produce liver, kidney and cardiovascular-system failure, and sometimes death, particularly if alcohol is ingested as well.

As a result, there is dismay in the White House.

“This ‘extreme ecstasy’ is a disturbing development in what has been one of the most significant international achievements against the illicit drug trade,” John Walters, President George W. Bush's drug czar, said in a release accompanying the new figures.

“Historic progress against ecstasy availability and use is in jeopardy of being rolled back by Canadian criminal organizations.”



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John P. Walters
Director of Office
of National Drug
Control Policy
[Biography](#)

Welcome to "Ask the White House" -- an online interactive forum where you can submit questions to Administration officials and friends of the White House. [Visit the "Ask the White House" archives](#) to read other discussions with White House officials.

March 1, 2004

John Walters

Hello, I am John Walters, and I look forward to chatting about what is on your mind.

Jason, from **Springfield, MO** writes:

Sir: Can you report any significant progress at securing the northern and southern land borders against drug smuggling? Are large amounts of drugs still entering the country from Canada and Mexico, and if so, what can be done?

John P. Walters

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Michael, from **Ogdensburg NY** writes:

What is your plan for 28 day rehabilitation programs, and IOP (Intensive Out Patient) programs for teens and people who do not have the means of paying for the help. Thanks.

John P. Walters

Last year the President requested \$200 million in additional treatment funds to address critical needs in the states. These funds would be in addition to the roughly \$2 billion the federal government already provides each year. The first \$100 million of the new money was approved by Congress and will be available shortly. Our goal is to provide all forms of treatment for all ages as they are needed by individual communities.

Edwin, from **Washington, D.C.** writes:

Do you think the film Traffic is an accurate depiction of what really happens?

John P. Walters

Traffic did a good job of capturing the complexities of the drug trade. It showed the ruthlessness of those that push drugs, the corrupting influence of drugs on institutions of law, the depravity that drugs often drive addicts to, and that people from all walks of life are susceptible to the disease of addiction. I was discouraged, however, at how little hope there was in the movie. We know how to make the drug problem smaller and how to heal those who have become addicted. Drug use has dropped markedly in the past two years because we have applied that knowledge. Our success will increase as more and more Americans lose their cynicism about reducing drug use and realize there is something that each of us can do about it.

Edwin, from **Washington, D.C.** writes:

What is the most challenging aspect of trying to eliminate drug-trafficking?

John P. Walters

In the last few years we have really made an effort to analyze drug production and trafficking through a business model. Anyone who runs a company, whether it is a huge corporation or a corner store, knows that there are market forces that can hurt the bottom line. We are trying to identify those forces that will put drug cartels and trafficking organizations into a recession. We are doing this by attacking drugs at the source, along supply lines, and arresting the key players that run these businesses. We are having better success than at any previous time because of the cooperation of governments in Colombia and Mexico that realize that these organizations are a cancer that hurt the institutions of law and democracy in nations that they operate in.

ruby, from **pooint roberts, WA** writes:

Do you agree that tighter immigration and border control would help in the fight against drugs?

John P. Walters

As we tightened the borders post-9/11 looking for a small number of terrorists and the weapons they would use to harm us, we obviously caught a lot more drugs in the tighter net. Unfortunately, drug traffickers are always seeking ways to get around our latest techniques to detect them at our borders. It is important that our borders are secure, but if our borders are where we seek to stop this problem, then we will come up short. Because of this, we are working more extensively than ever with our partners in Mexico, Colombia, and other nations that house the majority of these trafficking organizations. We are making excellent progress at eradicating and seizing these harmful drugs long before they get to our borders.

Tenah, from **Tennessee** writes:

I am originally from Iowa, but have relocated. In Iowa Methamphetamine aka "Crank" was everywhere. It has just recently started showing up in Tennessee. Having had witnessed firsthand what it can do to a person. I was wondering what steps you are taking to bring this particular substance under some sort of control? From what I hear it is not a drug that is imported from other countries it is manufactured here in peoples homes even cars. How can we root it out. I hear it is very dangerous to make and the ingredients are common. Is that true? I just don't want my children to have to be around it, like I said I've seen what it can do to people and the people around those who use it.

John P. Walters

You are well informed on this topic. Methamphetamine is an addictive drug that is extremely dangerous to both take and produce. Meth "cooks" often operate in garages, cars, motel rooms, or what appears to be just a regular house in the neighborhood. "Cooking" meth involves a dangerous process that can kill those involved through either poisoning or explosion. Unfortunately, we often find children in the places where meth is produced. The byproducts of making meth are extremely toxic and are usually disposed of by pouring the chemicals down the drain or dumping them in the soil. We are working to restrict access to the precursor chemicals required to make meth. We have shut down some large operations in Canada that were supplying the precursors to drug cartels in the Central Valley of California. These "Super Labs" are estimated to produce up to 80% of the domestic supply of methamphetamine. We are also working with local officials to train them to identify and safely dismantle meth labs.

Carol, from **Erie, PA** writes:

I am a social worker in a drug and alcohol rehab. Recently the number of individuals presenting for treatment who are addicted to the prescription drug Oxycontin has risen drastically. Is there currently a study under way to look at this issue, and the possibility of tighter regulations to control this particular drug?

John P. Walters

Just today we released the National Drug Control Strategy which, among other things, focuses on reducing the diversion of legitimate pharmaceuticals to those that are using them for non-medical

reasons. These drugs are critical for people dealing with painful illnesses, but too often they are being abused by children and adults that have no medical need to take them. Often times they are being purchased through illegitimate internet pharmacies and other fly-by-night operations that seek to circumvent the normal medical procedures we have put in place to protect people from abusing these drugs.

Steven, from **Normal, Illinois** writes:

How is the progress of trimming down drug use among teenagers in the United States?

John P. Walters

I'm glad you asked. Two months ago we announced the release of the 2003 "Monitoring the Future" study that showed an 11 percent decline in teen drug use. This exceeded the President's two-year goal of a 10 percent reduction. This success is due in large part to the renewed seriousness that drugs have in the American consciousness. We have seen evidence that part of this is due to the success of our National Youth Anti-Drug Media Campaign. It has helped to change the way that teens think about drugs, especially marijuana, a drug that is often mistakenly thought of as being harmless. Teens now know that it is the leading cause of addiction among illegal drugs among both youth and adults. We are not resting on this success, however. The President has set a five-year goal of a 25 percent reduction in teen drug use, and we have three years of hard work ahead of us to achieve it. If the last two years have been a lesson, we know it is very achievable.

Kyle, from **NY** writes:

Hi, Drugs are a growing concern in many schools-including mine and I live in a suburban town. How are you dealing with this issue?

John P. Walters

One of the most promising tools that we want schools to know about is student drug testing. President Bush announced \$25 million in grants in his proposed 2005 budget to support school-based drug testing programs. This is an issue that individual communities need to examine for themselves and decide if it is right for them. Drug testing has shown itself to be very successful in both deterring drug use and identifying those that need intervention to help overcome a budding or full-blown drug problem. Drug testing is not used to punish students, and it must be done confidentially. The Supreme Court of the United States has said that drug testing is permissible for public school students in voluntary extracurricular activities. We encourage schools, parents, and community members to examine this effective tool.

Chris, from **Missouri** writes:

Dear Mr. Walters i was just wondering, if you could tell me more about your job, and how you feel about the drug war we face today.

John P. Walters

I get great satisfaction from my job. People often are very cynical about efforts to reduce drug use. This is largely because they hear the drum beat of self-interested pessimism from those that seek to legalize drugs. Having been to drug treatment centers all over the nation, I've seen the optimism and hope that those who overcome this disease convey. We're seeing success at every facet of this broad effort. Prevention efforts have driven drug use down among teens, and thanks to Access to Recovery, more people are going to be able to get access to drug treatment. In addition to that, we are seeing historic declines in drug cultivation in Colombia thanks to our eradication efforts.

kristen, from **arshall** writes:

How do you think you can stop the druguses if some people go to the other side of the world to bring them over here and sell it, and then make a profit from it? You cant stop a crackhead from buying drugs. Some people mail it over here to the U.S.A. and it is an affect to our nation. What will you do about that? You cant check people mail because it is against the law.

John P. Walters

We seek to reduce drug use in two, balanced, ways. First, we try to prevent young people from starting and our recent survey results show this has been working with the 11 percent decline in teen use between 2001 and 2003. We also want to make sure that more of those who need treatment get it and move to recovery. The additional funds the President has sought will help more join the millions of Americans who are in recovery from addiction.

Finally, we are working to better attack the business of the drug trade. We have been making historic progress there in cooperation with Colombia and Mexico and in using new tools for domestic trafficking. The goal is not to rely on a single point of activity, but to better understand and attack the critical areas of those who sell poison to our children and profit from the addiction of our citizens.

Rex, from Chicago, IL writes:

Statistics indicate that kids are minimal consumers of illegal drugs. Most education programs seem to be focussed on them. Drug pushers know that the real money is from adults (kids from 10 or more years ago). Can more serious criminal penalties be imposed on drug users rather than just drug dealers. The dealers will go away if there are no users.

John P. Walters

Drug use starts by teens and pre-teens first trying illegal drugs. Our three decades of research and experience reveals that if use does not start during this period, it is unlikely to start later.

Today, of the roughly 7million Americans we need to treat because of their dependence or abuse of illegal drugs, 23 percent are teenagers.

These are the critical reasons we focus on our young people.

Patricia, from Budd Lake, NJ writes:

Mr. Walters, AS head of National Drug Control Policy-can you please let me know how my son received steroids via Fed-Ex and our own US Mail when these injectable drugs are illegal in our country? I know they are legal on the sending end but not on our end. What is being done to stop this? My son paid the ultimate price for this as he died in his sleep on April 27, 2003 as a direct result of years of steroid use. My son was only 27 years old.

John P. Walters

I am very sorry to learn of your son's death. Please accept my sympathies. You remind us that drug abuse and the death and destruction can touch us all.

Earlier today, I joined the the DEA administrator, and FDA administrator, and the surgeon general in announcing a new series of steps to reduce the diversion of controlled substances. Among the steps are building public-private partnerships with businesses--including shipping firms, Internet access providers, and credit and other electronic payment providers--to counter the type of diversion that took you child's life.

John Walters

I want to thank everyone who sent me an email and for those I was not able to answer, I hope to join you for another session soon. This has been a great opportunity to expand the conversation to more Americans. Thank you for what many of you are doing in your community to reduce the problem of illegal drugs in America.

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John P. Walters
Director of Office
of National Drug
Control Policy
[Biography](#)

March 1, 2004

John Walters

Hello, I am John Walters, and I look forward to chatting about what is on your mind.

Jason, from Springfield, MO writes:

Sir: Can you report any significant progress at securing the northern and southern land borders against drug smuggling? Are large amounts of drugs still entering the country from Canada and Mexico, and if so, what can be done?

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August 2001, 96:8 > Ecstasy pill testing: harm minimization...

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Ecstasy pill testing: harm minimization gone too far?.

RESEARCH REPORT

Addiction. 96(8):1139-1148, August 2001.
WINSTOCK, ADAM R. 1; WOLFF, KIM 1; RAMSEY, JOHN 2

Abstract:

Harm reduction has become the focus of public health initiatives and therapeutic intervention in the management of dependent drug use over the last 20 years. The last decade has seen such approaches being extended to recreational drug use. Most harm reduction initiatives have aimed to inform users about risks and ways of minimizing risk. The concept of providing illicit drug users with quality assessment of their chosen drug is one possible harm reduction intervention that until recently has received little attention. In response to well-publicized 'ecstasy'-related deaths organizations in some European countries and the United States have chosen to provide a 'pill testing service' for users. There are two broad categories of pill testing offered. Simple colour reagent test kits (Marquis Reagent and colour charts) form the most widely used on-site pill testing method. Less frequently, but more accurately, laboratory personnel with access to sophisticated chromatographic equipment (high performance liquid chromatography (HPLC) or gas chromatography-mass spectrometry (GC-MS)) may provide analysis of a pill. Pill testing kits have been advocated as a 'tool to protect yourself against the polluted XTC market'. We refute this line of reasoning. Of the different tests only techniques such as GC-MS can identify satisfactorily the psychoactive constituents present in ecstasy pills. Colour tests based on an interpretation of a colour response in the presence of a drug are, at best, subjective. Pill testing of any description does not guarantee safety, or protect the consumer against individual responses to pills. At best it gives an artificial 'shine of safety' to a group of diverse drugs that remain both illicit and potentially harmful. Other simpler harm reduction mechanisms are likely to be more effective.

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RCMP debunks claims Canada dumping 'extreme ecstasy' into U.S. market

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What's this

By Camille Bains, The Canadian Press

VANCOUVER - The head of the RCMP's national drug branch is debunking claims by the United States' drug czar,

who claims organized crime rings in Canada are dumping dangerous, methamphetamine-laced "extreme ecstasy" into his country's illegal drug market.

Supt. Paul Nadeau said he doesn't know why John Walters, of the White House Office of National Drug Control Policy, would make such statements in a widely distributed news release without checking facts with Canadian officials.

"I shook my head when I read the release that they put out," said Nadeau, adding he had never heard of extreme ecstasy.

"That term is unknown to us, certainly in Canada, and I can tell you that I've spoken with law enforcement people in the U.S. and they've never heard of it either so it would appear to be a term that somebody came up with in a boardroom in Washington, D.C."

The release has generated huge media buzz in the U.S., with some news outlets using names such as "turbo-charged ecstasy," which is supposedly flowing across the border from Canada.

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In the release, issued earlier this month, Walters warns public health and safety more than 55 per cent of ecstasy samples seized in the U.S. last year contained stimulant that affects the central nervous system.

"This extreme ecstasy is a disturbing development in what has been one of the most significant international achievements against the illicit drug trade," Walters said.

"Cutting their product with less expensive methamphetamine boosts profits for Canadian ecstasy producers, likely increases the addictive potential of their product and effectively gives a dangerous 'facelift' to a designer drug that had fallen out of fashion with many American drug users."

Nadeau said there's nothing new about ecstasy - the so-called love drug that gained popularity during the 1990s rave scene - being laced with methamphetamine or other stimulants and that it's been happening for the last decade.

"According to our stats the presence of methamphetamines in ecstasy is dropping. Adding tests by the RCMP indicate that currently, about 35 per cent of ecstasy pills are meth, down from 75 per cent several years ago.

"Why now do they feel the need to announce this to the world?" Nadeau said of the new National Drug Control Policy.

Walters' office did not return calls from The Canadian Press.

But John Carnavale, an economist who worked for four previous U.S. drug czars in 1989 and 2000, said Walters is "cherry-picking data" to blame Canada.

He said that's likely because of Canada's harm-reduction approach to dealing with addiction, compared with the "user accountability" model American drug czars have preached.

"It was news to me that Canada was allegedly emerging as the source of supply for Mexicans have really dominated the market, given the data up to now," Carnavale said.

Walters' news release could actually create demand for a form of extreme ecstasy, Nadeau said from Gaithersburg, Maryland.

"If I was a meth dealer in Canada I would certainly rebrand mine to 'extreme ecstasy'."

Nadeau said that while the RCMP is concerned about drugs being smuggled into the States, he disputes information in the release that is falsely attributed to the force.

"The Royal Canadian Mounted Police (RCMP) estimates that the current combined production capacity of Canadian ecstasy laboratories exceeds two million tablets a year," Nadeau says.

"We have no idea where they came up with that," Nadeau said.

"In the final analysis this stuff is driven by demand," he said. "If the U.S. population has an insatiable appetite for this stuff somebody's going to be producing it for them so it's not of the equation they never seem to talk about."

While Walters said in the release that ecstasy use had recently "plummeted" in the U.S., Nadeau said that contradicts the statistics.

"If anything, in the last 10 years, synthetic drugs, whether they be ecstasy or methamphetamine, demand for them has gone through the roof."

Scott Rintoul, spokesman for the RCMP's Drugs and Organized Crime Awareness Unit in Vancouver, said there's no doubt Canada is a major synthetic drug supplier for the United States and other countries, with 65 per cent of the production happening in British Columbia and Ontario.

He said that for years, producers made ecstasy from a powder imported from Europe, but it has more recently been replaced with a cheaper liquid precursor from Asia.

WHAT OTHERS HAVE SAID ABOUT THIS NEWS STORY



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August 13, 2007

X in the Suburbs: April 05 issue



X IN THE SUBURBS

Ecstasy and other party drugs used to be an import-only business. But now, home-grown gangs are figuring out the trick to pill-making and flooding the market with their wares. JAMES MORROW in Sydney and SHAUN DAVIES in Melbourne report on the growing drug industry in our own backyards.

March 9, 2005: Federal agents stop a van traveling down the Hume Highway near the Victoria-New South Wales border. After arresting the two men on board – a 39-year-old Sydneysider and a 31-year-old Melburnian – cops find five 44-gallon drums of chemicals that can be used to make MDMA, or ecstasy. That night, armed with search warrants, police sweep through a number of suburbs in Sydney and Melbourne, including Pymont – an increasingly trendy and cashed-up inner-city neighbourhood which is also home to Sydney's Star City Casino – and make several more arrests and seizures.

Amongst the cops' haul for the evening: "proceeds of crime": a 4WD Porsche Cayenne and a Lamborghini, as well as five more 44-gallon drums of so-called "precursor chemicals". According to the Australian Federal Police, "a conservative estimate of the MDMA pills capable of being produced from this amount of precursor is four million tablets, which has an

But while the AFP was quick to trumpet this "largest-ever seizure" of precursor chemicals, the bust only scratched the surface of a growing trade in so-called "party drugs": MDMA (better known as ecstasy), as well as GHB, methamphetamine, the animal tranquilizer ketamine, and a variety of other chemicals that are increasingly popular with Australian youth. According to figures published in 2001 by the National Drug and Alcohol Research Centre, one in five Australians between ages 20 and 29 had tried ecstasy – a figure that experts agree has only gone up in the four years since.

Fast-forward to Melbourne, the following week. On Sunday night of the Labour Day long weekend in Melbourne, the dance floor at Revolver, one of the city's best-known clubs, is packed with sweaty bodies. It is well past midnight and you'd expect the pulsing electronic music to be driving the crowd into a frenzy. But the atmosphere is actually quite subdued: most dancers are only swinging their arms in time to the beat, and some of them are barely moving their feet at all.

It may be that the crowd is not enjoying the DJ, but an equally likely explanation is that a batch of "smacky" pills has been doing the rounds. A "smacky" pill generally contains some MDMA, but it's adulterated with another drug, usually ketamine or heroin, which leaves users in a stupor. Contrary to commonly held ideas, not all pills sold as ecstasy drive users to all-night dancing and potentially fatal dehydration.

Some of the drug users in Revolver are easy to spot. One young clubber, dressed in low-slung jeans and a trucker's cap, has obviously overindulged. He stumbles about the club with a slack jaw and a faraway look in his eyes, disoriented and seemingly unsure of where to put himself. Eventually he collapses on a couch in the corner of the room with his legs splayed out, rolls his head back and stares at the ceiling.

But most of the people who have taken ecstasy are more in control, and to spot them you have to know what to look for. Furious chewing is one clue: ecstasy makes users grind their teeth incessantly, and users chew gum to prevent aching jaw muscles the next morning.

Another sure sign is excited hugging and sloppy smiling – ecstasy's empathetic qualities give users a seemingly uncontrollable urge to tell anyone within earshot just how amazing it is to be alive.

Ecstasy comes on in a rush. About 40 minutes after swallowing a pill, your body and brain are consumed with overwhelming pleasure: this is the strongest part of the trip and users refer to it as "peaking".

After about an hour the intensity of the trip will decrease slightly, although the effects won't really start to wear off until a good three or four hours later. The comedown is difficult and many users will take multiple pills over the course of an evening to prolong the rush and put off the inevitable.

Those who use ecstasy regularly agree that in the past six months the market has been flooded with high-quality ecstasy. The pills are purer now, which means longer and better peaks and easier comedowns. Users have become pickier and local drug manufacturers, it seems, have been rushing to meet this demand.

One Pill, Two Pill, Red Pill, True Blue Pill

Last week's bust, and several others over the past year (none of which have made a dent in supply on the street, incidentally), lends further credence to the theory that ready-made ecstasy is no longer being imported on the scale it once was, and that instead, domestic gangs are now bringing in just the ingredients and manufacturing it themselves. This was hinted at in a U.S. Drug Enforcement Agency report last year which noted that, "There also have been several large-scale 3,4-methylenedioxy-methamphetamine (MDMA), a.k.a. Ecstasy, laboratory seizures in the Sydney and Melbourne metropolitan areas. The chemicals seized at these MDMA laboratories originated from locations throughout Southeast Asia. Australian law enforcement and customs officials are also seizing increasing amounts of sassafras oil being smuggled through various ports-of-entry, such as Sydney and Melbourne. Sassafras oil produces safrole, which can be used as a precursor chemical in the manufacture of MDMA".

Or as an ecstasy user, calling himself Zaki, put it recently, "I think Australia has stepped up to the mark and shown we are not only good at swimming, cricket [and] rugby. We are now among the best in good, clean and therefore harm-minimising MDMA production".

The amount of harm MDMA does is another question (see below), but the fact remains that no matter how many busts the police make, ecstasy prices remain stable (at around \$30 to \$40 a hit), and there is never any shortage of supply in the dance clubs of any of the capital cities.

"The market is so big, and we know that there are lots of different ways that pills are getting here", says Johnboy Davidson. "We'll see big busts, you know, three million pills or something like that, and still supply won't be affected." Davidson is the spokesman for Bluelight, an Australian website that has grown to be the biggest online drugs forum in the world. A public advocate for the principles of harm minimisation, Davidson is careful not to paint himself as a wild-eyed libertarian of the "legalize it" stripe, but rather calls for a more "realistic approach" to drug use in Australia.

According to Davidson the international ecstasy trade began in earnest in the 1990s but, until recently, Australian drug traffickers haven't had the means to make their own product. "The Golden Triangle states switched over from heroin to methamphetamine production in the '90s, and then they switched over to MDMA as well," he says. "A lot of the supply routes came through Indonesia. There used to be a triangular trade from Europe, across Indonesia, and into Australia, but then it became more smugglers from China or Thailand bringing drugs into Australia via Indonesia. Oddly enough, the trade in Indonesia is run by a lot of African and even Israeli gangsters."

Today, however, some of the best ecstasy on the market is thought to be home-grown, and in the past six months to eight months, the Australian market has been flooded with high-quality MDMA and other pills. Ecstasy is given street names according to the colour of the pills and the type of logo that is stamped on them: Red and green Mitsubishis (red or green pills with the Mitsubishi automaker's logo stamped on them), yellow doves, red Rolexes and red Russians have all been popular on the market lately and, according to those who take them, these drugs are more pure than anything they've had for years.

But for Australian drug traffickers to make their own ecstasy takes both expertise – about equivalent to that of a third-year university chemistry student – and equipment, including precursor chemicals and a pill-pressing machine. It is this second item that, experts say, is one of the hardest and most dangerous tools of the trade to come up with.

"Pill presses are a monitored thing and you can't buy one without a very good reason...having one is like printing money, and it's one of those things that can get ripped off as well", says Davidson, who makes a gun with his fingers and demonstrates what can happen if a rival crew hears about the existence of a pill machine. "Most of them would be only about the size of a washing machine. There was a bust three or four years ago somewhere in a block of flats in inner-city Melbourne where a neighbour complained about a guy who had his clothes-dryer on all night. So the landlord looked in, realised what it was, and told the cops. Then a full production lab was busted".

So who was behind the Hume Highway bust? Cops are tight-lipped, not wanting to compromise their investigation. But speculation is that with the bust taking place near Wodonga, a small town that is also home to several motorcycle gangs and a crime rate far higher than similarly-sized Australian communities, one crew may have heard about a rival's shipment and ratted it out to the police.

More telling, though, is that the amounts involved show a far greater ability of Australian drug peddlers to acquire the chemicals needed to make their own MDMA, rather than purchasing pills or powder from overseas. Says Davidson, "a tonne of precursors is ... an astonishing amount. We'd only thought people were making small batches, maybe ten to twenty kilograms at a time, but this really gives you an idea of the market".

The Sting in the Tail

With demand so high, it is clear that even with a ten-fold increase in resources, the police would be hard-pressed to make much of a dent in the local market for party. The urgent question thus becomes, are there chickens that will come home to roost from an entire generation's chemical bender, or is a young person's going out to a dance club and popping a few pills occasionally no more dangerous than him or her having a really big night at the pub? In the short term, that is probably correct: on any given weekend night, far more emergency department admissions will be made as a result of alcohol and the behaviours it inspires than as a result of MDMA or other party drugs.

"Drugs are always going to be a major factor in presentations at emergency departments, both for hyperventilation and dehydration as well as for people who might have had some underlying psychiatric problem", says Dr. Bob Batey, a clinical advisor at the National Drug and Alcohol Research Centre. "With that said, it's probably a minority of users who show up. At the moment, except for the people who show up with acute medical consequences – which are often a one-off – we don't have much long-term data."

While this may seem to give ecstasy a reasonably clean bill of health, or at least place it somewhere in the shouldn't-have-had-that-last-Bundy area of youthful overindulgence, Batey cautions that it's still early, so the full effects of the drug are still not yet known. And while he says that ecstasy definitely leads to structural changes in the brain and has problems associated with long-term depression, "we need more information before saying anything dogmatic about the substance".

Still, "people who say that pure MDMA is harmless are most probably wrong", says University of Sydney psychopharmacologist Dr. Iain McGregor, who explains that ecstasy works by flooding the brain with the neurotransmitter serotonin – a chemical that not only regulates mood, but is also thought to help memory and thinking skills. (Prozac and other anti-depressants in its class work specifically by preventing serotonin from being reabsorbed into the brain. This is not only why it works as a treatment for depression, but also explains the so-called "Prozac effect", in which healthy patients who take the drug report not only feelings of euphoria, but also sharper thinking and greater overall efficiency and brain function).

"Ecstasy may cause a surge in serotonin, but there is a sting in the tail: for weeks or months you may have lowered levels, and in the days after a binge, there is a documented depression", he says – a well-documented phenomenon amongst users, known as "suicide Tuesday". "Studies we've done in our lab here have found that if we give lab rats ecstasy regularly for three months they wind up with anxiety and poorer memory. Furthermore, if you've taken a huge amount of ecstasy and really knock down your serotonin levels, they may never recover to where they were before". Further weight to the ecstasy-depression link was uncovered recently by researchers at Cambridge University in England, who found that in people with certain genetic make-ups, MDMA could cause an increase in depressive symptoms.

But the bigger danger is mixing drugs, or worse, taking unknown substances – a message Davidson has been preaching for ages. If you have to take something, says McGregor, "you're better off with pure MDMA if you know that's what it is. It's certainly a lot better than methamphetamine [which is often sold as ecstasy], which has a different sort of toxicity. We see a lot of real problems when meth and MDMA are combined, especially by accident, because there is a real exaggerated toxicity".

Perhaps the most sobering words for ecstasy users come from Dr. Batey, who points out that "like cannabis ten years ago, we didn't think it was going to be a big problem, but anything that is altering the neurotransmitter system causes real concern for long-term potential damage": a lot of people may be able to go come through their experiences unscathed, but for users prone to depression or other psychological ailments, there could be a lot of agony after the ecstasy.

Posted by Ian Wishart at August 13, 2007 12:27 PM

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Detectives attached to the **Professional Standards Command** charged a NSW police officer with receiving a bribe, and a private investigator was charged with 44 bribery offences. The internal investigation, **Operation Burngoogie**, revealed the private investigator had allegedly been paying the senior constable for information for several years. Both were charged with corruption and bribery offences, and the Sydney-based officer has been suspended from duty. Inquiries are continuing.

The Robbery & Serious Crime Squad is responsible for investigating armed robbery, product contamination, extortion and kidnap for ransom. The team dismantled 32 criminal networks this reporting year.

Detectives from the **Crime Squad** teamed up with **Liverpool police** and arrested a man for attempted murder, armed robbery and shooting at the police to avoid apprehension. Police formed **Strike Force Hayle** after shots were allegedly fired at police during an armed hold up of a petrol station in Prestons in November 2006. An armed man stole a small amount of cash when a local patrol car drove into the service station. The offender allegedly opened fire on police and violently forced the console operator to open the rear door of the building. He fled over a back fence. Investigators recovered clothing and the pistol before identifying the offender, who was arrested later that day.

Strike Force Gitchell was established by the **Robbery & Serious Crime Squad** following the kidnap of a 19 year old man by four armed men in June 2006. Dedicated surveillance revealed the hostage's location, and police planned to negotiate for his release. However heavily armed officers from the Tactical Operations Unit were required to storm the location. They recovered the hostage safely, apprehended all four kidnapers and seized their firearms. All four offenders were charged with kidnaping, demanding money with menaces, and the possession of a firearm.

In July 2006, detectives from the **Property Crime Squad** teamed up with **Campbelltown police** to investigate a factory fire at Appin that caused about \$75,000 damage. In November 2006, a second fire totally destroyed the same factory and caused \$8,000,000 in damages. Investigations by **Strike Force Lalor** identified a suspect who was allegedly acting on instructions from another party. Arson was the only crime type here though; the offender who allegedly started the fire was also allegedly solicited to murder the owner of the business. Police maintained a covert investigation to identify all parties involved. Five people were arrested and investigations are continuing.

The **Middle Eastern Organised Crime Squad** dismantled an organised crime syndicate that allegedly controlled a drug distribution network in south western Sydney using extreme acts of violence. **Strike Force Mallinson** police arrested 15 key members of the syndicate on 35 charges including murder, robbery, firearm and drug related offences. The strike force was established to investigate a number of shooting murders and drive by shootings in the western suburbs of Sydney. The investigation, which commenced in 2002, alleged that the syndicate had been formed to take control of illegal criminal activities in the Fairfield area prior to infiltration from other organised crime groups.

The Gangs Squad was established to investigate serious gang related activity including murder, drug manufacture and distribution, firearms, extortion and kidnaping, and property offences.

Strike Force Clode was established to investigate escalating conflict between two outlaw motorcycle gangs (OMCG). In early 2006 several members of a Victorian based gang changed ('patched over') to another gang. Senior officers requested an unconditional ceasefire between the Queensland Crime & Misconduct Commission (OCMC), Queensland Police and the NSW Police Force. The drugs were allegedly sourced in NSW and trafficked to south eastern Queensland for distribution. On 21 February 2007, 49 search warrants were executed in Queensland and five in NSW, and 25 people were charged with trafficking.

Strike Force Danson dismantled the Byron Bay Chapter of an OMCG following an investigation into the cross-border distribution of methylamphetamine and cannabis by members and associates of the gang. **Strike Force Danson** was a joint investigation between the Queensland Crime & Misconduct Commission (OCMC), Queensland Police and the NSW Police Force. The drugs were allegedly sourced in NSW and trafficked to south eastern Queensland for distribution. On 21 February 2007, 49 search warrants were executed in Queensland and five in NSW, and 25 people were charged with trafficking.

Fraud investigations are usually financially complex and require specialist technical knowledge.

Members of the **Fraud Squad** investigated an account manager of a national corporation, who was allegedly producing fraudulent tax invoices for his partner. The investigation revealed the invoices related to services that fell under the offender's normal financial delegation. Alleged payments were transferred from the corporation's accounts to private business accounts. The offender used the money to fund luxury travel, accommodation and purchases for himself, family and friends. He was charged with 25 offences relating to the taking of \$980,000.

In another investigation, Fraud Squad police identified a **former police officer** from China who had refined the production time of fraudulent identification packages to just 30 seconds. A search warrant conducted at his home in Sydney revealed thousands of fraudulent identification documents and 167 individual photos of people. These were allegedly being used to manufacture fake NSW drivers' licences. The offender was arrested and charged with 38 offences.

The Firearms & Regulated Industries Crime Squad (FRICS) disrupted or completely dismantled six criminal networks this reporting year.

Strike Force Woolisia dismantled an organised syndicate allegedly distributing firearms between Sydney and Albury. Working together, **police from Albury and FRICS** arrested two men charged with possess prohibited weapons, multiple drug offences and dealing with property suspected of being the proceeds of crime. On 6 October 2006 in Sydney police seized \$1000 cash, 18 tablets believed to be MDMA (ecstasy) and a small amount of cannabis. At the same time in Albury, police seized a high powered crossbow with scope and nine crossbow bolts.

Strike Force Westgrove interrupted an organised crime syndicate allegedly involved in trafficking firearms. Two men were arrested in October 2006 after attempting to sell 10 sub machine pistols. Forty charges were laid as a result of

search warrants in the Parramatta, Blacktown and Granville areas.

State Crime Command's Drug Squad dismantled an interstate drug trafficking ring and seized drugs worth an estimated potential street value of \$2 million after the following arrests.

In May last year, a man was charged with supply prohibited drug (commercial quantity). Police seized 2000 MDMA (ecstasy) tablets with an estimated potential street value of \$1 million at Sydney Airport. At Tweed Heads in May 2006, two men were charged with supply prohibited drug (commercial quantity). Methylamphetamine, crystal methamphetamine (ice), cannabis, MDMA (ecstasy) tablets and cocaine were seized, with an estimated potential street value of \$200,000.

In October 2006 also at Tweed Heads, a man was charged with supply prohibited drug (large commercial quantity) and other drug offences. Police seized 3000 MDMA (ecstasy) tablets with an estimated potential street value of \$150,000. At Redfern in October 2006 a man was charged with supply prohibited drug (commercial quantity). Police seized 280 grams of crystalline methylamphetamine (ice) with an estimated potential street value of \$140,000.

At Sydney in October 2006, police seized 2.05 kg of crystalline methylamphetamine (ice), with an estimated potential street value of \$1 million. Two men were charged with supply prohibited drug (large commercial quantity) and other drug offences.

Police also charged alleged offenders with drug offences after they were arrested in Prestons, Randwick, Byron Bay and on the Gold Coast.

Strike Force Puckey smashed a large scale, multiple location drug manufacturing enterprise after a three month investigation. In late July 2006 a series of search warrants were conducted by **Drug Squad** and **Wollongong police**. Police located a large MDMA manufacturing site at Tarago south west of Sydney; a recently imported multi-stage commercial pill pressing machine at an office in Bondi Junction; a pseudoephedrine extraction operation in Redfern and stored chemicals at other areas of Sydney. Four people were charged with supply prohibited drug (commercial quantity) and manufacture of MDMA (ecstasy) and methylamphetamine (ice).

Strike Force Ballow arrested four people in relation to an elaborate drug manufacturing and supply enterprise after a lengthy and intensive investigation. In August 2006, Drug Squad detectives executed four search warrants in Sydney and located large quantities of prohibited drugs including 8 kg of MDMA (ecstasy) pills and 500 grams of methylamphetamine. Police seized stockpiles of various precursor chemicals, scientific apparatus, a pill press machine and firearms.

Strike Force Kurnal dismantled a large scale MDMA (ecstasy) manufacture enterprise in September 2006, after a four month operation. A highly elaborate drug manufacturing plant was discovered in a factory at Kurnell, and a related pill pressing operation and over 1 kg of MDMA powder discovered at Terrey Hills. Large quantities of precursor chemicals and scientific apparatus were also located stored at a rural property at Yenderra.

In January 2007, after a 15,000 MDMA (ecstasy) pill seizure, police dismantled a large MDMA clandestine laboratory on a rural property in NSW. Working with another Australian law enforcement agency and local police, **Strike Force Polis** seized approximately 6 kg of MDMA (ecstasy) powder, a large stockpile of stored drug related chemicals and scientific apparatus, a large pill press machine and eight firearms. The principal building appears to have been purpose built for the manufacture and storage of drugs, apparatus and firearms, complete with several hidden rooms and compartments.

After a lengthy investigation of large scale methylamphetamine manufacture in NSW, **Strike Force Jirrah** police executed five search warrants in April 2007. Police seized stored chemicals and apparatus at several sites allegedly used in the manufacture of drugs. Two sites were found to be commercial scientific laboratories, both contained large and sophisticated clandestine drug laboratories allegedly used to manufacture illicit drugs.

The Asian Crime Squad investigations include large scale drug importation and distribution, money laundering, counterfeit credit card fraud, murder, extortion, prostitution, kidnapping and illegal immigrants.

Strike Force Gourlay dismantled a drug syndicate based in the Sydney CBD that was trafficking large amounts of drugs to the central west of NSW. As a result of ongoing investigations between the **Asian Crime Squad** and **Cowra police**, nine people were charged with 54 offences relating to the commercial supply of drugs, possession of weapons and proceeds of crime offences. In addition to \$62,000 in cash and several firearms, police also uncovered approximately 6 kg of cannabis, 1 kg of crystal methamphetamine (ice), 130 gm of MDMA (ecstasy), 248 gm of cocaine and 170 gm of heroin valued at nearly \$800,000.

Strike Force Mibbin dismantled an importing network of drug couriers who were importing heroin from Vietnam to Sydney. This was an extremely difficult investigation as the offenders entered the country sporadically over a few months. At the end of this reporting year, 13 charges had been laid by the **Asian Crime Squad** against eight people. Approximately 2.5 kg of heroin was seized with a street value of \$930,000.

Strike Force Whitbeck dismantled an entire drug distribution syndicate charging four people with 28 offences relating to the commercial supply of drugs in the north western suburbs of Sydney. Asian Crime Squad police seized 7.5 kg of cocaine, 64 kg of MDMA (ecstasy), 2 kg of crystal methamphetamine (ice) with an estimated street value of \$1.27 million, a 10 stage rotary pill press, five firearms and \$700,000 cash.

Investigations involving children as victims or witnesses can be a particular challenge to police.

Strike Force Norah, involving officers from **Leichhardt LAC** and **Bankstown Joint Investigation Response Team (JIRT)**, charged an offender with aggravated indecent assault against a five year old girl. In December 2006, the child was playing at a school in Annandale when she went in to a neighbouring yard to retrieve a ball. At this time it was alleged that she was indecently assaulted by a man. With the help of forensic evidence, including DNA and fingerprints, police arrested a man for kidnapping, aggravated indecent assault, common assault, break enter and steal, and outstanding warrants.

While we rely on technology, the experience of our investigators is critical to every investigation.

As a result of experienced investigators doggedly following every lead, **Strike Force Rainville** police charged a man with multiple counts of aggravated sexual assault. The strike force was formed as a result of two separate attacks on women in bushland within the Lane Cove National Park in mid December 2006 and mid January 2007. On each occasion, the victim was attacked while walking along a track known as Terry's Creek Walk in Marsfield. Police from the **Sex Crimes Squad** and **Eastwood LAC** joined forces and identified a man with the help of DNA and other forensic evidence. He was arrested and charged with multiple counts of aggravated indecent assault, aggravated sexual assault and robbery. At the end of this reporting year forensic examination and investigations regarding further offences were continuing.

Operation Vikings began in 2002 as our primary high visibility policing strategy, targeting antisocial behaviour, alcohol related crime, street level drug possession and traffic offences.

The most successful operation this year was conducted over three days across all six regions within the state. As a result 3,064 police were deployed resulting in 661 arrests, 1,107 charges, 781 person searches, 786 move on directions, 111 possess/supply drugs, 23,782 random breath tests, 195 alcohol offences, 230 arrests for outstanding warrants or breach of bail and 2,073 infringement notices issued.





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Sask. woman wins legal battle against drug dealer

Last Updated: Tuesday, January 8, 2008 | 5:49 PM CT
[CBC News](#)

A Saskatchewan woman who says she nearly died from an overdose of crystal meth is claiming a legal victory over the man she claims sold her the street drug.

Sandra Bergen was suing Clinton Davey, but earlier this month a Saskatoon judge struck down his statement of defence after he failed to answer questions in a legal proceeding.

That means Davey is not in a position to dispute liability and the case will go back to court to determine damages, Bergen's lawyer Stuart Busse said.

Bergen says her win may be by default, but she'll take it.

"He can't go to court now and say 'I'm not responsible,'" she said Tuesday.

Bergen said after she overdosed on the drug in May 2004, she nearly died of a heart attack. Then 19 years old, she spent 11 days in a coma and was left with a number of

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long-term physical ailments.

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Bergen and her parents filed their lawsuit for negligence more than two years ago, but in examinations for discovery Davey would not say where he got the drugs.

And so, with Davey's consent, the judge threw out Davey's defence.

A court date to discuss damages hasn't been set yet, Busse said.

The exact amount they'll be seeking hasn't been calculated, but it will be in excess of \$50,000, Busse said.

Busse said the case sets a precedent in that it lets people know they can sue in such circumstances. The case hasn't been heard in a criminal court.

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Bergen said cash in her pocket is not really what she was after — she just wanted to show drug dealers that they stand to lose whatever they have now.

"You know, it's a lot bigger than me," she said. "And it's a lot bigger than this particular drug dealer."

In the meantime, Bergen is putting her life back together, telling her story through a website and speaking to students and young people, with hopes of saving them from the agony she has been through.

Davey wasn't available for comment on Tuesday.

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Crystal meth FAQs

CBC News Online | September 19, 2006

On Sept. 19, 2006, a task force looking into what's been called a crystal-meth crisis in Alberta released its report, calling for more treatment and prevention programs, as well as for tougher penalties for meth-related crimes.

Clandestine methamphetamine laboratories seized in Canada	
1998	2
1999	14
2000	24
2001	13
2002	25
2003	37

Source: RCMP Synthetic Drug Operations

The 83 recommendations also include more addiction counsellors in schools, a province-wide advertising campaign and more specialized police units.

Alberta isn't alone in dealing with the problem of crystal meth. According to the RCMP, 40 meth labs were seized across the country in 2004. The greatest numbers were reported in B.C., followed by Alberta, Ontario, Manitoba, Quebec and Saskatchewan.

Experts say that crystal meth is no longer just a western problem; it's moving east, with drug treatment centres in Toronto and Montreal noticing a recent surge in cases.

What is amphetamine?

Amphetamine (scientific name a-methylphenethylamine) is a synthetic drug that stimulates the heart and respiration, constricts blood vessels and induces sleeplessness. It was originally marketed as Bensedrine in North America in the 1920s and in the U.K. in the mid-'30s for suppressing appetite or preventing narcolepsy.

Amphetamines were available over the counter and quickly became a favorite street drug known as "pep pills" or "Bennies."

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The United States air force used it during the Second World War to keep pilots awake on long missions. There were reports that it was one of the drugs used in "brainwashing" by the Communists in the 1950s, and it was also used as a performance-enhancing drug by athletes.

In most countries, amphetamine was severely restricted beginning in the 1950s and is available by prescription, in restricted amounts, for narcolepsy and to control weight. A number of chemical cousins in the amphetamine group are used in low doses for the treatment of Attention Deficit Disorder.

How does amphetamine work?

Amphetamine increases the amount of dopamine in the brain. In very low doses, used for ADD, the amphetamine family stimulates the brain but actually slows down the patient, increasing attention spans and decreasing impulsivity. Slightly higher doses can cause decreased hunger and bring on weight loss.



Crystal methamphetamine

Negative effects include disturbed sleep patterns and loss of REM dreaming sleep, hyperactivity, nausea, delusions of power, increased aggressiveness and irritability. Long-term negative effects, in high doses, can include heart, liver, kidney and lung damage.

What is methamphetamine?

Methamphetamine is a chemical variation, one that has a much stronger effect on the central nervous system than the original drug.

Methamphetamine, in low doses, can be used to treat ADD, narcolepsy and, for short periods of time, obesity.

In higher doses, it is more addictive than the original drug and has a greater "rush" for the recreational or addicted user, followed by increased agitation and possibly violence in some individuals.

How does methamphetamine work?

According to the U.S. National Institutes of Health, methamphetamine releases much higher levels of dopamine than the original drug.

It became a common street drug known as "speed" in the 1960s, usually taken in pill form, but lost popularity after a number of incidents that spread the warning that "speed kills."

"Meth" was not a drug of choice through much of the 1970s and 1980s. In the late 1980s, a smokable, crystal form was created, perhaps in Asia, and then surfaced in California in the 1990s. It has increased in popularity among drug users in the past decade-and-a-half.

The low-dose prescription form is known as Dexedrine or Desoxyn and is generally used to treat ADD. It is not recommended for patients with high blood pressure or with a previous history of addiction or alcoholism.

After it is taken in oral form, methamphetamine stimulates brain cells, which in turn initially enhances mood. The user experiences increased wakefulness and physical activity, and decreased appetite. For some patients, even low doses can be addictive.

With street-level and higher doses of methamphetamine, especially if it is

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smoked or injected, the user immediately experiences an intense "rush" (also called a "flash") that causes intense pleasure but only lasts a few minutes. Users can become addicted and dependent quickly, needing more and higher doses as the addiction progresses.

In street and high doses, methamphetamine causes irritability, insomnia, confusion, hallucinations, anxiety, paranoia and increased aggression. In even higher doses, hypothermia and convulsions can cause death.

When the body is stimulated by methamphetamine, the drug can cause irreversible damage. The increased heart rate and blood pressure damage blood vessels in the brain, which can cause strokes, or irregular heart beat, which can cause cardiovascular collapse and death. By vastly increasing the release of dopamine, methamphetamine appears to damage brain cells, eventually actually reducing the amount of dopamine available to the brain, causing symptoms similar to Parkinson's disease and severe depression, or both.

What is crystal meth?

Crystal meth is one street form of the drug, methamphetamine hydrochloride, which comes in clear, chunky crystals, which are then inhaled or smoked. It is also called "ice," "crystal," "glass" and "tina."

Crystal meth can be easy to produce in small, clandestine labs, sometimes in a kitchen or bathroom, by mixing a cocktail of about 15 substances, mostly pseudoephedrine (a cold remedy), red phosphorous and iodine, but also including ammonia, paint thinner, ether, Drano and the lithium from batteries.

Police say an investment of about \$150 can yield up to \$10,000 worth of the drug.

But the resulting drug is often impure and the manufacturing process can be dangerous and cause fires.

Crystal meth has become the most widespread and popular form of the drug, largely because it is so easy to make that anyone can set up a lab (instructions are widespread on the World Wide Web), but also because motorcycle gangs, which are becoming dominant in organized drug trafficking, usually sell the drug.

What is crank?

"Crank" is a smelly, yellow form of "meth" that is usually snorted. Crank is usually the cheapest form of the drug.

What is lith?

"Lith" is short for the lithium taken from batteries in the manufacturing process. Lith comes in a paste form that is usually smoked. It is more expensive than crank but cheaper than the crystal form.

Who uses crystal meth?


According to mental health workers, police and research scientists, the people who use crystal meth include:

- Large numbers of rural and small town poor across North America.
- Some young people in the rave and dance scene.
- Some young people who want to lose weight.
- Gay males involved in the dance scene or who frequent bathhouses.

Addiction experts say crystal meth first became popular in poor areas of rural North America for a number of reasons. It was a cheap high and, in

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initial stages of use, it actually gave the energy that allowed the user to keep working. It was also considered "cool" by young people who did not have big-city connections to other street drugs.

A recent Statistics Canada survey of teenagers showed that among those who answered questions about drug use:

- 34 per cent had tried marijuana.
- 4 per cent had used ecstasy.
- 3 per cent had used crack cocaine.
- 2 per cent had used crystal meth.
- 1 per cent had used heroin.

What is a tweaker?

A "tweaker" is a term for a crystal meth user that came out of the U.S. rural Midwest and has become increasingly common as the media and the entertainment industry picked up the term.

Is there a connection between crystal meth and ecstasy?

Police say that in some areas, crystal meth is replacing ecstasy as the drug used by teenagers and young adults in the rave and dance scene.

In many areas, crystal meth is cheaper, at \$10 for a "point" or about one-tenth of a gram. An ecstasy hit, or tablet, can cost twice as much, about \$20.

The RCMP say that some of the drugs seized at parties or dances that were sold as ecstasy were, in fact, crystal meth. As well, the police say that some dealers give out "free samples" at parties or in the dance scene, in hopes of hooking new customers.

On the other hand, police and addiction counsellors say that some "street-wise" kids are on to that and try to avoid crystal meth either directly or disguised as ecstasy.

Can an addict recover?

Experts say that crystal meth is one of the most addictive street drugs and one of the hardest to treat. Addiction counsellors say the relapse rate of 92 per cent is worse than cocaine.

The withdrawal symptoms, especially the depression and physical agony, are reported by addiction counsellors to be worse than heroin or cocaine, and often addicts will drop out of recovery programs.

This situation is worse in the United States than in Canada because patients in the U.S. usually have inadequate health insurance or none at all. Those American patients in managed care programs are often cut off before treatment is complete. In Canada, however, provincial health insurance and government recovery programs can help the addict recover.

With increasing use of the drug, there are strong indications that users suffer brain damage, including memory impairment and an increasing inability to grasp abstract thoughts. Those who do manage to recover from addiction and retain memory and the ability to function in society are usually subject to some memory gaps and extreme mood swings.

[^TOP](#)

Umedaly named chair of BC Hydro board

Vancouver Sun

Friday, December 14, 2007

Xantrex Technology chairman Mossadiq Umedaly will succeed Larry Bell as chairman of the BC Hydro board of directors.

Energy, Mines and Petroleum Resources Minister Richard Neufeld said it was "an opportune time" for Umedaly to step into the top role, in light of the introduction earlier this year of an updated provincial energy plan.

That plan includes requirements for Hydro to add new power sources and ambitious electricity conservation targets over the next decade, as well as transform the crown corporation from a net energy importer to a net exporter.

"Mr. Umedaly's demonstrated leadership in business and the energy sector will be a valuable asset in the continued implementation of the B.C. Energy Plan that we released this year," Neufeld said in a news release. "BC Hydro has done an impressive job under Mr. Bell and I look forward to working with the new chair."

Bell is retiring after serving as chair of BC Hydro since 2001.

Umedaly served as the chair of the Premier's Alternative Energy and Power Technology Task Force and was chief executive officer of Xantrex before ascending to the role of chair.

He previously held senior positions with Ballard Power Systems, Aga Khan Development Network and began his career with PricewaterhouseCoopers. He is currently a member of the Premier's Technology Council and British Columbia's Climate Action Team, the release said.

He exited from Ballard with a massive golden-handshake, courtesy of his Aga Khan friend, Firoz Rasul, who supported him in switching chairs.

VANCOUVER — Almost a year into his new, unpaid job as president of the Aga Khan University in Pakistan, Firoz Rasul is working flat out to expand the secular institution's reach through programs in Africa, Afghanistan, Syria and Egypt. That mandate sees the former Ballard Power Systems Inc. chief executive officer tapping a deep network of contacts, including Canadian medical and technology specialists who are donating their time and expertise to AKU projects, and working with Canadian universities on initiatives such as AIDS research.

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MOSSADIQ S. UMEDALY

CHAIRMAN**Mossadiq S. Umedaly, B.Com, MBA, FCA, ICD.D**

SEC later required that golden- handshake agreements with target board members had to be publicly disclosed to shareholder of both companies at the time of the buyout offer.



Mossadiq S. Umedaly is the Chairman of Xantrex and was previously the Chief Executive Officer from 1999 to 2003. During this time he repositioned and transformed the company from a small niche player to a world leader in advanced power electronics. His focused business strategy, targeted at high growth markets, has helped Xantrex grow its revenues from US\$10 million in 1998, to an estimated US\$230 million in 2007.

Umedaly is also the Chairman of BC Hydro, one of North America's leading providers of clean, renewable energy, and the largest electric utility in British Columbia, serving approximately 95 per cent of the province's population and 1.7 million customers, with revenues greater than \$4 Billion.

From 1990 to 1998, Umedaly was the Vice President and Chief Financial Officer of Ballard Power Systems, the world's leading fuel cell company. At Ballard, he played an instrumental role in securing key strategic partnerships and in developing, financing and positioning the company for growth. During this period, the value of the company increased from US\$10 million to US\$6 billion.

Umedaly has also held senior positions in the Aga Khan Development Network, playing a key role in planning, developing and operating a US\$300 million medical university and teaching hospital in Karachi as the Director of Finance, Planning & Information Systems. He started his career in 1975 with Price Waterhouse and spent five years in their Toronto and Rome offices.

In April 2005, Umedaly was appointed by the Premier of British Columbia to lead the Alternative Energy and Power Technology Task Force to develop an implementation plan for the "Vision to Grow a World Class Power Technology Cluster in a Sustainable British Columbia," a report which he authored. The Premier and the Government of British Columbia have since adopted most of the recommendations contained in the report in the Province's Clean Air and Energy Plan.

Umedaly is a member of the Premier's Climate Action Team and the Premier's Technology Council in British Columbia. He is a member of the steering committee of the Institute of Climate Change Solutions at the University of Victoria and serves on the advisory boards for the Faculties of Business at Simon Fraser University, British Columbia and McMaster University, Ontario. He is also a director of the Vancouver Board of Trade, a board member of the US Department of Energy's National Centre for Photovoltaics, and a member of the David Suzuki Foundation's Business Council on Sustainability.

Umedaly holds a Bachelors and Masters degree in Business Administration from McMaster University, is a Fellow of the Canadian Institute of Chartered Accountants, and he is a Institute-certified Director, ICD.D, from the Institute of Corporate Directors.

He has received a number of awards for his accomplishments in business and contributions to society. Most recently, in November, he received the Leadership award from the BC Export Awards and, in September, the 2007 North American Alternative / Renewable Energy Lifetime Achievement Award from Frost & Sullivan. In 2004, he received Ernst & Young's Pacific Region Entrepreneur of the Year for the Technology and Manufacturing category, and in 2003 he received the British

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EXECUTIVE MANAGEMENT

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- ▶ Vice President and Chief Financial Officer
- ▶ Vice President, Business Development
- ▶ Vice President, Wind and European Solar Business
- ▶ Vice President, Operations and General Manager, Mobile
- ▶ Vice President, Human Resources

DIRECTORS

- ▶ Mossadiq S. Umedaly
- ▶ John Wallace
- ▶ David Levi
- ▶ Christopher S. Brothers
- ▶ Anthony Bloom
- ▶ Larry Sanders

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Columbia Technology Industries Association's award for Person of the Year and the Wayne C. Fox Distinguished Alumni Award from McMaster University's DeGroote School of Business.

Umedaly strongly believes in giving back to the community and society. Throughout his career he has played an important role in many philanthropic organizations and has been a significant contributor in the form of time, knowledge, and capital. Over the last twenty years his philanthropy has been directed to organizations such as: [Aga Khan Foundation](#), United Way, BC Cancer Agency, various universities in Canada, Focus International, Canadian Network for International Surgery, and the Uganda Clubfoot Project which has since been adopted in several African and Latin American countries.

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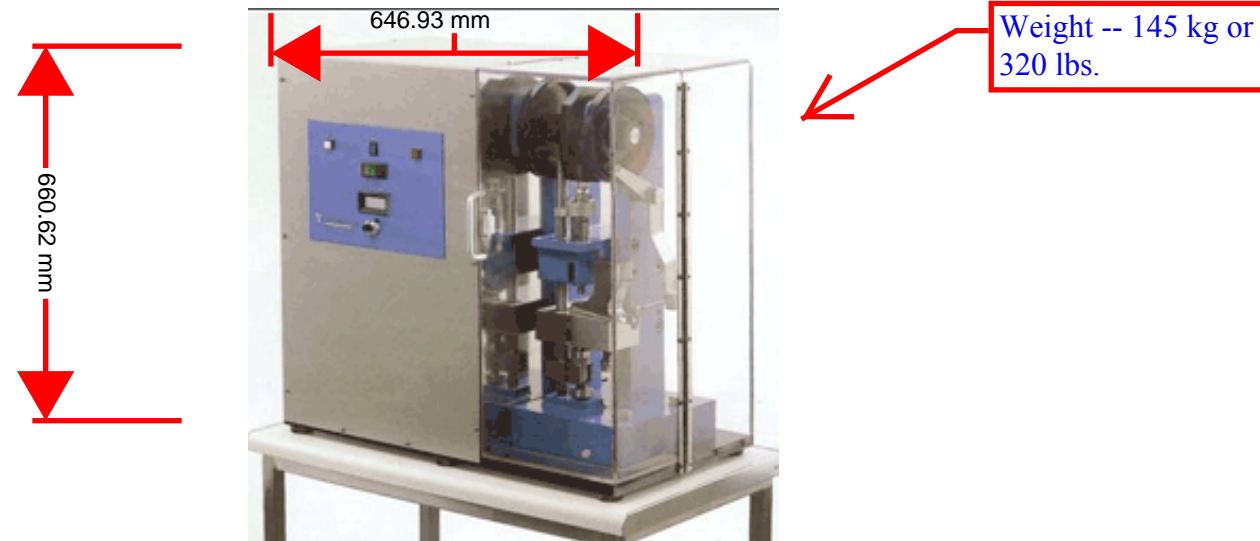
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1. Structure: This machine is made up of flake pressing axis, strip-out axis, pill making axis, polishing canister, dried board, motor, and electrical equipment etc.
2. Working Principle: Put the mixture (the proportion of sweet and medicine is 1:1) as the agglomerate into the flake pressing slot to press, then take out of the flaking medicine to put into the strip slot, then thwart put the medicine strip into the pill making slot to make into pills.
3. Send the pilling into the polishing canister to polish and dry.

Main Technical Specifications:

Electric source: 110/220V 180W

Rotary speed: 1400r/min

Pill-making specification: $\Phi 3$ - $\Phi 8$ mm

Weight: 30kg

Overall size: 650x270x300mm

Typical load of common light duty kitchen appliance

Contact Information

Company Name: Sunking Pharmaceutical Machinery Co., Limited

Contact Person: Jessica Xie [✉ Contact Now](#)

Address: Lane 51, Longcao Rd, Shanghai, Shanghai

Zip: 200235

Phone: 0086 21 64828419

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This includes a cabinet for washing up hands inside the unit.



Vancouver police board watchdog questions decals urging "Support Our Troops" on squad cars

By Charlie Smith

Publish Date: August 23, 2007

Rider Cooley, a persistent watchdog over the Vancouver police board, has asked for a review of a decision to post decals on Vancouver police vehicles expressing "Support Our Troops" in Afghanistan.

B.C. Conflict of Interest Commissioner **H.A.D. Oliver** serves as the ethics advisor to the Vancouver police board. In a recent e-mail to the police board, Cooley stated that the advisor (Oliver) should review the board's decision to approve the use of the decals, which resulted from a request from former chief **Jamie Graham**.

Graham was raised in a military family.

"The decals suggest--not to everyone, but to many--VPD political support for federal government policy," Cooley wrote. "That clearly mixes politics and policing."

Board vice-chair **Dale Parker** had earlier written to Cooley saying the board shared the chief's objective of showing support for the troops, and stated that this should not be interpreted as taking a position of sending troops to Afghanistan.

"I am not aware that he consulted the Ethic's [sic] Advisor as I doubt that he nor the Board members felt it was a matter of ethics," Parker wrote.

Cooley responded with three points:

1. "Ethical problems arise most often when decisions are assumed to include no ethical dimension."
2. "The decals indisputably concern a federal political decision. I believe putting them on VPD vehicles creates an ethical issue--as demonstrated by basic logic, by media coverage, and by the decision of the Calgary Police."
3. The decals are a problem when vehicles and motorcycles are used in policing

demonstrations: a) they are provocative b) They undermine the political neutrality essential for fair policing.

There's a certain irony in the appointment of Oliver, a former B.C. Supreme Court justice and one-time lawyer who sometimes defended drug dealers, as the board's ethics advisor. When Oliver was named as the conflict of interest commissioner in 1997, he was criticized by a retired VPD drug cop, Don Keith (see below).

In the same article, a now-deceased former RCMP drug cop, **Smokey Stovern**, quipped that if Oliver applied the Charter of Rights as conflict commissioner in the same manner as he did as a judge, the politicians had nothing to worry about.

HERE'S THE ARTICLE IN FULL, BY RUSS FRANCIS, WHICH APPEARED ON AUGUST 14, 1997:

By Russ Francis

B.C.'s new conflict-of-interest commissioner, Herbert Arnold Dimitri Oliver—who told legislature reporters when he was appointed July 30 that he prefers to be called "H.A.D. Oliver"—is no stranger to conflict in his previous roles as a criminal defence lawyer and B.C. Supreme Court judge.

Vancouver author Carsten Stroud was highly critical of Oliver, now 76, in his 1993 book *Contempt of Court*, which devotes most of one chapter to a B.C. Supreme Court case heard by Oliver. Stroud wrote that Oliver, who served as a B.C. Supreme Court judge from 1990 to 1996, hates Section 495 of the Criminal Code, the section that lets police arrest anyone who they believe "on reasonable grounds" has committed or is about to commit an indictable offence.

In considering the 1991 case of accused drug dealer Alexander Cayer, Oliver decided that both Cayer's arrest and the police search of Cayer's residence without a warrant was illegal—despite the fact that police found a syringe, \$1,300, and two ounces of cocaine on Cayer after arresting him. Wrote Stroud: "A search of an addict's residence is standard procedure, as Oliver well knows, since he made one hell of a nice living defending this sort of person for many years..."

The charge against Cayer followed his arrest after police watched him meet a known cocaine and heroin dealer, David Lim, at the Shell gas station at the corner of Davie and Burrard streets in downtown Vancouver in August 1989. Police watched the two through binoculars from the opposite corner.

But despite Lim's 1989 conviction for possession for the purpose of trafficking, as well as other charges, Oliver felt the arresting officer had no more than a suspicion about Cayer—not enough to justify a search. Oliver found that the search violated the accused's rights under Section 8 of the Charter of Rights and Freedoms. "What if Lim set up something like a lemonade stand with a big COCAINE sign on it?" asked Stroud in his book.

Another person unhappy with Oliver's decision in the Cayer case is ex-inspector Don Keith, who headed the Vancouver police drug squad for five years before retiring in 1992. "He was incorrect that the police went too far," Keith told the Georgia Straight, referring to Oliver. "Not only should he have allowed the search, he should have found the guy guilty of possession for the purposes of trafficking.

"I would have thought it was a drug deal going down," added Keith about the meeting between Lim and Cayer. "In the Cayer case, I think that any ordinary person listening to the evidence would have said there's nothing wrong with this search."

Keith said he regards Oliver as a very capable lawyer and judge. "My argument with him is how they invoked the charter [of Rights and Freedoms] in this particular case," he said. "When they exclude evidence in many cases, it brings the administration of justice into disrepute."

Retired RCMP drug cop Smokey Stovern wouldn't comment on any of Oliver's decisions, but Stovern said he doesn't like the way some judges have interpreted the charter, and he hopes Oliver will rely on other rules in his new job.

"If the good ex-judge uses the Charter of Rights and Freedoms as his guide, then God help us all," Stovern said. "There isn't a politician alive that would have any worries."

Source URL:

<http://www.straight.com/article-107479/vancouver-police-board-watchdog-questions-the-ethics-of-message-for-the-troops>

Perfect likeness of
lawyer Keith Oliver
see next page

Looks exactly like his son.



Hon's lawyer, **H.A.D. Oliver** who later went on to become a judge and a **conflict-of-interest commissioner**, applied for the case to be thrown out on a technicality involving the law.

Three months later, a Federal Court judge agreed with Hon's lawyer and ordered the extradition hearing stopped.

Hon's lawyer, **H.A.D. Oliver**

Hon is released, bail is discontinued and his three passports returned. The government of Canada appealed this ruling to the Federal Court of Appeals Canada.



Originally Posted - October 18, 2006

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Bankruptcy Fraud Now Priority For FBI

WASHINGTON---As part of an ongoing effort to maintain the continued integrity of the U.S. bankruptcy system, the FBI and other federal agencies announced Wednesday that 78 defendants had been named in bankruptcy fraud cases across the nation in the past two months.

"Our bankruptcy system relies on good faith, it depends on the integrity of the debtor and the idea that there exists a reasonable expectation that those who loan money should be repaid," said James "Chip" Burrus., FBI assistant director for the Criminal Investigative Division.

"The abuse of this system by an individual debtor or a professional within the system undermines not only the rehabilitation aspect, but the integrity of the system as a whole," Burrus said.

Since Aug. 1, the FBI has charged 48 subjects and arrested 11 individuals through "Operation Truth or Consequences." The operation was a joint effort with the U.S. Attorney's Offices, the U.S. Trustee Program, and numerous other federal agencies, and was announced at a press conference Wednesday.

The public can now submit tips on suspected bankruptcy fraud through a new page on the website of the U.S. Trustee Program. A component of the Department of Justice, the U.S. Trustee Program oversees the administration of bankruptcy cases and private trustees.

Bankruptcy fraud takes four general shapes:

- When a debtor conceals assets to avoid forfeiting them
- When individuals file false or incomplete forms
- When an individual files numerous times, either by using real information in several states or by using false information

In addition, bankruptcy fraud often involves other serious crimes such as mortgage fraud, identity theft, money laundering, and public corruption.

"Bankruptcy fraud is often the tip of the criminal iceberg, and that makes these prosecutions so important," said Deputy Attorney General Paul J. McNulty.

Bankruptcy relief has become more widely accepted in the past decade, as the stigma attached with filing for the protection has diminished. The increase in filings, however, has led to more cases of suspected fraud.

The FBI has initiated a three-prong strategy to reduce the number of fraudulent filings.

- Targeting individuals and business that conceal assets
- Targeting individuals who make fraudulent multiple interstate bankruptcy filings and
- Targeting bankruptcy fraud where it is associated with another criminal enterprise

For more information about bankruptcy fraud or to report bankruptcy fraud, see <http://www.fbi.gov/page2/oct2006/bankruptcy101806.htm> 10-18-06

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Department of Justice

UNITED STATES ATTORNEY'S OFFICE
EASTERN DISTRICT OF MISSOURI

CATHERINE L. HANAWAY
United States Attorney

NEWS RELEASE

For further information: Call Public Affairs Officer Jan Diltz at (314) 539-7719

February 6, 2007
For Immediate Release

FOUR AREA PEOPLE INDICTED ON MORTGAGE FRAUD CHARGES

St. Louis, Missouri: Bennie Clark, Michael Jackson, Robert Casey and Donna Brown were indicted for their involvement in a mortgage scheme involving several St. Louis area properties, United States Attorney Catherine L. Hanaway announced today. Additionally, Ms. Brown is charged with bankruptcy fraud.

"Mortgage fraud not only harms lenders, it can have adverse impact on entire neighborhoods, as home values can be adversely affected," said Hanaway. "The United States Attorney's Office will continue to vigorously pursue such schemes to defraud."

"The charges brought against these individuals are a further indication that the FBI will continue to provide the resources needed to combat mortgage fraud activity in our area," added Roland Corvington, Special Agent in Charge, FBI-St. Louis.

Bernard Ferguson, Postal Inspector In Charge of the St. Louis Division of the U.S. Postal Inspection Service said, "Protecting the public against misuse of the mail is an important part of the Postal Inspection Service mission. Whenever someone uses the mail to commit mortgage fraud or other financial crimes, we will aggressively investigate them."

Bennie Clark worked in the mortgage brokerage field as owner and operator of World Wide Financial, LLC, providing mortgage-related services at an office located in St. Louis County. Michael Jackson was a business associate. Donna Brown worked for Clark and World Wide Financial providing loan application processing and working with title companies. Robert Casey was a straw buyer for Clark and Jackson and had a personal relationship with Brown.

The indictment alleges that between November 2002 and October 2003, these four defendants devised a scheme to defraud mortgage lenders by having a straw buyer purchase residential properties and then resell those properties at a fraudulently inflated price to a second buyer. The values were inflated by securing false appraisals. Typically, the second buyer's loan application included false representations. The sale to the second buyer was sometimes closed on the same day as the straw buyer's purchase of the property. The closings were often conducted in "reverse order." In this way, the proceeds from the second buyer's loan were used to pay for the first straw buyer's purchase. The straw

buyer would then give the proceeds of the sale to Bennie Clark.

Finally, the indictment alleges that on March 13, 2003, Donna Brown filed a bankruptcy petition under Chapter 7 of the Bankruptcy Code in United States Bankruptcy Court in the Eastern District of Missouri and failed to disclose her employment with World Wide Financial, LLC and Bennie Clark.

BENNIE CLARK, Lake St. Louis, was charged with one count of conspiracy to commit fraud, three counts of wire fraud, two counts of mail fraud and four counts of money laundering. MICHAEL JACKSON, Hazelwood, was charged with one count of conspiracy to commit fraud, three counts of wire fraud and two counts of mail fraud. DONNA BROWN, Lake St. Louis, was charged with one count each of conspiracy to commit fraud, wire fraud, mail fraud and bankruptcy fraud. ROBERT CASEY, Lake St. Louis, was charged with one count each of conspiracy to commit fraud, wire fraud and mail fraud.

If convicted, each conspiracy count carries a maximum penalty of five years in prison and/or a maximum fine of \$250,000; each wire and mail fraud count carries a maximum penalty of twenty years in prison and/or fines up to \$250,000; and each money laundering count carries a maximum penalty of ten years in prison and/or a maximum fine of \$250,000. The bankruptcy fraud count carries a maximum penalty of five years in prison and/or fine up to \$250,000.

“A bankruptcy filing is often the last step in a series of criminal acts, including mortgage fraud, wire fraud, mail fraud and conspiracy, stated Nancy J. Gargula, United States Trustee for Missouri, Arkansas, and Nebraska (Region 13). The indictment announced today sends a clear message to those who abuse, for their own criminal financial gain, the bankruptcy system’s promise of a fresh start to honest debtors. The U.S. Trustee Program is the component of the Justice Department that protects the integrity of the bankruptcy system by overseeing case administration and litigating to enforce the bankruptcy laws.

Hanaway commended the work performed on the case by the U.S. Postal Inspection Service, Internal Revenue Service, the Federal Bureau of Investigation, the U.S. Trustee and Assistant United States Attorney John Bodenhausen, who is handling the case for the U.S. Attorney’s Office.

The charges set forth in an indictment are merely accusations, and each defendant is presumed innocent until and unless proven guilty.

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New bankruptcy law raises liability risks for lawyers

Correy E. Stephenson

(This article was originally published in Lawyers USA, another Dolan Media publication).

Marc Stern, a solo practitioner in Seattle, Wash., recently had to give a client the debt relief agency disclosures required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005.

While the disclosures are a common requirement under the new Act, Stern wasn't talking to a debtor.

My client is a creditor whose significant other is in bankruptcy, but they own a piece a property together, he explained.

Under the new definitions in the Act, the client was an assisted person seeking bankruptcy assistance - making Stern a debt relief agency and requiring him to give her certain information.

She was so confused, he said. She read [the materials] and said, 'You realize I am not the one filing bankruptcy?' That's when it hit me how absolutely irrational this really is.

Stern isn't alone.

Just six months since the passage of bankruptcy reform, attorneys across the country are decrying the confusing, overbroad drafting of the statute that they claim has created an increased potential for liability.

Attorneys also report increased paperwork and time spent on each case, resulting in an increased cost for clients.

Some attorneys are limiting their bankruptcy practice; others are foregoing it altogether, said Philadelphia attorney and president of National Association of Consumer Bankruptcy Attorneys Henry Sommer.

There is a lot of fear of the unknown, and attorneys are being cautious, he told Lawyers USA. There are lawyers and firms who are restricting their practice and refusing to get involved in anything bankruptcy-related - even creditor's work - in order to avoid becoming a debt relief agency.

Liability concerns

Attorneys are concerned about two main areas of potential liability, each of which can lead to sanctions for failing to comply:

Debt Relief Agencies

One of the most controversial provisions in the new Act establishes the concept of debt relief agency, defined as any person who provides 'bankruptcy assistance' to an 'assisted person' in return for the payment of money or other valuable consideration. This definition is so broad it encompasses even non-bankruptcy attorneys. And any entity that qualifies as a debt relief agency must identify and advertise itself as such, as well as provide clients with notice and disclose its status.

Certification

Bankruptcy attorneys must perform a reasonable investigation into the circumstances that gave rise to their client's petitions. In addition, by signing off on the schedules and assets of a petition, an attorney certifies that he or she has no knowledge after an inquiry that the information in the schedules is incorrect. For re-affirmations, in addition to verifying that it would not be an undue hardship to re-affirm an existing debt, bankruptcy attorneys must also certify that the client can afford to pay the debt back.

Corinne Cooper, professor emerita of law at the University of Missouri-Kansas School of

Law, said most of the problems result from poor drafting in the key definitions.

An assisted person is defined as any person whose debts consist primarily of consumer debts, and whose non-exempt assets have a value less than \$150,000 - which includes creditors as well as debtors. And bankruptcy assistance includes any information, advice, counsel, document preparation or filing for an assisted person.

The result is that even lawyers who never handle a bankruptcy matter are implicated.

Family lawyers are tremendously at risk, with the potential for both parties' attorneys to run afoul of the new law, said Cooper, co-author with Catherine E. Vance of a new book, *Attorney Liability in Bankruptcy*.

Every time you get involved in a divorce, there are questions about debt and who is obligated to pay it, she noted.

Required disclosures

Dallas solo Howard Spector said he provides his clients with the required disclosures despite his objections to the Act, although he personalized them a bit.

I have a big bold section at the beginning that explains to clients that they need to read these disclosures and understand that they were written by creditors to scare people out of filing, he said.

Spector has filed a lawsuit challenging the constitutionality of the Act [see accompanying story], focusing on the required debt relief agency disclosures, some of which he claims are inaccurate and misleading.

For example, one of the required disclosures is that the debtor must pay a filing fee to the court, but you are not required to disclose the fact that the debtor can defer that fee, he said. Other disclosures include telling clients that a Chapter 13 filing requires them to pay whatever they can afford over the next 3-5 years.

That's just not true, Spector said. It doesn't have to be three to five years. Sometimes it is, but not always.

In addition to the required disclosures, lawyers must update all of their advertising under what Cooper calls the scarlet letter provision, identifying themselves as debt relief agencies.

Some, like Stern - who admits that he hasn't updated his website or yellow pages listing - aren't concerned about repercussions.

But Jeffrey Freedman, who runs a 15-office firm in New York and advertises in print, on TV and the Internet, said updating all of the firm's information was just part of doing business.

Bankruptcy more expensive

The increased work required to satisfy the certification requirements and limit lawyers' liability has increased their rates - and made bankruptcy even more expensive.

Freedman said that while his firm tries to have compassion for their debtor clients, the increased paperwork and time required for each filing has forced them to raise rates, from \$850 for a Chapter 7 to \$1,000.

Spector said he had also increased his rates.

Everything requires more time, he said. Now we have to file tax returns and wage statements, compile all of this information and perform the means test, which is just more calculation and more paperwork that raises the price for debtors.

Sommer downplayed concerns about the certification requirements, noting that even prior to the new law attorneys could be sanctioned under federal Rule 11 for filing inaccurate schedules and petitions.

But other lawyers aren't taking any chances.

I think that if you want to satisfy the requirement and certify a client's petition, you have to

do quite a bit more background work to make sure the petition is correct, said Mark Laudisio, who practices at the law offices of Jeffrey Freedman in Buffalo.

And lawyers have a good reason to be concerned - under the Act, approximately one in 250 petitions will face an audit beginning in April 2007, 18 months after enactment.

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BANKRUPTCY SERVICES

BY THE LAW OFFICE OF SEUFERT & DUDLEY, P.C.

WE ARE A DEBT RELIEF AGENCY AS DEFINED BY THE NEW BANKRUPTCY LAW. WE HELP PEOPLE FILE FOR RELIEF UNDER THE BANKRUPTCY CODE.

THE NEW BANKRUPTCY LAW IS NOW IN EFFECT

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The following are answers to questions, as well as topics, asked by clients about Bankruptcy. If, after reading the answers and topics, you still have questions or would like to retain the office, you are invited to make an appointment.

Can I file bankruptcy only on the debts that I wish to discharge?

No! You must list all debts. There are no exceptions.

Can I exclude some of my property from the bankruptcy?

No. In your bankruptcy application, you must schedule all property (real or personal) that you own. There are no exceptions.

What is the difference between Chapter 7 and Chapter 13 Bankruptcy?

A Chapter 7 bankruptcy is known as a "clean start" bankruptcy. It allows you to discharge most of your debts, while keeping your exempt property. No monthly payments are required.

Chapter 13 is known as a wage earner's plan. It is an alternative to a Chapter 7. Chapter 13 involves making payments on your debts over 60 months; in return, you are allowed to keep most, if not all, of your property. At the conclusion of the payments, your unsecured debts are discharged; your secured debts, if still unpaid are not discharged. You must have regular income to file a Chapter 13.

How do I determine whether to file Chapter 7 or Chapter 13?

Although there are many considerations as to whether to file under one or the other chapters, your eligibility to file chapter 7 is controlled by a median income test, means (income) test and a totality of the circumstances test. Generally, if your household income falls below the median income for your state, then you may file chapter 7. Even if it does not you may still qualify but only after analysis of your household income and living expenses. Unfortunately the criteria mandated by the new bankruptcy law is so involved that any further discussion of the test is not possible here. Normally you should file Chapter 7 unless you have a lot of valuable unsecured or non-mortgaged property that you wish to keep. Chapter 13 is especially helpful if you have in excess of \$15,000.00 in equity in your home and you wish to keep it.

What is a "Debt"?

A debt is any present or future obligation to pay money or provide a service to a creditor. All debts to any creditor should be scheduled in your bankruptcy regardless if they are disputed or contingent. You want to discharge all possible

debts. A creditor can be any person, partnership, corporation, limited liability company, as well as any federal, state or local government. A creditor includes any relative or friend that you owe money to or have a legal duty or obligation to do something, such as hold them harmless from a debt, provide a service, deliver property to that person or relative. A binding promise or guarantee is also a debt and must be listed. Obligations and duties that are due and owing pursuant to orders of a divorce court wherein you have been directed to assume, pay or hold harmless a non filing spouse or ex-spouse from a debt or an obligation is considered a debt to the creditor as well as your spouse or ex-spouse. A claim for personal injury, property damage, workers' compensation claim against you or any other claim anyone might bring against you should be listed.

Allegations of fraud

A debt incurred as result of fraud (theft, forgery, misrepresentation, etc.) may not be dischargeable; under certain circumstances it may even be grounds to deny a discharge of all your debts by the bankruptcy court. Fraudulent misrepresentations (lies) or failure to disclose known information in your bankruptcy proceeding either in your petition, schedules, statement of financial affairs, etc. are crimes. False statements (regardless if made under oath) to the court, trustee, U. S. Trustee's representatives at any time is a crime. The FBI investigates bankruptcy crimes. You may go to jail or prison. Your discharge maybe denied.

What is "Property"?

"Property" is any real estate or personal property owned by you. Although not normally considered as property, the following is property for bankruptcy purposes:

1. Any cash, checking accounts, savings accounts, certificates of deposit, or money market accounts.
2. Life insurance with cash values.
3. IRA, 401K, retirement or pension benefits.

4. Stocks, bonds or securities.
5. Money owed to you by any person, partnership, corporation or company.
6. Expectations to receive money from any source in the future, including the right to inherit, claims in litigation or expected to be litigated; personal injury claims; workers' compensation claims; breach of contract claims; or tax refunds.
7. Equipment, inventory and accounts receivable of an existing or closed business.
8. Farm inventory, farm equipment, crops or livestock.
9. Mobile homes, boats, motors, trailers, motorcycles, or ATV's.
10. Collectibles such as guns, coins, stamps, antiques, books, etc.
11. Jewelry, furs, audio or video equipment, photography equipment, musical instruments.
12. Anything else of value.

ARE INCOME TAX REFUNDS CONSIDERED PROPERTY? MUST I LIST BOTH STATE AND FEDERAL REFUNDS AS PROPERTY? WILL I LOOSE MY TAX REFUND?

Yes, Yes and Maybe.

The right to receive a refund in the future, even if the amount of the refund is unknown, is considered by the bankruptcy laws a property right. It must be listed as an asset if the amount is known. Even if it is not known, the trustee overseeing your bankruptcy case may require you to provide future tax returns and may very well require the refund be paid over to the bankruptcy court if it is not exempt. Do not spend a refund unless you have permission to do so. Often the refund check must be held until the court determines if it has an interest in your refund. The money paid into the court is used to pay administrative

expenses and the balance is applied towards your debts.

Tax refunds that have been received and still exist in the form of cash should be listed as cash on hand or, if deposited in an account, as money in an account at a financial institution. Only if these assets are exempt will you be able to keep the money.

Do not apply for a rapid refund or a loan that is to be paid out of the refund.

What is the "Value" of property?

Personal property that secures a debt (mortgaged or collateralized property) is valued at what a retail merchant would charge for property of that kind considering the age and condition of the property at the time the value is determined. (See 11 U.S.C.A. § 506)

Otherwise, property (real or personal) is valued at what price a willing seller would sell and a willing buyer would pay. A good value test is what it would sell for at public auction.

The value of personal property is not necessarily what it costs you new or what it would cost to replace new. Only if the merchandise has recently been purchased, i.e., within days, would its new cost or replacement cost be considered. But, even then, one should bear in mind that all retail personal property decreases in value as soon as you leave the store with it.

Real estate value is determined by purchase price, cost of improvements, comparable sales, recent appraisals, and/or county real estate assessments. One or more of these can be used as a basis for the value of your real estate.

What is "Equity"?

In order to understand how bankruptcy works, you must understand what is "Equity". Equity is the value of property, less what is owed against it. As an example, if your residence had a value of \$57,000.00, but was subject to a mortgage of \$42,000.00, you would have equity of \$15,000.00 in the residence. If you had a car with a value of \$10,000.00 but owed \$7,000.00 against it, you would have equity of \$3,000.00.

What is "exempt" property?

Exempt property is either personal or real property, which you are allowed to keep

in spite of your debts and the failure to pay your debts. Exempt property includes the following:

1. Household furnishings, household goods, wearing apparel, appliances, books, animals with a value of \$3,000.00 for each debtor;
2. Jewelry with a value of \$500.00 for each debtor; plus \$1500.00 for wedding rings
3. Property of any kind, which in the aggregate does not exceed \$600.00 for each debtor;
4. Any tools of trade for a debtor not exceeding \$3,000.00 in value;
5. One motor vehicle for each debtor, not to exceed \$3,000.00 in equity;
6. Any mobile home used as principal residence not to exceed \$5,000.00 in equity;
7. Retirement or pension benefits; 401 k saving plans.
8. Residence attached to real estate if the equity does not exceed \$15,000.00;
9. If you are head of a family, you may also exempt property of any kind not exceeding in aggregate value, \$1,250.00, plus \$350.00 per unmarried dependent child under the age of 18;
10. Social Security, unemployment, welfare, VA benefits, disability benefits, worker's compensation benefits;

There are many other exemptions, but this document does not allow for a complete discussion of the same. By listing all of your personal property and real estate, I will be able to identify any other exemptions you may be entitled to use to protect your property.

Exemptions can be waived by mortgage or security agreements.

What happens to my non-exempt property?

In a chapter 7 any property you own, which is not "exempt", will be sold or applied to satisfy your debts. In chapter 13 you will be allowed to keep the non-exempt property so long as you make the payments to fund the plan.

How I spent my Federal and State Income Tax Refunds--is that important?

Debtors often use their refund to pay debts to friends or relatives; some make gifts to friends or relatives. If such payment was made within the last 2 years, it may be considered a preference of one creditor over another; it may also be considered a fraudulent act to defeat the rights of your creditors. The bankruptcy law does not allow you to prefer one creditor over another or give your property away to avoid paying your debts.

The court has the authority to set aside payments to a creditor, even if it was a family member or a friend. A loan from a family member or friend is a debt. Payment of this debt can be considered a preference of one creditor over another.

You cannot avoid the burden of the bankruptcy law by making a gift. Disposal of property by gift may be considered a fraudulent act and can be set aside by the bankruptcy court.

This office has seen debt repayments to grandparents or gifts to a child set aside and the money ordered paid into the court.

What happens to my primary residence if my equity exceeds \$15,000.00?

In chapter 7, if you have real estate, which is your primary residence, and the equity exceeds \$15,000.00, you may lose your primary residence. In chapter 13 you will retain your residence so long as you make all payments of chapter 13 plan.

Debts incurred shortly before filing bankruptcy.

Any debt incurred after you have decided to file bankruptcy is considered a fraudulent act and is grounds for denial of discharge of the debt and denial of your general discharge of all debts. Once you decide to file bankruptcy, do not incur any more debts except for routine monthly living expenses that you expect to pay out of ordinary income. A creditor may contest a discharge because you incurred a debt before you decided to file bankruptcy. The creditor may believe you incurred the debt with plans to file bankruptcy even though you intended at the time to pay the debt. It is impossible for this office to predict what, if any, creditor will assert such objection. If such objection is made, it must be litigated

in the bankruptcy court and we charge extra for this service. An objection is formally made when an adversary proceeding is filed with the bankruptcy court.

Cash advances on credit cards.

Cash advances on credit cards may not be dischargeable. Do not obtain cash advances of any type or kind once you decide to file bankruptcy. If you do so, such advances could be considered a fraudulent act, which could result in you being denied a discharge or possibly being charged with a crime. Make sure you discuss any cash advances on credit cards with your lawyer during your initial consultation.

Balance transfers on credit cards.

Balance transfers on credit cards may not be dischargeable. Do not make balance transfers of any type or kind once you decide to file bankruptcy. To do so might be grounds for denial of a discharge or could be considered a crime. Make sure you discuss any balance transfers on any credit cards with your lawyer.

Transfers of personal property, cash or real estate after a bankruptcy is filed.

Once your bankruptcy is filed, all personal property, or real estate owned by you comes under the exclusive control of the bankruptcy court. You no longer have the right to transfer, sell or mortgage your real estate or personal property. You should continue to pay routine monthly living expenses out of ordinary income. Any significant payment of a debt besides routine monthly expenses or monthly installments should not be made without permission of your attorney. This restriction on the sale, transfer or mortgage of your property terminates once you receive the order of discharge or your bankruptcy case is dismissed.

Property settlement obligations from divorce or domestic relations case.

In a chapter 7 case, obligations created in a divorce may not be dischargeable. In chapter 13, you can discharge financial obligations that are not considered child support or spousal support.

Gifts or transfers for less than full value.

If you have transferred property to anyone for less than its fair market value, the bankruptcy court may set the transfer aside and order the person who received the property to turn it over to the bankruptcy court. The person who received the

property may become involved in your bankruptcy proceeding. These types of transfers are considered fraudulent and in violation of your creditor's rights. Your creditors must be treated equally even in anticipation of filing bankruptcy. The court will scrutinize any transfers or gifts made within two (2) years of filing. You are required to disclose all transfers of real or personal property made to anyone within the last year in your bankruptcy papers. ***You cannot transfer real property or personal property to someone to avoid the consequences of bankruptcy.***

Life Insurance Proceeds.

If, within six months after your Petition for relief under Chapter 7 of the Bankruptcy Laws is filed, you become entitled to receive life insurance as a result of the death of anyone, you must report the same to the bankruptcy court. The bankruptcy court will then order that the money be transferred to the court and be applied to your debts. Failure to inform the court may be considered grounds for denial of discharge of all your debts and also could be considered a criminal act. Upon learning that you are entitled to receive proceeds from a life insurance policy, either before we file your bankruptcy petition, or within six months thereafter, you should immediately inform your attorney of this occurrence.

Inheritance.

If you become entitled to an inheritance anytime within 6 months of filing your petition for bankruptcy under Chapter 7, you must inform the bankruptcy court of the same. Any inheritance you become entitled to will become an asset of your bankrupt estate and, in all likelihood, would have to be turned over to the court to be applied towards your debts. You should inform your attorney if you become entitled to any inheritance during that six month period. Failure to do so could be grounds for denial of your discharge and also could be considered a criminal act.

Taxes.

If you have filed a timely, non-fraudulent income tax return and did not engage in tax evasion, but have simply failed to pay the tax, the obligation is dischargeable in Chapter 7 or Chapter 13 so long as:

- (1) Taxes are more than three (3) years old; and
- (2) Taxes were assessed more than 240 days before the bankruptcy.

When counting off the three years, count three years after any extension period

expired. Besides extensions, certain events can also interrupt the three year period, including the following:

- (a) The time that an automatic stay existed in an earlier bankruptcy case.
- (b) Any amount of time during which a taxpayer assistance order is in effect.
- (c) Any time that the IRS was prevented from collecting the taxes because of requests for due process hearing.

It is not possible for me to give an opinion on whether or not you qualify for discharge of your taxes until you have consulted with an accountant, who determines your qualifications based on the above criteria. If you are seeking a discharge of taxes, you should consult with an accountant familiar with the exact history of your tax return and contacts with the Internal Revenue Service. Your accountant should provide me a detailed history of that contact. Then, and only then, can I give an opinion as to whether or not your taxes are dischargeable.

Student loans.

Normally, student loans are not dischargeable.

Child support and ex-spouse maintenance

Child support and ex-spouse maintenance is not dischargeable.

Sale of secured property.

It is illegal to sell or transfer any property you have pledged as collateral without permission of the creditor. Any debt secured by such property that has been sold or transferred, may not be dischargeable.

Clients may not know if their property purchased on credit has been pledged as collateral. That status is only determined by the written contract you signed with your creditor.

Retaining collateralized property in chapter 7.

You may retain real property or personal property that has been mortgaged so

long as you agree with your creditor that the debt will survive the bankruptcy and you will continue to make payments. Both you and the creditor must execute a Reaffirmation Agreement and that Agreement must be filed with the Bankruptcy Court. This Reaffirmation Agreement creates a new debt which survives the bankruptcy and the obligation as described therein is not discharged by the bankruptcy proceeding. Reaffirmation Agreements that are filed with the Bankruptcy Court can be rescinded if notice of rescission is given to the court and to the creditor within sixty (60) days of filing the Agreement with the court.

Under the new bankruptcy law, there is a test to determine whether or not you can reaffirm a debt without hardship. If it is determined that to reaffirm a debt would be a hardship upon you, you can only reaffirm if your attorney certifies that you are able to make payments on the debt. Without such certification, the reaffirmation may not be approved by the court. Your attorney may refuse to certify the reaffirmation. The reason he will do so is because it is not in your best interest, but also the new law could potentially expose him to liability if you fail to make the payments. This office will not certify any reaffirmation agreements wherein it will be a hardship upon the client or debtor.

Your creditor is not required to execute a Reaffirmation Agreement, but usually will do so because it is in the creditor's best interest to avoid the cost and expense of repossession of the collateral. Creditors will be reluctant to enter into Reaffirmation Agreements if you are behind in your payments. If you intend to reaffirm a debt, then keep your payments current on that debt.

Within thirty (30) days of the meeting of creditors, a chapter 7 debtor must perform the stated intention with respect to collateral of a secured or mortgaged debt, i.e., surrender, redemption, or reaffirmation; failure to do so will result in the stay order of collection activities being terminated. A chapter 7 debtor may not retain possession of purchase money collateral beyond forty-five (45) days from the meeting of creditors without redeeming the collateral or reaffirming the debt.

Non-purchase money security liens.

If you have borrowed money and pledged consumer goods (which you already owned) as collateral and these consumer goods are also exempt personal property, any lien on these consumer goods may be canceled. In order to do so, a Motion must be filed with the bankruptcy court and a hearing must be held on this motion. Additional fees are charged for this service. This lien is called a Non-purchase money security lien. This cancellation process does not apply to money borrowed to purchase new or pre-owned consumer goods; it does not apply to

motor vehicles.

How long does a bankruptcy take?

After you have retained your attorney, it takes approximately 2 to 4 weeks to prepare the paperwork. The paperwork is complex and extensive and will require you to provide detailed information about your debts and financial condition. Until all information is gathered, your Petition cannot be filed with the Court.

Once your Petition is filed, the court will schedule a hearing within 30-60 days. This first hearing is called a creditor's meeting and each debtor's attendance is mandatory. At this hearing you will be questioned about your financial status and accuracy of the information in your Petition.

In chapter 7, approximately 120 days later, if no one contests the proceeding, the Court will discharge you from your debts.

In chapter 13, you will get a discharge only if you make all the payments of the plan.

Credit counseling mandatory before you can file for bankruptcy.

The new law mandates a credit briefing or counseling session for the debtor within 180 days preceding the bankruptcy filing, either by telephone or over the internet, by a non-profit credit counseling agency. The briefing will introduce the debtor to the services of credit counseling and assist with a budget analysis. The debtor is required to submit a certificate from the credit counseling agency describing the services provided. The cost of credit counseling is paid by the debtor. It is expected the charges for said counseling to be from \$50.00 to \$60.00. If you hire us, we arrange for credit counseling at my office.

How can a bankruptcy stop my creditors from bothering me?

Once you file your Petition, the Bankruptcy Court enters a stay order directing your creditors to stop any collection activities including phone calls, garnishments, lawsuits, foreclosure sales or repossession activities.

However, if you have filed one or more previous bankruptcy cases within a year of filing the present bankruptcy, your automatic stay may be limited or may not be granted at all. If you have filed bankruptcy within one year before the present case, a stay order with respect to a debt secured by your property or with respect to any lease shall terminate thirty (30) days after filing. It will only continue if the

court grants an extension. Any cost of obtaining an extension is an extra fee by my office. Such litigation is not encouraged by this office.

If you have filed bankruptcy more than once within the last year, then you will not be granted an automatic stay without order of the court. Again, this office does not encourage such litigation and the cost and expense is extra in addition to any other fees you may pay this office.

Does bankruptcy hurt my credit rating?

Bankruptcy does not always make it impossible to get credit, but it usually makes it much harder. The fact that you have filed bankruptcy will stay on your credit record for ten years. If you expect to need credit in the next ten years for such things as a car, business, house, furniture, or appliances, you may have to rebuild your credit record from scratch or else deal with merchants who charge higher interest rates and are very harsh when payments are late.

Suspension of legal activities:

Filing of a Chapter 7 and 13 bankruptcy proceeding suspends all of your present legal activities. Legal activities include any lawsuits, regardless if you are a plaintiff or defendant. Legal activities also include real estate sales contracts, lease agreements, sales contracts for personal property. Make sure you bring any lawsuit or any uncompleted contract to the attention of your attorney.

Completion of Financial Management Course before discharge.

Under the new law, you must complete a financial management course before the bankruptcy court will grant you a discharge of your debts. The cost of this course ranges from \$50.00 to \$60.00. Failure to complete the financial management course would mean that your bankruptcy was a complete waste of time because you would not receive a discharge of your debts. If you hire us, we arrange for the financial management course to be done at my office.

Tax Returns.

Prior to the meeting of creditors, in a Chapter 7 case, a copy of debtor's federal tax return for the most recent year must be provided to the trustee. Failure to provide the return mandates a dismissal of your case unless you can show the failure is due to circumstances beyond the debtor's control.

In Chapter 13 cases, before the creditor's meeting, you must provide tax returns

for the last four (4) years preceding the bankruptcy filing.

At the request of a creditor, you must provide your tax returns to the creditor.

In a Chapter 13 case, while you are making payments over approximately a 60 month period of time, you must file with the trustee any tax returns filed subsequent to filing the bankruptcy with the court.

Chapter 13 Payments.

In Chapter 13, with respect to payments that are to be made on a monthly basis, debtor must begin plan payments no later than thirty (30) days after the earlier of filing the plan or the order for relief. Plan payments must be paid to the trustee in the amount as proposed in the plan.

Audits.

The United States Trustee, on behalf of the bankruptcy court, is responsible for conducting random audits of 0.4 percent of Chapter 7 and 13 cases with the purpose of determining the accuracy, veracity and completeness of petitions and schedules. The debtor's failure to cooperate in such an audit is grounds for revocation of discharge under Section 727(d)(4), and the debtor has a duty to cooperate.

Policies of our Office

Read the Handouts and Your Contract

If hired we provide many handouts, disclosures, notices and warnings. You will be provided a detailed contract of employment of this office. Read each one. If you fail to do so, don't be surprised that you suffer adverse consequences including a money or property loss.

Mandatory cooperation.

Completion of bankruptcy forms is time consuming, complex and difficult. You must cooperate with this office. Only you have the information necessary to

complete the forms. We will not gather records and documents from your creditors. You must perform this task. If you fail to provide documents or information requested, I might terminate the relationship; if I do so, all fees paid are considered earned and no refund is made.

Honest Answers.

You must answer all questions of your attorney and complete all forms in an honest manner. When asked questions by representatives of the court or the U. S. government, you must answer honestly. Fraudulent misrepresentations made in your bankruptcy proceeding are a crime. The FBI investigates bankruptcy crimes. They are also grounds for denial of a discharge of your debts. These crimes are actively prosecuted by the U. S. Attorney's Office of the Department of Justice. You lie, you may go to jail.

Read All Documents.

You are responsible for the accuracy of all petitions, schedules, statements, reaffirmation agreements, motions, etc., filed with the Bankruptcy Court. Carefully review all documents presented to you. If you believe information is inaccurate, or you do not understand the meaning of the document or terms contained therein, then it is your responsibility to bring those issues to the attention of your attorney. Do not sign documents which are incorrect, have inaccurate information, or you do not understand. In addition, you will be provided other documents that you are required to read prior to the creditor's examination.

Creditor's Examination.

Each debtor must undergo examination. You must personally appear in either the City of St. Louis or the City of Cape Girardeau, be placed under oath, and answer questions concerning your bankruptcy. Attendance at creditor's hearings is mandatory and failure to attend means that your proceeding may be dismissed. Creditor's hearings are not continued except for extreme emergencies, such as hospitalization or death. Continuances, which are caused by you, may result in additional charges. You will be required to bring records or documents of your financial condition to the creditor's examination.

Chapter 7 Fees.

Fees are quoted over the phone.

Chapter 13 Fees

Fees are only quoted after initial consultation.

You are invited to make an appointment to see me, personally to answer any additional questions or to start your bankruptcy.

For an appointment call 573-756-7555.

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Court asked to reject mortgage ruling

Critics say decision in previous case favours banks and mortgage firms over fraud victims

November 29, 2006

HAROLD LEVY
STAFF REPORTER

Almost a year after identity thieves stole her home and left her with a \$300,000 mortgage, Susan Lawrence has finally got to make her case before Ontario's highest court.

The North York woman asked the Ontario Court of Appeal yesterday to reverse a decision it made 12 months ago in a different case which some critics say favours banks and mortgage companies over innocent victims of fraud.

She has "no interest in being responsible in any way for a mortgage which (she) had nothing to do with, put on (her) home by identity thieves and fraudsters," her lawyer Morris Cooper told the court.

Lawrence discovered earlier this year that as a result of the decision referred to as the "Household Realty" case, she was on the hook to Maple Trust for a \$300,000 mortgage the thieves had secretly put on the property after forging her signature to acquire it.

The court had interpreted the Ontario's Land Titles Act to say that transactions based on fraudulent documents such as forged powers of attorney become valid and enforceable as soon as they are registered on the Province's Land Titles system — even where the homeowner was utterly unaware that the fraud had occurred.

After a judge reluctantly ruled that the mortgage was valid in her case, Lawrence vowed to ask the court to review its decision. "Like any similar victim of title fraud, Susan Lawrence can do nothing to prevent it from occurring," Cooper told the court. "Like all of the others, Susan only found out about it months after the fact, and in her case, purely by accident."

"Contrast that innocence with Maple Trust who were ready, willing and extremely happy to lend approximately \$292,000 to a fictitious person, who worked for a non-existent employer, who had non-existent savings of \$32,000, and a non-existent annual salary of \$73,500 a year which he apparently made washing cars," Cooper said. "Thomas Wright (the name used by the fictional purchaser/mortgagor) did not steal money from Maple Trust. They cheerfully gave it to him and thanked him for his business."

Cooper told the judges that Ontario's law was never meant to allow title to properties to be transferred through fraudulent documents, and that under the common law, "a fraud is a fraud."

"There is nothing in the Land Titles Act that should make homeowners worry that the nightmare faced by Susan Lawrence could happen to them," Cooper said.

"She certainly should not have to fight to get a fraudulent mortgage removed from her title,

BC rushed this change through in 25 Nov 2005 after the Attorney General's brother was found to have engaged in property transfer fraud -- in his grow operation --- and the property was raided by RCMP.

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ely for TD

Toronto-Dominion Bank [\[CBH-N\]](#) chief executive officer Ed Clark says he likely won't consider more acquisitions in the United States because the potential targets would take so much money to fix.

Any banks that are coming available south of the border require a tremendous amount of new capital, he told a banking conference in Toronto Tuesday.

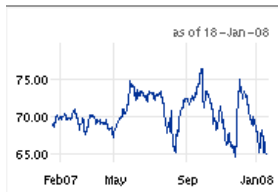
To buy a struggling U.S. bank "you have to have double money," Mr. Clark said. "You've got to be in a position where you can acquire, but you also have ... to recapitalize what you just acquired.

"Frankly we're not in that position [since] we don't have a lot of surplus capital," he said. "I don't see us swooping in and buying something."

to the way it executes its operations. "We do take transparent, understandable risks."

One spinoff of the "meltdown" among the other big banks is that they will "shift their strategies to be more like us," he said, with an increased emphasis on high-service retail banking.

TD Bank



Over all, Mr. Clark said, TD will be affected by the pain other banks are suffering in the current financial services crisis, even if it is not feeling any direct impact.

"You may not be on the train, but if you're standing at the station watching the train go by and it has a train wreck, you'll still get hurt."

In the United States in particular, Commerce Bancorp and Banknorth Group Inc., which TD bought in 2005 and renamed TD Banknorth Inc., will certainly be hit if the banking crisis evolves into a general economic downturn, he said. Still, TD will endure less pain than many other banks because they have been run very conservatively.

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"If this financial crisis turns into a general U.S. heavy slowdown, both of those entities have to be affected, but they will be positive outliers," Mr. Clark said.

Lawyer convicted of mortgage fraud pleads guilty to additional charge

Last Updated: Wednesday, April 11, 2007 | 6:29 PM ET
The Canadian Press

A former lawyer convicted of fraud in a multimillion-dollar mortgage scheme pleaded guilty on Wednesday to an additional charge at his sentencing hearing.

Vishnu (Joey) Rajendra Poonai, 55, will now be sentenced on April 26 on five counts of fraud over \$5,000 in the sale of 18 different homes between April 2002 and May 2003.

In each instance, a home would be sold and then in some cases, within minutes, the same house would be resold for an inflated price.

The Bank of Montreal, CIBC, Scotia Bank, Royal Bank and Canada Mortgage and Housing Corp. lost some \$3 million when they were left holding the inflated mortgages.

The scheme involved flipping properties in communities across Ontario, including Toronto, Hamilton, Brantford, Burlington, Port Colborne, Welland, Kitchener, Chatham, St. Thomas, Meaford, Kirkland Lake and Alfred Lefebvre Township.

On Wednesday, court heard that Poonai was the lawyer of record in the sale of a home in Lanark Highlands that was purchased under the name of a man whose identity was stolen.

The property turned out to be a vacant lot.

In all, court heard there were three victims of identity theft involved in the 18 homes.

Poonai's defence lawyer, Vanessa Christie, read several letters in court from family and friends who called the 55-year-old Brampton, Ont., man a selfless person who now suffers from severe depression.

Christie told Justice John Murray that Poonai did not live an extravagant life but, rather, paid for many of his nieces and nephews to attend university.

Court also heard that Poonai had agreed to his disbarment from the Law Society of Upper Canada without a hearing. That process was completed Wednesday.

The defence requested Poonai receive two years house arrest.

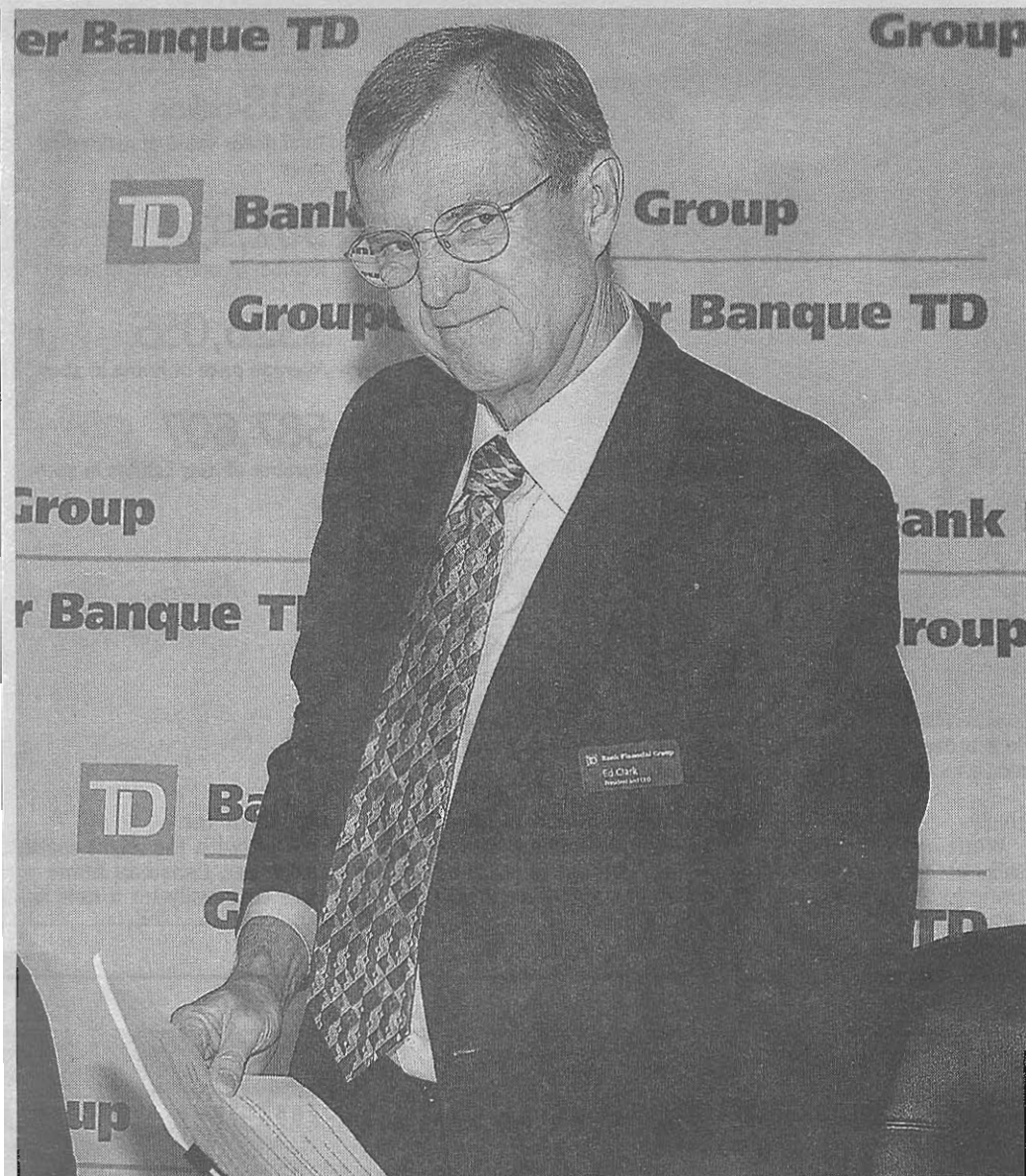
Although Christie prefaced the remark by saying she wasn't laying blame on the banks involved, she suggested the fraudulent transactions should have set off alarm bells with the banks long before they did.

She reiterated that Mr. Poonai was truly the guilty one and that he is showing remorse for his crimes.

The Crown asked for a three- to five-year sentence to be served in a federal penitentiary.

© The Canadian Press, 2007

This is where TD Bank CEO Ed Clark got his TD Bank is clean story line.



You may not be on the train, but if you're standing at the station watching the train go by and it has a train wreck, you'll still get hurt.

Ed Clark, CEO
Toronto-Dominion Bank

'I don't see us swooping in and buying something,' Ed Clark says. CHRISTINNE MUSCHI/REUTERS NEWS AGENCY

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...ely for TD

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Toronto-Dominion Bank CEO Ed Clark

Last fall, TD agreed to buy Commerce Bancorp Inc. of Cherry Hill, N.J., for \$8.5-billion (U.S.). That deal, which would make TD a North American powerhouse, has not yet closed.

One reason there have not been more purchases of U.S. financial institutions is that many potential acquirers "are on their knees or are out in Asia looking for money," Mr. Clark said.

Several U.S. banks, and Canadian Imperial Bank of Commerce, have looked East for recapitalization after taking a hit in the subprime mortgage market.

Mr. Clark made several references to the fact that TD, unlike other banks, has not had to take writedowns related to the subprime market.

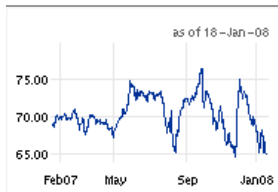
He said TD avoided some of the riskiest businesses, such as selling credit derivatives or other structured products, because he realized "they were cruising for a bruising."

TD still takes risks, Mr. Clark insisted, but these are directly related

to the way it executes its operations. "We do take transparent, understandable risks."

One spinoff of the "meltdown" among the other big banks is that they will "shift their strategies to be more like us," he said, with an increased emphasis on high-service retail banking.

TD Bank



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NATIONAL POST

Wednesday, January 23, 2008

TD, RBC WIN ENRON BREAK

U.S. court ruling could bring \$1B windfall

Duncan Mavin, Financial Post, with files from Barb Shecter

Published: Wednesday, January 23, 2008

What the Supreme Court really said is class action lawyers should better particularize the plaintiff case --- search for loot under the boards.

Royal Bank of Canada and Toronto-Dominion Bank seem to have won a \$1-billion Enron-reprieve thanks to a U.S. Supreme Court decision legal experts say ends the prospect the banks will face successful legal claims related to their role in the collapse of the failed energy trader.

The Supreme Court decision yesterday also raises questions about Canadian Imperial Bank of Commerce's move to settle its Enron legal bill early, for US\$2.4-billion, in 2005.

"For the people who are trying to maintain these suits against Enron and its a looks like it's a pretty long haul now," said Michael Peerless, a class-action lawyer at Dowler LLP based in London, Ont.

"It's a very serious blow to the [Enron] plaintiffs," Mr. Peerless said.

The U.S. court kicked out an appeal from former Enron shareholders. The appeal was barred them from suing banks that lent money to Enron including Merrill Lynch and Barclays PLC.

Yuh gotta luv a sly li. --- like an Asian guy; Li Kia Shing appears to have cast his 10% voting shares for the \$2.4 US settlement, then exited all his shares to a foundation -- put them in a container and shipped them back to his home base in Hong Kong --- before the press release in 2005. CEO John Hunkin knew and was the last to go about the time of the press release. Now the old Li is back to save the CIBC Bank. You gotta love a gambler who knows when to hold'em and when to fold'um.

Lawyers say the decision also impacts plaintiffs against other banks that have

against them. TD and RBC have set aside about \$1-billion for Enron-related suits between them.

"We're pleased with the decision of the court and at this time we are reviewing the implications," said a spokesperson for TD.

For TD and RBC, the court's decision is "some good news in a sea of bad news" for the struggling financial services sector, said Desjardins Research analyst Michael Goldberg.

"While I don't think this means TD and RBC can release the reserves they previously set up for Enron, I'd like to believe they are breathing a little easier," added Genuity Capital Markets analyst Mario Mendonca.

A senior banker at another Canadian financial institution was critical yesterday of CIBC's decision to settle early, saying the bank's payout was "a big number to be wrong on."

CIBC was one of a small group of banks that settled their high-profile legal claims early.

Shareholders have recovered more than US\$7-billion from Enron's bankers and others, including US\$2.4-billion that CIBC agreed to pay in August, 2005.

The bank's settlement also stepped into the spotlight last year when one of the lead litigators acting for Enron plaintiffs got himself into legal hot water. William Lerach -- who negotiated the CIBC settlement on behalf of Enron investors -- pleaded guilty to a federal conspiracy charge in October last year after admitting making secret payments to plaintiffs in class-action lawsuits.

Executives at CIBC have defended their decision to settle, which, they say, brought certainty to the bank's Enron issues.

At about this time CIBC began diverting Harold Gaffney's mortgage payments into a parking account. Harold Gaffney anticipated it.

Some observers agree CIBC made a logical decision to pay out based on the facts available at the time.

"Hindsight is 20-20," said Chris Caparelli, a litigation lawyer with Torys LLP in New York. "At the time, there was something to be said for settling on a value that seemed to make sense."

There has been a shift in the law in the United States in the past couple of years that makes it more difficult for investors to sue in cases like this, Mr. Caparelli said.

U.S. class-action rules have been getting tougher of late, Mr. Peerless agreed.

Yesterday's Supreme Court decision came on the heels of a ruling last week in an unrelated Supreme Court case that put new limits on shareholder suits against a company's banks and business partners.

"The way the law has developed in the U.S., investment banks are [now] kind of shielded from problems, unless you can prove that you relied on their representations. A passive class member has to show that even before a case can go forward, and that's a tricky problem."

CIBC's executives insist the particular circumstances of the claims against CIBC were different from those against some other banks. As early as 2003, CIBC was facing possible criminal indictments from the U.S. Department of Justice. The bank acknowledged wrongdoing by some of its employees and agreed to pay a relatively inexpensive settlement of US\$80-million to the Securities and Exchange Commission. That settlement also meant CIBC could not defend itself from shareholder suits, leading to the mammoth payout in 2005.

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Buying Foreclosures - How Foreclosures Work

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Is Buying Foreclosures a Good Deal?

Home buyers who want a good deal in real estate invariably think first about pursuing foreclosures. Buyers have this picture in their mind of a cute little house, surrounded by a white picket fence that is owned by a widowed mom who fell on hard times, but that scenario is generally far from reality.

Why Do Sellers Go Into Foreclosure?

Sellers stop making payments for a host of reasons. Few choose to go into foreclosure



FORECLOSURE

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voluntarily. It's often an unpredictable result from one of the following:

- Laid-off, fired or quit job
- Inability to continue working due to medical conditions
- Excessive debt and mounting bill obligations
- Squabbles with co-owner, divorce
- Job transfer to another state

Negotiating Directly with Sellers in Foreclosure

[Investors who specialize](#) in buying foreclosures often prefer to purchase these homes before the foreclosure proceedings are final.

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disclosures regarding equity purchases. Failure to provide those notices and to prepare offers on the required paperwork can result in fines, lawsuits or even revocation of sale.

4. Determine whether you're the type of person who can easily take advantage of a seller's misfortune under these circumstances and / or put a family out on the street. Oh, critics will argue it's just business and sellers deserve what they get, even if it's five cents on the dollar. Others will feign compassion and trick themselves into believing they are "helping" the home owners avoid further embarrassment, but deep inside yourself, you know that's not true.

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Before approaching a seller in distress, consider:

1. Foreclosure proceedings vary from state to state. In states where mortgages are used, home owners can end up staying in the property for almost a year; whereas in states where trust deeds are used, trustee sales give a seller about four months before she needs to vacate.
2. Almost every state provides for some period of redemption. This means the seller has an irrevocable right during a certain length of time to cure the default, including paying all foreclosure costs, back interest and missed principal payments, to regain control of the property. For more information, consult a real estate lawyer.

3. Many states also require that buyers give to sellers certain

Buying a home at the Trustee's Sale

Check with your local county office to find out how sales in your area are handled, but common threads among most of them are:

- No loan contingency
- Sealed bids
- Proof of financial qualifications
- Sizeable earnest money deposits
- Purchase property "as is"

Sometimes buyers are not allowed to inspect the house before making an offer. The problem with buying a house sight unseen is you can't calculate how much it will cost to improve the structure or bring it up to habitable standards. Nor do you know if the occupant will retaliate and [destroy the interior](#). On top of that, you may need to evict the tenant or owner from the premises after you receive title, and eviction processes can be costly.

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Distress Sales/Bank Foreclosures

Distress Sales resulting from bank foreclosures often represent **a great way to get a fantastic deal on a home in Vancouver**. It's not easy for the average homeowner to find these deals, because you have to keep scouring the paper to see when one comes up.

If you're the type of person who recognizes what a great deal some of these properties could represent, you will be interested to know about a new free computerized service which automatically searches out and downloads a current list of all such properties day in and day out. When you receive this free, no obligation service, you're automatically plugged in to the most current list of Foreclosure Properties on the market, in the price range and area that interests you. This **FREE service every week** will save you a lot of research and running around.

Here's how it works. Every week, you will receive a **FREE** computerized report listing the current Foreclosure properties in your desired price range and location. There is no cost for this information, and absolutely no obligation. This insider information, sent to you in an incredibly simple and efficient format, will give you a huge advantage over other buyers in the marketplace.

You will also receive a **FREE REPORT** entitled: "The Foreclosure Myth" that will help you get a better understanding of the foreclosure market in Vancouver.

You can request this free service and bonus report by simply filling out the information on the form below. When you have completed the form just click the *"Submit"* button at the bottom of this page and you will automatically subscribe and the free bonus report will be emailed to you.

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Toronto condo fraud nets \$3.8M

135 charges laid in elaborate 2-year real estate scam allegedly headed by brothers

By **CHRIS DOUCETTE, SUN MEDIA**
The Toronto Sun



One brother is behind bars and another is in hiding, possibly in Hong Kong, after allegedly spearheading an elaborate \$3.8-million real estate scheme a decade ago, duping investors into buying condo units that turned out to be parking spaces and lockers.

Toronto Police, who announced yesterday they had laid 135 charges against five people and were seeking a sixth person and his common-law wife, allege the siblings brought in partners that included a real estate agent, a lawyer and employees from an unnamed bank in order to pull off the fraud set in motion back in 1998.

TWO PROPERTIES

"It was very elaborate and pretty well insulated because they employed, or acquired the services of, everybody who is involved in a real estate transaction," Fraud Squad Det. Craig Ellis alleged yesterday of Patrick Chan, 61, of Richmond Hill, and his younger brother Kam Cheung Chan, 54, of Mississauga.

Ellis said the scheme involved two properties -- a residential highrise in downtown Toronto and a commercial plaza in Markham -- and more than a dozen people were persuaded to invest over a two-year period.

"They were recruited by the Chans, or their representatives, and induced into investing by purchasing condominium units," Ellis alleged, adding the investors were told they were buying two- or three-bedroom units, which they never visited.

"They were told they wouldn't have to do anything," Ellis said, explaining mortgages were taken out in all of the victims' names under the promise the units would be flipped a year or so later and "they would split the profits."

"What they didn't know was that what they were actually purchasing were parking spaces and storage lockers."

Ellis alleged those involved pocketed money from a cash-back incentive offered by the lender on mortgages. And personal and business lines of credit were taken out in the investors' names and then "maxed out" as well, he said.

The scheme began to unravel when no payments were made and the mortgages and loans went into default.

The financial institution started its own investigation and finally reported the fraud to police in 2004, Ellis said.

FORGIVEN

poll

Your office lotto pool wins big the week you forgot to contribute. You

- commit suicide.
- laugh at life and commit suicide.
- realize you've learned an important lesson and commit suicide.
- tell your spouse and have he/she kill you.

Results

photo OF THE DAY



TD-Bank

The bank interviewed the so-called victims, none of whom saw any profit, and decided not to pursue criminal charges, Ellis said. "The bank chose to forgive any wrongdoing ... by these people because they would be more useful as witnesses."

Ellis said the police investigation has been hampered by the fact one of the accused is a real estate lawyer who represented everyone involved.

Charged so far along with Patrick Chan are real estate agent Roland Williams, 70, of Mississauga, mortgage specialists Lascelles Williams, 36, of Pickering, Saquib "Amid" Majeed Baig, 38, of Markham, and real estate lawyer Steve Mucha, 53, of Toronto.

Ellis said the two outstanding suspects -- Kam Chan and his common-law wife Ling Ling Cho, 45, of Markham -- may have fled the country.

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IN DEPTH

Mortgage fraud

Due diligence: The growing problem of mortgage fraud

Last Updated Nov. 9, 2006

[CBC News](#)

So, you've found that perfect house and you want to move quickly to lock up the deal before somebody else swoops in and grabs your chunk of paradise. You want your bank to approve you quickly, so you can commit to 17.8 years of bi-weekly payments. (You've done your homework and know that taking out a conventional 25-year mortgage and paying every two weeks instead of every month will slice more than seven years off your payments — but that's another story.)

Your banker wants to move quickly, too. He or she wants to lock you up as a long-term client — there are plenty of other lenders out there hungry for your business, and a delay might send you scurrying off to one of them.

Everything looks good and the selling price is in line with recent sales in the area. Your income indicates you can carry the payments. Approval should be just a formality.

And it is. And in the vast majority of transactions, everything goes smoothly.

The Canadian Real Estate Association reports that in September 2006, the total value of homes sold Multiple Listing Services was \$10.8 billion — a fraction off the previous month's total, but ahead of time a year earlier.

According to Statistics Canada, "At the end of 2003, individuals and unincorporated businesses held \$1.6 trillion in residential structures and land — or about one-third of all assets held by individuals.

By mid-2005, Canadians owed \$617 billion in outstanding residential mortgages. Over the past 15 years, residential mortgage credit has grown by an average of 6.4 per cent per year.

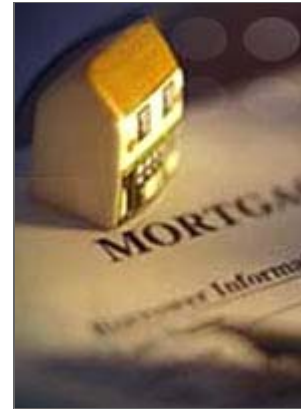
A lot of money — and a lot of opportunity for fraud.

On May 3, 2001, Seyed Aboulgasm Rabi and Shohreh Shafiei bought a condo in Toronto. In May of 2001, identity thieves — posing as the owners of the condo — gathered enough fake documents suggesting they sold the property for \$270,000, and took them to a lawyer. The "fake" buyer then secured a mortgage for a quarter of a million dollars. Rabi and Shafiei had no idea their home had been sold and the title transferred to someone else.

The fake buyer and sellers disappeared with the money, leaving Rabi and Shafiei living in a mortgage they no longer owned.

Bob Aaron, a Toronto real estate lawyer, says this type of fraud is becoming more common.

"The criminal elements have realized that with a little sophistication, a little organization, they can make more money than bank robbery or drugs or other areas of crime," Aaron told CBC News. "For each time this happens, where you've got a fraudulent title transfer and a bogus mortgage, you can put a few hundred thousand in your pocket and walk away in a week or two."



By mid-2005, Canadians owed \$617 billion in outstanding residential mortgages. A lot of money of opportunity for fraud. (C

[Click here to link to story on web.](#)

It's difficult to catch up with the fraudsters because they simply disappear after using bogus identities for their heists. And police are ill equipped to deal with this kind of fraud.

"When you're dealing with false documents, it adds another interesting part to an investigation," Deane of the Toronto Police Fraud Squad, said. "The most difficult ones become when a person uses a false name then we don't know who they are, it's a bit more challenging to try and find somebody."

Makris' squad is made up of 40 officers. Not one deals exclusively with mortgage fraud.

Aaron says this kind of fraud is not that hard to prevent.

"The banks don't often do their due diligence and send out an appraiser," Aaron said. "Often the appraisal is done by averages, by computers, so that if you have a cheap house on a fancy street, the appraisal is the average of the street, and the house will just slip in without anybody ever actually looking at it."

In the case of Rabi and Shafiei, Ontario Superior Court Justice Randall Echlin ruled they were the innocent victims of identity thieves and were not responsible for a mortgage taken out on the property by scammers.

"The fraudsters transferred the property and obtained the mortgage from the bank in one transaction incumbent upon the bank to exercise due diligence which might be able to prevent the fraud," Echlin said. "Clearly, it did not. Its simple failure to ensure that a proper in-person appraisal involving contact with the occupants of the subject premises would have uncovered the fraud."

He voided the mortgage and said the bank was not an innocent victim of the crime. Lawyers for the couple argued that the couple was still responsible for paying it.

Due diligence. It's a phrase that pops up continually when it comes to real estate fraud.

The Appraisal Institute of Canada called for it in a report by its task force looking into real estate fraud.

"Upon receipt of an appraisal request, the due diligence by AIC members can be increased without an increase in human or financial costs," the report said.

"As part of the due diligence process of obtaining a legal description, property assessment and tax information, the Task Force believes that every property appraised should be supported with a title search (if readily available from your land registry system) attached to the appraisal report."

The report also recommended that appraisers verify photo identification to ensure the seller listed on the property title is the same person who is trying to sell the property.

"This is the value-added service our members can contribute to minimizing mortgage fraud. The public will feel less threatened by title theft if they knew each mortgage application required a full appraisal and every AIC appraiser would consistently ask for a photo ID in order to ensure the property being appraised corresponded to the registered owner on title," the report said.

The Ontario government recently introduced legislation aimed at protecting homeowners from real estate fraud. If passed, it would ensure that ownership of a property couldn't be lost as a result of the registration of a falsified mortgage, fraudulent sale or a counterfeit power of attorney. Title would be restored to the homeowner.

The proposed legislation would also increase fines for real estate fraud-related offences from \$1,000

Real estate lawyer Morris Cooper says what passes for "due diligence" on the part of mortgage companies is often an embarrassment. He says that in almost all cases of mortgage fraud, a simple visit to the home by the mortgage company would have prevented a crime.

"If you knock on someone's door and say, 'I'm here to appraise your house because you're selling it this month,' of course the owner will say 'you're out of your mind.'"

Mortgage Meltdown

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Countrywide faces foreclosure probe

Report says bankruptcy court regulator looking into whether mortgage lender is tacking on improper fees and charges to loans in foreclosure.

November 28 2007: 7:38 AM EST

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NEW YORK (CNNMoney.com) -- Countrywide Financial, the nation's leading mortgage lender, is facing a federal probe into its foreclosure practices, according to a published report.

The New York Times reported Wednesday that the U.S. Trustee, the federal agency monitoring the bankruptcy courts, subpoenaed its records to determine if two foreclosures in southern Florida represented abuses of the bankruptcy system by the lender.

The agency, a part of the Justice Department, announced an effort to move against mortgage servicing companies that file false and inaccurate claims in foreclosure cases.

The paper says that in the two cases being examined borrowers who had filed for bankruptcy court protections objected to Countrywide's claims of what was owed on their home loans. One couple contended that their mortgage payments were current, while [Countrywide](#) ([Charts](#), [Fortune 500](#)) claimed \$2,400 in overdue mortgage payments in that case.

The paper reports that the U.S. Trustee took an interest in both matters after Countrywide did not respond to the borrowers'

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objections and judges in the cases ordered the lenders' claims for various fees stricken from the claims.

A Countrywide spokesman told the paper it does not comment on pending litigation, but added that it had intended to appear at the hearings and was investigating why its outside counsel did not do so.

Countrywide has filed objections to the U.S. Trustee's probe and subpoenas in both cases, the paper reported, saying that they were overly broad and exceeded the office's powers. But the bankruptcy judge hearing one of the cases has allowed the regulator's investigation to go forward.

The paper reports that Countrywide is not the only mortgage lender being accused of adding improper charges to loans made to people who have filed for bankruptcy protection.

A recent study of more than 1,700 foreclosure cases by University of Iowa law professor Katherine Porter showed that questionable fees had been added to almost half of the loans she examined, the paper reported.

In one case, the court found that [Wells Fargo \(Charts, Fortune 500\)](#), another major mortgage lender, assessed improper fees and charges that added more than \$24,000 to a loan, or 12 percent more than the court determined was actually owed.

The paper said that Porter found another lender, which it did not identify, had claimed that a borrower owed more than \$1 million when in fact the true balance was only \$60,000. ■

Subject: RE: Bc Hydro Account Number 1451 3499 004 -- Reply letter FOI

Date: Mon, 7 Jan 2008 11:45:11 -0800

From: Joyce.Davidson@bchydro.com

To: harold_gaffney1@hotmail.com

CC: anthonyjasich@shaw.ca; Scott.MacDonald@bchydro.com

Dear Mr. Gaffney:

I understand your concern about due diligence. Because of the number of phone applications we process per month, around 40,000, we are unable to obtain signed applications, as is the case with other utilities in Canada. However, when a new customer calls us, i.e. someone who has not had a previous account with us, we ask for a driver's licence number or, if that is not available, a passport number/care card number, etc. When an existing customer calls to apply for service at a new address, we already have that information on file. We already had identification on file from the "new" customer who applied for service at your address and the application for service at your address was a mistake on their part. Our previous customer at that address is then provided with the opportunity of correcting that mistake by receiving an invoice stating that the account is now closed, as is the case with this situation. If we are notified by a customer that someone has been using their identification for utility purposes, we advise them to deal directly with the police as the fraud is with the individual.

I would like to again reassure you, Mr. Gaffney, that you are our only customer on record at that address and append a screen print of your account from our Customer Care System. We have also placed a communication instruction on your account that we will not accept any application at your address unless we contact you by telephone first of all. As an added precaution, you may want to place a password on file and, if you would like to do that, please contact me.

Yours truly,

Joyce Davidson

The screenshot displays a software interface for a Customer Interaction Center. At the top, there is a menu bar with options: Interaction Center, Call, Telephony, Callback, Agent, System, and Help. Below the menu is a toolbar with various icons for navigation and actions.

The main window is titled "Customer Interaction Center" and contains several sections:

- Navigation:** Includes buttons for "Navigation", "Application", and "End Contact".
- Business Partner:** A form containing the following information:

Last/first	GAFFNEY	HAROLD
Busines...	450	BROMLEY ST 312
PC/city/ct	V3K ...	COQUITLAM CA
Part/tel	1117383	604 939-5542
CA/Inst	*	
- Actions:** Includes icons for "Partner", "Request", and "Move".
- Account Display:** A tabbed interface with "Invoices" and "Clipboard" selected. It shows a table of account items:

Description	Amount
10373431	
14513433004	
Open	56.00
Past Due	0.00
Credit	0.00
Uninvoiced Chrg	0.00
Sec Deposit Pmt	0.00
Written Off	0.00
Instalmt Plan	0.00
Deact. Instalmt Plan	0.00
Referred	0.00
Uninvoiced NE Chrg	0.00
Value Adjusted	0.00
- Environment:** A tree view showing the account structure:
 - Object
 - HAROLD GAFFNEY
 - 312 - 450 BROMLEY ST, COQUITLA
 - 312 - 450 BROMLEY ST, COQUITLA
 - 19.11.2003
 - BCRSE1101
 - B244 1799959

Joyce Davidson
 Customer Relations Manager
 Central Park Place - 7th floor
 Tel. 604-453-6525

Fax: 604-453-9141
email: joyce.davidson@bchydro.com

From: Harold Gaffney [mailto:harold_gaffney1@hotmail.com]
Sent: 2008, January 05 10:10 AM
To: Davidson, Joyce
Cc: Anthony Jasich LL.B; Macdonald, Scott
Subject: RE: Bc Hydro Account Number 1451 3499 004 -- Reply letter FOI

Dear Ms. Davidson,

I am very concern that B.C. Hydro does not exercise due diligence especially in this age of grow operations and proceeds of crimes. What concerns me is that a customer's account can be closed without the customer's knowledge and another name is put in its place, as a "new customer". In effect, such ruse is used by straw buyers to steal title of property from owners and by the time the owner finds out, it is too late.

B.C. Hydro ought to initiate an investigation by asking for I.D.'s of people prior at giving service. In effect, I know that some landlords and Strata Council abuse the good will of B.C. Hydro and by doing so, it effects every residents of this province. B.C. Hydro has in fact a duty to report this matter to law enforcement and alert them of the utility fraud that was in fact committed. B.C. Hydro is the only body who has the name of the person who passed himself off as a "new customer" with B.C. Hydro.

Finally, no one is legally entitled to have the service of B.C. Hydro for 312-450 Bromley Street, other than myself, Harold Gaffney, therefore I want your assurance that in the event someone or the same person attempts to connect a service again at 312-450 Bromley Street, than B.C. Hydro should first contact me by phone at 604.939.5542 or by fax at 604.685.6518, and it should also ask the person or persons for ID's and for proof of ownership of my property.

I thank you Ms. Davidson for having acted on this matter and I can only hope that no one will try to pass themselves off as a "new customer" of 312-450 Bromley Street.

Sincerely ,

Harold Gaffney
312-450 Bromley Street,
Coquitlam, B.C.
V3K 6S5
Phone Number: 604.939.5542

Subject: RE: Bc Hydro Account Number 1451 3499 004 -- Reply letter
FOI
Date: Fri, 4 Jan 2008 11:28:34 -0800
From: Joyce.Davidson@bchydro.com
To: harold_gaffney1@hotmail.com
CC: anthonyjasich@shaw.ca; Scott.MacDonald@bchydro.com

Dear Mr. Gaffney:

Thank you for your email.

To clarify, your account was closed by our agent on December 17, 2007 when the "new" customer called to apply for service at your address, giving a date of December 14, 2007 for his responsibility for the service. Therefore, your account at that address was closed from December 14, 2007.

We fully understand that you are the only person living at 312-450 Bromley Street and no-one else has been given permission to live at your property. As stated in my letter yesterday, the account in your name (and your name only) was immediately re-established on December 31, 2007 when you called to inform us of this.

We confirm that the "new" customer has been completely removed from responsibility for electric service at 312-450 Bromley Street. This was done on December 31, 2007. However, as I said in my letter, due to the provisions of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), we are unable to divulge the name of the person who applied for service at 312-450 Bromley Street. We would go on to reassure you that, because of the provisions of FOIPPA, BC Hydro is precluded from providing any information about one customer to another and the person who applied for service at your address was not given any information whatsoever about you and vice versa. Also, the invoice you received dated December 17, 2007 was not paid by a third party but was paid from the accumulated credit in your Equal Payment Plan as noted by the credit of \$78.20 in the section of your invoice marked "Equal Payment?". As stated above, the person who applied for service at your address has been removed from your account and any invoicing pertaining to that account. If your account had not been closed to December 14, 2007, your normal monthly invoice would have been dated December 20, 2007. Our Billing people are currently reversing the December 14, 2007 invoice and will be sending you a revised invoice for your equal payment plan monthly amount up to December 20, 2007. You will continue to receive your monthly Equal Payment Plan invoice - next one will be mid January, 2008.

Mr. Gaffney, I trust our confirmation and reassurances have helped to alleviate your concerns and please, once again, accept BC Hydro's apologies.

Yours truly,
 Joyce Davidson
 Customer Relations Manager
 Central Park Place - 7th floor
 Tel. 604-453-6525
 Fax: 604-453-9141
 email: joyce.davidson@bchydro.com

From: Harold Gaffney [mailto:harold_gaffney1@hotmail.com]
Sent: 2008, January 04 9:12 AM
To: Davidson, Joyce
Cc: Anthony Jasich LL.B
Subject: Bc Hydro Account Number 1451 3499 004 -- Reply letter FOI

Thank you for your response delivered to me by fax.

Please be aware that my invoice, which I attach a copy, was apparently closed on December 14th, 2007 and not the 17th of

December 2007, as you have claimed in your letter.

I also want to make it clear that I am the only person at the address of 312-450 Bromley Street and no one else has been given permission to live at my property. Attach is proof of my ownership of the property.

In your letter you have assured that the account (my account) remains in my name and continues on the Equal Payment Plan however you have not assured me that the "new customer" who called B.C. Hydro to apply for service for 312-450 Bromley Street, will be removed from its billing account for my apartment suite, and this I require confirmation forthwith.

Please confirm as to whether the people who applied as "new customers" of B.C. Hydro at 312-450 Bromley Street, is under the name of either Brent Tremain and/or Mariana Oviendo Ovando or both.

Further please confirm as to whether B.C. Hydro has removed the "new customers" from its invoice for the address of 312-450 Bromley Street in Coquitlam.

And please confirm as to whether I will be receiving my monthly invoice as scheduled every month?

I wait your immediate response regarding my concerns and confirmation I have requested.

Yours truly,
Harold Gaffney

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HO HO HO, if you've been nice this year, email Santa! [Visit asksanta.ca to learn more!](#)

HO HO HO, if you've been nice this year, email Santa! [Visit asksanta.ca to learn more!](#)

Subject: FW: Bc Hydro Account Number 1451 3499 004 --
Date: Mon, 21 Jan 2008 10:13:26 -0800
From: Linda.Harwood@bchydro.com
To: harold_gaffney1@hotmail.com

Dear Mr. Gaffney.

We acknowledge receipt of your email dated January 17, 2008. Mr Elton, President and CEO of BC Hydro, is away until the end of January. In the meantime, we are looking into this matter and I will bring this to Mr. Elton's attention upon his return.

Regards,
Linda

From: Harold Gaffney [mailto:harold_gaffney1@hotmail.com]
Sent: 2008, January 17 4:54 PM
To: Harwood, Linda
Subject: FW: Bc Hydro Account Number 1451 3499 004 --

Hello Ms. Harwood

The emails below is for your consideration.

I await your immediate response

From: harold_gaffney1@hotmail.com
To: larry.bell@bch.ca; larry.bell@bchydro.com; linda.harwood@bch.ca; jane.peverett@bctc.com
CC: joyce.davidson@bchydro.com; anthonyjasich@shaw.ca; citizen@justice4you.org
Subject: FW: Bc Hydro Account Number 1451 3499 004 --
Date: Thu, 17 Jan 2008 16:46:59 -0800

Hello Mr. Larry Bell/ Chair of BC Hydro
Hello Mr Ms. Linda Harwood; and
Hello Ms. Jane Peverett;

I am forwarding this email to you, coming from Ms. Joyce Davidson, your customer relations manager, who consulted with one of your BC Hydro legal counsel,

regarding my account file number 1451 3499 004.

I was advised that the lawyer who "examined" my documents and my account, gave bad legal advice to Ms. Davidson and the lawyer knew at the time that he was giving bad legal advice to Ms. Davidson regarding my account.

I ask you, upon reading this email and the attached documents, to please advise as to who is the lawyer in your legal department who examined my documents and handled this matter? And Further please advise as to who is the head of the legal department at BC Hydro.

I await your immediate response.

Signed

Harold Gaffney
312-450 Bromley Street
Coquitlam, BC V3K 6S5
Phone Fax: 604.685.6518

Subject: RE: Bc Hydro Account Number 1451 3499 004 --
Date: Thu, 17 Jan 2008 09:40:39 -0800
From: Joyce.Davidson@bchydro.com
To: harold_gaffney1@hotmail.com
CC: anthonyjasich@shaw.ca

Mr. Gaffney, we have now received all your documents and also documents from Brent Tremain. Our Legal Counsel has examined these documents and, on their advice, we are transferring the account from your name to Brent Tremain's name as of December 15, 2007 when they took occupancy of the premises at 312 – 450 Bromley Street, Coquitlam.

Joyce Davidson
Joyce Davidson
Customer Relations Manager
Central Park Place - 7th floor
Tel. 604-453-6525
Fax: 604-453-9141
email: joyce.davidson@bchydro.com

From: Harold Gaffney [mailto:harold_gaffney1@hotmail.com]
Sent: 2008, January 17 8:24 AM
To: Davidson, Joyce
Cc: Anthony Jasich LL.B
Subject: RE: Bc Hydro Account Number 1451 3499 004 --

Hello Ms. Davidson – BC Hydro
Thank you Ms. Davidson for having scheduled meter reading for Friday January 18, 2008.

Accordingly, I am attaching some information of the manufacture of extreme ecstasy pills.

If there is any significant consumption on my electric meter then it would indicate that my condo has been occupied after I left on 15 Dec 07, and

that occupation is illegal as Brent Tremain and Mariana Oviendo Ovando have been unable to raise the \$220,900 necessary to purchase my property.

All indications are the Brent Tremain, or someone passing themselves off as Brent Tremain, is occupying my property illegally.

This is a theft of electricity from BCH and from myself, and therefore it would be desirable from the point of establishing the nature of the illegal activity that has been going on and continues to go on in my property.

I therefore ask that you put a continuous recording wattmeter (electronically transmitting) on my electric service point from BCH and that the transmission of that electric signal be to BCH control centre for monitoring as explained in the attached pdf documents.

The extreme ecstasy pill making machine described in the attachments is readily available in Canada, and I understand from friends that the sound of pill punching at about 20 pills per minute, is common in apartments on the North Shore of Greater Vancouver and in the lower mainland.

I would suggest you transmit this email to one of your electrical power engineering division.

I await your immediate response.

Sincerely,

Harold Gaffney
312-450 Bromley Street,
Coquitlam, BC V3K 6S5
Phone fax: 604.685.6518

Subject: RE: Bc Hydro Account Number 1451 3499 004 --
Date: Wed, 16 Jan 2008 10:28:34 -0800
From: Joyce.Davidson@bchydro.com
To: harold_gaffney1@hotmail.com
CC: customer.advocacy@bchydro.com

Mr Gaffney, we have a scheduled meter reading taking place this Friday, January 18 and we will let you know the results of that meter reading when we receive it. The invoice should be sent to you on Monday, January 21.

Joyce

Joyce Davidson
Customer Relations Manager
Central Park Place - 7th floor
Tel. 604-453-6525
Fax: 604-453-9141
email: joyce.davidson@bchydro.com

From: Harold Gaffney [mailto:harold_gaffney1@hotmail.com]
Sent: 2008, January 15 6:54 PM
To: Davidson, Joyce
Subject: RE: Bc Hydro Account Number 1451 3499 004 --
Hello Ms. Davidson,

Would you please provide a date for a meter reader for 312-450 Bromley Street, from December 18, 2007 to date.

I await your immediate response.

Harold Gaffney

Subject: RE: Bc Hydro Account Number 1451 3499 004 --
 Date: Tue, 15 Jan 2008 17:02:45 -0800
 From: Joyce.Davidson@bchydro.com
 To: harold_gaffney1@hotmail.com
 CC: anthonyjasich@shaw.ca; citizen@justice4you.org

I will forward this to our Legal Counsel and will wait for them to get back to us.

Joyce

Joyce Davidson
 Customer Relations Manager
 Central Park Place - 7th floor
 Tel. 604-453-6525
 Fax: 604-453-9141
 email: joyce.davidson@bchydro.com

From: Harold Gaffney [mailto:harold_gaffney1@hotmail.com]
Sent: 2008, January 15 4:30 PM
To: Davidson, Joyce
Cc: Anthony Jasich LL.B; Justice 4you
Subject: RE: Bc Hydro Account Number 1451 3499 004 --
 Ms. Davidson,

The transfer of title that was made to Brent Tremain and Mariana Oviendo Ovando should not have been done by the land titles office because my mortgage with CIBC, which I am still servicing has not been discharged. Please find attached title and note on the last page of the document where it shows that CIBC has not discharged itself from title and that I am still servicing my mortgage.

At this time, the land title office is criminally negligent for having done a transfer upon the word of a lawyer who claims he has raised the money to buy my property. There are no signatures provided by Brent Tremain nor by Mariana Oviendo Ovando. Further TD Bank is second in line to my mortgage for the alleged buyers of my property, meaning that there are two mortgages at this time on the property. One worth \$130,000.00 and the second mortgage, waiting in line is worth \$220,000.00, a total of \$355, 000.00. The total amount of mortgage exceeds the value of my property.

Until there is no discharge of my mortgage from CIBC than Brent Tremain is illegally occupying my home. The transfer executed by the land office is a fraudulent conveyance and this matter will be investigated by the proper bodies.

The lawyers are attempting to take possession of my home via the utilities and given that BC Hydro has many loose boards in the fence, anyone, including terrorist can take possession of any home without proper check. ---Note that not because a lawyer claims the conveyance to be legitimate that it means it is legitimate. Attach for your consideration is onely one example of many others wherein lawyers are involved in fraudulent conveyance.

In the event that BC Hydro makes a transfer upon the flawed documents issued by the lawyers and by Brent Tremain which shows no signatures, I will take the matter to the criminal court.

In the meantime, I am still requesting a meter reader from Dec. 18, 2007 to the present date. Would you please confirm ASAP.

I await to hear from you.

Harold Gaffney
312-450 Bromley Street,
Coquitlam, BC V3K 6S5
Phone: 604.685.6518

Subject: RE: Bc Hydro Account Number 1451 3499 004 --
Date: Tue, 15 Jan 2008 15:11:20 -0800
From: Joyce.Davidson@bchydro.com
To: harold_gaffney1@hotmail.com
CC: anthonyjasich@shaw.ca; citizen@justice4you.org

Dear Mr Gaffney,
I apologize for not contacting you sooner but I've been at meetings most of the day. Yes, we have had another application from another customer for electric service at your property in Bromley Street but we have not done anything about changing the account from his name to yours. We asked that individual for documents showing that he owns title to your property and we have received these documents. I am sending them to BC Hydro's Legal Counsel to determine the validity of the documents.

As soon as I hear from our Legal Counsel, I will communicate with you then. In the meantime, rest assured that the account will continue to remain in your name.

Joyce
Joyce Davidson
Customer Relations Manager
Central Park Place - 7th floor
Tel. 604-453-6525
Fax: 604-453-9141
email: joyce.davidson@bchydro.com

From: Harold Gaffney [mailto:harold_gaffney1@hotmail.com]
Sent: 2008, January 15 2:37 PM
To: Davidson, Joyce
Cc: Anthony Jasich LL.B; Justice 4you
Subject: FW: Bc Hydro Account Number 1451 3499 004 --
Hello Ms. Davidson,

Since I have not heard back from you, I contacted B.C. Hydro today to ask about the status of my account and I was advised that Brent Tremain is attempting one more time to connect with BC Hydro at 312-450 Bromley Street. I was further informed that Brent Tremain sent to BC Hydro a document showing his name on title of my property.

I note that I have not had confirmation in writing or otherwise from my bank --Canadian Imperial Bank of Commerce -- that my mortgage has been discharged. Please be assured that Mr. Brent Tremain does not own my property since he has not raised the funds to purchase my home yet he has been able with the assistance of a rogue lawyer to fraudulently put his name on title. Basically, Mr. Tremain and Mariana Oviendo Ovando were able to get their names on title without the

requirement from the land title office to show proof of signature and proof of identity.

My biggest concern Ms. Davidson, aside from having my title stolen from me by a straw buyer and a rogue lawyer is the fact that somebody is occupying my property wrongfully.

I have further concern, due to the rampant growth of drug currently on the market "extreme extacy", that the person attempting to occupy my home, is trying to set up shop in my condo.

Due to the person attempting to steal my title from me and may be occupying my home, I would request a meter reader for 312-450 Bromley Street, from December 18 to present date ASAP.

There should be no transfer to Brent Tremain or Mariana Oviendo Ovando or anyone else, unless I authorize the transfer.

In the event you require any further information please advise. In the meantime I await your immediate response.

PS Thank you for putting my password on my account.

Harold Gaffney
312-450 Bromley Street,
Coquitlam, BC V3K 6S5
604-685.6518

From: harold_gaffney1@hotmail.com
To: joyce.davidson@bchydro.com
CC: anthonyjasich@shaw.ca
Subject: Bc Hydro Account Number 1451 3499 004 --
Date: Mon, 14 Jan 2008 14:53:58 -0800

Hello Ms. Davidson,

I am checking again to find out as to whether there has been any changes, to my account number 1451 3499 004 with BC Hydro since the last time we communicated by email?

I await your immediate response.

Harold Gaffney
312-450 Bromley Street
Coquitlam, B.C. V3K 6S5

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Prepared For
HAROLD GAFFNEY
312-450 BROMLEY ST
COQUITLAM BC V3K 6S5

Billing Date
Jan 07, 2008
Pay By
Jan 29, 2008

Account Number
1451 3433 004
Please Pay
\$56.00

Invoice Number:
150000962583

Meter Reading Information

Customer Service

Phone: (604) 224-9376 Power Out? 1-888-769-3766
Mail to: BC Hydro, PO Box 9501 Stn Terminal, Vancouver BC, V6B 4N1

Electric:
Meter # 1799959
Nov 20 48653
Dec 18 49841
29 days 1188

Next meter reading on or about Jan 17

Previous Bill

Balance payable from your previous bill 56.00
Thank you for your payment Dec 05, 2007 56.00CR

Balance from your previous bill **\$0.00**

BC Hydro

Electric Charges

Nov 20 to Dec 18 (Residential rate 1101)
Basic charge: 29 days @ \$0.12130 /day 3.52*
Usage charge: 1188 kW.h @ \$0.06150 /kW.h 73.06*
Rate Rider at 2% 1.53*
Innovative Clean Energy Fund Levy at 0.4% 0.31
Regional transit levy: 29 days @ \$0.06240 /day 1.81*
* GST 4.00

\$84.23

Taxes

The following is a summary of taxes billed to your account since your last invoice:
GST at 5 % on 79.92 4.00

Equal Payment

Installment 56.00
\$56.00

Status to date:
Cost of energy **\$342.03**
Monthly installments **\$392.00**

Anniversary date May 2008

Balance payable \$56.00

WD 12

Return this portion with your payment
ALL PAYMENTS SHOULD BE MADE PAYABLE TO BC HYDRO

Billing Date
Jan 07, 2008
Pay By
Jan 29, 2008

Account Number
1451 3433 004
Please Pay
\$56.00

Amount Paid

\$ 56.00



X13390 BCMNN 2053

14 HAROLD GAFFNEY
312-450 BROMLEY ST
COQUITLAM BC V3K 6S5

57 (Y)

39 00 014513433 004 000005600 000000000

SCOPE OF THE REPORT, DISCLOSURES & DEFINITIONS

SCOPE OF THE REPORT

The scope of the appraisal encompasses the due diligence undertaken by the appraiser (consistent with the terms of reference from the client, the purpose and intended use of the report) and the necessary research and analysis to prepare a report in accordance with the Canadian Uniform Standards of Professional Appraisal Practice of the Appraisal Institute of Canada. The following comments describe the extent of the process of collecting, confirming and reporting data and its analysis, describe relevant procedures and reasoning details supporting the analysis, and provide the reason for the exclusion of any usual valuation procedures.

The appraiser has been asked by Keith Oliver of Oliver & Company to conduct a full appraisal on the property for the purpose of estimating market value. It is the intention of the client to use the appraisal for Foreclosure Purposes. This report cannot be used for any other purpose without the permission of the appraiser. Any use which a third party makes of this report or any reliance on or decisions to be made based on it are the responsibility of such third parties. Linquist Enterprises Ltd. and Eric Linquist accept no responsibility for damages if any suffered by any third parties as a result of decisions made or actions based on this report. All sales data have been verified through information provided by the Real Estate Board of Greater Vancouver's Multiple Listing Service. No secondary source of verification of sales data has been undertaken.

DEFINITION OF MARKET VALUE

The most probable price which a given property should bring, assuming a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus.
Note: If other than market value is being appraised, see comments attached.

DEFINITION OF HIGHEST AND BEST USE

The reasonably probable and legal use of the property, that is physically possible, appropriately supported, and financially feasible, and that results in the highest value.

Having got those conditions from Keith Oliver of Oliver and Co, his client, Eric Linquist gave Keith Oliver -- the conservative and sure sale price. Of \$225,000; later Oliver would purport to raising a mortgage of \$220,900 from TD Bank

ASSUMPTIONS & LIMITING CONDITIONS

The Certification that appears in this appraisal report is subject to the following conditions:

ORDINARY ASSUMPTIONS & LIMITING CONDITIONS:

1. This report is prepared at the request of the client and for the specific use referred to herein. It is not reasonable for any other party to rely on this appraisal without first obtaining written authorization from the client, the author and any supervisory appraiser, subject to the qualification in paragraph 10 below. Liability to any person other than the client, designated intended users and those who obtain written consent is expressly denied and, accordingly, no responsibility is accepted for any damage suffered by any such person as a result of decisions made or actions based on this report. Diligence by all intended users is assumed.
2. Because market conditions, including economic, social and political factors, change rapidly and, on occasion, without warning, the market value estimate expressed as of the date of this appraisal cannot be relied upon as of any other date except with further advice from the appraiser confirmed in writing.
3. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. No registry office search has been performed and the appraiser assumes that the title is good and marketable and free and clear of all encumbrances including leases, unless otherwise noted in this report. The property is appraised on the basis of it being under responsible ownership.
4. The subject property is presumed to comply with government regulations including zoning, building codes and health regulations and, if it doesn't comply, its non-compliance may affect market value.
5. No survey of the property has been made. Any sketch in the appraisal report shows approximate dimensions and is included only to assist the reader of the report in visualizing the property.
6. This report is completed on the basis that testimony or appearance in court concerning this appraisal is not required unless specific arrangements to do so have been made beforehand. Such arrangements will include, but not necessarily be limited to, adequate time to review the appraisal report and data related thereto and the provision of appropriate compensation.
7. Unless otherwise stated in this report, the appraiser has no knowledge of any hidden or unapparent conditions of the property (including, but not limited to, its soils, physical structure, mechanical and other operating systems, its foundation, etc.) or adverse environmental conditions (on it or a neighbouring property, including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable. It has been assumed that there are no such conditions unless they were observed at the time of inspection or became apparent during the normal research involved in completing the appraisal. This report should not be construed as an environmental audit or a detailed property condition report, as such reporting is beyond the scope of this report and/or the qualifications of the appraiser. The author makes no guarantees or warranties, express or implied, regarding the condition of the property, and will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist.
8. The appraiser obtained information, estimates and opinions that were used in the preparation of this report from sources considered to be reliable and accurate and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of items that were furnished by other parties.
9. The opinions of value and other conclusions contained herein assume satisfactory completion of any work remaining to be completed in a good and workmanlike manner. Further inspection may be required to confirm completion of such work.
10. The contents of this report are confidential and will not be disclosed by the author to any party except as provided for by the provisions of the Canadian Uniform Standards of Professional Appraisal Practice ("the Standards") and/or when properly entered into evidence of a duly qualified judicial or quasi-judicial body.
11. The appraiser has agreed to enter into the assignment as requested by the client named in the report for the use specified by the client, which is stated in the report. The client has agreed that the performance of this appraisal and the report format is appropriate for the intended use.
12. Written consent from the author and supervisory appraiser, if applicable, must be obtained before any part of the appraisal report can be used for any purpose by anyone except the client and other intended users identified in the report and, where the client is the mortgagee, its insurer and the borrower, if he or she paid the appraisal fee. Written consent and approval must also be obtained before the appraisal (or any part of it) can be altered or conveyed to other parties, including mortgagees other than the client and the public through prospectus, offering memoranda, advertising, public relations, news, sales or other media.
13. Other See Attached Addendum

CONTRACT OF PURCHASE AND SALE

PREPARED BY: Century 21 Apex International DATE: November 22, 2007
(BROKERAGE - PLEASE PRINT)
 ADDRESS: #301, 6935 - 120 Street Delta PC: V4E 2A8 PHONE: 604-599-4888
 PER: George Tan MLS® No.: V664980
(LICENSEE - PLEASE PRINT)

SELLER: <u>S&H GAFFNEY</u>	BUYER: <u>Raymond Lehoux</u>
SELLER: _____	BUYER: _____
ADDRESS: <u># 312 450 BROMLEY ST</u>	ADDRESS: <u>1368 Stevens Street, White Rock, BC</u>
_____	_____
<u>Coquitlam</u> PC: <u>V3K 6S5</u>	_____ PC: _____
PHONE: _____	PHONE: _____
RESIDENT OF CANADA <input checked="" type="checkbox"/> NON-RESIDENT OF CANADA <input type="checkbox"/>	OCCUPATION: <u>Retired</u>
<small>as defined under the <i>Income Tax Act</i>.</small>	_____

PROPERTY:

312 450 BROMLEY ST
 UNIT NO. ADDRESS OF PROPERTY
Coquitlam V3K 6S5 015-726-339
 CITY/TOWN/MUNICIPALITY POSTAL CODE PID
NWS3181 LT 36 DL 113 LD 36 GRP 1
 LEGAL DESCRIPTION

The Buyer agrees to purchase the Property from the Seller on the following terms and subject to the following conditions:

- PURCHASE PRICE:** The purchase price of the Property will be _____
Two Hundred and Forty-Two Thousand
 _____ DOLLARS \$ 242,000.00 (Purchase Price)
- DEPOSIT:** A deposit of \$ 20,000.00 which will form part of the Purchase Price, will be paid on the following terms:
 To be placed in trust within 24 hours upon removal of all subject to clauses and payable by way of bank draft or certified cheque.

All monies paid pursuant to this section (Deposit) will be delivered in trust to Century 21-Apex International

_____ and held in trust in accordance with the provisions of the *Real Estate Services Act*. In the event the Buyer fails to pay the Deposit as required by this Contract, the Seller may, at the Seller's option, terminate this Contract. The party who receives the Deposit is authorized to pay all or any portion of the Deposit to the Buyer's or Seller's conveyancer (the "Conveyancer") without further written direction of the Buyer or Seller, provided that: (a) the Conveyancer is a Lawyer or Notary; (b) such money is to be held in trust by the Conveyancer as stakeholder pursuant to the provisions of the *Real Estate Services Act* pending the completion of the transaction and not on behalf of any of the principals to the transaction; and (c) if the sale does not complete, the money should be returned to such party as stakeholder or paid into Court.


INITIALS

TITLE NO: BA449049

NEW WESTMINSTER

STRATA PROPERTY ACT (Section 249)

TITLE NO: BA449049
FROM TITLE NO: BX5949

APPLICATION FOR REGISTRATION RECEIVED ON: 28 NOVEMBER, 2006
ENTERED: 04 DECEMBER, 2006

REGISTERED OWNER IN FEE SIMPLE:
SHEILA FRANCES GAFFNEY, RETIRED
301 - 9344 CAMERSON STREET
BURNABY, BC
V3J 1L9
AS TO AN UNDIVIDED 1/2 INTEREST

HAROLD CECIL GAFFNEY, RETIRED
312 - 450 BROMLEY STREET
COQUITLAM, BC
V3K 6S5
AS TO AN UNDIVIDED 1/2 INTEREST

This was done by David Donahoe for Ken Rowan -- trustee in fraudulent bankruptcy --- when the bankruptcy judge said the bankruptcy was a fraud and for him to put the bankruptcy fraudster back on title.

TAXATION AUTHORITY:
CITY OF COQUITLAM

DESCRIPTION OF LAND:

PARCEL IDENTIFIER: 015-726-339
STRATA LOT 36 DISTRICT LOT 113 GROUP 1 NEW WESTMINSTER DISTRICT STRATA PLAN NW3181 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1

LEGAL NOTATIONS:

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 29 OF THE MUNICIPAL ACT.
SEE DF AC228832 (EXPIRES ON N/A)

CHARGES, LIENS AND INTERESTS:

NATURE OF CHARGE
CHARGE NUMBER DATE TIME

COVENANT

AB149009 1988-07-28 14:47
REGISTERED OWNER OF CHARGE
DISTRICT OF COQUITLAM
AB149009

REMARKS: LAND TITLE ACT SECTION 215
INTER ALIA

STATUTORY RIGHT OF WAY

AB203666 1988-10-03 10:14
REGISTERED OWNER OF CHARGE
B.C. GAS INC. INCORPORATION NO 74280 AND
BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
AB203666

REMARKS: ASSIGNMENT OF 338501C REC'D 18/06/1963 @ 15:41
ANCILLARY RIGHTS INTER ALIA

MORTGAGE

WD262803 1990-11-20 09:19
REMARKS: MODIFICATION OF AB203755
INTER ALIA

MORTGAGE

AD262806 1990-11-20 09:24

REMARKS: MODIFICATION OF AD262804 BEING A TRANSFER OF
75/300TH INTEREST IN AB203755, SEE AD262803
INTER ALIA

MORTGAGE

AD274391 1990-12-04 09:36

REGISTERED OWNER OF CHARGE
CIBC MELLON TRUST COMPANY
INCORPORATION NO. A35769
BN62269

REMARKS: TRANSFER OF AB203755 REC'D 03/10/1988 @ 10:35
AS TO AN UNDIVIDED 75/300TH INTEREST
SEE AD262803, AD262804 AND AD262806
INTER ALIA
MODIFIED BY AD274392
MODIFIED AND EXTENDED BY BN62272
EXTENDED BY BN206793

MORTGAGE

AD274392 1990-12-04 09:36

REMARKS: MODIFICATION OF AD262804 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803,
AD262806, AND AD274391
SEE AD274391
INTER ALIA

MORTGAGE

BE260976 1991-10-08 09:17

REMARKS: MODIFICATION OF AB203755
SEE AD262803
INTER ALIA

MORTGAGE

BE260978 1991-10-08 09:31

REGISTERED OWNER OF CHARGE
INLAND ENERGY CORP.
(INC. NO. 24843)
BE260978

REMARKS: INTER ALIA TRANSFER OF AB203755
REC'D 03/10/1988 @ 10:35 AS TO AN UNDIVIDED
75/300THS INTEREST SEE AD262803 AND BE260976
OF INTEREST OF BC GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE260984
MODIFIED AND EXTENDED BY BN62274

MORTGAGE

BE260979 1991-10-08 09:31

REGISTERED OWNER OF CHARGE
INLAND ENERGY CORP.
(INC. NO. 24843)
BE260979

REMARKS: INTER ALIA TRANSFER OF AB203755
REC'D 03/10/1988 @ 10:35 AS TO AN UNDIVIDED
75/300THS INTEREST SEE AD262803 AND BE260976
OF INTEREST OF B.C. GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE260985

TITLE NO: BA449049

NEW WESTMINSTER

MODIFIED AND EXTENDED BY BN62275
EXTENDED BY BN206796

MORTGAGE

BE260983 1991-10-08 09:36
REMARKS: MODIFICATION OF BE260977 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803
AND BE260976
INTER ALIA

MORTGAGE

BE260984 1991-10-08 09:36
REMARKS: MODIFICATION OF BE260978 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803
AND BE260976
INTER ALIA

MORTGAGE

BE260985 1991-10-08 09:36
REMARKS: MODIFICATION OF BE260979 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803
AND BE260976
INTER ALIA

MORTGAGE

BE314745 1991-11-20 13:06
REMARKS: MODIFICATION OF AB203757 SEE BE314744

MORTGAGE

BE314747 1991-11-20 13:14
REMARKS: MODIFICATION OF MORTGAGE BE260977
BEING A TRANSFER OF 75/300THS INTEREST IN AB203755
SEE AD262803 AND BE260976
INTER ALIA

MORTGAGE

BE314748 1991-11-20 13:14
REMARKS: MODIFICATION OF BE314744 BEING A TRANSFER OF
AB203757 SEE BE314744 AND BE314745
INTER ALIA

MORTGAGE

BE314749 1991-11-20 13:14
REGISTERED OWNER OF CHARGE
CIBC MELLON TRUST COMPANY
INCORPORATION NO. A35769
BN62270

REMARKS: INTER ALIA TRANSFER OF AB203755
REC'D 03/10/1988 @ 10:35 AS TO AN UNDIVIDED
75/300THS INTEREST SEE AD262803, BE260976,
BE260977 AND BE314747
OF INTEREST OF BC GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE314751
MODIFIED AND EXTENDED BY BN62273
EXTENDED BY BN206794

MORTGAGE

BE314750 1991-11-20 13:14
REGISTERED OWNER OF CHARGE

TITLE NO. BA449049 NEW WESTMINSTER

CIBC MELLON TRUST COMPANY
INCORPORATION NO. A35769
BN62271

REMARKS: INTER ALIA TRANSFER OF AB203757
REC'D 03/10/1988 @ 10:35
SEE BE314744, BE314745 AND BE314748
AS TO THE INTEREST OF BC GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE314752
MODIFIED AND EXTENDED BY BN62276
EXTENDED BY BN206797

MORTGAGE

BE314751 1991-11-20 13:14
REMARKS: MODIFICATION OF BE314749 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755
SEE AD262803, BE260976, BE260977 AND BE314747
INTER ALIA

MORTGAGE

BE314752 1991-11-20 13:14
REMARKS: MODIFICATION OF AB203757
SEE BE314744, BE314745, BE314748 AND BE314750
INTER ALIA

MORTGAGE

BW366048 2004-08-09 13:16
REGISTERED OWNER OF CHARGE
CIBC MORTGAGES INC.
INCORPORATION NO. A33457
BW366048

JUDGMENT

BB586997 2007-10-12 13:43
REGISTERED OWNER OF CHARGE
KENNETH ALAN ROWAN
BB586997
REMARKS: AS TO THE INTEREST OF HAROLD CECIL GAFFNEY

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS:

015-726-339
CA656913 FREEHOLD TRANSFER
CA656914 MORTGAGE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

Land title office refused to produce this document until after
Gaffney was required to give vacant possession on 15 Dec 07.

Oliver served Gaffney with an exparte order of Judge Grant
Burnyeat of that read in effect --- get out even though the funds
have not been paid as specified in the order of Justice Lance
Bernard on 26 Nov 07

NEW WESTMINSTER LAND TITLE OFFICE

LAND TITLE ACT BRITISH COLUMBIA Dec-14-2007 13:17:35.001
FORM 17 FEE SIMPLE
LAND TITLE AND SURVEY AUTHORITY

CA656913

PAGE 1 OF 6 PAGES

- Your electronic signature is a representation by you that:
 - you are a subscriber; and
 - you have incorporated your electronic signature into
 - this electronic application, and
 - the imaged copy of each supporting document attached to this electronic application, and have done so in accordance with Sections 168.3 and 168.41(4) of the *Land Title Act*, RSBC 1996, C.250.
- Your electronic signature is a declaration by you under Section 168.41 of the *Land Title Act* in respect of each supporting document required in conjunction with this electronic application that:
 - the supporting document is identified in the imaged copy of it attached to this electronic application;
 - the original of the supporting document is in your possession; and
 - the material facts of the supporting document are set out in the imaged copy of it attached to this electronic application.

William G. Cadman NJCRGR	Digitally signed by William G. Cadman
	NJCRGR
	DN: cn=William G. Cadman
	NJCRGR, c=CA, o=www.juricert.com/
	LKUP.cfm?id=NJCRGR, ou=BC
Lawyer Practicing	Date: 2007.12.14 10:56:12 -08'00'

Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the *Land Title Act*.

1. APPLICANT: (Name, address, phone number of applicant, applicant's solicitor or agent)

William Cadman Law Corporation

Barristers and Solicitors

205 2922 Glen Dr

Coquitlam

BC V3B 2P5

Telephone: (604) 945-0012

File Number: 27,623-1

Document Fees: \$64.15

Deduct LTO Fees? YES

2a. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[legal description]

015-726-339

STRATA LOT 36 DISTRICT LOT 113 GROUP 1 NEW WESTMINSTER DISTRICT
STRATA PLAN NW3181

STC? YES

2b. MARKET VALUE: \$ 225,000.00

3. NATURE OF INTEREST: Fee Simple

VESTING BY COURT ORDER

ADDITIONAL INFORMATION:

4. PERSON ENTITLED TO BE REGISTERED AS OWNER: (including occupation(s), postal address(es) and postal code(s))

BRENT TREMAIN, Spray Technician

MARIANA OVIEDO OVANDO, Research Assistant

312 - 450 Bromley Street

Coquitlam

BC

AS JOINT TENANTS

V3K 6S5

Canada

12/14/2007 10:24

6044849372

OLIVER AND CO

PAGE 02/05

DEC-13-2007 15:39

PACIFIC COAST

6045166083 P.05

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT IS A TRUE & CORRECT COPY OF THE INSTRUMENT OF WHICH IT PURPORTS TO BE A COPY DATED AT NEW WESTMINSTER THIS 12 DAY OF December

DEPUTY DISTRICT REGISTRAR

NO. S102880
NEW WESTMINSTER REGISTRY



IN THE MATTER OF THE PARTITION OF PROPERTY ACT, AND IN THE APPLICATION BY SHEILA GAFFNEY FOR THE SALE OF #312 - 450 BROMLEY STREET, COQUITLAM, BC

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SHEILA FRANCES GAFFNEY

PETITIONER

AND:

HAROLD CECIL GAFFNEY

RESPONDENT

ORDER

BEFORE THE HONOURABLE

MR JUSTICE BERNARD

)
)
)

MONDAY THE 26TH

DAY OF NOVEMBER, 2007

THE APPLICATION of the Petitioner having come on for hearing at New Westminster, on the day and date above, AND UPON HEARING R. Keith Oliver Esq., of Counsel for the Plaintiff and the Respondent Harold Gaffney in person;

THIS COURT ORDERS:

13DEC07 722149 RMSC 31.00
35814 S102880

1. Approval of the contract of sale dated November 6th, 2007, for the sale of the lands and premises located at #312 - 450 Bromley Street, in the City of Coquitlam, and described as;

Parcel Identifier 015-726-339

NWS 3181, LOT 36, DL 113, LDNW36, GROUP 1

(the "Lands and Premises")

12/14/2007 10:24 6044849372

OLIVER AND CO

PAGE 03/05

DEC-13-2007 15:39

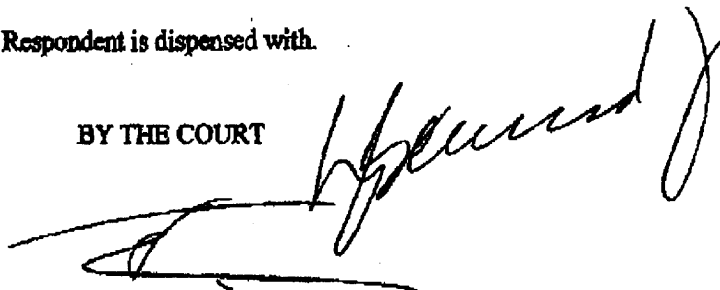
PACIFIC COAST

6045166083 P.06

- 3 -

7. Approval of this Order by the Respondent is dispensed with.

BY THE COURT



Registrar

APPROVED AS TO FORM:


R. Keith Oliver, Esq.
Counsel for the Petitioner



Vol 930 Fol 186
ENTERED

NOV 26 2007

NEW WESTMINSTER
REGISTRY

DEC-13-2007 15:38

PACIFIC COAST

6046168083 P.02

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT IS A TRUE & CORRECT COPY OF THE INSTRUMENT OF WHICH IT PURPORTS TO BE A COPY DATED AT NEW WESTMINSTER THIS 13th DAY OF December AD. 2007

DEPUTY DISTRICT REGISTRAR

NO. S102880
NEW WESTMINSTER REGISTRY



IN THE MATTER OF THE PARTITION OF PROPERTY ACT, AND IN THE APPLICATION BY SHEILA GAFFNEY FOR THE SALE OF #312-450 BROMLEY STREET COQUITLAM, B.C.

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SHEILA FRANCES GAFFNEY

AND:

PETITIONER

HAROLD CECIL GAFFNEY

RESPONDENT

ORDER

BEFORE: A JUDGE OF
THE COURT

) WEDNESDAY THE 12th DAY
) OF DECEMBER, 2007

13 DEC 07 722194 RMSC 31.00
63815 9102880

ON THE APPLICATION of the Petitioner, Sheila Frances Gaffney, without a hearing and upon reading the Affidavit of Sandy Waldie, sworn December 10th, 2007.

THIS COURT ORDERS that:

1. The legal description in the Order of Mr. Justice Bernard dated November 26th, 2007 be amended to read:
Parcel Identifier: 015-726-339
Strata Lot 36 District Lot 113 Group 1
New Westminster District Strata Plan NW3181
Together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1.

DEC-13-2007 15:38

PACIFIC COAST


6045166083 P.03

-2-



BURNEYAT, J.

CONSENTED TO AS TO FORM AND CONTENT



R. KEITH OLIVER
Solicitor for the Petitioner

BY THE COURT



REGISTRAR

Vol 932 Fol 137
ENTERED

DEC 13 2007

NEW WESTMINSTER
REGISTRY



12/14/2007 10:01 6044849372

OLIVER AND CO

PAGE 05/08

OLIVER & CO.
BARRISTERS AND SOLICITORS

R. KEITH OLIVER, B.Sc., LL.B.
Law Corporation

202 - 2963 GLEN DRIVE
COQUITLAM, B.C.
CANADA V3B 2P7
FAX: (604) 357-1435
TELEPHONE: (604) 464-5585

December 12, 2007

Our File No. 4798.001/RKO

Registrar
Land Titles Office
New Westminster, BC

Dear Sir:

**Re: SCBC Action Number S102880 - New Westminster Registry
Between Sheila Frances Gaffney, Petitioner
And Harold Cecil Gaffney, Respondent
PID 015-726-339 Strata Lot 36 District Lot 113 Group 1
New Westminster District Strata Plan NW3181**

We act as solicitor for the Petitioner, Sheila Frances Gaffney. Judgment was granted November 26th, 2007 ordering the sale of the subject property to Mariana Oviedo Ovando and Brent Tremain. This letter is to authorize you to accept for registration a certified copy of that Court Order transferring the property to and vesting in those purchasers without further instrument of transfer of discharge, free and clear of all right, title, interest, encumbrances, liens, charges and equities of redemption of the Petitioner and the Respondent and all persons claiming by, through or under them.

Yours truly,



R. KEITH OLIVER

RKO:sw

**LAND TITLE ACT
FORM DECLARATION**

Related Document Number:

PAGE 1 OF 1 PAGES

Your electronic signature is a representation that: you are a subscriber as defined by the Land Title Act, RSBC 1996, C.250, the original or where designated by the Director, a true copy of the supporting document is in your possession and that the summary of the material facts set out in this declaration accurately reflects the material facts set out in each supporting document and if a supporting document is evidenced by an imaged copy the material facts of the supporting document are set out in the imaged copy of it attached. Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the Land Title Act.

<p>William G. Cadman NJCRGR</p>	<p>Digitally signed by William G. Cadman NJCRGR DN: cn=William G. Cadman NJCRGR, c=CA, o=www.juricert.com/LKUP.cfm?id=NJCRGR, ou=BC Lawyer Practicing Date: 2007.12.14 06:43:13 -08'00'</p>
--	---

I have in my possession a Form F, Certificate of Payment under the Strata Property Act, that is for the Strata lot(s) specified in the accompanying document or in the related document noted above. I confirm that the Form F is current for the purposes of Section 115(2) of the Strata Property Act and that it has been signed on behalf the Strata Corporation. The Form F states that no money is owing to the strata corporation or where money is owing, that the provisions of Section 114, Strata Property Act, have been met or that arrangements satisfactory to the strata corporation have been made to pay the money owing.

NOTE:

A Declaration cannot be used to submit a request to the Registrar for the withdrawal of a document.

NEW WESTMINSTER LAND TITLE OFFICE

LAND TITLE ACT
FORM B (Section 225)

Dec-14-2007 13:17:35.002

CA656914

MORTGAGE - PART 1 Province of British Columbia

PAGE 1 OF 4 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

William G.
Cadman
NJCRGR

Digitally signed by William G. Cadman
NJCRGR
DN: cn=William G. Cadman, njcrgr,
o=CA, ou=www.juribart.com/LKUP.dfm?
id=NJCRGR, ou=BC Lawyer Practising
Date: 2007.12.14 06:39:04 -08'00'

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

William Cadman Law Corporation
Barristers and Solicitors
205 2922 Glen Dr
Coquitlam BC V3B 2P5
Document Fees: \$64.15

Phone: (604) 945-0012
File Ref. No: 27,623-1
Mortgage Ref. # 736/8500363

Deduct LTO Fees? YES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID] [legal description]

015-726-339 STRATA LOT 36 DISTRICT LOT 113 GROUP 1 NEW WESTMINSTER DISTRICT
STRATA PLAN NW3181

STC? YES

3. BORROWER(S) (MORTGAGOR(S)): (including postal address(es) and postal code(s))

BRENT TREMAIN, Spray Technician
MARIANA OVIEDO OVANDO, Research Assistant
312 - 450 Bromley Street
Coquitlam BC
AS JOINT TENANTS V3K 6S5 Canada

4. LENDER(S) (MORTGAGEE(S)): (including occupation(s), postal address(es) and postal code(s))

THE TORONTO-DOMINION BANK
10004 Jasper Avenue 3rd Floor,
Edmonton AB
T5J 1R3

5. PAYMENT PROVISIONS:

(a) Principal Amount: \$220,910.63	(b) Interest Rate: 5.990% per annum	(c) Interest Adjustment Date:	Y 08	M 01	D 01
(d) Interest Calculation Period: Half-yearly, Not in advance	(e) Payment Dates: 1st day of each month	(f) First Payment Date:	08	02	01
(g) Amount of each periodic payment: \$1,202.67	(h) Interest Act (Canada) Statement. The equivalent rate of interest calculated half yearly not in advance is N/A % per annum.	(i) Last Payment Date:	13	01	01
(j) Assignment of Rents which the applicant wants registered ? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If YES, page and paragraph number:	(k) Place of payment: Postal address in Item 4	(l) Balance Due Date:	13	01	01

MORTGAGE - PART 1

6. MORTGAGE contains floating charge on land ?
YES NO

7. MORTGAGE secures a current or running account ?
YES NO

8. INTEREST MORTGAGED:
Freehold
Other (specify)

9. MORTGAGE TERMS:

Part 2 of this mortgage consists of (select one only):

(a) Prescribed Standard Mortgage Terms

(b) Filed Standard Mortgage Terms

(c) Express Mortgage Terms

D F Number: **MT050128**

(annexed to this mortgage as Part 2)

A selection of (a) or (b) includes any additional or modified terms referred to in item 10 or in a schedule annexed to this mortgage.

10. ADDITIONAL OR MODIFIED TERMS:

See Schedule

11. PRIOR ENCUMBRANCES PERMITTED BY LENDER:

SEE SCHEDULE

12. EXECUTION(S): This mortgage charges the Borrower's interest in the land mortgaged as security for payment of all money due and performance of all obligations in accordance with the mortgage terms referred to in item 9 and the Borrower(s) and every other signatory agree(s) to be bound by, and acknowledge(s) receipt of a true copy of, those terms.

Officer Signature(s)

Execution Date

Borrower(s) Signature(s)

(as to both signatures)
WILLIAM G. CADMAN
BARRISTER & SOLICITOR
205 - 2922 GLEN DRIVE
COQUITLAM, B.C., V3B 2P5

Y	M	D
07	12	13

Brent Tremain

Mariana Oviedo Ovando

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM E**

SCHEDULE

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM, OR GENERAL INSTRUMENT FORM.

11. PRIOR ENCUMBRANCES PERMITTED BY LENDER:

- Covenant No. AB149009 in favour of District Of Coquitlam
- Statutory Right Of Way No. AB203666 in favour of B.c. Gas Inc. Incorporation No 74280 And
- Mortgage No. AD262803
- Mortgage No. AD262806
- Mortgage No. AD274391 in favour of National Trust Company, Registration No 1711
- Mortgage No. AD274392
- Mortgage No. BE260976
- Mortgage No. BE260978 in favour of Inland Energy Corp.
- Mortgage No. BE260979 in favour of Inland Energy Corp.
- Mortgage No. BE260983
- Mortgage No. BE260984
- Mortgage No. BE260985
- Mortgage No. BE314745
- Mortgage No. BE314747
- Mortgage No. BE314748
- Mortgage No. BE314749 in favour of National Trust Company
- Mortgage No. BE314750 in favour of National Trust Company
- Mortgage No. BE314751
- Mortgage No. BE314752

Land Title Act
Form E
SCHEDULE

Enter the required information in the same order as the information must appear on the Freehold Transfer form, Mortgage form, or General Instrument form.

10. ADDITIONAL OR MODIFIED TERMS

The boxes marked with and "X" indicate the specific terms of your *Mortgage* and the parts of the *Mortgage* that apply.

1. The *Mortgage* is:

- Closed to prepayment
- Open for prepayment

2. The *Mortgage* secures:

- Variable Rate Debt
- Fixed Rate Debt

3. For purposes of mortgage default insurance, the *Mortgage* is:

- An Insured Mortgage
- Not an Insured Mortgage

4. The Parts of the Standard Mortgage Terms that are applicable to the *Mortgage* are:

- Part A - General Provisions
- Part B - Variable Rate Mortgages
- Part C - Fixed Rate Mortgages
- Part D - Amending or Extending the Mortgage
- Part E - Other General Provisions

5. Your rights to prepay the Mortgage before the *Maturity Date* are contained in:

- Section 4.07 - Prepayment for Open Mortgages (Variable Rate)
- Section 4.08 - Prepayment for Closed Mortgages (Variable Rate) and if *you* prepay the *Variable Rate Principal Amount in full*, *you* must also pay a reinvestment fee of \$300.00
- Section 5.05 - Prepayment for Open Mortgages (Fixed Rate)
- Section 5.06 - Prepayment for Closed Mortgages (Fixed Rate) and if *you* prepay the *Fixed Rate Principal Amount in full*, *you* must also pay a reinvestment fee of \$300.00.

TITLE NO: BA449049

NEW WESTMINSTER

STRATA PROPERTY ACT (Section 249)

TITLE NO: BA449049
FROM TITLE NO: BX5949

APPLICATION FOR REGISTRATION RECEIVED ON: 28 NOVEMBER, 2006
ENTERED: 04 DECEMBER, 2006

REGISTERED OWNER IN FEE SIMPLE:
SHEILA FRANCES GAFFNEY, RETIRED
301 - 9344 CAMERSON STREET
BURNABY, BC
V3T 1L9

The fraudulent bankrupt Sheila was jumped to this position after the Trustee Ken Rowan was told by a Supreme court judge that Sheila was not insolvent --- that the insolvency was a fraud --- so he took himself off title and inserted her in first position as a tenant in common rather than a joint tenant which she was when she was legitimately on title prior to exiting to a fraudulent insolvency.

AS TO AN UNDIVIDED 1/2 INTEREST

HAROLD CECIL GAFFNEY, RETIRED
312 - 450 BROMLEY STREET
COQUITLAM, BC
V3K 6S5
AS TO AN UNDIVIDED 1/2 INTEREST

TAXATION AUTHORITY:
CITY OF COQUITLAM

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 015-726-339
STRATA LOT 36 DISTRICT LOT 113 GROUP 1 NEW WESTMINSTER DISTRICT STRATA PLAN NW3181 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1

LEGAL NOTATIONS:
THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 29 OF THE MUNICIPAL ACT.
SEE DF AC228832 (EXPIRES ON N/A)

CHARGES, LIENS AND INTERESTS:
NATURE OF CHARGE
CHARGE NUMBER DATE TIME

COVENANT
AB149009 1988-07-28 14:47
REGISTERED OWNER OF CHARGE
DISTRICT OF COQUITLAM
AB149009
REMARKS: LAND TITLE ACT SECTION 215
INTER ALIA

STATUTORY RIGHT OF WAY
AB203666 1988-10-03 10:14
REGISTERED OWNER OF CHARGE
B.C. GAS INC. INCORPORATION NO 74280 AND
BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
AB203666
REMARKS: ASSIGNMENT OF 338501C REC'D 18/06/1963 @ 15:41
ANCILLARY RIGHTS INTER ALIA

MORTGAGE
D262803 1990-11-20 09:19
REMARKS: MODIFICATION OF AB203755
INTER ALIA

TITLE NO: BA449049

NEW WESTMINSTER

MORTGAGE

AD262806 1990-11-20 09:24
REMARKS: MODIFICATION OF AD262804 BEING A TRANSFER OF
75/300TH INTEREST IN AB203755, SEE AD262803
INTER ALIA

MORTGAGE

AD274391 1990-12-04 09:36
REGISTERED OWNER OF CHARGE
CIBC MELLON TRUST COMPANY
INCORPORATION NO. A35769
BN62269

REMARKS: TRANSFER OF AB203755 REC'D 03/10/1988 @ 10:35
AS TO AN UNDIVIDED 75/300TH INTEREST
SEE AD262803, AD262804 AND AD262806
INTER ALIA
MODIFIED BY AD274392
MODIFIED AND EXTENDED BY BN62272
EXTENDED BY BN206793

MORTGAGE

AD274392 1990-12-04 09:36
REMARKS: MODIFICATION OF AD262804 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803,
AD262806, AND AD274391
SEE AD274391
INTER ALIA

MORTGAGE

BE260976 1991-10-08 09:17
REMARKS: MODIFICATION OF AB203755
SEE AD262803
INTER ALIA

MORTGAGE

BE260978 1991-10-08 09:31
REGISTERED OWNER OF CHARGE
INLAND ENERGY CORP.
(INC. NO. 24843)
BE260978
REMARKS: INTER ALIA TRANSFER OF AB203755
REC'D 03/10/1988 @ 10:35 AS TO AN UNDIVIDED
75/300THS INTEREST SEE AD262803 AND BE260976
OF INTEREST OF BC GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE260984
MODIFIED AND EXTENDED BY BN62274

MORTGAGE

BE260979 1991-10-08 09:31
REGISTERED OWNER OF CHARGE
INLAND ENERGY CORP.
(INC. NO. 24843)
BE260979
REMARKS: INTER ALIA TRANSFER OF AB203755
REC'D 03/10/1988 @ 10:35 AS TO AN UNDIVIDED
75/300THS INTEREST SEE AD262803 AND BE260976
OF INTEREST OF B.C. GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE260985

J TITLE OFFICE: L.MAINLAND
GESTOR: COUNTER #2

PAGE 3
10:45 2008-01-03

TITLE NO: BA449049

NEW WESTMINSTER

MODIFIED AND EXTENDED BY BN62275
EXTENDED BY BN206796

MORTGAGE

BE260983 1991-10-08 09:36
REMARKS: MODIFICATION OF BE260977 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803
AND BE260976
INTER ALIA

MORTGAGE

BE260984 1991-10-08 09:36
REMARKS: MODIFICATION OF BE260978 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803
AND BE260976
INTER ALIA

MORTGAGE

BE260985 1991-10-08 09:36
REMARKS: MODIFICATION OF BE260979 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803
AND BE260976
INTER ALIA

MORTGAGE

BE314745 1991-11-20 13:06
REMARKS: MODIFICATION OF AB203757 SEE BE314744

MORTGAGE

BE314747 1991-11-20 13:14
REMARKS: MODIFICATION OF MORTGAGE BE260977
BEING A TRANSFER OF 75/300THS INTEREST IN AB203755
SEE AD262803 AND BE260976
INTER ALIA

MORTGAGE

BE314748 1991-11-20 13:14
REMARKS: MODIFICATION OF BE314744 BEING A TRANSFER OF
AB203757 SEE BE314744 AND BE314745
INTER ALIA

MORTGAGE

BE314749 1991-11-20 13:14
REGISTERED OWNER OF CHARGE
CIBC MELLON TRUST COMPANY
INCORPORATION NO. A35769
BN62270
REMARKS: INTER ALIA TRANSFER OF AB203755
~~REC'D 03/10/1988 @ 10:35 AS TO AN UNDIVIDED~~
75/300THS INTEREST SEE AD262803, BE260976,
BE260977 AND BE314747
OF INTEREST OF BC GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE314751
MODIFIED AND EXTENDED BY BN62273
EXTENDED BY BN206794

MORTGAGE

BE314750 1991-11-20 13:14
REGISTERED OWNER OF CHARGE

CONTINUED ON PAGE 4

J TITLE OFFICE: L.MAINLAND
LUNESTOR: COUNTER #2

TITLE NO: BA449049

NEW WESTMINSTER

CIBC MELLON TRUST COMPANY
INCORPORATION NO. A35769
BN62271

REMARKS: INTER ALIA TRANSFER OF AB203757

~~REC'D 03/10/1988 @ 10.35~~
SEE BE314744, BE314745 AND BE314748
AS TO THE INTEREST OF BC GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE314752
MODIFIED AND EXTENDED BY BN62276
EXTENDED BY BN206797

MORTGAGE

BE314751 1991-11-20 13:14

REMARKS: MODIFICATION OF BE314749 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755
SEE AD262803, BE260976, BE260977 AND BE314747
INTER ALIA

MORTGAGE

BE314752 1991-11-20 13:14

REMARKS: MODIFICATION OF AB203757
SEE BE314744, BE314745, BE314748 AND BE314750
INTER ALIA

MORTGAGE

BW366048 2004-08-09 13:16

REGISTERED OWNER OF CHARGE
CIBC MORTGAGES INC.
INCORPORATION NO. A33457
BW366048

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS:

015-726-339
CA656913
CA656914

FREEHOLD TRANSFER
MORTGAGE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

In this package is the fraudulent mortgage in the name of TD Bank that has not been funded. As apparent from the fact the pending documents do not show that the CIBC mortgage has been paid out and if it had could be discharged, which it has not at this time.

NEW WESTMINSTER LAND TITLE OFFICE

LAND TITLE ACT BRITISH COLUMBIA Dec-14-2007 13:17:35.001
FORM 17 FEE SIMPLE
LAND TITLE AND SURVEY AUTHORITY

CA656913

PAGE 1 OF 6 PAGES

- Your electronic signature is a representation by you that:
 - you are a subscriber; and
 - you have incorporated your electronic signature into
 - this electronic application, and
 - the imaged copy of each supporting document attached to this electronic application, and have done so in accordance with Sections 168.3 and 168.41(4) of the *Land Title Act*, RSBC 1996, C.250.

William G.
Cadman
NJCRGR

Digitally signed by William G. Cadman
NJCRGR
DN: cn=William G. Cadman
NJCRGR, c=CA, o=www.juricert.com/
LKUP.dfm?id=NJCRGR, ou=BC
Lawyer Practicing
Date: 2007.12.14 10:56:12 -08'00'

- Your electronic signature is a declaration by you under Section 168.41 of the *Land Title Act* in respect of each supporting document required in conjunction with this electronic application that:
 - the supporting document is identified in the imaged copy of it attached to this electronic application;
 - the original of the supporting document is in your possession; and
 - the material facts of the supporting document are set out in the imaged copy of it attached to this electronic application.

Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the *Land Title Act*.

1. APPLICANT: (Name, address, phone number of applicant, applicant's solicitor or agent)

William Cadman Law Corporation

Barristers and Solicitors

205 2922 Glen Dr

Coquitlam

BC V3B 2P5

Telephone: (604) 945-0012

File Number: 27,623-1

Document Fees: \$64.15

Deduct LTO Fees? YES

2a. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[legal description]

015-726-339

STRATA LOT 36 DISTRICT LOT 113 GROUP 1 NEW WESTMINSTER DISTRICT
STRATA PLAN NW3181

STC? YES

2b. MARKET VALUE: \$ 225,000.00

3. NATURE OF INTEREST: Fee Simple

VESTING BY COURT ORDER

ADDITIONAL INFORMATION:

4. PERSON ENTITLED TO BE REGISTERED AS OWNER: (including occupation(s), postal address(es) and postal code(s))

BRENT TREMAIN, Spray Technician

MARIANA OVIEDO OVANDO, Research Assistant

312 - 450 Bromley Street

Coquitlam

BC

AS JOINT TENANTS

V3K 6S5

Canada

12/14/2007 10:24

6044849372

OLIVER AND CO

PAGE 02/05

DEC-13-2007 15:39

PACIFIC COAST

6045166083 P.05

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT IS A TRUE & CORRECT COPY OF THE INSTRUMENT OF WHICH IT PURPORTS TO BE A COPY DATED AT NEW WESTMINSTER THIS 13 DAY OF November

DEPUTY DISTRICT REGISTRAR

NO. S102880 NEW WESTMINSTER REGISTRY



IN THE MATTER OF THE PARTITION OF PROPERTY ACT, AND IN THE APPLICATION BY SHEILA GAFFNEY FOR THE SALE OF #312 - 450 BROMLEY STREET, COQUITLAM, BC

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SHEILA FRANCES GAFFNEY

PETITIONER

AND:

HAROLD CECIL GAFFNEY

RESPONDENT

ORDER

BEFORE THE HONOURABLE MR JUSTICE BERNARD

MONDAY THE 26TH DAY OF NOVEMBER, 2007

THE APPLICATION of the Petitioner having come on for hearing at New Westminster, on the day and date above, AND UPON HEARING R. Keith Oliver Esq., of Counsel for the Plaintiff and the Respondent Harold Gaffney in person;

THIS COURT ORDERS:

130607 722149 RMSC 31.00
35814 S102880

1. Approval of the contract of sale dated November 6th, 2007, for the sale of the lands and premises located at #312 - 450 Bromley Street, in the City of Coquitlam, and described as;

Parcel Identifier 015-726-339
NWS 3181, LOT 36, DL 113, LDNW36, GROUP 1
(the "Lands and Premises")

Page 2 of this order is deliberately omitted because page 2 sets the restriction to paid the encumbrances and all claims against the property before Harold Gaffney has to vacate.

12/14/2007 10:24 5044849372

OLIVER AND CO

PAGE 03/05

DEC-13-2007 15:39

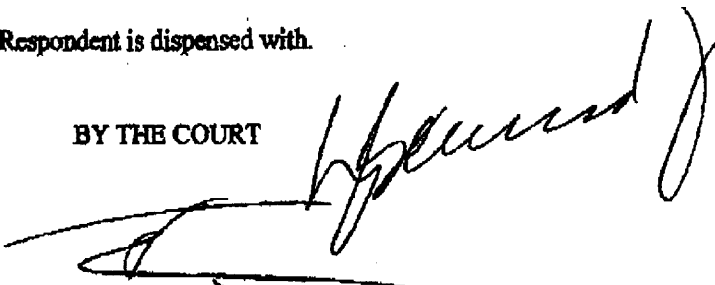
PACIFIC COAST

6045166083 P.06

- 3 -

7. Approval of this Order by the Respondent is dispensed with.

BY THE COURT



Registrar

APPROVED AS TO FORM:



R. Keith Oliver, Esq.
Counsel for the Petitioner



Vol 930 Fol 186
ENTERED

NOV 26 2007

NEW WESTMINSTER
REGISTRY

12/14/2007 10:24

6044849372

OLIVER AND CO

PAGE 04/05

DEC-13-2007 15:38

PACIFIC COAST

6045166083 P.02

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT IS A TRUE & CORRECT COPY OF THE INSTRUMENT OF WHICH IT PURPORTS TO BE A COPY DATED AT NEW WESTMINSTER THIS 13th DAY OF December AD 2007

DEPUTY DISTRICT REGISTRAR

NO. S102880
NEW WESTMINSTER REGISTRY



IN THE MATTER OF THE PARTITION OF PROPERTY ACT, AND IN THE APPLICATION BY SHEILA GAFFNEY FOR THE SALE OF #312-450 BROMLEY STREET COQUITLAM, B.C.

IN THE SUPREME COURT OF BRITISH COLUMBIA

BEFORE ME:

SHEILA FRANCES GAFFNEY

AND:

PETITIONER

HAROLD CECIL GAFFNEY

RESPONDENT

ORDER

BEFORE A JUDGE OF THE COURT

) WEDNESDAY THE 12th DAY OF DECEMBER, 2007

13DEC07 722194 RMSC 31.00
23581 S102880

ON THE APPLICATION of the Petitioner, Sheila Frances Gaffney, without a hearing and upon reading the Affidavit of Sandy Waldie, sworn December 10th, 2007.

THIS COURT ORDERS that:

- The legal description in the Order of Mr. Justice Bernard dated November 26th, 2007 be amended to read:
Parcel Identifier: 015-726-339
Strata Lot 36 District Lot 113 Group 1
New Westminster District Strata Plan NW3181
Together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1.

12/14/2007 10:24 6044849372

OLIVER AND CO

PAGE 05/05

DEC-13-2007 15:38


PACIFIC COAST

6045166083 P.03

-2-


BURNYEAT, J.

CONSENTED TO AS TO FORM AND CONTENT


R. KEITH OLIVER
Solicitor for the Petitioner

BY THE COURT


REGISTRAR

Vol 932 Fol 137
ENTERED

DEC 13 2007

NEW WESTMINSTER
REGISTRY



12/14/2007 10:01 6044849372

OLIVER AND CO

PAGE 05/08

OLIVER & CO.
BARRISTERS AND SOLICITORS

R. KEITH OLIVER, B.Sc., LL.B.
Law Corporation

202 - 2943 GLEN DRIVE
COQUITLAM, B.C.
CANADA V3B 2P7
FAX: (604) 357-1435
TELEPHONE: (604) 464-5585

December 12, 2007

Our File No. 4798.001/RKO

Registrar
Land Titles Office
New Westminster, BC

Dear Sir:

**Re: SCBC Action Number S102880 - New Westminster Registry
Between Sheila Frances Gaffney, Petitioner
And Harold Cecil Gaffney, Respondent
PID 015-726-339 Strata Lot 36 District Lot 113 Group 1
New Westminster District Strata Plan NW3181**

We act as solicitor for the Petitioner, Sheila Frances Gaffney. Judgment was granted November 26th, 2007 ordering the sale of the subject property to Mariana Oviedo Ovando and Brent Tremain. This letter is to authorize you to accept for registration a certified copy of that Court Order transferring the property to and vesting in those purchasers without further instrument of transfer of discharge, free and clear of all right, title, interest, encumbrances, liens, charges and equities of redemption of the Petitioner and the Respondent and all persons claiming by, through or under them.

Yours truly,



R. KEITH OLIVER

RKO:sw

**LAND TITLE ACT
FORM DECLARATION**

Related Document Number:

PAGE 1 OF 1 PAGES

Your electronic signature is a representation that: you are a subscriber as defined by the Land Title Act, RSBC 1996, C.250, the original or where designated by the Director, a true copy of the supporting document is in your possession and that the summary of the material facts set out in this declaration accurately reflects the material facts set out in each supporting document and if a supporting document is evidenced by an imaged copy the material facts of the supporting document are set out in the imaged copy of it attached. Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the Land Title Act.

<p>William G. Cadman NJCRGR</p>	<p>Digitally signed by William G. Cadman NJCRGR DN: cn=William G. Cadman NJCRGR, c=CA, o=www.juricert.com/LKUP.cfm?id=NJCRGR, ou=BC Lawyer Practicing Date: 2007.12.14 06:43:13 -08'00'</p>
--	---

I have in my possession a Form F, Certificate of Payment under the Strata Property Act, that is for the Strata lot(s) specified in the accompanying document or in the related document noted above. I confirm that the Form F is current for the purposes of Section 115(2) of the Strata Property Act and that it has been signed on behalf the Strata Corporation. The Form F states that no money is owing to the strata corporation or where money is owing, that the provisions of Section 114, Strata Property Act, have been met or that arrangements satisfactory to the strata corporation have been made to pay the money owing.

NOTE:

A Declaration cannot be used to submit a request to the Registrar for the withdrawal of a document.

**LAND TITLE ACT
FORM DECLARATION**

Related Document Number: CA656913

PAGE 1 OF 4 PAGES

Your electronic signature is a representation that: you are a subscriber as defined by the Land Title Act, RSBC 1996, C.250, the original or where designated by the Director, a true copy of the supporting document is in your possession and that the summary of the material facts set out in this declaration accurately reflects the material facts set out in each supporting document and if a supporting document is evidenced by an imaged copy the material facts of the supporting document are set out in the imaged copy of it attached. Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the Land Title Act.

<p>William G. Cadman NJCRGR</p>	<p>Digitally signed by William G. Cadman NJCRGR DN: cn=William G. Cadman NJCRGR, c=CA, o=www.juricert.com/LKUP.cfm?id=NJCRGR, ou=BC Lawyer Practising Date: 2008.01.09 11:06:45 -0800</p>
--	---

I, Judi Walters DECLARE THAT:

1. Page 2 of the Court Order (Page 3 of document) was omitted in error.
2. We Attach the full Court Order.

I MAKE THIS DECLARATION AND KNOW IT TO BE TRUE BASED ON PERSONAL INFORMATION / REASONABLE BELIEF.

Judi Walters

NOTE:

A Declaration cannot be used to submit a request to the Registrar for the withdrawal of a document.

Fee Collected for Document: \$30.00

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT IS A TRUE & CORRECT COPY OF THE INSTRUMENT OF WHICH IT PURPORTS TO BE A COPY DATED AT NEW WESTMINSTER THIS 13 DAY OF December AD 2007

DEPUTY DISTRICT REGISTRAR

NO. S102880
NEW WESTMINSTER REGISTRY



IN THE MATTER OF THE PARTITION OF PROPERTY ACT, AND IN THE APPLICATION BY SHEILA GAFFNEY FOR THE SALE OF #312 - 450 BROMLEY STREET, COQUITLAM, BC

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SHEILA FRANCES GAFFNEY

PETITIONER

AND:

HAROLD CECIL GAFFNEY

RESPONDENT

ORDER

BEFORE THE HONOURABLE)
MR JUSTICE BERNARD)
MONDAY THE 26TH
DAY OF NOVEMBER, 2007

THE APPLICATION of the Petitioner having come on for hearing at New Westminister, on the day and date above, AND UPON HEARING R. Keith Oliver Esq., of Counsel for the Plaintiff and the Respondent Harold Gaffney in person;

13DEC07 722149 RMSC 31.0
35814 S102880

THIS COURT ORDERS:

1. Approval of the contract of sale dated November 6th, 2007, for the sale of the lands and premises located at #312 - 450 Bromley Street, in the City of Coquitlam, and described as;

Parcel Identifier 015-726-339
NWS 3181, LOT 36, DL 113, LDNW36, GROUP 1
(the "Lands and Premises")

- 2 -

to Mariana Oviedo Ovando, and Brent Tremain, ("the purchasers") for the sum of \$225,000.00.

2. Upon lodging a Court Certified copy of this Order in the New Westminster Land Title Office together with a letter from the solicitor for the Petitioner authorizing such registration and subject to the terms of the said Order, the Lands and Premises be conveyed to and vest in the Purchasers, in fee simple, free and clear of any estate, right, title, interest, equity of redemption and other claims of the parties, subject only to the reservations, provisos, exceptions and conditions expressed in the original grant or grants thereof from the Crown.

3. Upon lodging a Court Certified copy of this Order for registration in the manner set out above and upon payment of the purchase price, the Respondent, and all persons claiming through him or any person in possession on his behalf shall deliver up vacant possession of the Lands and Premises to the Purchasers by 12:00 p.m. on December 15th, 2007.

4. The net purchase price after adjustments shall be paid to R. KEITH OLIVER, solicitor for the Petitioner in trust.

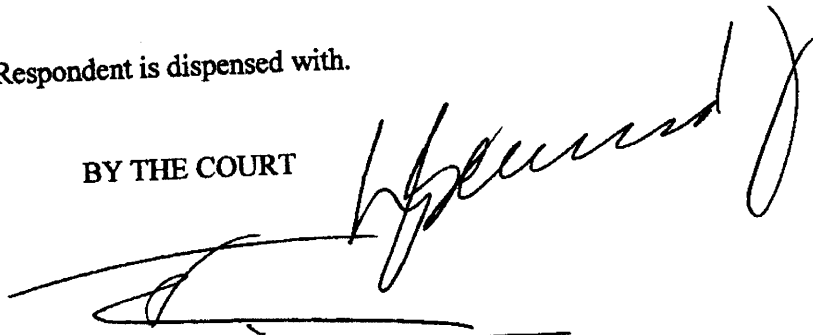
5. The Petitioner shall have her costs at scale B.

6. The solicitor for the Petitioner shall disburse the net sale proceeds as follows:

- a) firstly, to clear all financial charges registered against the title.
 - b) secondly, to pay one half of the remaining net proceeds to the Petitioner.
 - c) thirdly, to pay the Petitioner's costs, both here and in the Court of Appeal, after Assessment or agreement of the Respondent.
 - d) Fourthly, to pay the balance remaining, if any, to the Respondent.
-

7. Approval of this Order by the Respondent is dispensed with.

BY THE COURT



Registrar

APPROVED AS TO FORM:



R. Keith Oliver, Esq.
Counsel for the Petitioner



Vol 930 Fol 186
ENTERED

NOV 26 2007

NEW WESTMINSTER
REGISTRY

**LAND TITLE ACT
FORM DECLARATION**

Related Document Number: CA656913

PAGE 1 OF 3 PAGES

Your electronic signature is a representation that: you are a subscriber as defined by the Land Title Act, RSBC 1996, C.250, the original or where designated by the Director, a true copy of the supporting document is in your possession and that the summary of the material facts set out in this declaration accurately reflects the material facts set out in each supporting document and if a supporting document is evidenced by an imaged copy the material facts of the supporting document are set out in the imaged copy of it attached. Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the Land Title Act.

<p>William G. Cadman NJCRGR</p>	<p>Digitally signed by William G. Cadman NJCRGR DN: cn=William G. Cadman NJCRGR, o=CA, ou=www.juricert.com/LKUP.cfm?id=NJCRGR, ou=BC Lawyer Practicing Date: 2008.01.09 12:49:29 -0800</p>
--	--

I, Judi Walters DECLARE THAT:

1. Court Order Pages 5 and 6 were submitted with fax notation.
2. We attach the clear copy of Court Order.

I MAKE THIS DECLARATION AND KNOW IT TO BE TRUC BASED ON PERSONAL INFORMATION / REASONABLE BELIEF.

Judi Walters

NOTE:

A Declaration cannot be used to submit a request to the Registrar for the withdrawal of a document.

Fee Collected for Document: \$0.00

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT IS A TRUE & CORRECT COPY OF THE INSTRUMENT OF WHICH IT PURPORTS TO BE A COPY DATED AT NEW WESTMINSTER THIS 13th DAY OF December AD 2007

DEPUTY DISTRICT REGISTRAR

NO. S102880
NEW WESTMINSTER REGISTRY



IN THE MATTER OF THE PARTITION OF PROPERTY ACT, AND IN THE APPLICATION BY SHEILA GAFFNEY FOR THE SALE OF #312-450 BROMLEY STREET COQUITLAM, B.C.

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SHEILA FRANCES GAFFNEY

PETITIONER

AND:

HAROLD CECIL GAFFNEY

RESPONDENT

ORDER

BEFORE A JUDGE OF THE COURT

) WEDNESDAY THE 12th DAY
) OF DECEMBER, 2007

13DEC07 722194 RMSC 31.00
12th DAY 102880

ON THE APPLICATION of the Petitioner, Sheila Frances Gaffney, without a hearing and upon reading the Affidavit of Sandy Waldie, sworn December 10th, 2007.

THIS COURT ORDERS that:

- The legal description in the Order of Mr. Justice Bernard dated November 26th, 2007 be amended to read:
Parcel Identifier: 015-726-339
Strata Lot 36 District Lot 113 Group 1
New Westminster District Strata Plan NW3181
Together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1.

Justice Lance Bernard knew that Keith Oliver was unable to raise a TD Bank mortgage and would not go so far as defraud a person of their property by way of a straw buyer. They were in the same class throughout UBC law school but it seems that Bernard saw Oliver was asking too much of him.

-2-

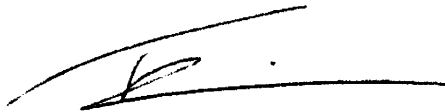
BURN YEAT, J.

CONSENTED TO AS TO FORM AND CONTENT



R. KEITH OLIVER
Solicitor for the Petitioner

BY THE COURT



REGISTRAR

Vol 932 Fol 137
ENTERED

DEC 13 2007

NEW WESTMINSTER
REGISTRY



LAND TITLE ACT
FORM DECLARATION

Related Document Number: CA656913

PAGE 1 OF 1 PAGES

Your electronic signature is a representation that: you are a subscriber as defined by the Land Title Act, RSBC 1996, C.250, the original or where designated by the Director, a true copy of the supporting document is in your possession and that the summary of the material facts set out in this declaration accurately reflects the material facts set out in each supporting document and if a supporting document is evidenced by an imaged copy the material facts of the supporting document are set out in the imaged copy of it attached. Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the Land Title Act.

William G. Cadman NJCRGR
Digitally signed by William G. Cadman NJCRGR
DN: cn=William G. Cadman NJCRGR, c=CA, o=www.juricent.com/LKUP.cfm?id=NJCRGR, ou=BC Lawyer Practising
Date: 2008.01.09 12:51:28 -08'00'

I, Judi Walters DECLARE THAT:

- 1. The Form 17 #4 refers to "AS JOINT TENANTS".
- 2. The Form 17 #4 should state "TENANTS IN COMMON".

I MAKE THIS DECLARATION AND KNOW IT TO BE TRUE BASED ON PERSONAL INFORMATION / REASONABLE BELIEF.

Judi Walters

At this point neither straw buyer has signed anything, and this purports to be getting around that problem.

NOTE:

A Declaration cannot be used to submit a request to the Registrar for the withdrawal of a document.

Fee Collected for Document: \$0.00

NEW WESTMINSTER LAND TITLE OFFICE

LAND TITLE ACT
FORM B (Section 225)

Dec-14-2007 13:17:35.002

CA656914

MORTGAGE - PART 1 Province of British Columbia

PAGE 1 OF 4 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

William G.
Cadman
NJCRGR

Digitally signed by William G. Cadman
NJCRGR
DN: cn=William G. Cadman NJCRGR,
o=CA, o=www.juricoart.com/LKJP.dfm?
id=NJCRGR, ou=BC Lawyer Practicing
Date: 2007.12.14.06:39:04 -08'00'

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

William Cadman Law Corporation
Barristers and Solicitors
205 2922 Glen Dr
Coquitlam BC V3B 2P5
Document Fees: \$64.15

Phone: (604) 945-0012
File Ref. No: 27,623-1
Mortgage Ref. # 736/8500363

Deduct LTO Fees? YES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID] [legal description]

015-726-339 STRATA LOT 36 DISTRICT LOT 113 GROUP 1 NEW WESTMINSTER DISTRICT
STRATA PLAN NW3181

STC? YES

3. BORROWER(S) (MORTGAGOR(S)): (including postal address(es) and postal code(s))

BRENT TREMAIN, Spray Technician
MARIANA OVIEDO OVANDO, Research Assistant
312 - 450 Bromley Street
Coquitlam BC
AS JOINT TENANTS V3K 6S5 Canada

4. LENDER(S) (MORTGAGEE(S)): (including occupation(s), postal address(es) and postal code(s))

THE TORONTO-DOMINION BANK
10004 Jasper Avenue 3rd Floor,
Edmonton AB
T5J 1R3

5. PAYMENT PROVISIONS:

(a) Principal Amount: \$220,910.63	(b) Interest Rate: 5.990% per annum	(c) Interest Adjustment Date:	Y 08	M 01	D 01
(d) Interest Calculation Period: Half-yearly, Not in advance	(e) Payment Dates: 1st day of each month	(f) First Payment Date:	08	02	01
(g) Amount of each periodic payment: \$1,202.67	(h) Interest Act (Canada) Statement. The equivalent rate of interest calculated half yearly not in advance is N/A % per annum.	(i) Last Payment Date:	13	01	01
(j) Assignment of Rents which the applicant wants registered ? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If YES, page and paragraph number:	(k) Place of payment: Postal address in Item 4	(l) Balance Due Date:	13	01	01

MORTGAGE - PART 1

6. MORTGAGE contains floating charge on land ?
YES NO

7. MORTGAGE secures a current or running account ?
YES NO

8. INTEREST MORTGAGED:
Freehold
Other (specify)

9. MORTGAGE TERMS:

Part 2 of this mortgage consists of (select one only):

(a) Prescribed Standard Mortgage Terms

(b) Filed Standard Mortgage Terms

(c) Express Mortgage Terms

D F Number: **MT050128**

(annexed to this mortgage as Part 2)

A selection of (a) or (b) includes any additional or modified terms referred to in item 10 or in a schedule annexed to this mortgage.

10. ADDITIONAL OR MODIFIED TERMS:

See Schedule

11. PRIOR ENCUMBRANCES PERMITTED BY LENDER:

SEE SCHEDULE

12. EXECUTION(S): This mortgage charges the Borrower's interest in the land mortgaged as security for payment of all money due and performance of all obligations in accordance with the mortgage terms referred to in item 9 and the Borrower(s) and every other signatory agree(s) to be bound by, and acknowledge(s) receipt of a true copy of, those terms.

Officer Signature(s)

(as to both signatures)
WILLIAM G. CADMAN
BARRISTER & SOLICITOR
205 - 2922 GLEN DRIVE
COQUITLAM, B.C., V3B 2P5

Execution Date		
Y	M	D
07	12	13

Borrower(s) Signature(s)

Brent Tremain

Mariana Oviedo Ovando

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM E**

SCHEDULE

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM, OR GENERAL INSTRUMENT FORM.

11. PRIOR ENCUMBRANCES PERMITTED BY LENDER:

- Covenant No. AB149009 in favour of District Of Coquitlam
- Statutory Right Of Way No. AB203666 in favour of B.c. Gas Inc. Incorporation No 74280 And
- Mortgage No. AD262803
- Mortgage No. AD262806
- Mortgage No. AD274391 in favour of National Trust Company, Registration No 171t
- Mortgage No. AD274392
- Mortgage No. BE260976
- Mortgage No. BE260978 in favour of Inland Energy Corp.
- Mortgage No. BE260979 in favour of Inland Energy Corp.
- Mortgage No. BE260983
- Mortgage No. BE260984
- Mortgage No. BE260985
- Mortgage No. BE314745
- Mortgage No. BE314747
- Mortgage No. BE314748
- Mortgage No. BE314749 in favour of National Trust Company
- Mortgage No. BE314750 in favour of National Trust Company
- Mortgage No. BE314751
- Mortgage No. BE314752

Land Title Act
Form E
SCHEDULE

Enter the required information in the same order as the information must appear on the Freehold Transfer form, Mortgage form, or General Instrument form.

10. ADDITIONAL OR MODIFIED TERMS

The boxes marked with an "X" indicate the specific terms of your *Mortgage* and the parts of the *Mortgage* that apply.

1. The *Mortgage* is:

- Closed to prepayment
- Open for prepayment

2. The *Mortgage* secures:

- Variable Rate Debt
- Fixed Rate Debt

3. For purposes of mortgage default insurance, the *Mortgage* is:

- An Insured Mortgage
- Not an Insured Mortgage

4. The Parts of the Standard Mortgage Terms that are applicable to the *Mortgage* are:

- Part A - General Provisions
- Part B - Variable Rate Mortgages
- Part C - Fixed Rate Mortgages
- Part D - Amending or Extending the Mortgage
- Part E - Other General Provisions

5. Your rights to prepay the Mortgage before the *Maturity Date* are contained in:

- Section 4.07 - Prepayment for Open Mortgages (Variable Rate)
- Section 4.08 - Prepayment for Closed Mortgages (Variable Rate) and if *you* prepay the *Variable Rate Principal Amount in full*, *you* must also pay a reinvestment fee of \$300.00
- Section 5.05 - Prepayment for Open Mortgages (Fixed Rate)
- Section 5.06 - Prepayment for Closed Mortgages (Fixed Rate) and if *you* prepay the *Fixed Rate Principal Amount in full*, *you* must also pay a reinvestment fee of \$300.00.

**LAND TITLE ACT
FORM DECLARATION**

Related Document Number: CA656914

PAGE 1 OF 1 PAGES

Your electronic signature is a representation that: you are a subscriber as defined by the Land Title Act, RSBC 1996, C.250, the original or where designated by the Director, a true copy of the supporting document is in your possession and that the summary of the material facts set out in this declaration accurately reflects the material facts set out in each supporting document and if a supporting document is evidenced by an imaged copy the material facts of the supporting document are set out in the imaged copy of it attached. Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the Land Title Act.

**William G.
Cadman
NJCRGR**

Digitally signed by William G.
Cadman NJCRGR
DN: cn=William G. Cadman
NJCRGR, c=CA, o=www.juricert.
com/LKUP.cfm?id=NJCRGR,
ou=BC Lawyer Practicing
Date: 2008.01.09 12:52:42 -08'00'

I, Judi Walters DECLARE THAT:

1. The Form B Mortgage #3 refers to "AS JOINT TENANTS".
2. The Form B Mortgage should state "TENANTS IN COMMON".

I MAKE THIS DECLARATION AND KNOW IT TO BE TRUE BASED ON PERSONAL INFORMATION / REASONABLE BELIEF.

Judi Walters

NOTE:

A Declaration cannot be used to submit a request to the Registrar for the withdrawal of a document.

Fee Collected for Document: \$0.00

LAND TITLE OFFICE: L.MAINLAND
REQUESTOR: COUNTER #2

PAGE 1
10:21 2008-01-14

TITLE NO: BA449049

NEW WESTMINSTER

STRATA PROPERTY ACT (Section 249)

TITLE NO: BA449049
FROM TITLE NO: BX5949

APPLICATION FOR REGISTRATION RECEIVED ON: 28 NOVEMBER, 2006
ENTERED: 04 DECEMBER, 2006
TITLE CANCELLED: 09 JANUARY, 2008

REGISTERED OWNER IN FEE SIMPLE:
SHEILA FRANCES GAFFNEY, RETIRED
301 - 9344 CAMERSON STREET
BURNABY, BC
V3J 1L9
AS TO AN UNDIVIDED 1/2 INTEREST

HAROLD CECIL GAFFNEY, RETIRED
312 - 450 BROMLEY STREET
COQUITLAM, BC
V3K 6S5
AS TO AN UNDIVIDED 1/2 INTEREST

~~TAXATION AUTHORITY:~~
CITY OF COQUITLAM

DESCRIPTION OF LAND:

PARCEL IDENTIFIER: 015-726-339
STRATA LOT 36 DISTRICT LOT 113 GROUP 1 NEW WESTMINSTER DISTRICT STRATA PLAN
NW3181 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO
THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1

LEGAL NOTATIONS:

THIS TITLE MAY BE AFFECTED BY A PERMIT
UNDER PART 29 OF THE MUNICIPAL ACT.
SEE DF AC228832 (EXPIRES ON N/A)

CHARGES, LIENS AND INTERESTS:

NATURE OF CHARGE
CHARGE NUMBER DATE TIME

COVENANT

AB149009 1988-07-28 14:47
REGISTERED OWNER OF CHARGE
DISTRICT OF COQUITLAM
AB149009
REMARKS: LAND TITLE ACT SECTION 215
INTER ALIA

STATUTORY RIGHT OF WAY

AB203666 1988-10-03 10:14
REGISTERED OWNER OF CHARGE
B.C. GAS INC. INCORPORATION NO 74280 AND
BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
AB203666
REMARKS: ASSIGNMENT OF 338501C REC'D 18/06/1963 @ 15:41
ANCILLARY RIGHTS INTER ALIA

MORTGAGE

AD262803 1990-11-20 09:19
REMARKS: MODIFICATION OF AB203755

TITLE NO: BA449049

NEW WESTMINSTER

INTER ALIA

MORTGAGE

AD262806 1990-11-20 09:24

REMARKS: MODIFICATION OF AD262804 BEING A TRANSFER OF
75/300TH INTEREST IN AB203755, SEE AD262803
INTER ALIA

MORTGAGE

AD274391 1990-12-04 09:36

REGISTERED OWNER OF CHARGE
CIBC MELLON TRUST COMPANY
INCORPORATION NO. A35769
BN62269

REMARKS: TRANSFER OF AB203755 REC'D 03/10/1988 @ 10:35
AS TO AN UNDIVIDED 75/300TH INTEREST
SEE AD262803, AD262804 AND AD262806
INTER ALIA
MODIFIED BY AD274392
MODIFIED AND EXTENDED BY BN62272
EXTENDED BY BN206793

MORTGAGE

AD274392 1990-12-04 09:36

REMARKS: MODIFICATION OF AD262804 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803,
AD262806, AND AD274391
SEE AD274391
INTER ALIA

MORTGAGE

BE260976 1991-10-08 09:17

REMARKS: MODIFICATION OF AB203755
SEE AD262803
INTER ALIA

MORTGAGE

BE260978 1991-10-08 09:31

REGISTERED OWNER OF CHARGE
INLAND ENERGY CORP.
(INC. NO. 24843)

BE260978

REMARKS: INTER ALIA TRANSFER OF AB203755
REC'D 03/10/1988 @ 10:35 AS TO AN UNDIVIDED
75/300THS INTEREST SEE AD262803 AND BE260976
OF INTEREST OF BC GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE260984
MODIFIED AND EXTENDED BY BN62274

MORTGAGE

BE260979 1991-10-08 09:31

REGISTERED OWNER OF CHARGE
INLAND ENERGY CORP.
(INC. NO. 24843)

BE260979

REMARKS: INTER ALIA TRANSFER OF AB203755
REC'D 03/10/1988 @ 10:35 AS TO AN UNDIVIDED
75/300THS INTEREST SEE AD262803 AND BE260976
OF INTEREST OF B.C. GAS INC. IN

TITLE NO: BA449049

NEW WESTMINSTER

SRW 338501C SEE AB203666
MODIFIED BY BE260985
MODIFIED AND EXTENDED BY BN62275
EXTENDED BY BN206796

MORTGAGE

BE260983 1991-10-08 09:36
REMARKS: MODIFICATION OF BE260977 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803
AND BE260976
INTER ALIA

MORTGAGE

BE260984 1991-10-08 09:36
REMARKS: MODIFICATION OF BE260978 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803
AND BE260976
INTER ALIA

MORTGAGE

BE260985 1991-10-08 09:36
REMARKS: MODIFICATION OF BE260979 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803
AND BE260976
INTER ALIA

MORTGAGE

BE314745 1991-11-20 13:06
REMARKS: MODIFICATION OF AB203757 SEE BE314744

MORTGAGE

BE314747 1991-11-20 13:14
REMARKS: MODIFICATION OF MORTGAGE BE260977
BEING A TRANSFER OF 75/300THS INTEREST IN AB203755
SEE AD262803 AND BE260976
INTER ALIA

MORTGAGE

BE314748 1991-11-20 13:14
REMARKS: MODIFICATION OF BE314744 BEING A TRANSFER OF
AB203757 SEE BE314744 AND BE314745
INTER ALIA

MORTGAGE

BE314749 1991-11-20 13:14
REGISTERED OWNER OF CHARGE
CIBC MELLON TRUST COMPANY
INCORPORATION NO. A35769
BN62270
REMARKS: INTER ALIA TRANSFER OF AB203755
REC'D 03/10/1988 @ 10:35 AS TO AN UNDIVIDED
75/300THS INTEREST SEE AD262803, BE260976,
BE260977 AND BE314747
OF INTEREST OF BC GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE314751
MODIFIED AND EXTENDED BY BN62273
EXTENDED BY BN206794

MORTGAGE

LAND TITLE OFFICE: L.MAINLAND
REQUESTOR: COUNTER #2

10:21

TITLE NO: BA449049

NEW WESTMINSTER

BE314750 1991-11-20 13:14
REGISTERED OWNER OF CHARGE
CIBC MELLON TRUST COMPANY
INCORPORATION NO. A35769
BN62271

REMARKS: INTER ALIA TRANSFER OF AB203757
REC'D 03/10/1988 @ 10:35
SEE BE314744, BE314745 AND BE314748
AS TO THE INTEREST OF BC GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE314752
MODIFIED AND EXTENDED BY BN62276
EXTENDED BY BN206797

MORTGAGE

BE314751 1991-11-20 13:14

REMARKS: MODIFICATION OF BE314749 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755
SEE AD262803, BE260976, BE260977 AND BE314747
INTER ALIA

MORTGAGE

BE314752 1991-11-20 13:14

REMARKS: MODIFICATION OF AB203757
SEE BE314744, BE314745, BE314748 AND BE314750
INTER ALIA

MORTGAGE

BW366048 2004-08-09 13:16

REGISTERED OWNER OF CHARGE
CIBC MORTGAGES INC.
INCORPORATION NO. A33457
BW366048

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS:

2008-01-09

ALLCA656913

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

LAND TITLE OFFICE: L.MAINLAND
REQUESTOR: COUNTER #2

PAGE 1
10:24 2008-01-14

TITLE NO: CA656913

NEW WESTMINSTER

STRATA PROPERTY ACT (Section 249)

TITLE NO: CA656913
FROM TITLE NO: BA449049

APPLICATION FOR REGISTRATION RECEIVED ON: 14 DECEMBER, 2007
ENTERED: 09 JANUARY, 2008

REGISTERED OWNER IN FEE SIMPLE:
BRENT TREMAIN, SPRAY TECHNICIAN
MARIANA OVIEDO OVANDO, RESEARCH ASSISTANT
312 - 450 BROMLEY STREET
COQUITLAM, BC
V3K 6S5

TAXATION AUTHORITY:
CITY OF COQUITLAM

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 015-726-339
STRATA LOT 36 DISTRICT LOT 113 GROUP 1 NEW WESTMINSTER DISTRICT STRATA PLAN
NW3181 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO
THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1

LEGAL NOTATIONS:
THIS TITLE MAY BE AFFECTED BY A PERMIT
UNDER PART 29 OF THE MUNICIPAL ACT.
SEE DF AC228832 (EXPIRES ON N/A)

CHARGES, LIENS AND INTERESTS:
NATURE OF CHARGE
CHARGE NUMBER DATE TIME

COVENANT

AB149009 1988-07-28 14:47
REGISTERED OWNER OF CHARGE
DISTRICT OF COQUITLAM
AB149009
REMARKS: LAND TITLE ACT SECTION 215
INTER ALIA

STATUTORY RIGHT OF WAY

AB203666 1988-10-03 10:14
REGISTERED OWNER OF CHARGE
B.C. GAS INC. INCORPORATION NO 74280 AND
BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
AB203666
REMARKS: ASSIGNMENT OF 338501C REC'D 18/06/1963 @ 15:41
ANCILLARY RIGHTS INTER ALIA

MORTGAGE

AD262803 1990-11-20 09:19
REMARKS: MODIFICATION OF AB203755
INTER ALIA

MORTGAGE

AD262806 1990-11-20 09:24
REMARKS: MODIFICATION OF AD262804 BEING A TRANSFER OF
75/300TH INTEREST IN AB203755, SEE AD262803
INTER ALIA

CONTINUED ON PAGE 2

TITLE NO: CA656913

NEW WESTMINSTER

MORTGAGE

AD274391 1990-12-04 09:36
REGISTERED OWNER OF CHARGE
CIBC MELLON TRUST COMPANY
INCORPORATION NO. A35769
BN62269

REMARKS: TRANSFER OF AB203755 REC'D 03/10/1988 @ 10:35
AS TO AN UNDIVIDED 75/300TH INTEREST
SEE AD262803, AD262804 AND AD262806
INTER ALIA
MODIFIED BY AD274392
MODIFIED AND EXTENDED BY BN62272
EXTENDED BY BN206793

MORTGAGE

AD274392 1990-12-04 09:36

REMARKS: MODIFICATION OF AD262804 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803,
AD262806, AND AD274391
SEE AD274391
INTER ALIA

MORTGAGE

BE260976 1991-10-08 09:17

REMARKS: MODIFICATION OF AB203755
SEE AD262803
INTER ALIA

MORTGAGE

BE260978 1991-10-08 09:31

REGISTERED OWNER OF CHARGE
INLAND ENERGY CORP.
(INC. NO. 24843)
BE260978

REMARKS: INTER ALIA TRANSFER OF AB203755
REC'D 03/10/1988 @ 10:35 AS TO AN UNDIVIDED
75/300THS INTEREST SEE AD262803 AND BE260976
OF INTEREST OF BC GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE260984
MODIFIED AND EXTENDED BY BN62274

MORTGAGE

BE260979 1991-10-08 09:31

REGISTERED OWNER OF CHARGE
INLAND ENERGY CORP.
(INC. NO. 24843)
BE260979

REMARKS: INTER ALIA TRANSFER OF AB203755
REC'D 03/10/1988 @ 10:35 AS TO AN UNDIVIDED
75/300THS INTEREST SEE AD262803 AND BE260976
OF INTEREST OF B.C. GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE260985
MODIFIED AND EXTENDED BY BN62275
EXTENDED BY BN206796

MORTGAGE

BE260983 1991-10-08 09:36

REMARKS: MODIFICATION OF BE260977 BEING A TRANSFER OF

TITLE NO: CA656913

NEW WESTMINSTER

75/300THS INTEREST IN AB203755 SEE AD262803
AND BE260976
INTER ALIA

MORTGAGE

BE260984 1991-10-08 09:36
REMARKS: MODIFICATION OF BE260978 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803
AND BE260976
INTER ALIA

MORTGAGE

BE260985 1991-10-08 09:36
REMARKS: MODIFICATION OF BE260979 BEING A TRANSFER OF
75/300THS INTEREST IN AB203755 SEE AD262803
AND BE260976
INTER ALIA

MORTGAGE

BE314745 1991-11-20 13:06
REMARKS: MODIFICATION OF AB203757 SEE BE314744

MORTGAGE

BE314747 1991-11-20 13:14
REMARKS: MODIFICATION OF MORTGAGE BE260977
BEING A TRANSFER OF 75/300THS INTEREST IN AB203755
SEE AD262803 AND BE260976
INTER ALIA

MORTGAGE

BE314748 1991-11-20 13:14
REMARKS: MODIFICATION OF BE314744 BEING A TRANSFER OF
AB203757 SEE BE314744 AND BE314745
INTER ALIA

MORTGAGE

BE314749 1991-11-20 13:14
REGISTERED OWNER OF CHARGE
CIBC MELLON TRUST COMPANY
INCORPORATION NO. A35769
BN62270
REMARKS: INTER ALIA TRANSFER OF AB203755
REC'D 03/10/1988 @ 10:35 AS TO AN UNDIVIDED
75/300THS INTEREST SEE AD262803, BE260976,
BE260977 AND BE314747
OF INTEREST OF BC GAS INC. IN
SRW 338501C SEE AB203666
MODIFIED BY BE314751
MODIFIED AND EXTENDED BY BN62273
EXTENDED BY BN206794

MORTGAGE

BE314750 1991-11-20 13:14
REGISTERED OWNER OF CHARGE
CIBC MELLON TRUST COMPANY
INCORPORATION NO. A35769
BN62271
REMARKS: INTER ALIA TRANSFER OF AB203757
REC'D 03/10/1988 @ 10:35
SEE BE314744, BE314745 AND BE314748

This a search done at a meaningful time just before the loan is registered on title and everything is settled --- the loan is finally secured on title and encumbrances paid out.

TITLE NO: BJ118412
FROM TITLE NO: GC44246

APPLICATION FOR REGISTRATION RECEIVED ON: 21 APRIL, 1995
ENTERED: 05 MAY, 1995

REGISTERED OWNER IN FEE SIMPLE:
CORNETT INTERNATIONAL STUDIOS INC, INC. NO. 320340
3000-1055 WEST GEORGIA STREET
VANCOUVER, BC
V6E 3R3

TAXATION AUTHORITY:
CITY OF VANCOUVER

CORNETT INTERNATIONAL STUDIES INC ---
is later renamed Vancouver Film Studios Ltd.
whose offices are at 3596 Cornett Road,
Boundary and Grandview Highway.

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 004-566-033
LOT 3 BLOCK E SOUTH 1/2 OF SECTION 39 TOWN OF HASTINGS SUBURBAN LANDS
PLAN 9191

LEGAL NOTATIONS:
NOTICE OF INTEREST, BUILDERS LIEN ACT (S.3(2)), SEE BM39124
FILED 1998-02-05

CHARGES, LIENS AND INTERESTS:
NATURE OF CHARGE
CHARGE NUMBER DATE TIME

EASEMENT AND INDEMNITY AGREEMENT
528773M 1971-05-10 15:04
REGISTERED OWNER OF CHARGE
CITY OF VANCOUVER
528773M

MORTGAGE
BJ122516 1995-04-26 11:34
REGISTERED OWNER OF CHARGE
HONGKONG BANK OF CANADA
BJ122516
REMARKS: INTER ALIA
MODIFIED BY BK419674
MODIFIED BY BK419674

ASSIGNMENT OF RENTS
BJ122517 1995-04-26 11:34
REGISTERED OWNER OF CHARGE
HONGKONG BANK OF CANADA
BJ122517
REMARKS: INTER ALIA
MODIFIED BY BK419675
MODIFIED BY BK419675

MORTGAGE
BK419674 1996-12-31 12:14
REMARKS: INTER ALIA
MODIFICATION OF BJ122516

ASSIGNMENT OF RENTS
BK419675 1996-12-31 12:14

CONTINUED

REMARKS: INTER ALIA
MODIFICATION OF BJ122517

MORTGAGE

BL370777 1997-10-31 15:10
REGISTERED OWNER OF CHARGE
GREAT PACIFIC CAPITAL CORP.
INCORPORATION NO. 415201
BL370777
REMARKS: INTER ALIA

ASSIGNMENT OF RENTS

BL370778 1997-10-31 15:10
REGISTERED OWNER OF CHARGE
GREAT PACIFIC CAPITAL CORP.
INCORPORATION NO. 415201
BL370778
REMARKS: INTER ALIA

OPTION TO PURCHASE

BL370779 1997-10-31 15:11
REGISTERED OWNER OF CHARGE
GREAT PACIFIC CAPITAL CORP.
INCORPORATION NO. 415201
BL370779
REMARKS: INTER ALIA

MORTGAGE

BN179186 1999-07-08 15:11
REGISTERED OWNER OF CHARGE
THE CROWN IN RIGHT OF BRITISH COLUMBIA
BN179186
REMARKS: INTER ALIA

This is the \$20 million BC government loan that was awarded to David McLean with the undertaking to do the \$70 million expansion that subsequently never came to fruition.

ASSIGNMENT OF RENTS

BN179187 1999-07-08 15:11
REGISTERED OWNER OF CHARGE
THE CROWN IN RIGHT OF BRITISH COLUMBIA
BN179187
REMARKS: INTER ALIA
SEE BN179186

MORTGAGE

BN180540 1999-07-09 11:19
REGISTERED OWNER OF CHARGE
CANADIAN IMPERIAL BANK OF COMMERCE
BN180540
REMARKS: INTER ALIA
EXTENDED BY BN215774

This is a CIBC mortgage of \$10 million in second mortgage position -- that was not funded until the Priority Agreement was allowed to be filed.

ASSIGNMENT OF RENTS

BN180541 1999-07-09 11:19
REGISTERED OWNER OF CHARGE
CANADIAN IMPERIAL BANK OF COMMERCE
BN180541
REMARKS: INTER ALIA
EXTENDED BY BN215775

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

LAND TITLE OFFICE: Lower Main
REQUESTOR: COUNTER #2

PAGE 3
12:29 1999-08-26

TITLE NO: BJ118412

VANCOUVER

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS:

004-566-033

BN183212 TO BN183215

BN198731

BN198732 TO BN198733

CHARGE RELEASE

LEGAL NOTATION

PRIORITY AGREEMENT

This was the priority agreement
that had to be allowed before the
loan could be made secure.

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

This is the Priority Agreement that was filed
immediately after the funding was provided
for the first mortgage of Govt of BC but
continued in the pending state until 1 Sep
99 when it was accepted for filing.

27 16 33
LAND TITLE ACT
FORM C
(Section 233)

BN198732

99 JUL 27 15 03

BN198733

LAND TITLE OFFICE

Province of
British Columbia

GENERAL INSTRUMENT - PART 1 (This area for Land Title Office use) Page 1 of 7 pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

KOFFMAN KALEF, Business Lawyers, 19th Floor, 885 West Georgia Street, Vancouver, B.C., V6C 3H4,
604-681-3538

Laurel Walker, Applicant's Agent

**West Coast
Client # 10350**

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF THE MORTGAGED LAND:*

(PID) (Legal Description)

SEE ATTACHED SCHEDULE

3. NATURE OF INTEREST:*

DESCRIPTION	DOCUMENT REFERENCE (page and paragraph)	PERSON ENTITLED TO INTEREST
Priority Agreement granting Mortgage BN180510 and Assignment of Rents <u>BN180541</u>	Entire Instrument	Transferee
Priority over Mortgage <u>BN179186</u> and Assignment of Rents <u>BN179187</u>		13 99/07/27 15:03:05 01 NW 158818 CHARGE \$110.00

4. TERMS:

Part 2 of this instrument consists of (select one only):

- (a) Filed Standard Charge Terms D.P. Number:
- (b) Express Charge Terms Annexed as Part 2
- (c) Release There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in item 3 is released or discharged as a charge on the land described in item 2.

5. TRANSFEROR(S):*

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA

6. TRANSFEREE(S): (including postal address(es) and postal code(s))*

CANADIAN IMPERIAL BANK OF COMMERCE, a Canadian chartered bank having a branch office and postal address at 7th Floor -- 400 Burrard Street, Vancouver, B.C., V6C 3A6

15110 21

GENERAL INSTRUMENT - PART 1

7. ADDITIONAL OR MODIFIED TERMS:*

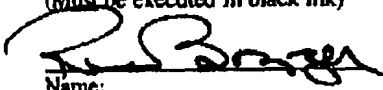
N/A

8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Execution Date

Y	M	D
99	7	8
99	7	23

Officer Signature(s)
(Must be executed in black ink)



Name:

RON L. BOZZER

BARRISTER & SOLICITOR

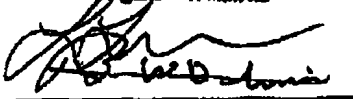
1250 WaterSons Centre, 200 Burrard Street

P.O. Box 61660, Vancouver, Canada V7X 1T2

(604) 649-4234

Direct Fax # 622-5834

E-Mail Address: rbozzer@ladder-down.com



Name:

Leslie A. Tucker
the signature of Robert
(as to both signatures) Pringle

LESLIE A. TUCKER

BARRISTER & SOLICITOR

19TH FLA. 483 W. GEORGIA ST.

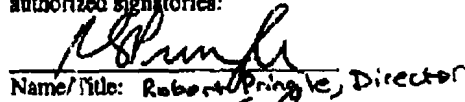
VANCOUVER, B.C. V6C 3H4

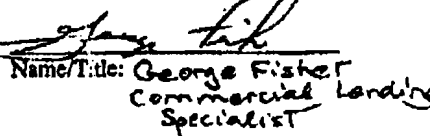
Party(ies) Signature(s)
(Must be executed in black ink)

HER MAJESTY THE QUEEN
IN RIGHT OF THE
PROVINCE OF BRITISH
COLUMBIA, by its authorized
signatory:


Name/Title: Mark Loftthouse
Director

CANADIAN IMPERIAL BANK
OF COMMERCE by its
authorized signatories:


Name/Title: Robert Pringle, Director


Name/Title: George Fisher
Commercial Lending
Specialist

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

- * If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.
- ** If space insufficient, continue executions on additional page(s) in Form D.