

COURT NO. B-131552
ESTATE NO. 11-1820752
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA
IN BANKRUPTCY AND INSOLVENCY
IN THE MATTER OF THE BANKRUPTCY OF
0409725 B.C. LTD.**

TRUSTS CLAIMS SETTLEMENT PROGRAM ORDER

BEFORE THE HONOURABLE) 19/DEC/2013
MR. JUSTICE GRAUER)

UPON THE WITHOUT NOTICE APPLICATION of 0409725 B.C. Ltd. ("**Odenza**"), by G. Powroznik Group Inc. of G-Force Group ("G-Force") the Trustee in Bankruptcy of Odenza ("**Trustee**") coming on for hearing at Vancouver, British Columbia, on this day; AND UPON hearing Magnus Verbrugge and Matthew Swanson, counsel for the Trustee, and Bonita Lewis-Hand, counsel for Odenza and counsel for Odenza Homes Vancouver West Ltd., AND UPON reading the First Report of the Trustee dated December 18, 2013, and the pleadings and other materials filed herein; AND PURSUANT TO Sections 50, 50.4, 67.1, 69, 124, 127, 128, 135, 147, 149, 183 and 187 of the *Bankruptcy and Insolvency Act*, R.S.C., 1985, c. B-3 (the "**BIA**"), Sections 10 and 23 of the *Builders Lien Act*, S.B.C. 1997, c. 45 (the "**BLA**"), Section 10 of the *Law and Equity Act*, RSBC 1996, c. 253, and Rule 11 of the *Bankruptcy and Insolvency Act General Rules*, and the inherent jurisdiction of This Honourable Court.

THIS COURT ORDERS AND DECLARES THAT:

1. G. Powroznik Group Inc. of G-Force Group is hereby appointed as claims administrator of the Trust Claim Settlement Program (as defined below) (the "**Claims Administrator**").
2. The program developed by the Claims Administrator, as an officer of This Honourable Court, to

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- (a) process trust claims relating specifically to work contracts of Odenza (the “**Contracts**”) for which funds have already been paid or are payable to Odenza (collectively, the “**Potential Trust Funds**”) that could, pursuant to Section 10 of the BLA, upon receipt by the Trustee or previously by Odenza be impressed with a trust in favour of certain statutory trust claimants (collectively, the “**Trust Claimants**”); and
- (b) process lien claims (collectively, the “**Lien Claims**”) arising in connection with projects where Odenza performed work or supplied materials (the “**Projects**”), asserted by lien claimants in respect of individual Projects (the “**Lien Claimants**”),

as set out in this Order (the “**Trust Claims Settlement Program**”), is hereby authorized and approved, and shall govern the adjudication and payment of claims to the Potential Trust Funds and to any statutory holdback (each, a “**Holdback**”, and collectively, the “**Holdbacks**”) required under the BLA in respect of the Contracts.

3. Subject to any right of set-off (save and except as prohibited by Section 6 of the BLA), and subject to paragraph 21 of this Order, all amounts owing to Odenza under each Contract, including Potential Trust Funds, shall be paid to the Claims Administrator by all "owners" and "contractors" (as such terms are defined in the BLA) who engaged Odenza and pursuant to which Odenza or any of Odenza's "subcontractors" or "material suppliers" performed "work" or supplied "materials" in relation to an "improvement" (as such terms are defined in the BLA) (collectively, the “**Owners and Contractors**”), together with the Holdbacks which, in accordance with paragraph 21 of this Order, may also be paid by the Owners and Contractors to the Claims Administrator for distribution in accordance with this Order under the Trust Claim Settlement Program.
4. The Claims Administrator shall create a separate consolidated trust account, or if more appropriate, individual trust accounts, (the “**Consolidated Trust Account**”) into which it shall deposit all amounts it receives from Owners and Contractors with respect to each “improvement” (as that term is defined in the BLA).

5. The Trustee will deposit any amounts received by the Trustee prior to this Order from Owners and Contractors or from Odenza upon filing its assignment in bankruptcy into the Consolidated Trust Account, excluding any such amount that the Trustee determines is not Potential Trust Funds (the “**Non-Trust Funds**”), and the Non-Trust Funds shall be retained by the Trustee for use in the administration of the bankruptcy of Odenza.
6. The Claims Administrator shall not deal with the Potential Trust Funds or Holdbacks, other than to place them into the Consolidated Trust Account, or to purchase a suitable interest bearing contract with such amounts, except as provided in paragraph 30 of this Order, or until and except as directed by further Order of This Honourable Court.
7. The sending by the Claims Administrator of the letters and package of materials attached Schedule "A", Schedule "B", Schedule "C", Schedule "D" and Schedule "E", attached to this Order, to creditors, clients and customers of Odenza is hereby authorized and approved;
8. The form of proof of trust and/or lien claim developed by the Claims Administrator (the “**Proof of Trust and Lien Claim Form**”), attached as Schedule "A" to this Order, is hereby authorized and approved for use in the Trust Claims Settlement Program.;
9. Notwithstanding the preceding paragraph of this Order, where a Lien Claimant is not also a Trust Claimant because it does not have a direct contract with Odenza (“**Third Party Lien Claimant**”), the form to be used by such Third Party Lien Claimant for purposes of this Order shall be the proof of lien claim form (“**Proof of Lien Claim**”) attached as Schedule "B" to this Order, which is hereby authorized and approved for use on the basis set out in the preceding paragraph of this Order.
10. The Claims Administrator is authorized and directed to send to each potential Lien Claimants and Trust Claimants by regular mail or email to its last known address in Odenza's books and records, a notice of the Trust Claim Settlement Program (the “**Initial Notice**”) which shall attach a Proof of Trust and Lien Claim Form, and/or Proof of Lien Claim (as appropriate) (each, a “**Claim Form**”). The Claims Administrator is hereby authorized and directed to send by registered mail a notice (the “**Notice to Prove**”

Claim”) attached as Schedule “C” to this Order, attaching the appropriate Claim Form, to each potential Lien Claimant and Trust Claimant (each, a “**Claimant**”) that does not respond to the Initial Notice of the Trust Claim Settlement Program by filing a Claim Form within 28 days of the date the Initial Notice was sent to it by the Claims Administrator;

11. Each person asserting a claim to the Potential Trust Funds or Holdbacks (each, a “**Claim**”), including Claimants and any other creditors of Odenza, is hereby authorized to prove such Claim by delivery of a Claim Form to the Claims Administrator.
12. If any Claimant does not deliver to the Claims Administrator, by registered mail or by personal service, a Claim Form properly completed and executed within 30 days of the date the Notice to Prove Claim was sent to the Claimant by the Claims Administrator, and provided all relevant periods for filing a claim of lien against title to the applicable property in connection with each contract with Odenza have expired, the Claims Administrator shall be at liberty to apply to This Honourable Court for approval and authorization to make a distribution of Potential Trust Funds and Holdback (as hereinafter defined) as the case may be without such Claimant having any entitlement to such distribution;
13. Claims of Claimants to any Holdback or Potential Trust Funds shall be determined in accordance with this Order;
14. The Claims Administrator, as officer of the court and in consultation with the Trustee, is hereby authorized to allow in whole or in part, or disallow in whole or in part, the claims of Claimants, within the bankruptcy proceedings of Odenza, in conjunction and together with the review and adjudication of all other claims of creditors of Odenza. The Claims Administrator is authorized to request further information from Claimants in the adjudication of the Claims;
15. The Claims Administrator, as officer of the court and in consultation with the Trustee, is authorized to rely upon the provisions of the BLA with respect to the adjudication of the Claims of all Claimants;

16. If the Claims Administrator, as officer of the court and in consultation with the Trustee, makes a determination to disallow, in whole or in part, a Claim of a Claimant to the Potential Trust Funds or any Holdback asserted pursuant to a completed Claim Form, the Claims Administrator shall send by registered mail to such Claimant, at the address of the Claimant as set out in the completed Claim Form, and in the manner provided for herein, a notice (a "**Notice of Disallowance**"), the form of which is attached as Schedule "D" to this Order, within 40 days after the Claims Administrator receives the completed and executed Claim Form of the Claimant;
17. The Claims Administrator, as an officer of the court, and in consultation with the Trustee, is authorized to issue an amended Notice of Disallowance in respect of any Claim, *nunc pro tunc* (an "**Amended Notice of Disallowance**"), substantially in the form attached hereto as Schedule "E" to this Order, in any circumstances where the Claims Administrator determines that it is warranted, and if the Claims Administrator issues an Amended Notice of Disallowance then the Notice of Disallowance previously issued by the Claims Administrator will be of no force and effect.
18. If the Claims Administrator delivers a Notice of Disallowance or an Amended Notice of Disallowance to a Claimant, then the Notice of Disallowance or the Amended Notice of Disallowance shall be final and conclusive unless such Claimant appeals the decision of the Claims Administrator to This Honourable Court within a 30-day period after the date on which the Notice of Disallowance or Amended Notice of Disallowance is delivered to it, or within such further time as This Honourable Court may allow upon an application made by the Claimant within the original 30-day period;
19. Any appeal brought by a Claimant from a Notice of Disallowance or Amended Notice of Disallowance shall be adjudicated by This Honourable Court in accordance with Section 135(4) of the BIA;
20. Any payment or distribution made by the Claims Administrator to a Claimant as a result of the Trust Claim Settlement Program and this Order shall not be subject to the levy provided for in Section 147 of the BIA;

21. Each of the Owners and Contractors is authorized to pay to the Claims Administrator the full amount of the Holdback required pursuant to the BLA in respect of its contract with Odenza. Payment to the Claims Administrator of the Holdback shall have the same effect as payment into court pursuant to Section 23 of the BLA;
22. The Claims Administrator, each of the Owners and Contractors, each Lien Claimant, and the Trustee are hereby authorized to apply to This Honourable Court in this proceeding to determine the amount of the applicable Holdback, to obtain cancellation from land title of all claims of builder's lien and certificates of pending litigation filed by Odenza or persons engaged by or under Odenza, and/or to obtain any and all other relief which could be available under Sections 23 or 24 of the BLA. All applications made pursuant to this paragraph shall be made on notice to the Claims Administrator, the applicable Owner and Contractor, the Trustee and any Lien Claimant in respect of the applicable contract with Odenza. The Claims Administrator shall provide to such applicant, on request, a list of all Lien Claimants to the applicable Holdback;
23. The Claims Administrator shall hold each Holdback as an officer of This Honourable Court, in trust for persons entitled to valid claims of lien against the improvements (as defined in the BLA) for which each Holdback was maintained, or valid claims against each of the Holdbacks themselves, subject to further Order of This Honourable Court;
24. The Claims Administrator is authorized and directed to deliver all materials to Claimants in connection with the Trust Claim Settlement Program to the last known address for the Claimants according to Odenza's books and records, by email, facsimile, or regular mail (except for any Notice to Prove Claim, Notice of Disallowance or Amended Notice of Disallowance, each of which shall be delivered by way of registered mail), as deemed appropriate in the circumstances by the Claims Administrator (and in the case of Third Party Lien Claimants, all such materials may be delivered to the address for delivery set out in the Claim of such Third Party Lien Claimant);
25. Any person claiming a lien against a Holdback may deliver notice of that lien in writing to the Claims Administrator by completing Part B of the Proof of Trust and Lien Claim. Once delivered to the Claims Administrator, such notice shall have the same effect for

purposes of Section 8(4) of the BLA as the filing of a claim of lien or the commencement of an action to enforce a lien against the Holdback. Following receipt by the Claims Administrator of such notice or notices, the Claims Administrator shall, on behalf of all persons who have claimed a lien, deliver written notice to the respective Owner or Contractor of such claim or claims of lien;

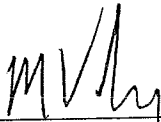
26. The Claims Administrator shall be entitled to reasonable compensation for its administration of the Trust Claims Settlement Program, and shall be entitled to be reimbursed for its reasonable fees and expenses (including fees and expenses of its counsel) from the Potential Trust Funds and Holdbacks, in an amount to be determined by further Order of This Honourable Court.
27. The Claims Administrator and its legal counsel shall be entitled to and are hereby granted a charge (“**Claims Administrator’s Charge**”) on the Potential Trust Funds and the Holdback, as security for their reasonable legal fees and disbursements incurred, both before and after the making of this Order, in respect of the Trust Claim Settlement Program, and the Claims Administrator’s Charge shall form a first charge on the Potential Trust Funds and Holdback in priority to all security interests, trusts, liens, charges and encumbrances, statutory or otherwise, in favour of any creditor of Odenza, Trust Claimant or Lien Claimant, but subject to Section 14.06(7) of the BIA;
28. No security agreement or other documentation evidencing, or the filing, registration or perfection of the Claims Administrator’s Charge shall be required, and the Claims Administrator’s Charge shall be effective against the Potential Trust Funds and Holdback and shall be valid and enforceable for all purposes, including as against any right, title or interest filed, registered or perfected subsequent to the Claims Administrator’s Charge coming into existence, notwithstanding any failure to file, register or perfect the Claims Administrator’s Charge;
29. The Claims Administrator and its legal counsel shall pass their accounts from time to time, and for this purpose the accounts of the Claims Administrator and its legal counsel are hereby referred to a judge of the Supreme Court of British Columbia and may be heard on a summary basis;

30. Prior to passing of its accounts, the Claims Administrator shall be at liberty from time to time to apply reasonable amounts, out of the Potential Trust Funds and Holdback, against its fees and disbursements, including legal fees and disbursements, incurred at the normal rates and charges of the Claims Administrator or its counsel, and such amounts shall constitute advances against its remuneration and disbursements when and as approved by This Honourable Court;
31. Any creditor of Odenza, any Claimant, or the Trustee may apply to This Honourable Court on notice to the Claims Administrator and to any other party likely to be affected, for an order allocating the Claims Administrator's Charge amongst the Potential Trust Funds and Holdbacks for individual Projects;
32. The Claims Administrator shall incur no liability or obligation as a result of its appointment or the carrying out of the provisions of this Order, save and except in respect of any gross negligence or wilful misconduct on its part;
33. No proceeding or enforcement process in any court or tribunal shall be commenced or continued against the Claims Administrator except with the written consent of the Claims Administrator or with leave of This Honourable Court;
34. Nothing in this Order shall derogate from the protections afforded the Trustee by Section 14.06 of the BIA or by any other applicable legislation;
35. The Claims Administrator may from time to time apply to This Honourable Court for advice and directions arising from the terms of this Order or generally with respect to the administration of the Trust Claim Settlement Program;
36. Nothing in this Order shall operate to prevent or disqualify G-Force from continuing to act as Trustee of Odenza;
37. The Claims Administrator shall post a copy of this Order on its website <http://www.g-forcegroup.ca/bankruptcy-of-0409725-b-c-ltd/> and shall, as soon as reasonably practicable, send a copy of this Order, electronically or by mail, to all of Odenza's creditors listed in Odenza's Statement of Affairs sworn by Jag Hundal,

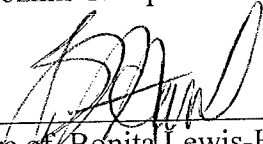
President of Odenza on December 15, 2013 as part of Odenza's assignment into bankruptcy and any other of Odenza's creditors who may have been inadvertently left off the Statement of Affairs.

- 38. This Order may be set aside or varied, in whole or in part, by any creditor of Odenza or any Claimant, provided its application to set aside or vary this Order is served on the Trustee and the Claims Administrator within ten (10) days after the date upon which this Order is sent by email, facsimile or regular mail to such creditor by the Claims Administrator.

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



Signature of Magnus Verbrugge
 party lawyer for the Trustee,
G. Powroznik Group Inc. of G-Force Group



Signature of Bonita Lewis-Hand
 party lawyer for 0409725 B.C. Ltd. and
Odenza Homes Vancouver West Ltd.

graw J.
By the Court.

Registrar

SCHEDULE "A"

G. Powroznik Group Inc. of G-Force Group
#780 - 333 Seymour St., Vancouver, BC V6B 5A6
Telephone (778) 370-0003; Fax (778) 370-0043
mail@g-forcegroup.ca

PROOF OF TRUST CLAIM and LIEN CLAIM

0409725 B.C. Ltd. dba Odenza Homes - Trust Claim Settlement Program

All notices or correspondence regarding this claim must be forwarded to the following address:

In the matter of the Trust Claim Settlement Program of 0409725 B.C. Ltd. dba Odenza Homes (the "Debtor") of the City of Vancouver in the Province of British Columbia and the trust and/or lien claim of _____, Creditor.

I, _____ (name of Creditor or representative of the Creditor),
of the City of _____ in the Province of _____, do hereby certify:

A. TRUST CLAIMS

1. That I am a trust claimant of the above named Debtor (or I am _____
(position/title) of _____ (Creditor), as contemplated under
s. 10 of the Builders Lien Act.

2. That I have knowledge of all the circumstances connected with the trust claim referred to below.

3. That the Debtor is indebted to the Creditor in the sum of \$ _____, after
deducting any counterclaims to which the Debtor is entitled.

4. I hereby declare that I/we have a trust claim(s) in the amount(s) and with respect to the
Improvement(s) (as defined in s. 10 of the Builders Lien Act) by the Debtor as contractor or
subcontractor as indicated in Schedule "A" hereto. (The attached Schedule "A" must be supported by
individual vouchers, invoices, purchase orders or other evidence in support of the claim that the direct
supply of materials, work and/or equipment was made to the project site referred to in the Schedule.)

5. That the Creditor has received no payments from the Debtor or any other party in relation to the
amount claimed in paragraph 4 above other than:

(provide details of amount received and by whom if applicable)

6. That the Creditor has not made a claim against any other party except (list any other parties against whom a claim has been made, e.g. the project owner, etc.):

(List party and amount of claim, if applicable)

B. LIEN CLAIMS

7. That the Creditor hereby asserts a claim of lien against the holdback retained from the Debtor in connection with the Improvement as required by s.4 of the Builders Lien Act (British Columbia) (the "Holdback"), the amount of which does not include interest or charges other than those relating strictly to the price of work or materials supplied to the Improvement. **Unless otherwise noted, it is assumed the lien claim(s) amount in this paragraph will be the same as the trust claim amount(s) referenced in paragraph 4 and in the related Schedule "A" hereto.** The Creditor hereby declares that it is entitled to a claim of lien in the said amount(s).

8. The Creditor hereby authorizes and appoints G. Powroznik Group Inc. of G-Force Group as its agent to deliver a notice in writing of the Creditor's lien against the Holdback, on the Creditor's behalf, to the owner of the Improvement.

Dated at _____, this _____ day of
(City, Province) (Date)

_____, _____
(Month) (Year)

Witness

Signature (Name of person completing form)

E-mail Address: _____

Fax Number: _____

Phone Number: _____

G. Powroznik Group Inc. of G-Force Group
#780 - 333 Seymour St., Vancouver, BC V6B 5A6
Telephone (778) 370-0003; Fax (778) 370-0043
mail@g-forcegroup.ca

SCHEDULE "A"

Statement of Account

Improvement name/location/address	Amount of trust claim (note 1)
	\$
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Note 1: Unless otherwise noted, it is assumed the lien claim(s) referenced in paragraph 7 will be the same as the trust claim amount(s) referenced above.

Please ensure that all invoices and/or other supporting documents relating to your claim(s) are attached.

NOTE: If an affidavit is attached, it must have been made before a person qualified to take affidavits.

Vancouver Registry
Estate No. 11-820752
Court No. B-131552

SCHEDULE "B"

G. Powroznik Group Inc. of G-Force Group
#780 - 333 Seymour St., Vancouver, BC V6B 5A6
Telephone (778) 370-0003; Fax (778) 370-0043
mail@g-forcegroup.ca

**PROOF OF LIEN CLAIM
AGAINST THE HOLDBACK – FOR THIRD PARTY LIEN CLAIMANTS**

0409725 B.C. Ltd. dba Odenza Homes – Trust Claim Settlement Program

Note: This form is for use by persons without a direct contract with 0409725 B.C. Ltd. dba Odenza Homes. Persons with a direct contract with the Debtor should use the "Proof of Trust Claim and Lien Claim" form.

All notices or correspondence regarding this claim must be forwarded to the following address:

In the matter of the Trust Claim Settlement Program of 0409725 B.C. Ltd. dba Odenza Homes ("the Debtor") of the City of Vancouver in the Province of British Columbia and the trust claimant of _____, Lien Claimant.

I, _____ (name of Lien Claimant or representative of the Lien Claimant), of the City of _____ in the Province of _____, do hereby certify:

1. That I am a lien claimant in connection with a project where the Debtor was a contractor or subcontractor (a "Project") (or I am _____ (position/title) of _____, Lien Claimant) as contemplated under s.10 of the Builders Lien Act.
2. That I have knowledge of all the circumstances connected with the lien claim referred to below.
3. I was engaged by a person engaged by or under the Debtor in connection with one or more Projects and I am owed the sum of \$ _____ in connection with that Project(s), as specified in the statement of account (or affidavit) attached and marked Schedule "A", after deducting any valid counterclaims. (The attached statement

of account or affidavit must be supported by individual vouchers, invoices, purchase orders or other evidence in support of the claim that the direct supply of materials, labour and/or equipment was made to the site referred to in paragraph 4).

4. I was engaged for the Project or Projects by _____ (attach subcontract, purchaser order or other sufficient proof of engagement).

5. I hereby declare that I/we have a lien claim in the amount of:

\$ _____

and that in respect of this debt, the Lien Claimant was engaged in connection with the Improvement(s) (as defined in the Builders Lien Act) by the Debtor as contractor or subcontractor for the following Project(s):

(provide specific address/location of project site)

6. That Lien Claimant has received no payments from any party in relation to the amount claimed in paragraph 4 above other than:

(provide details of amount received and by whom if applicable)

7. That the Lien Claimant has not made a claim against any other party except (list any other parties against whom a claim has been made, e.g. the project owner, etc.):

(List party and amount of claim, if applicable)

Dated at _____, this _____ day of _____
(City, Province) (Date)
_____, _____
(Month) (Year)

Witness _____

Signature _____
(Person completing form)

E-mail _____

Address _____

Fax Number _____

Phone Number _____

NOTE: If an affidavit is attached, it must have been made before a person qualified to take affidavits.

Vancouver Registry
Estate No. 11-820752
Court No. B-131552

SCHEDULE "C"

NOTICE REQUIRING PERSON TO PROVE CLAIM

In the Matter of the Bankruptcy of 0409725 B.C. Ltd. dba Odenza Homes ("the Debtor")

[Name of Creditor]

[Address of Creditor in Proof of Trust and Lien Claim Form or Proof of Lien Claim Form]

TAKE NOTICE that the Claims Administrator in the above matter has developed and is co-ordinating a Trust Claim Settlement Program and that if you do not prove your claim on or before the ____ day of _____, _____ or within such further time as the Court may allow, we shall proceed to finalize the determination of the Trust Claims against monies owed on the Debtor's projects and the development of a Settlement Plan for the Court's approval without regard to claims which have not been filed.

Dated at Vancouver, British Columbia, this ____ day of _____, _____.

G. Powroznik Group Inc.
Claims Administrator

Per: _____

Vancouver Registry
Estate No. 11-820752
Court No. B-131552

SCHEDULE "D"

NOTICE OF DISALLOWANCE OF CLAIM

In the Matter of the Bankruptcy of 0409725 B.C. Ltd. dba Odenza Homes (the "Debtor")

[Name of Creditor]

[Address of Creditor in Proof of Trust and Lien Claim Form or Proof of Lien Claim Form]

Take notice that:

As Claims Administrator acting in the matter of the bankruptcy of 0409725 B.C. Ltd. dba Odenza Homes ("the Debtor"), and in consultation with the Debtor, I have disallowed your trust claim to Potential Trust Funds (*and/or* your lien claim to the Holdbacks) in whole (*or* to the extent of \$ _____), pursuant to the provisions of the *Builders Lien Act*, for the following reasons:

(Set out the reasons for the disallowance.)

And further take notice that if you are dissatisfied with my decision in disallowing your claim(s) in whole or in part, you may appeal to the court within the 30-day period after the day on which this notice is served, or within such other period as the court may, on application made within the same 30-day period, allow.

Dated at Vancouver, British Columbia this _____ day of _____, _____.

G. Powroznik Group Inc.
Claims Administrator

Per: _____

Vancouver Registry
Estate No. 11-820752
Court No. B-131552

SCHEDULE "E"

AMENDED NOTICE OF DISALLOWANCE OF CLAIM

In the Matter of the Bankruptcy of 0409725 B.C. Ltd. dba Odenza Homes (the "Debtor")

[Name of Creditor]

[Address of Creditor in Proof of Trust and Lien Claim Form or Proof of Lien Claim Form]

Take notice that:

As Trustee acting in the matter of the bankruptcy of 0409725 B.C. Ltd. dba Odenza Homes ("the Debtor"), and in consultation with the Debtor, we have partially disallowed your trust claim to Potential Trust Funds (and/or your lien claim to the Holdbacks) to the extent of \$ _____ pursuant to the provisions of the Builders Lien Act, for the following reasons:

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And further take notice that if you are dissatisfied with our decision in disallowing your claim(s) in whole or in part, you may appeal to the court within the 30-day period after the day on which this notice is served, or within such period as the court may, on application made within the same 30-day period, allow.

Please note that this Notice supersedes our previous Notice of Disallowance dated _____.

Dated at Vancouver, British Columbia this _____ day of _____, _____

G. Powroznik Group Inc.
Claims Administrator

Per: _____

Vancouver Registry
Court No. B-131552
Estate No. 11-1820752

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

IN THE MATTER OF THE BANKRUPTCY OF

0409725 B.C. LTD.

TRUST CLAIMS SETTLEMENT PROGRAM ORDER

MCV

BORDEN LADNER GERVAIS LLP
1200 Waterfront Centre
200 Burrard Street
P.O. Box 48600
Vancouver, British Columbia
V7X 1T2
Telephone: (604) 687-5744
Attn: Magnus C. Verbrugge
Client/Matter 545180/00