



This is the 2nd affidavit
of Colin Brousson in this case
and was made on April 16, 2021

No. S186288
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

REALCOR MORTGAGE CORP.

PETITIONER

AND:

**MORNINGSTAR GOLF CLUB LTD.
CANADIAN WESTERN BANK
NATIONAL LEASING GROUP INC.
ROYNAT INC.
ICE CUBE LEASING INC.**

RESPONDENTS

AFFIDAVIT

I, **COLIN D. BROUSSON**, Barrister and Solicitor, of 2800 Park Place, 666 Burrard Street, in the City of Vancouver, in the Province of British Columbia, MAKE OATH AND SAY AS FOLLOWS:

1. I am a lawyer at DLA Piper (Canada) LLP and have acted as counsel to G. Powroznik Group Inc., the Receiver of Morningstar Golf Club Ltd., (the "**Receiver**"), and as such have personal knowledge of the facts and matters hereinafter deposed to save and except where the same are stated to be made upon information and belief and where so stated I verily believe them to be true.
2. Initially, Gowling WLG (Canada) LLP ("**Gowling WLG**") acted as counsel to the Receiver until on or about August 16, 2020, when I left Gowling WLG and joined the law firm of DLA Piper (Canada) LLP ("**DLA**"). The Receiver chose to have DLA represent the Receiver thereafter.

3. The accounts of Gowling WLG issued to the Receiver for service from October 31, 2019 to August 16, 2020 can be summarized as follows:

Invoice Period	Total	Fees	Disbursements	Taxes
Aug 1, 2019 - Oct 31, 2019	\$21,920.29	\$18,195.00	\$1,485.41	\$2,239.88
Nov 1, 2019 - Nov 29, 2019	\$829.33	\$740.00	\$0.50	\$88.83
Nov 30, 2019 - April 1, 2020	\$4,656.96	\$4,158.00	\$0.00	\$498.96
April 2, 2020 - June 3, 2020	\$1,764.00	\$1,575.00	\$0.00	\$189.00
June 4, 2020 - Aug 11, 2020	\$1,680.00	\$1,500.00	\$0.00	\$180.00
Totals:	\$30,850.58	\$26,168.00	\$1,485.91	\$3,196.67

The accounts of DLA issued to the Receiver for service from August 17, 2020 to February 28, 2021 can be summarized as follows:

Invoice Period	Total	Fees	Disbursements	Taxes
Aug 17, 2020 - Aug 31, 2020	\$1,706.88	\$1,524.00	\$0.00	\$182.88
Sept 1, 2020 - Sept 30, 2020	\$1,849.12	\$1,651.00	\$0.00	\$198.12
Oct 1, 2020 - Oct 31, 2020	\$2,987.04	\$2,667.00	\$0.00	\$320.04
Nov 1, 2020 - Nov 30, 2020	\$10,087.84	\$9,007.00	\$0.00	\$1,080.84
Dec 1, 2020 - Dec 31, 2020	\$355.61	\$317.50	\$0.00	\$38.11
Jan 1, 2021 - Feb 28, 2021	\$1,019.20	\$910.00	\$0.00	\$109.20
Totals:	\$18,005.69	\$16,076.50	\$0.00	\$1,929.19

4. The fees and disbursements set out above were necessarily incurred in fulfilling the instructions of the Receiver and have been approved by the Receiver.
5. The services compromised in the accounts of Gowling WLG and DLA set out above relate to:
 - (a) considering possible sealing order;
 - (b) reviewing and revising Receiver's reports;
 - (c) drafting Notices of Application and Affidavits in support of Court application;
 - (d) preparing submissions and attending in Court on applications;
 - (e) correspondence and communication with the Receiver and other parties involved in the receivership;
 - (f) reviewing and revising new management agreement for golf course with Wedgewood;
 - (g) reviewing and advising on Letter of Intent for golf course;
 - (h) reviewing and commenting on marketing and press releases;
 - (i) reviewing and commenting on contract with Chronogolf for online tee time booking;
 - (j) attending to all Covid 19 related issues, including reviewing and commenting on BC Golf guidelines, course protocols, waivers for golfers, revised membership documents, course operations approach, re-opening memorandum;
 - (k) reviewing and commenting on Remediation Contract for work on golf course equipment fuelling area;
 - (l) drafting Letter of Intent and Purchase and Sale Agreement for golf course;
 - (m) reviewing and commenting on conversion of sale to lease;
 - (n) drafting lease conversion from purchase and sale agreement documents;

- (o) drafting guarantees and postponements in connection with Purchase and Sale Agreement;
 - (p) reviewing and commenting on Development Cooperation Agreement; and
 - (q) advising on easements, land swaps, applications for zoning and other real estate related matters.
6. The total cumulative time comprised in the accounts of both Gowling WLG and DLA is approximately 90 hours broken down as follows:

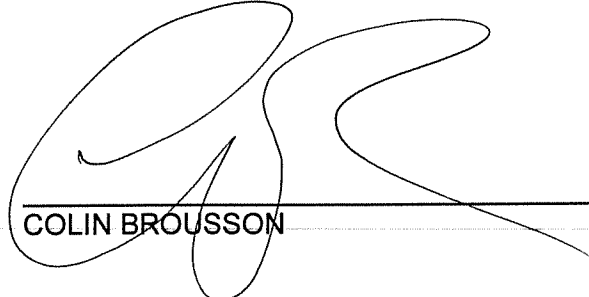
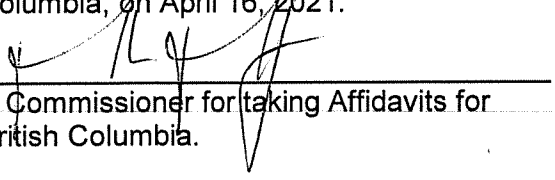
Lawyer	Rate	Hours
Colin Brousson	\$650	1.4
Colin Brousson	\$635	9.9
Colin Brousson	\$600	15.8
Robert Dallakyan	\$400	22.20
Jeffrey Bradshaw	\$325	36.5
Aaron P Madaisky	\$225	0.6
Alexei Paish	\$225	0.6
Azadeh Kharazmi	\$160	2.0
Adriane Giberson	\$125	2.0

7. The legal advice and services were rendered to the Receiver at #250 - 750 W. Pender Street, Vancouver, British Columbia and since February 1, 2021, at #710- 750 W. Pender Street, Vancouver, British Columbia.

8. I was called to the Bar and admitted as a solicitor in the Province of British Columbia in May 1996, and since that time have primarily acted in insolvency and realization matters and in financing issues, including advice to trustees in bankruptcy. I have written papers and lectured on insolvency and realization issues for the Continuing Legal Education Society and other groups.

SWORN BEFORE ME at Vancouver, British Columbia, on April 16, 2021.

A Commissioner for taking Affidavits for British Columbia.



COLIN BROUSSON

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CDB/day