

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

B E T W E E N:

BAO YING CAO and 13364097 CANADA INC.

Applicants

and

XIAODONG YANG and USERS OF SUNRISE TECHNOLOGY

Respondents

**MOTION RECORD
(returnable August 4, 2023)**

July 25, 2023

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respondent

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TAB 1

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

B E T W E E N:

BAO YING CAO and 13364097 CANADA INC.

Applicants

and

XIAODONG YANG and USERS OF SUNRISE TECHNOLOGY

Respondents

NOTICE OF MOTION

BDO Canada Limited (“**BDO**”), in its capacity as Receiver (the “**Receiver**”), appointed by Order of the Court with effect as of December 7, 2021, will make a motion to a Judge presiding over the Commercial List on August 4, 2023 at 10:00 a.m., or as soon after that time as the motion can be heard, by judicial video conference via Zoom at Toronto, Ontario.

PROPOSED METHOD OF HEARING: The Motion is to be heard:

In writing under subrule 37.12.1(1) because it is
[insert on consent, unopposed or made without notice];

In writing as an opposed motion under subrule 37.12.1(4);

In person;

By telephone conference;

[X] By video conference.

THE MOTION IS FOR

1. An Order, substantially in the form attached at Tab 3 of the Motion Record (the “**Order**”) that, among other things:
 - (i) abridges the time for service of this motion, validates the manner of service, and declares that this motion is properly returnable before the Court;
 - (ii) approves the actions and activities of the Receiver, as set out in the report of the Receiver dated July 24, 2023 (the “**Second Report**”);
 - (iii) authorizes and approves the distribution of the remaining and available Contested Funds (as hereinafter defined) to the Accepted Sunrise Claimants (as hereinafter defined), as described in the Second Report;
 - (iv) approves the Receiver’s Determination (as hereinafter defined) with respect to the Dispute Notices, as described in the Second Report;
 - (v) approves the fees and disbursements of the Receiver and of its independent counsel, Scarfone Hawkins LLP (“**SH LLP**”) until the conclusion of these proceedings;
 - (vi) approves the Receiver’s Completion Costs Reserve, as set out in the Second Report, to secure the estimated future fees and

disbursements of the Receiver and its counsel to complete the administration and distribution with respect to the Contested Funds;

(vii) approves the discharge of the Receiver upon the filing of the Discharge Certificate in the form substantially as set out in the Second Report, certifying that the remaining receivership tasks described in the Second Report have been completed by the Receiver; and

(viii) releases the Receiver from any and all liability.

2. Such further and other relief as counsel may advise and this Court may permit.

THE GROUNDS FOR THE MOTION ARE

1. As a result of their involvement with the online scheme known as Sunrise Technology, created by the Respondent, Xiaodong Yang (“**Yang**”), the Applicants received funds (the “**Contested Funds**”) from users of the Sunrise Technology website and/or online application (the “**Sunrise Users**”). The Applicants brought a motion for an Interpleader Order seeking to pay the Contested Funds to a Court-appointed Receiver for the purpose of redistributing the Contested Funds back to the Sunrise Users who had contributed to the pool of Contested Funds;

2. Pursuant to an Order of the Court made by Justice Pattillo on December 7, 2021 (the “**Appointment Order**”), BDO was appointed as Receiver over the Contested Funds;
3. The Appointment Order empowers and authorizes the Receiver to determine and report on a plan for the fair and equitable distribution of the Contested Funds;
4. The Receiver developed and implemented a claims process (the “**Claims Process**”), which was approved by order of this Court, dated June 7, 2022 (the “**Claims Process Order**”). Through the Claims Process, the Receiver determined the entitlement of the Sunrise Users to a claim in the Contested Funds and determined the quantum of the net entitlement of each eligible Sunrise User;
5. Pursuant to the Claims Process Order, the Receiver conducted a reverse claims process, and has analyzed the banking records of the Applicants, including all deposits and withdrawals from all accounts, in order to determine the net entitlement of each eligible Sunrise User to the Contested Funds (the “**Sunrise Claimants**”);
6. Excluded from the Claims Process were any claims made by individuals who submitted funds or cryptocurrency to the Sunrise Technology App platform by means other than direct e-transfer to the Applicants Accounts;

7. The Receiver provided a Claim Statement to each Sunrise Claimant, setting out their net entitlement to the Contested Funds, which Claim Statement was required to be confirmed or disputed by the Sunrise Claimants by the Claims Bar Date in order for a Sunrise Claimant to be eligible for a distribution from the Contested Funds. Individuals who believed that they had claims to the Contested Funds but did not receive a Claim Statement were permitted to file a Proof of Claim by the Claims Bar Date;
8. The Claims Bar Date was set for February 2, 2023, and was set out in the Notices and communications sent by the Receiver to the Sunrise Claimants, and was posted to the Receiver's website;
9. The Receiver has determined the "Net Claim Position," as defined in the Second Report, of each Sunrise Claimant, and those determined to have "Positive Claims," whose claims were filed and approved by the Receiver, as defined in the Second Report, are "**Accepted Sunrise Claimants**" and are entitled to receive a distribution from the pool of Contested Funds;
10. A component of the approved Claims Process involved the ability of Sunrise Claimants to submit Dispute Notices with respect to their entitlement to the Contested Funds, as it was determined by the Receiver and set out in the Claim Statement. The Claims Process then required the Receiver to make determinations regarding the Dispute Notices (the "**Receiver's Determination**"), and required Court approval of the Receiver's Determination in the event the Receiver's Determination was contested;

11. The balance of the Contested Funds available for distribution to the Accepted Sunrise Claimants, after payment of fees and disbursements, is approximately \$946,500.00, less the Completion Costs Reserve (as hereinafter defined);
12. The Receiver proposes a pro rata distribution of the Contested Funds to the Accepted Sunrise Claimants, which would result in the recovery by the Accepted Sunrise Claimants of in excess of 95% of their contribution to the pool of Contested Funds;
13. The Appointment Order directs and empowers the Receiver to take steps incidental to the exercise of its powers and performance of its obligations, including to report to the Court in respect of these proceedings at such times and intervals as the Receiver may deem appropriate;
14. The Receiver seeks the Court's authorization to distribute amounts owing to the Accepted Sunrise Claimants, estimated to be in excess of 95% of their net contribution to the Contested Funds;

Approval of Fees and Disbursements

15. Pursuant to the Appointment Order, the Receiver and its legal counsel are to be paid their reasonable fees and disbursements, and shall pass their accounts from time to time;
16. In performing their duties pursuant to the Appointment Order, the Receiver and its counsel have incurred the fees and disbursements detailed in the

Second Report. The Receiver respectfully submits that its fees and disbursements, and those of its counsel, SH LLP, are reasonable in the circumstances and have been validly incurred in accordance with the provisions of the Appointment Order;

17. The Receiver requests the Court's approval of such fees and disbursements;
18. The Receiver estimates that the total fees and disbursements of the Receiver and its counsel to the termination of these receivership proceedings should not exceed \$20,000.00 plus disbursements and taxes (the "**Completion Costs Reserve**");
19. The Receiver requests the Court's approval of the Completion Costs Reserve;

Receiver's Discharge

20. The principal purpose of this receivership has been to identify the eligible Sunrise Claimants and return the Contested Funds to the Accepted Sunrise Claimants who transferred their funds to the account(s) of the Applicant(s), to the extent possible. The Receiver has analyzed the Applicant's banking records, determined the entitlement and quantum of the Net Claim Position of the eligible Accepted Sunrise Claimants, and is in a position to disburse funds to the Accepted Sunrise Claimants. The Receiver seeks its discharge upon the filing of a certificate as described in the Second Report;

Service

21. The Accepted Sunrise Claimants are located throughout jurisdictions and some are international. Communications throughout the Claims Process have taken place by e-mail. The most efficient method of service of this motion on all Accepted Sunrise Claimants is by e-mail;

General

22. Other grounds as set out in the Second Report and the appendices attached thereto;
23. Rules 1.04, 1.05, 2.01, 2.03, 3.02, and 37 of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194, as amended; and
24. Such further and other grounds as the lawyers may advise and this Honourable Court may permit.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the Motion:

1. The Second Report, dated July 24, 2023, and the appendices attached thereto, filed; and

2. Such further and other evidence as the lawyers may advise and this Honourable Court may permit.

July 25, 2023

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AND TO: **SUNRISE CLAIMANTS**

respondent

RCP-E 37A (September 1, 2020)

BAO YING CAO et al.
Applicants

-and- **XIAODONG YANG et al.**
Respondents

Court File No. CV-21-00672880-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT
TORONTO

NOTICE OF MOTION

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File Number: 21C0752

RCP-F 4C (September 1, 2020)

TAB 2

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

BETWEEN:

BAO YING CAO and 13364097 CANADA INC.

Applicants

- and -

XIAODONG YANG and USERS OF SUNRISE TECHONOLGY

Respondents

IN THE MATTER OF AN APPLICATION PURSUANT TO
SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990, c. C.43 AS AMENDED AND
RULE 41.03 OF THE *RULES OF CIVIL PROCEDURE*

SECOND AND FINAL REPORT TO THE COURT
SUBMITTED BY BDO CANADA LIMITED
IN ITS CAPACITY AS RECEIVER OF THE CONTESTED FUNDS

July 24, 2023

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1.0 INTRODUCTION AND PURPOSE OF REPORT

1.1 Introduction

1.1.1 Pursuant to an Interpleader Order issued by Justice Pattillo of the Ontario Superior Court of Justice (the "Court") dated December 7, 2021 (the "Appointment Order"), BDO Canada Limited was appointed receiver (the "Receiver"), without security, of the Contested Funds held by 13364097 Canada Inc. and Bao Ying Cao (collectively the "Applicants"). A copy of the Appointment Order is attached as Appendix A.

1.1.2 Therein, the Court declared:

- a) that a conflict exists among certain Users of Sunrise Technology (the "Sunrise Users") who have claims to funds (the "Contested Funds") that they provided as part of a scheme (the "Sunrise Technology Scheme") operated by the respondent Xiaodong Yang ("Yang"), some of which were held by the Applicants; and,
- b) that the Applicants have no beneficial claim to the Contested Funds, having come into possession of certain Contested Funds as a result of the Sunrise Technology Scheme.

1.1.3 Additionally, the Court Ordered:

- a) the Applicants to transfer the Contested Funds to a receiver, to permit the Receiver to access, control and disburse the Contested Funds;
- b) that the costs of the Applicants in bringing the Application be paid out of the Contested Funds; and
- c) that the costs of the Receiver and its legal counsel be paid out of the Contested Funds.

1.1.4 The Receiver issued its first report to the Court dated May 19, 2022 (the "First Report") to outline, among other things, the Sunrise Technology Scheme, the Receiver's mandate and associated review of the Applicants' Accounts, and to seek approval of a proposed Claims Process. Attached as Appendix B is a copy of the First Report without appendices. Below we provide a brief summary of the background.

1.2 Background

1.2.1 Bao Ying Cao ("Cao") was the sole director and shareholder of 13364097 Canada Inc. ("13364097"), a corporation that was incorporated in or around September 2021 by Cao to administer the cash transactions associated with the Sunrise Technology Scheme prior to Cao determining that Yang's business was not legitimate. 13364097 was dissolved subsequent to closing its CIBC bank account.

1.2.2 As set out in the Cao Affidavit and the Wang Affidavit, both of which were included in the Application Record submitted December 3, 2021 in these proceedings, Ms. Cao fell victim to a scheme that was orchestrated by Yang. Therein, it was described in detail

how Cao was induced into transacting with Yang and how it was determined that Yang's operation was illegitimate.

- 1.2.3 In July 2021, Ms. Cao replied to a part-time trading job advertisement that was believed to be posted by Yang on the Chinese-Canadian forum yorkbbs.ca. Yang advised Cao that he was seeking her assistance in trading USDT, a form of cryptocurrency, and she would be paid a 5% commission for each transaction. Yang said that he would send money to Cao to buy USDT, which she would then transfer to him.
- 1.2.4 In August 2021, Yang's operation evolved beyond what he originally represented to Cao as Yang asked Cao to process transactions for his customers. He told Cao that he operated a cryptocurrency trading platform called Sunrise Technology where customers could order USDT. The customers would send funds to her bank accounts, and she should use that money to purchase and transfer USDT to him to distribute to his customers.
- 1.2.5 Cao processed numerous transactions per day and opened additional bank accounts at Yang's direction in order to bypass each account's daily transaction limit. Ultimately, Cao used six bank accounts and two alternative payment methods (collectively the "Applicants Accounts" as defined in the First Report).
- 1.2.6 Cao became increasingly alarmed at the volume of funds flowing into the Applicants Accounts and in October 2021 Cao sought legal advice and ultimately retained Polley Faith on or around October 26, 2021. Shortly after being retained, Polley Faith determined that Cao had been a victim of a fraudulent Ponzi scheme and advised Cao to stop communicating with Yang and engaging in transactions.
- 1.2.7 Through its investigation, Polley Faith determined that despite telling Cao he was operating a USDT trading platform, Yang was in fact marketing a scheme under the name Sunrise Technology in which Sunrise Users were offered "commissions" for placing false e-commerce orders through a downloadable application.
- 1.2.8 Polley Faith further determined that Yang's supposed business, including the application and website marketed as Sunrise Technology, was a form of Ponzi scheme designed to entice users to make small payments and receive small returns, and to gradually make larger investments that Yang had no intention to repay. Yang concealed the true purpose of his scheme from Cao.
- 1.2.9 The funds that Cao was receiving into her bank accounts which Yang represented as customers placing USDT orders were obtained from Sunrise Users who believed that they were loading funds onto the Sunrise Technology application (the "Sunrise App") which was outlined in the First Report.

Description of the Sunrise Technology Scheme

- 1.2.10 The Sunrise App is a mobile application that purported to allow Sunrise Users to earn "commissions" by placing false e-commerce orders on what was believed to be various legitimate co-operating websites (Wish.com, eBay.com, Walmart.com and Amazon.com). Sunrise Users were led to believe their funds were being used to "purchase and immediately refund" these products, to benefit the vendor selling the products (i.e. to increase their ratings).

- 1.2.11 Given the nature of the fraud, the Receiver understands there were in fact no commissions earned, and Sunrise Users were simply trading dollars by depositing larger sums than they were authorized to withdraw.
- 1.2.12 Yang received proceeds under the Sunrise Technology Scheme via the USDT transfers that Yang told Sunrise Users and Ms. Cao to send to his imToken digital wallet. Yang operated three digital cryptocurrency wallets for the purpose of holding cryptocurrency received through the Sunrise Technology Scheme (the "Sunrise Wallets"). As outlined in the First Report, the cryptocurrency contained in the Sunrise Wallets was removed and was not recovered, and is not the subject of these receivership proceedings. Yang's true identity and location are unknown.
- 1.2.13 Under the direction of Polley Faith, Ms. Cao ceased participating in the Sunrise Technology Scheme, notified the Financial Institutions (as defined in the First Report) to no longer accept payments, moved to preserve the Contested Funds held in the Applicants Accounts and ceased communicating with Yang. Further, Cao cooperated fully with the investigation of the York Regional Police and with the Ministry of the Attorney General, which had no objection to the Applicants' civil application.
- 1.2.14 Due to the complexity and volume of transactions Cao performed and the number of accounts and platforms Cao used, Cao was unable to determine how and to whom Cao should return the Contested Funds, and accordingly sought the appointment of BDO Canada Limited as Receiver to, among other things, perform a detailed accounting of the Applicants Accounts.

1.3 Receiver's Mandate

- 1.3.1 As outlined in the Appointment Order, the Contested Funds were to be directed to the Receiver to permit the Receiver to access, control and disburse the Contested Funds. This process required the Receiver to conceptualize and develop a Claims Process. As will be further particularized later in this Report, the Receiver proposed and developed a "reverse Claims Process." The Receiver obtained records from various financial institutions which showed details of all transactions between potential Claimants and the Applicants. The reverse Claims Process which was proposed and was subsequently approved required the Receiver to review, untangle, and analyze the details of thousands of transactions made to and from the Applicants Accounts. After analyzing the data regarding deposits and withdrawals and attributing each deposit or withdrawal to an associated user e-mail address, the Receiver was able to prepare a "Claim Statement" specific to each potential Claimant. The Claim Statement set out that Claimant's potential interest in the Contested Funds, as determined by the Receiver after an analysis of that Claimant's deposits to and withdrawals from the Applicants Accounts. The reverse Claims Process involved sending each potential Claimant an individualized Claim Statement, for the Claimant to either confirm or object to. The Receiver obtained Court approval for the reverse Claims Process and is now required to obtain approval of the proposed distribution of the net Contested Funds on hand.
- 1.3.2 The cash transactions processed to / from approximately 2,400 Sunrise Users through the Sunrise App were processed via e-transfers through the Applicants' Accounts and payment processing platforms held with CIBC, HSBC, Scotiabank, Wise, EQ and PayPal (collectively the "Financial Institutions").

- 1.3.3 As outlined in the First Report, the Appointment Order did not mandate the Receiver to analyze or otherwise take any action with respect to cryptocurrency transactions to or from the "Sunrise Wallets", or with respect to cryptocurrency that may have been uploaded by Sunrise Users to the Sunrise App. Additionally, the Receiver understands that other non-applicant individuals (possibly knowingly or unknowingly) in similar positions to Ms. Cao received e-transfers from Sunrise Users (the "Non-Applicant Parties"), however the Receiver has no access or information relating to such fund transfers and has no mandate to perform an analysis of those transfers or the funds involved.
- 1.3.4 The Receiver's position is that qualified "Sunrise Claimants," eligible to make a claim against the Contested Funds, are those Sunrise Users who performed cash e-transfers and provided funds to the Applicants. The Receiver understands that its mandate is to return the funds provided to the Applicants by the qualified Sunrise Claimants, as best as possible in the circumstances.
- 1.3.5 The Receiver contacted and worked with the various Financial Institutions where the Contested Funds had been deposited and/or distributed from. Additionally, the Receiver sought and obtained a Court Order directing Royal Bank of Canada ("RBC") to provide the Receiver with specific transactional data, being the "Information Gaps" (names and/or e-mail addresses relating to each unidentifiable transaction) as outlined in the First Report.
- 1.3.6 Given the significant volume of transactions, the number of Sunrise Users and since the various Financial Institutions provided details in various forms and applications, not all of which was complete, this process has taken a significant period of time.
- 1.3.7 Many of the Claimants had processed multiple transactions on the Sunrise App, as Sunrise Users were permitted to make both deposits and withdrawals. In order to determine the extent of each potential Claimant's claim, the Receiver had to analyze the deposits and withdrawals specific to a particular Sunrise User and determine their "net" claim (the "Net Claim Position") and the extent of their entitlement to a distribution from the net Contested Funds.
- 1.3.8 As previously reported, there was no formal record keeping for the Sunrise App transactions which the Receiver could rely upon. Accordingly, it was critical to the Receiver's mandate to obtain the detailed bank account transactions from the Financial Institutions so that the Receiver could determine and report to the Court on the nature and extent of claims for each Sunrise Claimant in order to proceed with a Claims Process and the distribution of the net Contested Funds.
- 1.3.9 The First Report in support of the Receiver's Motion returnable May 27, 2022 outlined among other things, the Receiver's initial activities, the Information Gaps required to complete the Receiver's Net Claim Position analysis, the Receiver's proposed Claims Process and sought an Order of the Court:
- declaring that only those Sunrise Users who e-transferred funds to the Applicants Accounts are eligible to make a Claim to the Contested Funds;
 - authorizing the Receiver to take no further actions in relation to the Sunrise Wallets;

- directing RBC to provide certain information relating to the Information Gaps; and,
- approving the Receiver's proposed Claims Process.

1.3.10 Subsequent to issuing the First Report, the Receiver issued its supplement to the First Report dated May 26, 2022 (the "Supplement to the First Report") to:

- a) report on the Receiver's review of the Net Claim Position of the Sunrise Users in the Applicants' Accounts in support of its request that the Court authorize the Receiver to exclude claims of \$100 or less from any ultimate distribution of the Contested Funds; and
- b) to provide the Court with an update relating to the submission of a Sunrise Claimant relating to cryptocurrency transactions.

1.3.11 The Supplement to the First Report, without appendices, is attached as Appendix C. Therein, the Receiver reported on its review of the Sunrise Wallets including discussions with CipherBlade, the York Regional Police and an Anti-money Laundering Specialist. Based on its review, relative to the average transaction value, the Receiver believed that it would be costly and difficult (if not impossible) to identify the individuals that deposited or withdrew funds from the Sunrise Wallets. Further, as the cryptocurrency was not recovered and not in the Receiver's possession, the Receiver sought and was granted approval from the Court to exclude transactions made to or from the Sunrise Wallets from its analysis. The Court authorized the Receiver only to consider claims by Claimants who e-transferred funds to the Applicants Accounts.

1.3.12 The Receiver's role in these proceedings is to return the funds from the Applicants' Accounts to the Sunrise Claimants who were victims. The victims never intended to transfer ownership of the funds. They believed their deposits were being made into their Sunrise 'account' and in effect, Ms. Cao became a fiduciary over the money and owes an obligation to return it, as best as possible, to the rightful owner(s), being the parties that transferred funds into the Applicants' Accounts.

1.3.13 Pursuant to the Receiver's Motion scheduled and heard on May 27, 2022, the Court issued an order (the "RBC Disclosure Order") requiring RBC to deliver certain contact and other information to the Receiver relating to the Information Gaps outlined in the First Report. A copy of the RBC Disclosure Order is attached as Appendix D. The balance of the Receiver's motion was adjourned to June 7, 2022.

1.3.14 On June 7, 2022, the Court issued an Order, approving among other things, the Receiver's activities and fees as outlined therein (the "Ancillary Order") and an Order authorizing the Receiver to take no further action in relation to the Sunrise Wallets, and authorizing the Receiver to proceed with the proposed Claims Process (the "Claims Process Order"). A copy of the Ancillary Order and Claims Process Order are attached hereto as Appendix E and Appendix F, respectively.

1.4 Purpose of this Report

1.4.1 This constitutes the Receiver's second and final report to the Court (the "Second Report") in this matter and it is filed to:

- Report on the Receiver’s activities in these receivership proceedings since the First Report;
- Report on the results of the Receiver’s review of the details of the Applicants Accounts obtained by the Receiver, including the Information Gaps;
- Provide the details of the outcome of the Receiver’s Claims Process and Proposed Distribution to the Accepted Sunrise Claimants, as defined herein; and
- Request an Order, *inter alia*:
 - approving the Second Report and the activities of the Receiver set out herein;
 - approving the Receiver’s interim statement of receipts and disbursements for the period December 7, 2021 to July 20, 2023 (the “Interim R&D”);
 - approving the fees and disbursements of the Receiver and its legal counsel, Scarfone Hawkins LLP (the “Receiver’s Counsel”), as outlined herein and detailed in the supporting fee affidavits of Christopher J. Mazur and Danielle Iampietro, including the Completion Costs Reserve, as defined herein, through to the discharge of the Receiver;
 - approving the Receiver’s Determination of Dispute Notices (as outlined herein);
 - approving the Net Contested Funds Distribution to the Accepted Sunrise Claimants, as outlined herein;
 - upon the filing of a discharge certificate (the “Receiver’s Discharge Certificate”) by the Receiver, discharging BDO as Receiver of the Contested Funds, and releasing BDO from any and all liability as set out in the draft Order; and,
 - such other relief as the Court deems appropriate.

1.5 Scope and Terms of Reference

- 1.5.1 The Second Report has been prepared for the use of this Court and stakeholders of the Contested Funds as general information relating to these proceedings and to assist the Court in making a determination of whether to approve the relief sought herein. Accordingly, the reader is cautioned that the Second Report may not be appropriate for any other purpose. The Receiver will not assume responsibility or liability for losses incurred by the reader as a result of the circulation, publication, reproduction or use of the Second Report different than the provisions of this paragraph.

- 1.5.2 In preparing this Second Report, the Receiver has relied upon limited records of the Applicants and available unaudited financial information together with information provided by the Financial Institutions (as defined herein). While the Receiver has reviewed certain of the Applicants' banking records, such work does not constitute an audit or verification of such information for accuracy, completeness, or compliance with Generally Accepted Accounting Principles or International Financial Reporting Standards. Accordingly, the Receiver expresses no opinion or other form of assurances with respect to such information except as expressly stated herein.
- 1.5.3 Capitalized terms used but not defined in this Second Report shall have the meaning ascribed to them in the Appointment Order, the First Report or the Supplement to the First Report.
- 1.5.4 This Second Report, and all court materials and orders issued and filed in these receivership proceedings are available on the Receiver's website at: <https://www.bdo.ca/en-ca/extranets/sunrise-claims/> and will remain available on the website for a period of six (6) months following the Receiver's discharge.

2.0 Receiver's Activities

- 2.0.1 The Applicants did not maintain any formal record-keeping listing specific names, contact information and/or tracking of individual Sunrise Users' transactions, as would be expected in a typical business entity nor did Yang provide any direction or platform to Cao to be able to track the Sunrise Users' contact information or transactions.
- 2.0.2 Accordingly, as outlined in the First Report, the Receiver undertook the following activities:
- a) Subsequent to the issuance of the Appointment Order, the Receiver issued notices to the Financial Institutions of its Appointment, requested that the funds on hand, if any, were to be transferred to the Receiver's account and requested the full particulars of each transaction in the Applicants Accounts including, but not necessarily limited to, the counterparty to each transaction;
 - b) Extensive review of in excess of 6,000 transactions in the Applicants' Accounts, including, but not necessarily limited to: extracting the detailed information from various forms of software provided by the Financial Institutions, reconciling the detailed transactions by category and by Sunrise User, etc.;
 - c) The Receiver had extensive correspondence with the Financial Institutions to obtain and secure: the Contested Funds in the Applicants' Accounts; the detailed analysis of the Applicants' Accounts transactions; and, to identify outstanding items, and in particular the Information Gaps outlined in the First Report;
- 2.0.3 The Receiver has since continued with the reconciliation of the Applicants Accounts and corresponded with Sunrise Users via e-mail and/or telephone to discuss their claims, timing of a claims process, the Sunrise Wallets, etc., including, but not necessarily limited to:
- a) Detailed review of the Information Gaps provided by the various Financial Institutions, reconciling the data by each e-mail account and consolidating the information so that the transactions in the Applicants Accounts could be assigned to a specific Sunrise Claimant;
 - b) Preparation of a detailed Claim Statement for each of the in excess of 2,400 Sunrise Claimants which transacted in the Applicants Accounts for inclusion as Schedule C (the "Claim Statement") included in the Claims Process;
 - c) Developing, creating and testing the Claims Portal that was made available to the Sunrise Claimants for the Claims Process together with specific electronic notice to each Sunrise Claimant of the Claims Bar Date;
 - d) As outlined in detail in Section 3 herein, the Receiver undertook the administration of the Claims Process including, but not necessarily limited to:
 - initial and follow up service to the Sunrise Claimants;

- review of the Claims Portal submissions and related documentation and correspondence with Sunrise Claimants regarding same;
 - requesting and reviewing additional supporting documentation from Sunrise Claimants;
 - issuing Notices of Revision or Disallowance, as applicable;
 - reviewing Dispute Notices and corresponding with Sunrise Claimants regarding same;
 - issuing the Notices of Determination pursuant to paragraph 39 of the Claims Process Order, as necessary.
- e) Correspondence and communications with the Receiver's Counsel regarding the consideration of Sunrise User claims, review of the Claims Process portal submissions and paper filed submissions, seeking cooperation from the various Financial Institutions, etc.

2.1 Non-Applicant Parties

2.1.1 As outlined in the First Report, the purpose of the Receiver's detailed review/analysis of the banking transactions to/from the Applicants Accounts was to:

- a) Identify the name and e-mail address of each Sunrise User in order to determine who may be eligible to file a claim against the Contested Funds (the "Sunrise Claimants");
- b) Determine the Net Claim Position for each Sunrise Claimant and prepare their detailed Claim Statement;
- c) Minimize or eliminate claims filed by Sunrise Users or other individuals that do not have an eligible claim or entitlement to a distribution from the Contested Funds;

2.1.2 As an illustration, as at the time of filing the First Report, the Receiver had been contacted by parties claiming to have submitted funds via the Sunrise App and/or other (but possibly related) apps and/or to individuals with the following three references:

- a) BestAd;
- b) Wayfairs.net;
- c) Sunriserios123@gmail.com;

2.1.3 As a result of commencing the Claims Process and related correspondence with Sunrise Users and other potential Claimants there were numerous additional references (i.e. names and/or e-mail addresses) that parties claim to have submitted funds to via the Sunrise App, but which are not associated with the Applicants. Overall, the Receiver obtained references to approximately 24 Non-Applicant Parties (names or e-mail addresses). The Receiver has no jurisdiction or mandate with respect to any transactions alleged to have taken place with a Non-Applicant Party, and, as will be outlined below, did not accept claims that were said to relate to transactions with a Non-Applicant Party.

2.1.4 The Receiver was previously made aware of this issue, as outlined above, and accordingly the Receiver sought and the Court ordered in the Claims Process Order, that only those Sunrise Users who e-transferred funds to the Applicants' Accounts are eligible to make a Claim to the Contested Funds. Accordingly, the Sunrise Claimants that submitted funds (in whole or in part) to Non-Applicant Parties were issued Notices of Revision or Disallowance. Further details are included in Section 3 herein. The Applicants confirmed they are not aware of nor associated with any of the Non-Applicant Parties identified.

3.0 RECEIVER'S CLAIMS PROCESS

3.1 Receiver's Claims Process

- 3.1.1 Pursuant to the terms of the Appointment Order, the Receiver was to determine and report on a plan for the fair and equitable distribution of the Contested Funds to qualified Sunrise Claimants.
- 3.1.2 The Receiver detailed the proposed Claims Process in Section 4 of the First Report. A brief summary of which is outlined below:

Claim Statements

- a) Upon receipt of the Information Gaps, the Receiver was to complete its review of the Applicants Accounts to identify the Sunrise Claimants based on e-transfer data and related information supplied by the Financial Institutions;
- b) Prepare an individualized Claim Statement, setting out the Net Claim Position for each Sunrise Claimant, based on the detailed reconciliations of the Applicants Accounts;
- c) Prepare an electronic Claims Portal for Sunrise Claimants to utilize to acknowledge their Claim or file a Request for Amendment or Notice of Dispute;

Notice

- d) Serve the Claims Process Order and the Claims Package (as defined in the First Report) to each Sunrise Claimant identified in the Applicants' Accounts including their Claim Statement and instructions on how to access the Claims Portal to acknowledge the accuracy of their Claim Statement and/or the opportunity to file a Request for Amendment or Notice of Dispute, and to upload additional documentation if they disagree with any reported amounts in the Claim Statement;
- e) In addition to the Sunrise Claimants identified in the Applicants Accounts, any other party that had contacted the Receiver (the "Unidentified Claimants" as outlined further below) were also notified and able to submit a claim (either via the Claims Portal or via direct submission to the Receiver);
- f) Post Notice of the Claims Process Order and the Claims Package on the Receiver's dedicated website and send same via regular mail to CRA and the Ministry of Finance;
- g) Setting and notifying Sunrise Claimants of the Claims Bar Date, resulting in any Sunrise Claimant who did not file their Claim by such date being forever barred from filing a Claim or participating in a future distribution of the Contested Funds or receiving further notice;

Dispute Resolution

- h) The Receiver to review and consider any Request for Amendment and/or Notice of Dispute and may accept the amendments requested or revise or disallow them by way of a Notice of Revision or Disallowance;
- i) Any Claimant who intended to dispute a Notice of Revision or Disallowance was required to deliver a Dispute Notice to the Receiver within 10 days of the Notice of Revision or Disallowance or such later date as the Receiver may agree to in writing or the Court may order. Once a Dispute Notice is received, the Receiver may attempt to resolve and settle a disputed Claim with the Claimant;
- j) If a Claimant fails to properly deliver a Dispute Notice, the amount of such Claimant's claim will be deemed to be the amount set out in the Notice of Revision or Disallowance;
- k) Pursuant to paragraph 39 of the Claims Process Order, subsequent to receipt of a Dispute Notice, the Receiver shall review and notify the Claimant of its determination (the "Receiver's Determination"). If the Claimant disagrees with the Receiver's Determination and/or resolution is unsuccessful, the Receiver is to bring a motion to seek a procedure to determine the disputed Claim(s);
- l) The Claims Process Order provides that any Dispute Notice that cannot be resolved with Claimants be brought to the Court, for a determination as to the most appropriate resolution. It was the Receiver's opinion that such a process should only be devised once the nature and quantum of the disputes is determined so that an appropriate mechanism may be proposed to this Court for approval;

Residency / Valid Government Identification

- m) The Claims Process Order required Sunrise Claimants to declare their residency;
- n) Any Sunrise Claimant that wishes to participate in the Claims Process was required to provide their contact information and government issued identification for verification. The information collected is to be used to administer the future distribution to the Sunrise Claimants.

3.2 Review of Information Gaps:

- 3.2.1 Upon receipt of the final Information Gaps in November 2022, the Receiver completed its analysis of the Applicants' Accounts and prepared a detailed Claim Statement for each Sunrise Claimant.
- 3.2.2 In its initial review of the Applicant's Accounts, the Receiver identified that there were a significant number of nominal claim amounts (i.e. less than \$100) where the cost of administering such claims would outweigh the actual quantum of the Claim.
- 3.2.3 The Receiver outlined its analysis in the Supplement to the First Report and the Court issued an Order authorizing the Receiver to proceed with the Claims Process excluding any Sunrise Users' with a Net Claim Position at or below \$100.

3.2.4 Subsequent to receipt of the final Information Gaps in November 2022, the Receiver finalized its analysis of the Applicants Accounts. Therein, the Receiver identified the Net Claim Position of Sunrise Claimants in the following 3 categories:

- i) Net Claim Position > \$100.00 ("Positive");
- ii) Net Claim Position between \$0.00 and \$100.00 ("Neutral") - Claimants excluded pursuant to the Claims Process Order; and,
- iii) Negative Net Claim Position ("Negative") - Claimants excluded pursuant to the Claims Process Order, however they were identified and notified in the event the accounts needed to be further investigated and/or offset against Positive Claimants (i.e. where a Claimant used more than one e-mail address to either submit or receive funds from the Applicants). A Negative Net Claim Position relates to an e-mail account which received funds from the Applicants' Accounts in excess of the amounts that were deposited. While it is not certain, this could have arisen either from individuals that utilized more than one e-mail account in depositing and withdrawing funds and could not be matched or individuals that submitted funds via cryptocurrency and withdrew cash. The overall average of the Negative Claimants is \$(108) as illustrated in the chart further below.

3.2.5 As noted above, additionally there were various Unidentified Claimants that contacted the Receiver subsequent to its appointment and were added to the Service list. The Unidentified Claimants e-mail addresses did not match e-mail account transactions in the Applicants' Accounts.

3.2.6 With respect to the Unidentified Claimants, it is possible that:

- a) they may have used a secondary e-mail account for their transactions vs. their correspondence to the Receiver. As such, they would be receiving an e-mail to their other account to acknowledge their claim;
- b) Or alternatively, they could have reached out to the Receiver as a Sunrise User, however, they may have submitted funds to one of the Non-Applicant Parties that allegedly also received funds in addition to the Applicants. If so, their claim is excluded pursuant to the Claims Process Order;

3.2.7 The Receiver believed it was in the best interest of all potential Sunrise Claimants to notify all of the identified and Unidentified Claimants of the Claims Process and the Claims Bar Date, so that they have an opportunity to file a Claim in the event that the Receiver's analysis of the Applicants Accounts did not identify their claim.

3.2.8 The chart below illustrates the quantum and sum of the various Claimant categories:

Claim Summary Per Applicants Accounts			
Category	# of Claimants	Claim Amount	Average
Positive	1,054	\$ 1,564,392	\$ 1,484
Neutral	646	42,574	66
Negative	699	(75,153)	(108)
Total	2,399	\$ 1,531,813	\$ 639
Unidentified	174	Unknown	Unknown
	2,573		

3.2.9 Of the 150 Unidentified Claimants that were served, thirteen (13) individuals filed Claims. Thereof:

- a) Eleven were disallowed as their payments were made to Non-Applicant Parties;
- b) One individual had a secondary e-mail address identified in the Applicants Accounts, which Claim was accepted;
- c) One individual was claiming on behalf of his spouse, who had a valid claim under a different email address which was accepted.

3.3 Service of the Claims Process

3.3.1 Subsequent to receipt of the Information Gaps, the Receiver finalized its analysis of the Applicants' Accounts, completed the Claim Statements, completed the data coding to automate the issuance of dedicated e-mails (including the applicable Claim Statement) for each Sunrise Claimant and commenced the Claims Process. Below is an outline of the process undertaken and outcome.

3.3.2 Once the Claim Statements were completed, the Receiver compiled the Claims Package to be sent to every known potential Sunrise Claimant. As outlined in the First Report, the Claims Package includes:

- a) A notice to Sunrise Claimants, providing a link to access the Claims Portal;
- b) A Claim Statement;
- c) An Instruction Letter to assist the Sunrise Claimants to enter and submit their Claim Form and to upload any relevant documentation, in particular:
 - Name and contact information;
 - Government issued identification;
 - Documentation in support of their claim.

3.3.3 On Friday December 16, 2022, the Receiver issued via e-mail the Claims Bar Notice together with the Claims Package to in excess of 2,500 potential Sunrise Claimants (which included all potential Claimants identified through the Applicants Accounts as well as the 150 Unidentified Claimants). On December 19, 2022 the Receiver posted

Notice of the Claims Bar Date and the Claims Package on the Receiver’s dedicated website, requested a Sunrise Claimant to post the Social Media Notice and mailed the Claims Bar Notice to CRA and the Ministry of Finance. The Claims Bar Date was set as February 2, 2023 to file claims.

- 3.3.4 With regards to the initial Claims Bar Notice, there were approximately 55 that were not deliverable to the e-mail recipient (the “Undeliverable E-mails”). Based on the e-mail return report, most bounced back due to the reason “the email does not exist” or “the mailbox is disabled” or “mailbox unavailable”. Certain emails were returned with the reason “The email account that you tried to reach is over quota and inactive”.
- 3.3.5 On or around January 9, 2023, the Receiver submitted a second notice to the Undeliverable E-mails. As outlined further below, a third notice was sent to Undeliverable E-mails in late January 2023.
- 3.3.6 During the Claims Process period, the Receiver monitored the Claims Portal for Claims filed, and corresponded with various Sunrise Claimants regarding the Claims Portal, the process, timeline, proof of claim forms, disputed transactions, etc.
- 3.3.7 On January 20, 2023, the Receiver requested a Sunrise Claimant to post a reminder of the Social Media Notice on their chat site.
- 3.3.8 As the Claims Bar Date was nearing, the Receiver identified that a significant number of Sunrise Claimants had not yet filed their claims. Accordingly, on January 27, 2023, the Receiver issued a further reminder notice of the Claims Bar Date to all Claimants that had not yet filed. This included e-mails to 776 Positive Claimants; 617 Neutral Claimants; and 686 Negative Claimants for a total of 2,079 Sunrise Claimants that had not yet filed.
- 3.3.9 Subsequent to this further notice to Sunrise Claimants there remained 53 Undeliverable E-mails that bounced back, four of which filed a claim, as they had another e-mail address associated with Sunrise. Of the 49 Undeliverable E-mails that did not file a claim, 24 had positive claims (i.e. > \$100) per the Applicants’ Accounts totaling approx. 0\$37,000 and 25 had negative or neutral claims totaling a combined \$530.

3.4 Claims Process Outcome

Accepted Claims

- 3.4.1 The chart below provides a summary of the Positive claims that were Accepted in whole or in part, Claims subject to confirmation of ID as outlined further below, together with the acknowledged, but Excluded Neutral and Negative Claimants:

Summary of Accepted Claims			Status
	AMOUNT	# of Claimants	
POSITIVE	\$ 928,751	434	Accept
NEUTRAL	2,608	36	Exclude
NEGATIVE	(8,686)	22	Exclude
	\$ 922,673	492	

- 3.4.2 In its correspondence, the Receiver notified the Neutral and Negative Claimants that based on their Net Claim Position, they would not be eligible for a distribution, however, they were able to access the Claims Portal to file a Request for Amendment or Notice of Dispute if they have records to support an additional claim amount.
- 3.4.3 Certain Neutral and Negative claimants filed Claims confirming they acknowledge the accuracy of the Claim Statement, however, they are excluded from the distribution. In a few instances, Neutral and Negative Claimants filed a Request for Amendment relating to payments made via the Sunrise App however, they were disallowed on the basis that the payments were made to Non-Applicant Parties, or there was insufficient proof of payment provided and there was no record of their claimed payments in the Applicants' Accounts.
- 3.4.4 The individuals with a Positive Net Claim Position who have filed and whose Claims the Receiver has accepted (the "Accepted Sunrise Claimants"), would be eligible for a distribution of the net balance of Contested Funds (as outlined further below).

3.5 Unfiled Claims

- 3.5.1 Despite the initial and subsequent efforts to notify the Sunrise Claimants of the Claims Process Order and Claims Bar Date, a significant portion of Sunrise Claimants did not file Claims ("Unfiled Claims").
- 3.5.2 Overall, relative to the approx. 2,400 Sunrise Claimant e-mail addresses identified as having submitted or received funds from the Applicant's Accounts, there were approximately 1,900 Sunrise Claimants that did not file a claim.
- 3.5.3 Of this group, there were 601 Neutral (i.e. Net Claim Position of \$0 to \$100) and 670 Negative Claimants that did not file, which is not unexpected as they were notified they would not be eligible for distribution of the Contested Funds, unless they could prove they submitted additional funds to the Applicants Accounts which were not identified in the Receiver's Claim Statements.
- 3.5.4 Additionally, there were 608 Positive Claimants with Claims totaling \$623,000 that did not file a claim.
- 3.5.5 Below is a summary chart of the Unfiled Claims:

SUMMARY OF UNFILED CLAIMS				
# of Claimants	Claim Amount	Category	Average	
608	\$ 623,244	Positive	\$ 1,025.07	
601	39,346	Neutral	65.47	
670	(62,882)	Negative	(93.85)	
1,879	\$ 599,708	Total	\$ 319.16	

- 3.5.6 Although the Receiver provided notice of the Claims Process and the Claims Bar Date to the Sunrise Claimants with Unfiled Claims on two occasions (December 16, 2022 and January 27, 2023) and a third time on January 30, 2023 to those with a Net Claim Position in the top 25 of accounts, 608 Positive Claimants did not file claims by the Claims Bar Date. The notices that were sent to these Positive Claimants with Unfiled Claims were sent by e-mail, as e-mail is the only contact information available. The Receiver did

receive responses from some of the individuals with Unfiled Claims, indicating that they did not want to be contacted and/or were suspicious that the Receiver was involved in a scam or was perpetuating the Sunrise Technology Scheme. It is unknown why others did not file. The Claims Process Order provided that, if Notice was provided and the Claimant had not filed a claim by the Claims Bar Date, that the Claimant would be forever barred from filing a claim to the Contested Funds and from receiving further notice.

- 3.5.7 With respect to the 608 Positive Unfiled Claims, these Claimants will not dilute the amount available for distribution and will serve to increase the pro-rata share distribution that the Accepted Sunrise Claimants will receive.
- 3.5.8 The Receiver submitted a notice via e-mail to those Claimants relating to the Positive Unfiled Claims on July 21, 2023 to advise them that their Claims are barred pursuant to Paragraph 41 of the Claims Process Order. Despite there being no requirement pursuant to Paragraph 41 (c) to provide such notice, the Receiver did so in the event that any of these Claimants filed a claim via e-mail that was inadvertently excluded from the process.

3.6 Disallowed Claims

- 3.6.1 Based on the Receiver's review of the Claim submissions, the Receiver issued Notices of Revision (Partial) and Disallowances (Full) (the "Notices of Disallowance") to Claimants on the following basis:
 - a) Proof submitted confirmed payments were made to Non-Applicant Parties;
 - b) Insufficient or no proof of submission of funds to the Applicants' Accounts;
 - c) Inadequate or invalid identification;
 - d) Incomplete / invalid Claim submissions (e.g. unsigned, did not declare residency, etc.);
- 3.6.2 With respect to Claimants that filed claims for payments made to Non-Applicant Parties or with insufficient or no proof of submission of funds, the Receiver issued 64 Notices of Revision or Disallowance of Claim on account of approx. \$170,000 in claims filed. Of this amount, \$44,000 was accepted relating to proper payments made into the Applicants Accounts. Based on evidence of payments to Non-Applicant Parties, it appears most occurred on or after October 26, 2021, being the relative timing that the Applicants were instructed by their counsel to cease communications with Yang.
- 3.6.3 In providing Notices of Disallowance to Claimants that provided invalid or no government ID or incomplete submissions (totaling 146 Claimants), many of these parties have submitted such information and have had their claims accepted. As of the date of this Second Report, there remain 12 Claimants that have not and accordingly, the Receiver is making one final effort to contact and request the information so that the Claims can be reviewed. If the requested information is not provided by August 1, 2023, these Sunrise Claimants will be excluded from the proposed distribution.

3.7 Dispute Notices and Notices of Determination

- 3.7.1 In response to the Notices of Disallowance issued by the Receiver, there were 10 formal Schedule F Dispute Notices filed by Sunrise Claimants totaling claims of approximately \$20,000. The Receiver reviewed each of the Dispute Notices and responded with the Receiver's Determination pursuant to paragraph 39 of the Claims Process Order. In these cases:
- a) Eight (8) were confirmed as disallowed as a result of payments being made to Non-Applicant Parties or insufficient proof that funds were submitted to the Applicants Accounts and no transactions were identified in the Applicants' Accounts from those e-mail addresses;
 - b) One (1) was partially allowed, as confirmation of a secondary e-mail was provided which agreed with the Applicants Accounts;
 - c) One (1) provided the proof in support of their claim associated with a secondary e-mail which was allowed.
- 3.7.2 In addition, three (3) individuals simply re-submitted their original Claim, without submission of a Dispute Notice. Based on a second review of the Claims, the Receiver issued a Notice of Determination re-iterating that the claims are disallowed as the payments were either made to Non-Applicant Parties, or there was no supporting documentation confirming the funds were sent to the Applicants. In respect of these 3 individuals, they subsequently retained a paralegal who wrote to the Receiver as well as one of the Non-Applicant Parties regarding their claims.
- 3.7.3 The Receiver's Counsel responded advising the basis of the disallowance and that if they wished to proceed with any action, they would first need to seek leave of the Court. A copy of the Receiver's Counsel's response is attached hereto as Appendix G.
- 3.7.4 The Receiver hereby seeks an Order approving the Receiver's Determination of Dispute Notices.

4.0 RECEIVER'S AND ITS COUNSEL'S ACCOUNTS

- 4.1 Pursuant to paragraph 16 of the Appointment Order, any expenditure or liability which shall properly be made or incurred by the Receiver, including the fees and disbursements of the Receiver and the fees and disbursements of the Receiver's Counsel constitute part of the "Receiver's Charge". As outlined herein, there has been an extensive effort in undertaking the Receiver's mandate in these proceedings including all necessary steps to obtain the data and analyse the Applicants Accounts and Information Gaps, creating individualized Claim Statements as well as the Claims Portal, proceeding with the Claims Process, reviewing Claim submissions and related disputes and reporting to the Court.
- 4.2 The fees and disbursements of the Receiver for the period May 1, 2022 to July 15, 2023 are detailed in the affidavit of Chris Mazur, a copy of which is attached as Appendix H. The fees and disbursements of the Receiver's Counsel are detailed in the Affidavit of Danielle Iampietro, a copy of which is attached as Appendix I.
- 4.3 The Receiver's fees encompass 778.05 hours at an average hourly rate of approximately \$300.35 for a total of \$233,686.25 prior to applicable taxes. The Receiver is therefore requesting that this Honourable Court approve its total fees inclusive of applicable taxes in the amount of \$264,065.46.
- 4.4 The Receiver's Counsel's fees encompass 159.9 hours at an average hourly rate of approximately \$443.75 for a total of \$61,081.25 prior to disbursements of \$2,173.59 and applicable taxes. The Receiver is therefore requesting that this Honourable Court approve the Receiver's Counsel's total fees and disbursements inclusive of applicable taxes in the amount of \$71,195.42.
- 4.5 The Receiver and Counsel will incur additional fees and disbursements (the "Completion Costs"), which are estimated to not exceed \$15,000 and \$5,000, plus HST, respectively, with respect to completing this Second Report, the related approval motion, and completing the receivership administration and Outstanding Matters, as defined herein. The Receiver is therefore requesting that this Honourable Court approve a Completion Costs Reserve in the amount of \$20,000 plus HST.

5.0 STATEMENT OF RECEIPTS & DISBURSEMENTS

- 5.1 Appendix J, attached, presents a summary of the Receiver's Interim R&D for the period December 7, 2021 to July 20, 2023. As is illustrated, receipts total approximately \$1.44 million related primarily to the Contested Funds on hand at the various Institutions and recovery of funds from the Applicants plus interest collected thereon.
- 5.2 The Receiver has made disbursements of approximately \$495,000, primarily related to professional and legal fees and associated HST, the Court Ordered charges for the Applicant's counsel pursuant to the Appointment Order and bank charges. Accordingly, as at July 20, 2023 the Receiver has net funds in its accounts of approximately \$946,500.

6.0 PROPOSED DISTRIBUTION

6.0 Interests in the Contested Funds

6.0.1 The Contested Funds were held in the Applicants Accounts, with the majority of the funds as at the date of the Receiver's appointment held in the 13364097 corporate CIBC account. At this time, aside from Sunrise Users that may be eligible to file a claim, the Receiver is not aware of any other creditors and/or government agencies that might have a claim or interest in the Contested Funds as outlined below.

6.1 Employees

6.1.1 There were no employees of 13364097 and accordingly, no associated payroll or payroll tax withholdings and therefore no steps have been taken in respect of reviewing/considering outstanding wages, ROE's, T4's, tax remittances and/or WEPPA claims.

6.2 Government Account - Source Deductions

6.2.1 The Receiver understands that 13364097 had no employees and accordingly believes there was no payroll processed and no source deductions owing.

6.3 Government Account - HST

6.3.1 Given the limited nature of the 13364097 operations and the limited period, the Receiver understands there was no HST charged and no HST paid and accordingly, the Receiver understands there would be no HST amounts owing.

6.4 Secured Creditors

6.4.1 Based on an Ontario Personal Property Security Act search dated June 6, 2023, a copy of which is attached as Appendix K, the Receiver is not aware of any parties that registered a security registration or security interest as against 13364097 or the Contested Funds.

6.5 Office of the Superintendent of Bankruptcy ("OSB")

6.5.1 As outlined in the First Report, the OSB advised the Receiver that it is not required to issue any Notices of Receiver as the appointment is not pursuant to the *Bankruptcy and Insolvency Act*. Accordingly, any proposed distribution would not be subject to a levy payable to the OSB.

6.5.2 As a result, at this time, the Receiver is not aware of any known prior-ranking claims against 13364097 or the Contested Funds.

6.6 Proposed Distribution

6.6.1 Accordingly, the Receiver is seeking approval of a final distribution to be issued to the Accepted Sunrise Claimants of the net balance of funds held in the Receiver's account, net of final administration, professional and legal fees, and the Completion Costs Reserve (the "Net Contested Funds Distribution").

6.6.2 Given the fact that: the pool of available Contested Funds is made up of funds contributed by many Claimants; funds have been commingled; various bank accounts were involved; the funds were moved around and deposits and withdrawals made; and record-keeping of the transactions was poor, the Receiver's position is that the

Contested Funds should be distributed on a pro rata basis, and the net pool of Contested Funds remaining after payment of fees and expenses should be distributed proportionately among the Accepted Sunrise Claims.

- 6.6.3 Subject to the extent of actual fees incurred relative to the Completion Costs Reserve, together with the final efforts of the Receiver to resolve certain of the Claims as outlined herein the Net Contested Funds Distribution represents an estimated repayment of in excess of 95% of the Accepted Sunrise Claimants' claims.
- 6.6.4 A limited number of Sunrise Claimants, whose claims have been accepted, declared they are a tax resident of a jurisdiction other than Canada. Their claims total approximately \$7,300. The proposed distribution that is outlined above, relates simply to a reimbursement of a portion of funds that Sunrise Claimants remitted to the Applicants and therefore would not be considered income. Accordingly, the Receiver is of the view that there would be no issue in terms of withholding or other taxes in respect of these or any Accepted Sunrise Claimants.
- 6.6.5 In the event one or more Accepted Claimants do not cash their Distribution cheques for any reason, the Receiver has no ability to remit the unclaimed amounts to the OSB as would occur in a typical insolvency as these proceedings are not pursuant to the BIA.
- 6.6.6 In this circumstance, the Receiver proposes that if cheques are unclaimed after 60 days, a follow up email will be sent to the Claimant to advise that their cheque was sent and asking them to either contact the Receiver if the cheque was not received or to cash the cheque if it was received. If no response is received and the cheque remains unclaimed after 30 further days, then subject to the extent of any unclaimed cheques the Receiver will either return to Court to deal with those amounts, or subject to the Court's approval, if the Receiver's proposed fee estimates for the completion costs are insufficient or conservative, potentially the unclaimed amounts could be put towards any additional time or fees spent over and above the Completion Cost Reserve amounts.

- 7.0.1 As outlined herein, subject primarily to proceeding with the Net Contested Funds Distribution to the Accepted Sunrise Claimants, the Receiver has essentially completed the receivership administration.
- 7.0.2 The Receiver therefore respectfully requests that the receivership proceedings be terminated and that the Receiver be discharged subject to the Receiver performing the following outstanding matters (collectively the "Outstanding Matters"):
- Confirming identity and street addresses for certain Sunrise Claimants;
 - Payment of the Receiver's and Receiver's Counsel's outstanding invoices and Completion Costs Reserve, together with any final estate expenses;
 - Proceed with the Distribution of the Net Contested Funds on hand to the Accepted Sunrise Claimants;
 - Should there be any unclaimed distributions, to apply those amounts to any additional time or fees spent over and above the Completion Costs Reserve amount, if any;
 - Should there be any surplus funds remaining in the Completion Costs Reserve, or any unclaimed distributions after all completion costs have been paid and satisfied, to return to Court and seek the Court's approval for the disbursement and/or distribution of any surplus funds; and,
 - Any incidental tasks that may be required in connection with concluding the receivership proceedings, including without limitation, the filing of the Receiver's Discharge Certificate (as defined herein), upon completion of the Outstanding Matters.
- 7.0.3 Upon completion of the Outstanding Matters, the Receiver will file a certificate with the Court confirming same (the "Receiver's Discharge Certificate"), whereupon the termination of the receivership proceedings and the discharge of the Receiver, and the accompanying release of the Receiver, would become effective. A copy of the proposed Receiver's Discharge Certificate is attached as Appendix L.

- 8.1 The Receiver respectfully submits this Second Report to the Court in support of the Receiver's motion for an Order:
- approving the Second Report and the Receiver's activities as outlined herein;
 - approving the fees and disbursements of the Receiver and the Receiver's counsel, as outlined herein and the fee affidavits appended hereto;
 - approving the Receiver's Determination of Dispute Notices as outlined herein;
 - authorizing and directing the Receiver to make the Net Contested Funds Distribution to the Accepted Sunrise Claimants as outlined herein after payment of the final estate costs, including the Completion Costs Reserve;
 - approving the Receiver's Interim R&D;
 - authorizing the termination of the receivership proceedings and the discharge and release of the Receiver effective upon the Receiver filing with the Court the Receiver's Discharge Certificate evidencing that the Receiver has completed the remaining Outstanding Matters as defined herein; and,
 - such other relief as the Court deems just and appropriate.

All of which is respectfully submitted this 24th day of July 2023.

BDO CANADA LIMITED,
in its capacity as COURT-APPOINTED RECEIVER OF
THE CONTESTED FUNDS
and without personal or corporate liability



Per: _____
Chris Mazur CIRP, LIT
Senior Vice President

EXHIBIT "A"

Court File No. CV-21-00672880-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE
JUSTICE PATTILLO

)
)
)

TUESDAY, THE 7th
DAY OF DECEMBER, 2021

B E T W E E N:

(Court Seal)

BAO YING CAO and 13364097 CANADA INC.

Applicants

and

XIAODONG YANG and USERS OF SUNRISE TECHNOLOGY

Respondents

INTERPLEADER ORDER

ON READING the materials filed in support of this application, on hearing the submissions of the applicants, on hearing the submissions, if any, of those respondents attending the hearing, and on reading the consent of BDO Canada Limited to act as Receiver;

Service

1. THIS COURT ORDERS that the time for service of the notice of application, application factum and application record is abridged and service is validated so that this application is properly returnable on the hearing date;

Declarations as to interpleader

2. THIS COURT DECLARES that a conflict exists among the respondents regarding their claims to net funds paid (the “Contested Funds”) as part of a scheme (the “Sunrise Technology Scheme”) operated by the respondent Xiaodong Yang, some of which are currently held by 13364097 Canada Inc. and Bao Ying Cao;

3. THIS COURT DECLARES that the applicants 13364097 Canada Inc. and Bao Ying Cao have no beneficial claim to the Contested Funds, having come into possession of certain Contested Funds as a result of the Sunrise Technology Scheme;

Appointment of receiver and transfer of Contested Funds held by 13364097 Canada Inc.

4. THIS COURT ORDERS that pursuant to s. 101 of the *Courts of Justice Act* and Rule 41.03 of the *Rules of Civil Procedure*, BDO Canada Limited is appointed receiver (“**Receiver**”), without security, of the Contested Funds held by the applicant 13364097 Canada Inc., and in particular the Contested Funds it holds in the CIBC Business Chequing account no. 90-39112 (Branch Transit Number 02242) and the CIBC Business Savings account 90-39317 (Branch Transit Number 02242);

5. THIS COURT ORDERS that 13364097 Canada Inc. transfer the Contested Funds it holds to the Receiver, and take whatever actions are necessary to permit the Receiver to access, control and disburse the Contested Funds held by 13364097 Canada Inc., pursuant to Rules 43.04(1)(a) and 43.04(2)(g);

Appointment of receiver and identification of Contested Funds held by Bao Ying Cao

6. THIS COURT ORDERS that pursuant to s. 101 of the *Courts of Justice Act* and Rule 41.03 of the *Rules of Civil Procedure*, BDO Canada Limited is hereby appointed Receiver,

without security, over the Contested Funds held by the applicant Bao Ying Cao, and in particular the Contested Funds she holds in the following accounts:

- a) Scotiabank account no. 28472-03879-83 (the “Scotiabank Account”);
- b) CIBC account no. 83-72195 (Transit No. 02242) (the “CIBC Account”);
- c) HSBC account no. 332-135217-152 (the “HSBC Chequing Account”)
- d) HSBC account no. 332-135217-203 (the “HSBC Savings Account”);
- e) EQ Bank account no. 107-237-917 (the “EQ Account”);
- f) Wise account no. 200110136648 (Transit No. 16001) (the “Wise Account”);
- g) The PayPal account associated with the email address "ivycao23@hotmail.com";
and
- h) The PayPal account associated with the email address
Baoyingcao1987@outlook.com (collectively the “PayPal Accounts”)

7. THIS COURT ORDERS that, Bao Ying Cao shall transfer the contents of the accounts she holds that contain exclusively Contested Funds, namely, the CIBC Account, the HSBC Savings Account, the EQ Account, the Wise Account, and both PayPal Accounts listed above, to the Receiver, and take whatever actions are necessary to permit the Receiver to access, control and disburse the Contested Funds held by Bao Ying Cao., pursuant to Rules 43.04(1)(a) and 43.04(2)(g);

8. THIS COURT ORDERS that the Receiver take all reasonable steps to identify the Contested Funds held by Bao Ying Cao and/or 13364097 Canada Inc., among the funds in the remaining accounts listed in paragraph 6, namely, the Scotiabank Account and the HSBC Chequing Account, both of which may contain intermingled personal funds and Contested Funds. For clarity, in identifying the Contested Funds held by Bao Ying Cao and/or 13364097 Canada Inc., the Receiver shall deem any funds used directly or indirectly to facilitate the Sunrise Technology Scheme, including funds transferred directly or indirectly to the respondent Xiaodong Yang, to be Contested Funds;

9. THIS COURT ORDERS that Bao Ying Cao is authorized to continue to use her Scotiabank Account and her HSBC Chequing Account with respect to what she believes to be her personal funds, while the Receiver is in the process of identifying the Contested Funds held in those accounts;

10. THIS COURT ORDERS that Bao Ying Cao provide all necessary assistance, including access to banking information, statements, financial information and other documents, to permit the Receiver to identify the Contested Funds held by her.

11. THIS COURT ORDERS that Bao Ying Cao transfer to the Receiver all Contested Funds identified by the Receiver as being held by her and/or 13364097 Canada Inc., and take whatever actions are necessary to permit the Receiver to access, control and disburse the Contested Funds, pursuant to Rules 43.04(1)(a) and 43.04(2)(g);

Transfer of Contested Funds to the Receiver

12. THIS COURT ORDERS that any financial institution holding an account that the Receiver has identified as containing Contested Funds shall, upon presentation of this Order, cooperate in transferring those Contested Funds to the Receiver;

13. THIS COURT ORDERS that if any financial records the Receiver requires to carry out its obligations under this Order are stored or otherwise contained on a computer or other electronic system of information storage controlled by one of the applicants, the applicant in possession or control of such records shall forthwith give unfettered access to the Receiver for the purpose of allowing the Receiver to recover and fully copy all of the information contained therein whether by way of printing the information onto paper or making copies of computer disks or such other manner of retrieving and copying the information as the Receiver in its discretion deems expedient, and shall not alter, erase or destroy any records without the prior written consent of the Receiver. Further, for the purposes of this paragraph, the applicants shall provide the Receiver with all such assistance in gaining immediate access to the information in the records as the Receiver may in its discretion require including providing the Receiver with instructions on the use of any computer or other system and providing the Receiver with any and all access codes, account names and account numbers that may be required to gain access to the information;

14. THIS COURT ORDERS that the Contested Funds collected by the Receiver under this Order shall be deposited into one or more new accounts to be opened by the Receiver (the "Receivership Accounts") and the monies standing to the credit of such Receivership Accounts

from time to time, net of any disbursements permitted by this Order, shall be held by the Receiver to be paid in accordance with the terms of this Order or any further Order of this Court;

Powers of receiver

15. THIS COURT ORDERS that the Receiver is hereby empowered and authorized, but not obligated, to act at once in respect of the Contested Funds and, without in any way limiting the generality of the foregoing, the Receiver is hereby expressly empowered and authorized to do any of the following where the Receiver considers it necessary or desirable:

- (a) to take possession of and exercise control over the Contested Funds and any and all proceeds, receipts and disbursements arising out of or from the Contested Funds;
- (b) to engage consultants, appraisers, agents, experts, auditors, accountants, managers, counsel and such other persons from time to time and on whatever basis, including on a temporary basis, to assist with the exercise of the Receiver's powers and duties, including without limitation those conferred by this Order;
- (c) to execute, assign, issue and endorse documents of whatever nature in respect of any of the Contested Funds, whether in the Receiver's name or in the name and on behalf of the applicants, for any purpose pursuant to this Order;
- (d) to report to, meet with and discuss with the respondents as the Receiver deems appropriate on all matters relating to the Contested Funds and the receivership, and to share information, subject to such terms as to confidentiality as the Receiver deems advisable;

(e) to obtain statements in an electronic format, and any additional information or documentation the Receiver may require, related to any account reasonably suspected of holding Contested Funds upon presentation of this Order to the institution at which such account is located;

(f) to initiate, prosecute, and continue the prosecution of proceedings in respect of the Contested Funds, and to settle or compromise any such proceedings. The authority conveyed shall extend to such appeals or applications for judicial review in respect of any order or judgment pronounced in any such proceeding; and

(g) to take any steps reasonably incidental to the exercise of these powers or the performance of any statutory obligations;

Payment from the Contested Funds

16. THIS COURT ORDERS that the Receiver and legal counsel to the Receiver shall be paid their reasonable fees and disbursements, including any disbursements incurred by the Receiver in respect of paragraph 14(b) above, out of the Contested Funds in each case at their standard rates and charges unless otherwise ordered by the Court on the passing of accounts, pursuant to Rule 43.04(2)(g);

17. THIS COURT ORDERS that the Receiver and counsel to the Receiver are granted a charge (the "Receiver's Charge") over the Contested Funds currently in the possession of the applicants, as security for such fees and disbursements, both before and after the making of this Order in respect of these proceedings, and that the Receiver's Charge shall form a first charge on the Contested Funds in priority to all security interests, trusts, liens, charges and encumbrances,

statutory or otherwise, in favour of any person, but subject to sections 14.06(7), 81.4(4), and 81.6(2) of the *Bankruptcy and Insolvency Act*;

18. THIS COURT ORDERS that the Receiver and its legal counsel shall pass its accounts from time to time, and for this purpose the accounts of the Receiver and its legal counsel are hereby referred to a judge of the Commercial List of the Ontario Superior Court of Justice;

19. THIS COURT ORDERS that prior to the passing of its accounts, the Receiver shall be at liberty from time to time to apply reasonable amounts, out of the Contested Funds it holds, against its fees and disbursements, including legal fees and disbursements, incurred at the standard rates and charges of the Receiver or its counsel, and such amounts shall constitute advances against its remuneration and disbursements when and as approved by this Court;

20. THIS COURT ORDERS that the applicants' reasonable legal costs in bringing this application of \$35,000 shall be paid out of the Contested Funds, pursuant to Rule 43.04(1)(c);

Limitations on liability

21. THIS COURT ORDERS that no proceeding or enforcement process in any court or tribunal (each, a "Proceeding"), shall be commenced or continued against the Receiver in its capacity as receiver except with the written consent of the Receiver or with leave of this Court;

22. THIS COURT ORDERS that no Proceedings shall be commenced or continued against the applicants in respect of the Contested Funds, except with the written consent of the Receiver or with leave of this Court, and any such proceedings currently under way shall be stayed and suspended pending further Order of this Court;

23. THIS COURT ORDERS that all rights and remedies against the Receiver in its capacity as receiver and against the applicants with respect to the Contested Funds are hereby stayed and suspended except with the written consent of the Receiver or leave of this Court, provided however that this stay and suspension does not apply in respect of any "eligible financial contract" as defined in the *Bankruptcy and Insolvency Act*;

24. THIS COURT ORDERS that the Receiver shall incur no liability or obligation as a result of its appointment or carrying out the provisions of this Order, save and except for any gross negligence or wilful misconduct on its part;

25. THIS COURT ORDERS that upon compliance with the Order of this Court, the liability of the applicants in respect of the Contested Funds is extinguished, and in particular, the applicants shall not be liable for the portion of the Contested Funds taken as payment by the Receiver, or by the applicants for their reasonable legal fees, pursuant to Rule 43.04(1)(b);

Service and notice

26. THIS COURT ORDERS that the E-Service Protocol of the Commercial List (the "**Protocol**") is approved and adopted by reference herein and, in this proceeding, the service of documents made in accordance with the Protocol (which can be found on the Commercial List website at <http://www.ontariocourts.ca/scj/practice/practice-directions/toronto/e-service-protocol/>) shall be valid and effective service. Subject to Rule 17.05 this Order shall constitute an order for substituted service pursuant to Rule 16.04 of the Rules of Civil Procedure. Subject to Rule 3.01(d) of the Rules of Civil Procedure and paragraph 21 of the Protocol, service of documents in accordance with the Protocol will be effective on transmission. This Court further

orders that a Case Website shall be established in accordance with the Protocol with the following URL: ‘<https://www.bdo.ca/en-ca/extranets/sunrise-claims/>’;

27. THIS COURT ORDERS that if the service or distribution of documents in accordance with the Protocol is not practicable, the Receiver is at liberty to serve or distribute this Order, any other materials and orders in these proceedings, any notices or other correspondence, by forwarding true copies thereof by prepaid ordinary mail, courier, personal delivery or facsimile transmission to the claimants or other interested parties at their respective addresses, email addresses, or where no other means of communication is possible, messaging application, including WhatsApp, and that any such service or distribution by courier, personal delivery or facsimile transmission shall be deemed to be received on the next business day following the date of forwarding thereof, or if sent by ordinary mail, on the third business day after mailing;

General

28. THIS COURT ORDERS that the Receiver may from time to time apply to this Court for advice and directions in the discharge of its powers and duties under this Order;

29. THIS COURT HEREBY REQUESTS the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order; and

30. THIS COURT ORDERS that the Receiver is authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order, and that the Receiver is authorized and empowered to act as a representative in respect of the within proceedings for the purpose of having these proceedings recognized in a jurisdiction outside Canada.

A handwritten signature in blue ink, appearing to read "A. J. J.", is written above a horizontal line.

(Signature of Judge)

Xiaodong Yang
Users of Sunrise Technology

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

PROCEEDING COMMENCED AT
TORONTO

INTERPLEADER ORDER

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EXHIBIT "B"

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

BETWEEN:

BAO YING CAO and 13364097 CANADA INC.

Applicants

- and -

XIAODONG YANG and USERS OF SUNRISE TECHONOLGY

Respondents

IN THE MATTER OF AN APPLICATION PURSUANT TO
SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990, c. C.43 AS AMENDED AND
RULE 41.03 OF THE *RULES OF CIVIL PROCEDURE*

FIRST REPORT TO THE COURT
SUBMITTED BY BDO CANADA LIMITED
IN ITS CAPACITY AS RECEIVER OF THE CONTESTED FUNDS

MAY 19, 2022

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1.0 INTRODUCTION AND PURPOSE OF REPORT

1.1 Introduction

1.1.1 Pursuant to an Interpleader Order issued by Justice Pattillo of the Ontario Superior Court of Justice (the "Court") dated December 7, 2021 (the "Appointment Order"), BDO Canada Limited was appointed receiver (the "Receiver"), without security, of the Contested Funds held by 13364097 Canada Inc. and Bao Ying Cao (collectively the "Applicants"). A copy of the Appointment Order is attached as Appendix A.

1.1.2 Therein, the Court declared:

- a) that a conflict exists among certain Users of Sunrise Technology (the "Sunrise Users") who have claims to funds (the "Contested Funds") that they provided as part of a scheme (the "Sunrise Technology Scheme") operated by the respondent Xiaodong Yang ("Yang"), some of which were held by the Applicants; and,
- b) that the Applicants have no beneficial claim to the Contested Funds, having come into possession of certain Contested Funds as a result of the Sunrise Technology Scheme.

1.1.3 Additionally, the Court Ordered:

- a) the Applicants to transfer the Contested Funds to a receiver, to permit the Receiver to access, control and disburse the Contested Funds; and,
- b) that the costs of the Applicants in bringing the Application be paid out of the Contested Funds; and
- c) that the costs of the Receiver and its legal counsel be paid out of the Contested Funds.

1.2 Background

1.2.1 The Receiver understands that Bao Ying Cao ("Cao") was the sole director and shareholder of 13364097 Canada Inc ("13364097"), a corporation that was incorporated in or around September 2021 by Cao to administer the cash transactions associated with the Sunrise Technology Scheme prior to Cao determining that Yang's business was not legitimate. 13364097 was dissolved subsequent to closing its CIBC bank account.

1.2.2 As set out in the affidavit of Ms. Cao (the "Cao Affidavit") and the affidavit of Jeffrey Wang (the "Wang Affidavit") of Polley Faith LLP ("Polley Faith"), both of which were included in the Application Record submitted December 3, 2021 in these proceedings, copies of which are attached hereto, without exhibits, as Appendix B and Appendix C, respectively. Ms. Cao fell victim to a scheme that was orchestrated by Yang.

1.2.3 The Cao Affidavit and Wang Affidavit outline in detail how Cao was induced into transacting with Yang and how it was determined that Yang's operation was illegitimate. Below we provide a summary of these details.

- 1.2.4 In July 2021, Ms. Cao replied to a part-time trading job advertisement that was believed to be posted by Yang on the Chinese-Canadian forum yorkbbs.ca.
- 1.2.5 Yang advised Cao that he was seeking her assistance in trading USDT, a form of cryptocurrency, and she would be paid a 5% commission for each transaction. Yang said that he would send money to Cao to buy USDT, which she would then transfer to him.
- 1.2.6 In August 2021, Yang's operation evolved beyond what he originally represented to Cao as Yang asked Cao to process transactions for his customers. He told Cao that he operated a cryptocurrency trading platform called Sunrise Technology where customers could order USDT. The customers would send funds to her bank accounts, and she should use that money to purchase and transfer USDT to him to distribute to his customers.
- 1.2.7 Cao processed numerous transactions per day at Yang's direction. Yang instructed Cao to open additional bank accounts to bypass each account's daily transaction limit. Ultimately, at Yang's instruction, Cao used six bank accounts and two alternative payment methods to facilitate the transactions as outlined below:
- a) two existing personal bank accounts at HSBC and Scotiabank;
 - b) two existing PayPal accounts;
 - c) A personal account at CIBC opened August 31, 2021;
 - d) A CIBC business account opened September 23, 2021 under the name of the applicant 13364097 Canada Inc., a business which Cao incorporated for this purpose;
 - e) an EQ Bank Canada ("EQ") account opened September 10, 2021, whose purpose was to purchase USDT;
 - f) a personal account at RBC opened September 28, 2021, which funds were transferred to an HSBC account and no longer contained Contested Funds; and
 - g) a Wise Payments Canada Inc. ("Wise") money transfer account, opened September 28, 2021;
- (collectively the "Applicants Accounts").
- 1.2.8 Cao initially trusted that Yang was running a legitimate business but became increasingly alarmed at the volume of funds flowing into the Applicants Accounts and became suspicious as to the legitimacy of Yang's business.
- 1.2.9 Despite Yang's attempts to assure Cao that the business was legitimate, in October 2021 Cao sought legal advice and ultimately retained Polley Faith on or around October 26, 2021.
- 1.2.10 Shortly after being retained, Polley Faith determined that Cao had been a victim of a fraudulent Ponzi scheme, and advised Cao to stop communicating with Yang and engaging in transactions.

- 1.2.11 Through its investigation, Polley Faith determined that despite telling Cao he was operating a USDT trading platform, Yang was in fact marketing a scheme under the name Sunrise Technology in which Sunrise Users were offered “commissions” for placing false e-commerce orders through a downloadable application.
- 1.2.12 Polley Faith further determined that Yang’s supposed business, including the application and website marketed as Sunrise Technology, was a form of Ponzi scheme designed to entice users to make small payments and receive small returns, and to gradually make larger investments that Yang had no intention to repay. Yang concealed the true purpose of his scheme from Cao.
- 1.2.13 The funds that Cao was receiving into her bank accounts which Yang represented as customers placing USDT orders were obtained from Sunrise Users who believed that they were loading funds onto the Sunrise Technology application (the “Sunrise App”).

Description of the Sunrise Technology Scheme

- 1.2.14 The Sunrise App is a mobile application that purported to allow Sunrise Users to earn “commissions” by placing false e-commerce orders on what was believed to be various legitimate co-operating websites (Wish.com, eBay.com, Walmart.com and Amazon.com). Sunrise Users were led to believe their funds were being used to “purchase and immediately refund” these products, to benefit the vendor selling the products (i.e. to increase their ratings). To place orders, Sunrise Users were required to first upload funds onto the Sunrise App in the form of Canadian dollars or USDT cryptocurrency. Each user could perform up to twenty (20) orders (or spins) per day earning supposed commissions thereon. Users believed they could then withdraw their commissions in the form of Canadian dollars or USDT.
- 1.2.15 Given the nature of the fraud, the Receiver understands there were in fact no commissions earned, and Sunrise Users were simply trading dollars by depositing larger sums than they were authorized to withdraw.
- 1.2.16 Yang received proceeds under the Sunrise Technology Scheme via the USDT transfers that Yang told Sunrise Users and Ms. Cao to send to his imToken digital wallet. Yang’s true identity and location are unknown.
- 1.2.17 Under the direction of Polley Faith, Ms. Cao ceased participating in the Sunrise Technology Scheme, notified the Financial Institutions (as defined herein) to no longer accept payments, moved to preserve the Contested Funds held in the Applicants Accounts and ceased communicating with Yang. Further, Cao cooperated fully with the investigation of the York Regional Police and with the Ministry of the Attorney General, which had no objection to the Applicants’ civil application.
- 1.2.18 Due to the complexity and volume of transactions Cao performed and the number of accounts and platforms Cao used, Cao was unable to determine how and to whom Cao should return the Contested Funds, and accordingly sought the appointment of BDO Canada Limited as Receiver to, among other things, perform a detailed accounting of the Applicants’ banking records.

1.3 Receiver’s Mandate

- 1.3.1 As outlined in the Appointment Order, the Contested Funds are to be directed to the Receiver to permit the Receiver to access, control and disburse the Contested Funds.

This process requires the Receiver to review and untangle a significant number of transactions in numerous accounts held by the Applicants and requires the Receiver to seek Court approval of a Claims Process and the proposed distribution of the net Contested Funds on hand.

- 1.3.2 The Appointment Order does not mandate the Receiver to analyze or otherwise take any action with respect to cryptocurrency transactions to or from the “Sunrise Wallets,” or with respect to cryptocurrency that may have been uploaded by Sunrise Users to the Sunrise App. Similarly, although the Receiver has received information from the Applicants that other individuals in similar positions to Ms. Cao received e-transfers from Sunrise Users (outlined below), the Receiver has no mandate to perform an analysis of those transfers or the funds involved.
- 1.3.3 The Receiver’s position is that qualified “Sunrise Claimants,” eligible to make a claim against the Contested Funds, are those Sunrise Users who performed e-transfers and provided funds to the Applicants. The Receiver understands that its mandate is to return the funds provided to the Applicants by the qualified Sunrise Claimants, as best as possible in the circumstances.
- 1.3.4 The cash transactions made by hundreds of Sunrise Users through the Sunrise App were processed through unsophisticated methods such as e-transfers through the Applicants’ bank accounts and payment processing platforms held with CIBC, HSBC, Scotiabank, Wise, EQ and PayPal (collectively the “Financial Institutions”).
- 1.3.5 The Receiver has contacted and is attempting to work with the various Financial Institutions where the Contested Funds had been deposited and/or distributed from. Given the significant volume of transactions, the number of Sunrise Users and since the various Financial Institutions have provided details in various forms and applications, not all of which is complete, this process has been ongoing. Additionally, the Receiver requires a Court Order directing Royal Bank of Canada to provide the Receiver with specific transactional data as outlined herein.
- 1.3.6 There was no formal record keeping for the Sunrise App transactions which the Receiver could rely upon. Accordingly, it is critical to the Receiver’s mandate to obtain the detailed bank account transactions from the Financial Institutions so that the Receiver can report to the Court on the nature and extent of claims for each Sunrise Claimant in order to proceed with a Claims Process and the distribution of the net Contested Funds.

1.4 Purpose of this Report

- 1.4.1 This constitutes the Receiver’s First report to the Court (the “First Report”) in this matter and it is filed to:
 - Report on the Receiver’s activities in these receivership proceedings since its Appointment;
 - Report on the results of the Receiver’s review of the details of the Applicants Accounts obtained by the Receiver and outline the Information Gaps (as defined herein);

- Provide the details of the Sunrise Wallets (as defined herein) and the concerns raised by Sunrise Users that transacted in the Sunrise App via USDT, a form of cryptocurrency;
- Outline the Receiver's proposed Claims Process (as defined herein); and
- Request an Order, *inter alia*:
 - approving the First Report and the activities of the Receiver set out herein;
 - requiring RBC to provide the Receiver with the details of the RBC Transactions;
 - declaring that only those Sunrise Users who e-transferred funds to the bank accounts of the Applicants are eligible to make a Claim to the Contested Funds;
 - authorizing the Receiver to take no further actions in relation to the Sunrise Wallets;
 - approving the Claims Process;
 - approving the Receiver's interim statement of receipts and disbursements for the period December 7, 2021 to May 18, 2022 (the "Interim R&D");
 - approving the fees and disbursements of the Receiver and its legal counsel, Scarfone Hawkins LLP (the "Receiver's Counsel"), as outlined herein; and
 - such other relief as the Court deems appropriate.

1.5 Scope and Terms of Reference

- 1.5.1 The First Report has been prepared for the use of this Court and stakeholders of the Contested Funds as general information relating to these proceedings and to assist the Court in making a determination of whether to approve the relief sought herein. Accordingly, the reader is cautioned that the First Report may not be appropriate for any other purpose. The Receiver will not assume responsibility or liability for losses incurred by the reader as a result of the circulation, publication, reproduction or use of the First Report different than the provisions of this paragraph.
- 1.5.2 In preparing this First Report, the Receiver has relied upon limited records of the Applicants and available unaudited financial information together with information provided by the Financial Institutions (as defined herein). While the Receiver has reviewed certain of the Applicants' records, such work does not constitute an audit or verification of such information for accuracy, completeness, or compliance with

Generally Accepted Accounting Principles or International Financial Reporting Standards. Accordingly, the Receiver expresses no opinion or other form of assurances with respect to such information except as expressly stated herein.

- 1.5.3 Capitalized terms used but not defined in this First Report shall have the meaning ascribed to them in the Appointment Order.
- 1.5.4 This First Report, and all court materials and orders issued and filed in these receivership proceedings are available on the Receiver's website at: <https://www.bdo.ca/en-ca/extranets/sunrise-claims/> and will remain available on the website for a period of six (6) months following the Receiver's discharge.

2.0 Receiver's Activities

- 2.0.1 With the exception of the bank account statements and e-mail addresses that Counsel for the Applicant extracted, there was no formal record-keeping listing specific names, contact information and/or tracking of individual Sunrise Users' transactions, as would be expected in a typical business entity. The Receiver understands that Yang did not provide any direction or platform to Cao to be able to track the Sunrise Users' contact information or transactions.
- 2.0.2 The Receiver obtained and reviewed the bank account statements, as provided by Counsel for Cao, from the respective Financial Institutions listed in the Appointment Order.
- 2.0.3 Based on the Receiver's review, it became evident that there was insufficient information to identify and sort through the individual transactions to/from the Applicants Accounts. The bank account statements provide only limited deposit and withdrawal information and do not provide the required e-mails and/or proper names for the counterparty for a significant majority of the transactions. Where names or pseudonyms were identified on the statements, they were incomplete or indeterminate of the counterparty that processed the transactions.
- 2.0.4 In order to proceed with its mandate, the Receiver has undertaken the following activities:
- a) Subsequent to the issuance of the Appointment Order, the Receiver issued notices to the Financial Institutions of its Appointment, requested that the funds on hand, if any, were to be transferred to the Receiver's account and requested the full particulars of each transaction in the Applicants Accounts including, but not necessarily limited to, the counterparty to each transaction;
 - b) Since that time, the Receiver has had extensive correspondence with the Financial Institutions to obtain and secure: the Contested Funds in the Applicants' Accounts; the detailed analysis of the Applicants' Accounts transactions; and, to follow up regarding outstanding items, and in particular the Information Gaps outlined further below;
 - c) Corresponded with Sunrise Users via e-mail and/or telephone to discuss their claims, timing of a claims process, the Sunrise Wallets (as defined herein), etc.;
 - d) As outlined in Section 4.0 herein, the Receiver has reviewed the information in the Sunrise Wallets and the possibility of, and constraints in, ascertaining with certainty the Sunrise Users that utilized the Sunrise Wallets. This included correspondence with related Law Enforcement and investigators of cryptocurrency transactions;
 - e) Extensive review of in excess of 6,000 transactions in the Applicants' Accounts, including, but not necessarily limited to: extracting the detailed information from various forms of software provided by the Financial Institutions, reconciling the detailed transactions by category and by Sunrise User, etc.;

- f) Developing a Claims Portal, as defined herein, to be utilized in the Claims Process;
- g) Correspondence and communications with the Receiver's Counsel regarding the consideration of Sunrise User claims, the Sunrise Wallets, developing the Claims Process, seeking cooperation from the various Financial Institutions, etc.

2.1 Review of the Applicants' Accounts

2.1.1 The Receiver obtained bank transaction details from the Financial Institutions in various forms (e.g. excel, pdf, facsimile) and the Receiver's forensic group has converted all of the data into excel so that the information can be analysed.

2.1.2 In the Receiver's view, the purpose of a detailed review/analysis of the banking transactions to/from the Applicants Accounts is to:

- a) Identify the name and e-mail address of each Sunrise User in order to determine who may be eligible to file a claim against the Contested Funds (the "Sunrise Claimants");
- b) Determine the net claim position for each Sunrise Claimant and prepare a detailed claim statement (the "Claim Statement") in an effort to expedite the claims process;
- c) Minimize or eliminate claims filed by Sunrise Users or other individuals that do not have an eligible claim to entitlement to a distribution from the Contested Funds;

2.1.3 As an illustration, to date, the Receiver has been contacted by parties claiming to have submitted funds via other (but possibly related) apps and/or to individuals including:

- a) BestAd;
- b) Wayfairs.net;
- c) Sunriserios123@gmail.com;

2.1.4 Additionally, the Receiver has been contacted by the Edmonton Police Service regarding complaints regarding the BestAd app, however, neither the Receiver nor the Applicants are aware of any association as between BestAd and/or Wayfairs.net and/or Sunriserios123@gmail.com and the Contested Funds.

2.2 Receiver's 245 Notice

The OSB confirmed to the Receiver that a Receiver's Notice pursuant to section 245 of the *Bankruptcy and Insolvency Act* is not required given that the Receiver's Appointment Order was issued pursuant to the *Court's of Justice Act*.

2.3 Interests in the Contested Funds

2.3.1 The Contested Funds were held in the Applicants' various personal and corporate accounts, with the majority of the funds as at the date of the Receiver's appointment held in the 13364097 corporate CIBC account. At this time, aside from Sunrise Users that may be eligible to file a claim, the Receiver is not aware of any other creditors and/or

government agencies that might have a claim or interest in the Contested Funds as outlined below.

2.4 Employees

2.4.1 The Receiver understands that there were no employees of 13364097 and accordingly, no steps have been taken in respect of reviewing/considering outstanding wages, ROE's, T4's, tax remittances and/or WEPPA claims.

2.5 Government Account - Source Deductions

2.5.1 The Receiver understands that 13364097 had no employees and accordingly believes there was no payroll processed and no source deductions owing.

2.6 Government Account - HST

2.6.1 Given the limited nature of the 13364097 operations and the limited period, the Receiver understands there was no HST charged and no HST paid and accordingly, the Receiver understands there would be no HST amounts owing.

2.7 Secured Creditors

2.7.1 Based on an Ontario Personal Property Security Act search, a copy of which is attached as Appendix D, the Receiver is not aware of any parties that have a security registration or security interest as against 13364097 or the Contested Funds.

3.0

APPLICANTS ACCOUNTS

3.0 Summary of the Applicants Accounts

3.0.1 As outlined above, the Receiver has undertaken an extensive review of the Applicants Accounts. Overall, the Applicants utilized various personal and corporate accounts with 6 different banks and/or payment processing platforms (collectively the “Financial Institutions”).

3.0.2 The chart below provides a summary of the Receiver’s review to date of the Applicants’ Accounts relating to transactions to/from Sunrise Users; transfers within the Applicants’ Accounts; USDT purchases; and other miscellaneous transactions:

Summary of Applicants Accounts		CIBC	HSBC	Scotia	Wise	PayPal	EQ	Total
Cash Payments to / from USERS								
E-transfer Deposits		\$ 1,646,496.49	\$ 152,529.00	\$ 123,240.26	\$ 9,723.68	9,378.74	-	\$ 1,941,368.17
E-transfer Withdrawals		(109,566.50)	(28,756.40)	(29,617.40)	(144,019.84)	(9,166.31)	-	(321,126.45)
Other transfers to Users		(49,468.00)	(35,450.00)	-	-	-	-	(84,918.00)
CIBC Suspense Account Funds		23,844.92	-	-	-	-	-	23,844.92
Net User Contributions	A	1,511,306.91	88,322.60	93,622.86	(134,296.16)	212.43	-	1,559,168.64
Transfers								
Transfers to/from Applicants Accounts		(170,000.00)	(45,000.00)	(60,000.00)	155,062.91	-	119,926.44	(10,65)
USDT Purchases		(10,000.00)	(13,377.00)	(9,211.00)	-	-	(120,000.00)	(152,588.00)
Net Transfers	B	(180,000.00)	(58,377.00)	(69,211.00)	155,062.91	-	(73.56)	(152,598.65)
Other transactions								
Bank Interest / Charges		(361.53)	(553.11)	(216.95)	-	-	100.21	(1,031.38)
Other		(980.00)	(500.00)	(12,004.27)	-	-	-	(13,484.27)
Net Misc.	C	(1,341.53)	(1,053.11)	(12,221.22)	-	-	100.21	(14,515.65)
Total	A+B+C=D	\$ 1,329,965.38	\$ 28,892.49	\$ 12,190.64	\$ 20,766.75	\$ 212.43	\$ 26.65	\$ 1,392,054.34
Funds Transferred by Banks	E	\$ 1,329,965.38	NA	NA	\$ 20,766.75	\$ 65.00	\$ 26.65	\$ 1,350,823.78

3.0.3 As illustrated the Net User Contributions in the Applicants’ Accounts total approximately \$1.56 million. This amount was reduced by the net transfers out of the accounts that were reportedly used to purchase USDT in the amount of \$152,588 at the instruction of Yang and approximately \$14,500 in other miscellaneous transactions. Overall, the Receiver has received \$1,350,823.78 in net proceeds from certain of the Financial Institutions and is working with the Applicants and Polley Faith relating to the reconciliation and transfer of the applicable net Sunrise User funds from Ms. Cao’s personal HSBC and Scotiabank accounts. The Receiver has learned there is a minimal amount (~ \$320.00) in a PayPal account that is being remitted to the Receiver.

3.0.4 Based on a review of the detailed transactions in the Applicants Accounts there were in excess of 6,000 transactions. To date, the Receiver could not definitively verify the e-mail address for all of the Sunrise User transactions as there are certain gaps in the information provided by CIBC and there were approximately 850 transactions that were by RBC Account Holders (as outlined below) that related to payments to/from the Applicants Accounts (collectively the “Information Gaps”) as outlined further below.

3.1 Information GAPS

CIBC

3.1.1 CIBC has provided the Receiver with detailed listings of the transactions in the Applicants’ CIBC accounts, a significant portion of which have been verified, however, there were approximately 350 transactions wherein the sender/receiver contact detail was incomplete.

3.1.2 Further, in addition to the funds in the Applicants' CIBC accounts, there was an additional \$23,844.92 in transactions that had been remitted to Cao (on or around October 28, 2021), however, upon notice from the Applicants' counsel to suspend the CIBC account, CIBC held the funds in a suspense account (the "CIBC Suspense Account Funds") rather than initially depositing the funds in the Applicants' CIBC accounts. CIBC has transferred the CIBC Suspend Account Funds to the Receiver, however, at this time, the Receiver is awaiting a detailed listing of the transactions.

3.1.3 CIBC has agreed to assist the Receiver with investigating the Information Gaps and has agreed to provide the information once available, however, the timeline to receive such information is not certain.

Scotiabank account holders

3.1.4 The original transaction data provided by Scotiabank excluded the account information for Sunrise Users that originated their transaction from their own Scotiabank account. After further consideration and correspondence with the Receiver's Counsel, Scotiabank has since agreed to provide the missing transaction data, which information was supplied to the Receiver on May 18, 2022.

RBC Account Holders

3.1.5 We note that RBC is not one of the Financial Institutions that held Contested Funds as at the Receiver's appointment. However, the Applicants' Accounts include e-transfers from/to various RBC account holders.

3.1.6 The counterparty e-mail for an e-transfer transacted to/from RBC does not provide an identifiable e-mail address. Rather, the 'Sender Email' for RBC transactions is represented by an indeterminant (approx.) 55 digit code which based on our review, appears to be unique to each RBC Account Holder. Below is an illustration of an RBC e-transfer e-mail address that would be recorded in the records of the Financial Institutions:

ct3899yxas6ide2n8ex2oqwlloittzwnopt33abelw227@3m.rbc.com

3.1.7 There are in excess of 850 transactions in the Applicants' Accounts to/from an RBC account holder (the "RBC Transactions") and the Receiver expects this figure to rise upon receipt of the balance of Information Gaps from CIBC. Accordingly, the Receiver and its counsel have written to RBC to request their assistance in identifying the originating e-mail address for each of the RBC Transactions so they can be matched up with Sunrise Claimants.

3.1.8 Based on their review of the Appointment Order, RBC has advised they require a further Order from the Court directing RBC to provide the details of the RBC Transactions.

3.1.9 Based on the foregoing, the Receiver is seeking an Order directing RBC to provide the details of the RBC Transactions associated with their account holders that transacted as a Sunrise User.

PayPal

3.1.10 Based on the information provided by PayPal, the Receiver has identified the names and e-mail addresses of the individuals that transacted with Sunrise via PayPal.

Wise

3.1.11 After significant efforts to make contact, Wise responded to the Receiver's request and provided the contact names and e-mail addresses for each counterparty in the Applicants Wise Account and has remitted the net funds held in the Wise account to the Receiver.

4.0 SUNRISE WALLETS

4.0 Sunrise Cryptocurrency Wallets

4.0.1 The Receiver has been advised that certain Sunrise Users transacted on the Sunrise App via USDT, a form of cryptocurrency, and that the Sunrise App accepted and processed cryptocurrency transactions to/from three cryptocurrency wallets (collectively the "Sunrise Wallets"). The Receiver was not appointed with respect to the Sunrise Wallets, and has no mandate to analyse the cryptocurrency transactions. The Receiver holds no cryptocurrency as part of the Contested Funds. The Sunrise Wallets were on the TronScan and Ethereum trading platforms as detailed in the chart below:

List of Sunrise Technology CRYPTOCURRENCY WALLETS - USDT	
	WALLET ID #
Tron Wallet #1	TYjR6xTaTxSoJkV3pfrwkTMiCwVTU2Rw3
Tron Wallet #2	TJWE4nN5e8ACWHdUSn37pWEiguqwtvigX5
Ethereum Wallet #1	0x38b2adb3bcd41bfffef58fdb84f7409a5d48ee37f

- 4.0.2 Counsel for the Applicants has confirmed that the Applicants never received any cryptocurrency from any Sunrise User. The only use the Applicants made of the Sunrise Wallets was to provide cryptocurrency to Yang, at his direction.
- 4.0.3 The Sunrise App contains one of the same imToken QR codes that Yang provided to Ms. Cao when he asked her to send him USDT (i.e. Tron Wallet #1). The imToken QR codes on the Sunrise App enabled users to send USDT directly to Yang's digital wallet.
- 4.0.4 Tron Wallet #1 was used for most of the Sunrise App transactions, while Tron Wallet #2 and Ethereum Wallet #1 were used on a very limited basis and only in November and December 2021, after the Applicants' Accounts were closed and no longer accepting deposits.
- 4.0.5 The Receiver downloaded the detailed Sunrise Wallet transactions from the TronScan ("Tron") and Ethereum websites, copies of which are attached as Appendix E, Appendix F and Appendix G, respectively.
- 4.0.6 The chart below provides a summary of the transactions to/from each of the Sunrise Wallets in USDT and in number of transactions:

Summary of Sunrise Technology CRYPTOCURRENCY WALLETS - in USDT				
	WALLET ID #	TO	FROM	Variance
Tron Wallet #1	TYjR6xTaTxSoJkV3pfrwkTMiCwWTU2Rew3	601,381.42	601,381.34	0.08
Tron Wallet #2	TJWE4nN5e8ACWHdUSn37pWEiguqwtvigX5	6,222.06	6,197.97	24.10
Ethereum Wallet #1	0x38b2adb3bcd41bffe58fdb84f7409a5d48ee37f	4,753.37	4,369.17	384.20
		612,356.86	611,948.47	408.38
Summary of Sunrise Technology CRYPTOCURRENCY WALLETS - # of Transactions				
	WALLET ID #	TO	FROM	Variance
Tron Wallet #1	TYjR6xTaTxSoJkV3pfrwkTMiCwWTU2Rew3	1,023	734	289
Tron Wallet #2	TJWE4nN5e8ACWHdUSn37pWEiguqwtvigX5	24	5	19
Ethereum Wallet #1	0x38b2adb3bcd41bffe58fdb84f7409a5d48ee37f	19	3	16
		1,066	742	324

4.0.7 As illustrated, approximately 612,000 USDT combined was deposited and withdrawn from the Sunrise Wallets and there were a total of 1,066 deposits and 742 withdrawals from the Sunrise Wallets. The overall average deposit and withdrawal for the Sunrise Wallets was 574.44 USDT and 824.73 USDT, respectively. Excluding 6 large withdrawals totaling 128,916 USDT, which were likely made by the individual(s) who orchestrated the Sunrise Technology Scheme, the average balance of the remaining withdrawals is 656.29 USDT.

4.1 Sunrise Cryptocurrency Users

4.1.1 The Receiver has been contacted by various Sunrise Users who advised that all or a portion of their deposits on the Sunrise App were made via cryptocurrency.

4.1.2 These Sunrise Users contacted the Receiver to outline their concerns that the Receiver's Appointment, and in particular the Appointment Order, relates solely to the banking transactions in the Applicants' Accounts and not the Sunrise User transactions that were transacted using cryptocurrency. These Sunrise Users have raised a further concern (which the Receiver shares), that Sunrise Users who deposited using bank transfers could have withdrawn USDT on the Sunrise App, thereby reducing their claim to the Contested Funds. The Sunrise App continued to process deposits and withdrawals after the Applicants Accounts were closed, using only cryptocurrency.

4.1.3 As noted above, there are no records available to the Receiver which relate to the Sunrise App platform itself. It is not possible for the Receiver to link, with any certainty, a deposit of funds via e-transfer to the Applicants with a subsequent withdrawal of cryptocurrency. As indicated, it was possible for Sunrise Users to upload cryptocurrency into the Sunrise App, or to send e-transfer deposits to other parties in the same position as Cao. The Receiver has no way to determine what the "account balance" of any Sunrise User was at the time of any potential cryptocurrency withdrawal, and, accordingly, would not be in a position to directly set off any funds withdrawn against funds that had previously been e-transferred to the Applicants.

4.1.4 As outlined herein, the Receiver's view, which it understands to be supported by Counsel for the Applicants, is that its mandate relates to the return of funds contained in the Applicants' Accounts, and not a full investigation of all transactions made by any User on the Sunrise App.

4.1.5 Additionally, while the Receiver expects that Sunrise Users who submitted USDT on the Sunrise App would provide evidence to support their position, the Receiver has concerns that individuals that withdrew USDT would not acknowledge their transactions and while certain Sunrise Users could have benefited from withdrawing USDT, relative to the average USDT withdrawal of 656.29 USDT (excluding six large transactions noted above), the cost and effort to investigate and verify the USDT transactions is expected to be significant and as outlined below, the outcome is unknown.

4.1.6 However, given the Sunrise Users' concerns, the Receiver sought to understand if the identity of the individuals that transacted with/withdrew from the Sunrise Wallets can be made with certainty (i.e. similar to the Applicants' Accounts). The steps taken by the Receiver are outlined below.

Counterparty wallets transacting in the Sunrise Wallets

4.1.7 In reviewing the counterparty addresses in the Sunrise Wallets with a co-operating Sunrise User, the Receiver learned that that the corresponding to/from address for each transaction is not unique. That is, wallet addresses are recycled by the exchanges. The addresses belong to the exchanges and are used by multiple people as each exchange uses the wallet address only to transfer funds in and out of the exchange.

4.1.8 Accordingly, unless details are obtained from each exchange that was utilized, which will be costly, or unless each individual that withdrew USDT from the Sunrise Wallets disclosed this, the Receiver would not easily identify who received the funds and also, what their net position would be in relation to their overall USDT transactions.

Cryptocurrency Exchanges

4.1.9 The Receiver was advised that cryptocurrency transactions could be made by individuals over any number of exchanges including Binance Canada ("Binance"), Shakepay and Kraken to name a few and that Binance is understood to be one of the most highly utilized exchanges in Canada. Accordingly, the Receiver wrote to Binance requesting their assistance in identifying the individual account holders of parties that sent/received cryptocurrency transactions via Binance to/from the Sunrise Wallets. Binance responded advising as follows:

"Our protocol requires that we communicate with law enforcement representatives directly. In order for Binance to be able to share any customer-related data, including account balance or account status, we require a request from a government law enforcement agency, sent from the official work email address."

4.1.10 Accordingly, the Receiver contacted an Officer with the York Regional Police ("YRP") who is investigating the Sunrise matter. The Officer advised that a production order is typically required to obtain information from each cryptocurrency exchange that was involved, not all of which are known at this time. Further, it can be very difficult to ultimately trace the individual who was involved in the cryptocurrency transaction and his understanding is that the exchange can only advise if the transaction was from within the same exchange (e.g. Binance to Binance). For example, once the cryptocurrency is removed from the Binance exchange, Binance would have no visibility as to who owns the wallet that funds were transferred to.

4.1.11 Additionally, the Receiver contacted a Certified Anti-Money Laundering Specialist who advised that the Tron Sunrise Wallets are non-custodial wallets, meaning Tron is not a Know-Your-Client ("KYC") platform. It is believed that there would be no central authority who has the information. Tron is a wallet provider and does not hold any of

the crypto. Further, while it's not entirely impossible to ascertain the counterparty to each transaction, it would be very time consuming and costly to determine. The Tron Wallet transactions are performed on a decentralized exchange ("DeFi") and all of the transactions have been performed with DeFi using swaps, which are almost untraceable due to the nature of co-mingling of liquidity pools.

CipherBlade LLC

- 4.1.12 Lastly, the Receiver was directed to and contacted CipherBlade LLC ("CipherBlade"), a firm that investigates and tracks cryptocurrencies. CipherBlade advised the Receiver that they could potentially assist by identifying the exchanges that are connected to the applicable Sunrise Wallet transactions which could then be used to subpoena the applicable exchanges, in an attempt to identify the counterparty.
- 4.1.13 CipherBlade estimates it will cost between USD \$7,800 to USD \$15,000 to perform their forensic investigation to determine the exchanges (i.e. prior to seeking orders requiring the exchanges to provide the KYC details, if available).
- 4.1.14 CipherBlade advised the Receiver that the forensic tools and software that exists for the Tron blockchain simply are not good and are quite inferior to those that exist for more mainstream blockchains such as Bitcoin and Ethereum. As a result:
 - a) It would take longer than it otherwise would to perform the forensic analysis;
 - b) CipherBlade may have difficulty identifying some of the relevant exchanges and/or from a cost-benefit perspective, it may not be advisable to attempt to identify certain transactions;
 - c) It's likely that at least some of the counterparties will not be identified in the end for this reason.
- 4.1.15 Based on the foregoing, it is not certain if all or any of the counterparties and/or the exchanges for each transaction can be verified. Even if they could be, the Receiver notes that the information potentially recoverable by Cipherblade would only assist in the first step of potentially identifying the relevant exchanges involved in the transactions. Following an identification of the various exchanges involved, if that were possible and successful, then Court Orders would likely have to be secured to compel the various exchanges involved to co-operate and to provide more detailed information about the individual transactions. If that were successful, the Receiver would next have to make further attempts to trace and identify the specific individuals involved in the many transactions.
- 4.1.16 Thus, after spending a possible \$15,000 USD to identify the exchanges involved, the Receiver expects that a significant amount of funds would still need to be spent in order to secure Court Orders and compliance, analyze the information provided, and make attempts to identify the individual users (which may not be possible in the end result). The cost of all of this investigation would ultimately be borne by the Applicants, as it would be paid out of the Contested Funds, and would serve to reduce the pool of funds available for distribution.
- 4.1.17 In reviewing the quantum and value of the transactions of Tron Wallet #1, the Receiver segregated the extent of transactions using a threshold of 3,000 USDT.
- 4.1.18 As illustrated in the chart below, there are 47 transactions over 3,000 USDT and 687 below 3,000 USDT:

Tron Wallet #1	TYjR6xTaTxSoJkV3pfrwkTMiCwVTU2Rew3		Total
	> 3,000	< 3,000	
Total # of Withdrawals from Tron Wallet #1	47.00	687.00	734.00
Total value of Withdrawals	310,593.16	290,788.18	601,381.34
Average Value of Withdrawals	6,608.37	423.27	819.32

4.1.19 The overall average withdrawal is 819.32 USDT and the average transaction value below 3,000 USDT is 423.27 USDT.

Summary

4.1.20 Sunrise Users that transacted via cryptocurrency are concerned that these transactions will not be given consideration in the determination of their claims and certain people that remitted cash and later withdrew more USDT than they remitted would be overpaid if the fulsome view of the crypto transactions is not investigated. That is, if Sunrise Users withdrew USDT, any withdrawals would likely first be set-off against any USDT deposits made and accordingly all of the transactions would have to be investigated and verified.

4.1.21 The Receiver has reviewed the Sunrise Wallets as outlined herein and based on discussions with CipherBlade, YRP and an Anti-money Laundering Specialist and relative to the average transaction value, the Receiver believes that it would be costly and difficult (if not impossible) to identify the individuals that withdrew funds from the Sunrise Wallets.

4.1.22 Accordingly, while some parties may have benefited by making deposits via cash e-transfers and then ultimately withdrawing cryptocurrency, there would be significant costs associated with attempting to make a final determination of the cryptocurrency transaction counterparties, and the results may not be achieved.

4.2 Receiver's Mandate

4.2.1 The Receiver's role in these proceedings is to return the funds from the Applicants' Accounts to the Sunrise Claimants who were victims. The victims never intended to transfer ownership of the funds. They believed their deposits were being made into their Sunrise 'account' and in effect, Ms. Cao became a fiduciary over the money and owes an obligation to return it, as best as possible, to the rightful owner(s), being the parties that transferred funds into the Applicants' Accounts. The Receiver's mandate, as set out in the Appointment Order, does not extend to the Sunrise Wallets or to analyzing the Cryptocurrency transactions. As indicated, the Applicants never received any cryptocurrency, and the Receiver does not hold any cryptocurrency as part of the Contested Funds. The Receiver is not appointed to perform a full adjudication of every transaction performed on the Sunrise App, or to adjudicate any claim with respect to the Sunrise App scheme as a whole. Additionally, the costs to fully investigate the transactions in the Sunrise Wallets would further dilute the funds available for distribution.

In light of the complexities associated with Sunrise App USDT transactions and the related costs, the Receiver requests the Court's approval that the Receiver is not obligated to take any further action in respect of the Sunrise Wallets.

5.0 RECEIVER'S CLAIMS PROCESS

5.1 Receiver's Claims Process

- 5.1.1 Pursuant to the terms of the Appointment Order, the Receiver is to determine and report on a plan for the fair and equitable distribution of the Contested Funds to qualified Sunrise Claimants.
- 5.1.2 As outlined herein, there are a significant number of Sunrise Claimants relative to the Contested Funds and with the exception of e-mail addresses extracted from the Applicants and/or Financial Institutions' records, there are no formalized records relating to the Sunrise User transactions, contact information and/or physical addresses.
- 5.1.3 Additionally, since all of the Sunrise Claimants transacted via the Sunrise App, the Receiver believes that all Sunrise Claimants would have the sophistication and means necessary to review and submit their claims on-line.
- 5.1.4 Accordingly, the Receiver's intention is to prepare a detailed claim statement for each Sunrise Claimant (the "Claim Statement") in order to facilitate the efficient administration of the Claims Process by having the Sunrise Claimants review and acknowledge their Claim Statement via an on-line portal (the "Claims Portal"). Each Sunrise Claimant would receive a Claim Statement and instructions on how to access the Claims Portal to acknowledge the accuracy of their Claim Statement and/or the opportunity to file a Request for Amendment or Dispute Notice, and to provide additional documentation if they disagree with any reported amounts in the Claim Statement.
- 5.1 Any Sunrise Claimant that wishes to participate in the Claims Process will be required to provide their contact information and government issued identification for verification. The information that is collected will be utilized to administer the future distribution to the Sunrise Claimants.
- 5.1.5 In proceeding in this manner, the Receiver is hopeful the Claims Process would avoid a comprehensive and time-consuming review and administration of what could be more than 2,000 claims, each of which would require a review and verification of amounts deposited and withdrawn from the Applicants Accounts, if not for the Receiver preparing the Claim Statements in advance. The Receiver is preparing an analysis of the nature and extent of the Claimants' claims based on the transactions in the Applicants Accounts. It is anticipated there will be a significant number of nominal Claim amounts where the cost of administering such claims may outweigh the actual quantum of the Claim. Accordingly, the Receiver may apply to the Court for further direction on administering/excluding such claims.
- 5.1.6 Any Sunrise Claimants whose interest could not be proven/verified by the Receiver, can submit a Proof of Claim form in the Claims Portal and provide all of the necessary documentation to support their claim, such that it is received by the Claims Bar Date.

5.2 Claims Process Timetable

- 5.2.1 Given that there remains certain Information Gaps, which the Receiver hopes to receive in the short term and finalize its analysis, the Receiver proposes to commence the Claims Process within 45 days after receipt of the Receiver being satisfied with the

accuracy and completeness of the Information Gaps. The timeline for the proposed Claims Process is outlined in the chart below.

Milestone	Claims Process	Deadline Date
Court Approval	Motion Returnable May 27, 2022	
Serve Notice / Portal Access	<p>Serve Claims Process Order, Claims Package and related documents, and advise of the selected Claims Bar Date:</p> <p>i) Via e-mail to all known and potential Sunrise Claimants;</p> <p>ii) Distribute Social Media Notice</p> <p>iii) Post on Receiver's website</p> <p>The Receiver, at its discretion, may extend the date generally or in individual case</p>	Within 45 days of receipt of Information Gaps
Request for Amendment		To be submitted by the Claimant by no later than the Claims Bar Date
Proof of Claim Form		To be submitted by the Claimant by no later than the Claims Bar Date
Notice of Revision or Disallowance		No later than 45 days after the Claims Bar Date
Dispute Notice		Ten (10) calendar after the Notice of Revision or Disallowance
Dispute Resolution	Receiver to bring a motion to the Court to determine the procedure for resolving any and all outstanding disputes	TBD

5.3 Notice of the Claims Process

5.3.1 Pursuant to the proposed Claims Process and subject to the Receiver obtaining the Information Gaps and completing its analysis thereof, the Receiver will:

- a) E-mail the Claims Process Order, the Claims Package and related schedules to all known and potential Sunrise Claimants (based on the database of e-mail addresses obtained from the various sources as outlined herein);
- b) Post copies of the Claims Process Order (and related schedules) on the Receiver's case website;
- c) Request that Sunrise Claimants maintaining social media websites and/or chat forums for the purpose of facilitating information in respect of these proceedings, post copies of the Claims Process Order (and related schedules) on such social media websites and/or chat forums as soon as possible;
- d) Deliver as soon as possible (via e-mail), a copy of the Claims Process Order (and related schedules) to any person identified based on the Information Gaps requested to be provided by CIBC and RBC provided that such information is received prior to the Claims Bar Date;
- e) Deliver as soon as possible (via e-mail), a copy of the Claims Process Order (and related schedules) to any person claiming to be a Sunrise Claimant and requesting such material, provided that such request is received prior to the Claims Bar Date;
- f) Deliver to Canada Revenue Agency and the Ministry of Finance by regular mail a copy of the Claims Process Order and standard form proof of claim.

5.4 Claims Package

5.4.1 The Receiver will send a Claims Package via email to every known potential Sunrise Claimant. The Claims Package will include:

- a) A notice to Sunrise Claimants, providing a link to access the Claims Portal;
- b) A Claim Statement;
- c) An Instruction Letter to assist the Sunrise Claimants to enter and submit their Claim Form and any relevant documentation, in particular:
 - Name and contact information;
 - Government issued identification;

5.4.2 Each Sunrise Claimant that wishes to participate in the Claims Process and be eligible for a distribution, if such Claim is determined to be valid, must swear a declaration to the completeness and accuracy of the Claim Statement and will be required to provide the Receiver with their contact information (including applicable government issued identification).

5.5 Claims Bar Date

- 5.5.1 All Claims Statements or Proofs of Claim must be submitted on the Claims Portal such that they are received by the Receiver by the Claims Bar Date being 5:00 p.m. (Toronto time) on the 45th day following service by the Receiver of the Public Notice to Claimants and the posting of said Notice on the Receiver's website or such later date as the Receiver may agree in writing or the Court may order. The Claims Bar Date shall be specifically set out in the Notices and Forms sent to Claimants, and shall be posted on the Receiver's website, once known.
- 5.5.2 Any Sunrise Claimant who does not submit their Claim Statement, Proof of Claim, or Request for Amendment, together with supporting documentation in respect of such Claim, on or before the Claims Bar Date:
- a) Shall be forever barred from asserting or enforcing any Claim against the Applicants and/or the Contested Funds and all such Claims shall be forever extinguished;
 - b) Shall not be entitled to receive any distribution from the Contested Funds;
 - c) Shall not be entitled to any further notice and shall not be entitled to participate as a creditor in these Proceedings.
- 5.5.3 The Receiver may, at its sole discretion, extend the Claims Bar Date generally or in individual cases. If the Claims Bar Date is extended generally, the Receiver will post a notice of the extension on its case website.
- 5.5.4 At any time, the Receiver may:
- a) Request additional information with respect to any Claim and may request that a Sunrise Claimant file a revised Request for Amendment or Proof of Claim;
 - b) Attempt to consensually resolve any Notice of Dispute;
 - c) Revise or disallow a Claim.
- 5.5.5 Where a claim has been accepted by the Receiver, it will constitute a Proven Claim for the purposes of the Claims Process.

5.6 Disputes

- 5.6.1 The Receiver will review and consider any Request for Amendment and/or Notice of Dispute and may accept the amendments requested, or revise or disallow them by way of a Notice of Revision or Disallowance.
- 5.6.2 Any Claimant who intends to dispute a Notice of Revision or Disallowance is required to deliver a Dispute Notice to the Receiver within 10 days of the Notice of Revision or Disallowance or such later date as the Receiver may agree to in writing or the Court may order. Once a Dispute Notice is received, the Receiver may attempt to resolve and settle a disputed Claim with the Claimant.

- 5.6.3 If a Claimant fails to properly deliver a Dispute Notice, the amount of such Claimant's claim will be deemed to be the amount set out in the Notice of Revision or Disallowance.
- 5.6.4 The Claims Process Order provides that any Dispute Notices that cannot be resolved with Claimants be brought to the Court, for a determination as to the most appropriate resolution. It is the Receiver's opinion that such a process should only be devised once the nature and quantum of the disputes is determined so that an appropriate mechanism may be proposed to this Court for approval.
- 5.7 Declaration of residency
- 5.7.1 The Receiver will require that each Sunrise Claimant make a declaration in respect of S. 116 of the *Income Tax Act* (the "ITA") for any non-residents of Canada. At this time, the residency of the Sunrise Claimants is unknown as there are no records in respect of Claimants' addresses, or otherwise. As a result, this information will not be known until after the Claims Process is completed.
- 5.7.2 Accordingly, in order to proceed with a distribution to the Sunrise Claimants a future order will be sought from the Court at a later date on notice to CRA.
- 5.7.3 The Receiver hereby seeks approval and authorization from the Court to implement the Claims Process.

6.0 RECEIVER'S AND ITS COUNSEL'S ACCOUNTS

- 6.1 Pursuant to paragraph 16 of the Appointment Order, any expenditure or liability which shall properly be made or incurred by the Receiver, including the fees and disbursements of the Receiver and the fees and disbursements of the Receiver's Counsel constitute part of the "Receiver's Charge". The fees and disbursements of the Receiver for the period ending April 30, 2022 are detailed in the affidavit of Chris Mazur, a copy of which is attached as Appendix H. The fees and disbursements of the Receiver's Counsel are detailed in the Affidavit of Danielle Lampietro, a copy of which is attached as Appendix I.
- 6.2 The Receiver's fees to April 30, 2022 encompass 296.2 hours at an average hourly rate of approximately \$308.74 for a total of \$91,450.00 prior to applicable taxes. The Receiver is therefore requesting that this Honourable Court approve its total fees inclusive of applicable taxes in the amount of \$103,338.50.
- 6.3 The Receiver's Counsel's fees to April 30, 2022 encompass 50 hours at an average hourly rate of approximately \$369.26 for a total of \$18,462.75 prior to disbursements of \$8.93 and applicable taxes. The Receiver is therefore requesting that this Honourable Court approve the Receiver's Counsel's total fees and disbursements inclusive of applicable taxes in the amount of \$20,873.00.

7.0 STATEMENT OF RECEIPTS & DISBURSEMENTS

- 7.1 Appendix J, attached, presents a summary of the Receiver's Interim R&D for the period December 7, 2021 to May 18, 2022. As is illustrated, receipts total approximately \$1.35 million related primarily to the Contested Funds on hand at the various Institutions that the Receiver has recovered to date as outlined herein.
- 7.2 The Receiver has made disbursements of approximately \$160,000, primarily related to professional and legal fees, the Court Ordered charges for the Applicant's counsel pursuant to the Appointment Order and bank charges. Accordingly, as at May 18, 2022 the Receiver has net funds in its accounts of approximately \$1,191,000.

8.1 The Receiver respectfully submits this First Report to the Court in support of the Receiver's motion for an Order:

- approving the First Report and the Receiver's activities as outlined herein;
- requiring RBC to provide the Receiver with the details of the RBC Transactions;
- authorizing and directing the Receiver to proceed with the Claims Process;
- declaring that only those Sunrise Users who e-transferred funds to the bank accounts of the Applicants are eligible to make a Claim to the Contested Funds;
- authorizing the Receiver to take no further actions in relation to the Sunrise Wallets;
- approving the fees and disbursements of the Receiver and the Receiver's Counsel, as outlined herein; and
- approving the Receiver's Interim R&D.

All of which is respectfully submitted this 19th day of May 2022.

BDO CANADA LIMITED,
in its capacity as COURT-APPOINTED RECEIVER OF
THE CONTESTED FUNDS
and without personal or corporate liability



Per: _____
Chris Mazur CIRP, LIT
Senior Vice President

EXHIBIT "C"

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

BETWEEN:

BAO YING CAO and 13364097 CANADA INC.

Applicants

- and -

XIAODONG YANG and USERS OF SUNRISE TECHONOLGY

Respondents

IN THE MATTER OF AN APPLICATION PURSUANT TO
SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990, c. C.43 AS AMENDED AND
RULE 41.03 OF THE *RULES OF CIVIL PROCEDURE*

SUPPLEMENT TO THE
FIRST REPORT TO THE COURT
SUBMITTED BY BDO CANADA LIMITED
IN ITS CAPACITY AS RECEIVER OF THE CONTESTED FUNDS

MAY 26, 2022

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1.0 INTRODUCTION AND PURPOSE OF REPORT

1.1 Introduction

- 1.1.1 Pursuant to an Interpleader Order issued by Justice Pattillo of the Ontario Superior Court of Justice (the "Court") dated December 7, 2021 (the "Appointment Order"), BDO Canada Limited was appointed receiver (the "Receiver"), without security, of the Contested Funds held by 13364097 Canada Inc. and Bao Ying Cao (collectively the "Applicants"). A copy of the Appointment Order is attached as Appendix A to the First Report.
- 1.1.2 The Receiver submitted its first report to the Court dated May 19, 2022 (the "First Report") to this Honourable Court to, *inter alia*, outline the Receiver's activities in respect of its review of the Applicants Accounts; outline the Information Gaps (as defined therein) which the Receiver requires in order to complete its analysis of the Applicants Accounts; provide details of the Receiver's understanding of the Sunrise Wallets (as defined therein) and the efforts made by the Receiver to date and related costs to investigate the Sunrise Wallets; and, to seek approval of the Receiver's proposed Claims Process.
- 1.1.3 The First Report provides the background information on how the Applicants became involved in the Sunrise Technology Scheme and how the Sunrise Claimants were misled via the Sunrise App to unknowingly submit funds to the Applicants Accounts. As a result, the Receiver outlined its proposed Claims Process to verify the interests of the Sunrise Claimants to the Contested Funds.
- 1.1.4 In its review of the Applicants Accounts and in developing the Claims Process, the Receiver identified the following:
 - a) There are a significant number of Sunrise Claimants relative to the quantum of the Contested Funds and with the exception of e-mail addresses extracted from the Applicants and/or Financial Institutions' records, there are no formalized records relating to the Sunrise User transactions, contact information and/or physical addresses.
 - b) The Receiver's intention is to prepare a detailed claim statement for each Sunrise Claimant (the "Claim Statement") in order to facilitate the efficient administration of the Claims Process by having the Sunrise Claimants review and acknowledge their Claim Statement via an on-line portal (the "Claims Portal").
 - c) Each eligible Sunrise Claimant would receive a Claim Statement and instructions on how to access the Claims Portal to acknowledge the accuracy of their Claim Statement and/or the opportunity to file a Request for Amendment or Dispute Notice, and to provide additional documentation if they disagree with any reported amounts in the Claim Statement.
 - d) Any Sunrise Claimant that wishes to participate in the Claims Process will be required to provide their contact information and government issued identification for verification. The information that is collected will be utilized to administer the future distribution to the Sunrise Claimants.

1.1.5 In the Receiver's view, the purpose of its detailed review/analysis of the banking transactions to/from the Applicants Accounts is to:

- a) Identify the name and e-mail address of each Sunrise User in order to determine who may be eligible to file a claim against the Contested Funds (the "Sunrise Claimants");
- b) Determine the net balance of deposits/withdrawals from the Applicants' Accounts (the "Net Claim Position") for each Sunrise Claimant and prepare a detailed claim statement (the "Claim Statement") in an effort to expedite the claims process;
- c) Minimize or eliminate claims filed by Sunrise Users or other individuals that do not have an eligible claim to entitlement to a distribution from the Contested Funds;

1.1.6 The Receiver is proposing to proceed in this manner, in an attempt to avoid a comprehensive and time-consuming review and administration of what could potentially be more than 2,000 claims (i.e. based on the known number of e-mail accounts that have submitted/received funds from the Applicants Accounts and the additional Sunrise Claimants that are expected to be identified upon receipt of the Information Gaps), each of which would require a review and verification of amounts deposited and withdrawn from the Applicants Accounts, if not for the Receiver preparing the Claim Statements in advance.

1.1.7 As stated in the First Report, the Receiver was compiling an analysis of the nature and extent of the Sunrise Claimants' claims based on the transactions in the Applicants Accounts as it is anticipated there will be a significant number of nominal Claim amounts where the cost of administering such claims may outweigh the actual quantum of the Claim and/or the pro-rata share of any distribution. Accordingly, as stated therein, the Receiver is applying to the Court for further direction on administering/excluding such claims.

1.2 Purpose of this Report

1.2.1 Based on the foregoing, the Receiver is hereby submitting this supplement to the First Report (the "Supplement to the First Report") to illustrate for the Court the Receiver's analysis to date of the Net Claim Position for the various potential Sunrise Claimants, based on the known transactions to date, and to seek the Court's approval to exclude from the administration of the Claims Process (and therefore the further distribution of the Contested Funds), any Sunrise Users with a Net Claim Position below a specified threshold. The grounds for excluding these potential Claimants from the Claims Process and from receiving a distribution are that to include minor claims in the Claims Process would be cost prohibitive, relative to the costs to be incurred to facilitate the Claims Process and the ultimate distribution.

1.2.2 Accordingly, this constitutes the Receiver's Supplement to the First Report to the Court in this matter and it is filed to:

- Report on the results of the Receiver's review to date of the Net Claim Position (as defined herein, and as illustrated in the chart set out in Section 2.1.1) of the Sunrise Users in the Applicants' Accounts, as it relates to the issues of a

proposed threshold for potential Claims and to an analysis of the quantum of the possible Claims to the Funds by the multiple involved Sunrise Users;

- Provide an update on submissions made by a Sunrise Claimant relating to the Sunrise Wallets, and address correspondence received by the York Regional Police; and
- Request an Order, *inter alia*:
 - approving the Supplement to the First Report and the activities of the Receiver set out herein;
 - declaring that the Receiver is authorized to exclude from the administration of the Claims Process, and from any ultimate distribution of the Contested Funds, any Sunrise Users with a Net Claim Position at or below \$100.00, based on the analysis outlined herein; and
 - such other relief as the Court deems appropriate.

1.3 Scope and Terms of Reference

- 1.3.1 The Supplement to the First Report has been prepared for the use of this Court and stakeholders in the Contested Funds to assist the Court in making its determination as to whether to approve the relief sought herein. Accordingly, the reader is cautioned that the Supplement to the First Report may not be appropriate for any other purpose. The Receiver will not assume responsibility or liability for losses incurred by the reader as a result of the circulation, publication, reproduction or use of the Supplement to the First Report, for purposes other than those set out in this paragraph.
- 1.3.2 In preparing this Supplement to the First Report, the Receiver has relied upon limited available records of the Applicants, and available unaudited financial information, together with information provided by the Financial Institutions (as defined in the First Report). While the Receiver has reviewed certain of the Applicants' and Financial Institutions' records, such work does not constitute an audit or verification of such information for accuracy, completeness, or compliance with Generally Accepted Accounting Principles or International Financial Reporting Standards. Accordingly, the Receiver expresses no opinion or other form of assurances with respect to such information except as expressly stated herein.
- 1.3.3 Capitalized terms used but not defined in this Supplement to the First Report shall have the meaning ascribed to them in the Appointment Order or the First Report.
- 1.3.4 This Supplement to the First Report, and all court materials and orders issued and filed in these receivership proceedings are available on the Receiver's website at: <https://www.bdo.ca/en-ca/extranets/sunrise-claims/> and will remain available on the website for a period of six (6) months following the Receiver's discharge.

2.0

RECEIVER'S NET CLAIM POSITION ANALYSIS

2.0 Review of the Applicants' Accounts

- 2.0.1 As outlined in the First Report, the Applicants utilized various personal and corporate accounts with 6 different banks and/or payment processing platforms (collectively the "Financial Institutions").
- 2.0.2 Based on the information sourced to date, the Receiver has undertaken an extensive review and identified in excess of 6,000 transactions in the Applicants' Accounts. As described in the First Report, there are certain Information Gaps which the Receiver is seeking to obtain to complete its analysis of the Applicants' Accounts.
- 2.0.3 In reviewing the detailed transactions by e-mail address in the Applicants' Accounts, the Receiver has identified that there were in excess of 2,400 e-mail accounts that submitted or received funds from the Applicants' Accounts.
- 2.0.4 Based on the Receiver's review, there are a significant number of nominal Claim amounts where the cost of administering such claims may outweigh the actual quantum of the Claim and/or the pro-rata share of any distribution.
- 2.0.5 The Receiver has prepared an analysis to identify the Net Claim Position of the known Sunrise Claimants in order to outline to the Court the extent and nature of claims identified in the Applicants' Accounts, for the purpose of determining an appropriate threshold limit to seek the Court's approval to exclude from the Claims Process.
- 2.0.6 Given the number of Sunrise Claimants, there will be significant costs incurred to administer the Claims Process together with the subsequent steps that will be necessary to proceed with a distribution of the Contested Funds, including but not limited to:
 - a) Finalizing the review of the Applicants' Accounts upon receipt of the Information Gaps;
 - b) Preparing individual Claim Statements and assigning/managing unique identification codes for each eligible Sunrise Claimant;
 - c) Administering the Claims Process, including reconciling the many claims, reviewing and attempting to resolve possible disputes, and verifying the claims and identity of each individual Sunrise Claimant; and
 - d) Preparing and seeking approval of the distribution to eligible Sunrise Claimants, along with preparing, signing and coordinating the delivery of payments.

2.1 Net Claim Position Analysis

- 2.1.1 The chart below illustrates the ranges of the Net Claim Position (i.e. the variance between the Sunrise User's deposits and withdrawals from the Applicants' Accounts) for 1,503 Sunrise Claimants that have been identified based on the Applicants' Accounts:

Summary of Account Thresholds	# of Sunrise			# of Sunrise			% of Sunrise	% of
	Total \$ Amount	User E-mails	Average	Total \$ Amount	User E-mails	Average	User E-mails	Total \$
Net Deposits 0 > 100	\$ (37,566.48)	528	\$ (71.15)	\$ (37,566.48)	528	\$ (71.15)	35.1%	2.4%
Net Deposits 101>249	\$ (27,445.55)	148	\$ (185.44)	\$ (65,012.03)	676	\$ (96.17)	45.0%	4.2%
Net Deposits = 250	\$ (5,750.00)	23	\$ (250.00)	\$ (70,762.03)	699	\$ (101.23)	46.5%	4.6%
Net Deposits 251 > 500	\$ (93,248.36)	214	\$ (435.74)	\$ (164,010.39)	913	\$ (179.64)	60.7%	10.6%
Net Deposits 501 > 999	\$ (85,830.61)	117	\$ (733.59)	\$ (249,841.00)	1,030	\$ (242.56)	68.5%	16.2%
Net Deposits 1,000 > 4,999	\$ (885,423.34)	419	\$ (2,113.18)	\$ (1,135,264.34)	1,449	\$ (783.48)	96.4%	73.6%
Net Deposits > 5,000	\$ (407,944.92)	54	\$ (7,554.54)	\$ (1,543,209.26)	1,503	\$ (1,026.75)	100.0%	100.0%
Net Claim Position	\$ (1,543,209.26)	1,503	\$ (1,026.75)					

2.1.2 As is illustrated, on a cumulative basis:

- a) There are 528 Sunrise User e-mail accounts at or below \$100 with a combined total Net Claim Position of \$37,566.48 or \$71.15 on average, which would be reduced to reflect the Claimants pro-rata share of all claims that would be received when a distribution is made;
- b) These Sunrise User e-mail accounts represent 2.4% of the dollar amount of the Net Claim Position and 35.1% of the 1,503 known transactions;

2.1.3 Based on the foregoing, the Receiver proposes to exclude Sunrise Claimants with a Net Claim Position at or below \$100.00. Accordingly, the Receiver hereby seeks the Court's approval to exclude Sunrise Users with a Net Claim Position at or below \$100.00 from the Claims Process and the ultimate distribution of the Contested Funds.

2.1.4 Upon receipt of the Information Gaps, the Receiver will finalize its analysis of the Net Claim Position, and based on the final reconciliation of the Applicants' Accounts, the Receiver would determine which Sunrise Users would be excluded.

2.1.5 The Receiver proposes that upon commencing the Claims Process, for any Sunrise Claimant with a Net Claim Position of \$100 or less, the Receiver will notify these Sunrise Users of their claim amount and the fact that their potential Claim may be excluded from consideration, and provide them with an opportunity to file a Proof of Claim if they believe their Claim amount is greater than \$100.00.

3.0 RECEIVER'S CLAIMS PROCESS

3.1 Receiver's Claims Process

- 3.1.1 Pursuant to the terms of the Appointment Order, the Receiver is to determine and report on a plan for the fair and equitable distribution of the Contested Funds to qualified Sunrise Claimants. The Receiver outlined its proposed Claims Process in the First Report.
- 3.1.2 As outlined herein, relative to the Contested Funds, there are a significant number of Sunrise Claimants with a nominal Net Claim Position and accordingly, the cost of administering which, would outweigh the net benefit to such Sunrise Users. Accordingly, the Receiver requests that the Court declare that the Receiver is authorized to exclude Net Claim Positions at or below \$100.00 and that any such Sunrise Claimant:
 - a) Shall not be entitled to receive any distribution from the Contested Funds;
 - b) Shall have the opportunity to file a Proof of Claim in the event they believe they are owed more than \$100.00.
- 3.1.3 Attached is a copy of an Amended Claims Process Order reflecting the above.

4.0 Sunrise Cryptocurrency Wallets

- 4.0.1 As outlined in the First Report, the Receiver was advised that certain Sunrise Users transacted on the Sunrise App via USDT, a form of cryptocurrency, and that the Sunrise App accepted and processed cryptocurrency transactions to/from three cryptocurrency wallets (collectively the "Sunrise Wallets").
- 4.0.2 The Sunrise Wallets were on the TronScan and Ethereum trading platforms as detailed in the chart below:

List of Sunrise Technology CRYPTOCURRENCY WALLETS - USDT	
	WALLET ID #
Tron Wallet #1	TYjR6xTaTxSoJkV3pfrwkTMiCwVTU2Rew3
Tron Wallet #2	TJWE4nN5e8ACWHdUSn37pWEiguqwtvigX5
Ethereum Wallet #1	0x38b2adb3bcd41bfffef58fdb84f7409a5d48ee37f

- 4.0.3 Since serving the Receiver's Notice of Motion and the First Report, Mr. Jonathan Wasiatycz, a Sunrise Claimant, has made a submission in respect of the cryptocurrency transactions.
- 4.0.4 Mr. Wasiatycz had also advised the Receiver that he wished to make submissions to the Court with respect to this matter, and the Receiver advised him that it would coordinate with its Counsel to provide Mr. Wasiatycz an opportunity to address the Court, which arrangements have been made.
- 4.0.5 The Receiver outlined in the First Report its communications with various parties, including Binance Canada and the York Regional Police ("YRP"). Subsequent to serving the First Report, the YRP Officer assigned to the Sunrise matter has responded to the Receiver in an e-mail dated May 24, 2022, a copy of which is attached hereto as Appendix B. Therein, the YRP Officer advised that he has been in contact with Binance and they have advised him that the Sunrise Wallets are not associated to Binance accounts. Accordingly, they cannot produce any data relating to the Wallets and therefore at this point there is no way to determine what exchange, if any, they are related to.
- 4.0.6 Based on the foregoing and as outlined in the First Report, there is no certainty that the Receiver could obtain a complete understanding of all transactions from the Sunrise Wallets without a fulsome forensic investigation and/or additional Court Orders, which would most likely result in further investigation, all of which may or may not produce the results required to enable a fair and complete evaluation and assessment of all of the transactions for the purposes of the administration of the Claims Process. Further, while BDO understands that there are individuals that have fallen victim to the Sunrise Technology Scheme, BDO reiterates that the Receiver was not appointed with respect to the Sunrise Wallets, and has no mandate to analyse the cryptocurrency transactions. The Receiver holds no cryptocurrency as part of the Contested Funds.

5.1 The Receiver respectfully submits this Supplement to the First Report to the Court in support of the Receiver's motion for an Order:

- approving the Supplement to the First Report and the Receiver's activities as outlined herein;
- authorizing and directing the Receiver to proceed with the Claims Process excluding any Sunrise Users' with a Net Claim Position at or below \$100.00;

All of which is respectfully submitted this 26th day of May 2022.

BDO CANADA LIMITED,
in its capacity as COURT-APPOINTED RECEIVER OF
THE CONTESTED FUNDS
and without personal or corporate liability



Per: _____
Chris Mazur CIRP, LIT
Senior Vice President

EXHIBIT "D"



Court File No. CV-21-00672880-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE

)

FRIDAY, THE 27TH

JUSTICE CONWAY

)

DAY OF MAY, 2022

)

B E T W E E N:

(Court Seal)

BAO YING CAO and 13364097 CANADA INC.

Applicants

and

XIAODONG YANG and USERS OF SUNRISE TECHNOLOGY

Respondents

ORDER

THIS MOTION, made by BDO Canada Limited, in its capacity as the Court-appointed receiver (in such capacity, the "**Receiver**"), without security, of the Contested Funds (as defined in the Interpleader Order) held by Bao Ying Cao and 13364097 Canada Inc. (the "**Applicants**"), for an Order requiring the Royal Bank of Canada ("**RBC**") to provide certain information to the Receiver, was heard this day by Zoom judicial video conference.

ON READING the Notice of Motion dated May 20, 2022, the First Report of the Receiver dated May 19, 2022 (the “**First Report**”) and its appendices, and on hearing the submissions of counsel for the Receiver, and the submissions of the lawyer(s) for the parties,

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

2. **THIS COURT FURTHER ORDERS** that RBC deliver to the Receiver the names and contact information, including e-mail addresses, of the account holder(s) associated with the transactions identified by the Receiver to RBC on May 26, 2022, within thirty (30) days.

3. **THIS COURT FURTHER ORDERS** that RBC shall provide the Receiver with names and contact information, including e-mail addresses, of the account holder(s) associated with additional transactions, as may be identified by the Receiver in an Affidavit as necessary to identify and contact potentially qualified Claimants who may have claims to the Contested Funds.

4. **THIS COURT FURTHER ORDERS** that paragraph 3 herein shall remain in force for a period of 180 days from the date of this Order, or such other time as this Court may order.

5. **THIS COURT FURTHER ORDERS** that RBC shall be entitled to its reasonable costs incurred, or to be incurred, in producing the information set out herein.



(Signature of Judge)

RCP-E 59A (September 1, 2020)

BAO YING CAO et al.
Applicants

-and- **XIAODONG YANG et al.**
Respondents

Court File No. CV-21-00672880-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT
TORONTO

ORDER

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Lawyers for the Court Appointed Receiver,
BDO Canada Limited

File Number: 21C0752

RCP-F 4C (September 1, 2020)

EXHIBIT "E"



Court File No. CV-21-00672880-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE
JUSTICE CAVANAGH

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)
)

TUESDAY, THE 7TH
DAY OF JUNE, 2022

B E T W E E N:

BAO YING CAO and 13364097 CANADA INC.

Applicants

and

XIAODONG YANG and USERS OF SUNRISE TECHNOLOGY

Respondents

ANCILLARY ORDER

THIS MOTION, made by BDO Canada Limited (“**BDO**”), in its capacity as the Court-appointed receiver (in such capacity, the “**Receiver**”) without security, of the Contested Funds (as defined in the Interpleader Order) held by Bao Ying Cao and 13364097 Canada Inc. (the “**Applicants**”) for an Order, among other things: (i) approving the First Report of the Receiver, dated May 19, 2022 (the “**First Report**”) and the activities of the Receiver set out therein; (ii) approving the Receiver’s statement of receipts and disbursements; and (iii) approving the fees and disbursements of BDO and its counsel; and (iv) approving the Supplement to the First Report of the Receiver, dated May 26,

2022 (the “**Supplement to the First Report**”), was heard this day by Zoom judicial video conference.

ON READING the Motion Record of the Receiver, dated May 20, 2022, the First Report and its appendices, the Supplement to the First Report and its appendices, and on hearing the submissions of counsel for the Receiver, and counsel for the Applicants, no one else appearing for any other parties on the Service List, although properly served as appears from the affidavit of Beth Wise, sworn May 20, 2022, filed,

SERVICE AND DEFINED TERMS

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby validated so that this Motion is properly returnable today, and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that capitalized terms used in this Order that are not otherwise defined shall have the meaning ascribed to them in the First Report or the Claims Process Order.

APPROVAL OF ACTIVITIES AND FEES

3. **THIS COURT ORDERS** that the Receiver’s First Report, and the Receiver’s activities set out therein, be and are hereby approved.
4. **THIS COURT ORDERS** that the Supplement to the Receiver’s First Report, and the Receiver’s activities set out therein, be and are hereby approved.

5. **THIS COURT ORDERS** that the Receiver's statement of receipts and disbursements for the period to May 18, 2022 is hereby approved.

6. **THIS COURT ORDERS** that the professional fees and disbursements of BDO in its capacity as Receiver for the period from December 7, 2021 to April 30, 2022, as set out in the Affidavit of Christopher Mazur, sworn May 18, 2022, and attached as Appendix "H" to the First Report, are hereby approved.

7. **THIS COURT ORDERS** that the professional fees and disbursements of Scarfone Hawkins LLP, counsel to the Receiver, for the period of November 15, 2021 to December 31, 2021, as set out in the Affidavit of Danielle Lampietro, sworn May 19, 2022, and attached as Appendix "I" to the First Report, are hereby approved.

8. **THIS COURT ORDERS** that the professional fees and disbursements of Scarfone Hawkins LLP, counsel to the Receiver, for the period of January 1, 2022 to April 30, 2022, as set out in the Affidavit of Danielle Lampietro, sworn May 19, 2022, and attached as Appendix "I" to the First Report, are hereby approved.

GENERAL

9. **THIS COURT ORDERS** that this Order is effective from the date that it is made and is enforceable without any need for entry and filing.



Digitally signed by
Mr. Justice
Cavanagh

(Signature of judge, officer or registrar)

BAU YING CAU et al.

Applicants

-and- **XIAODONG YANG et al.**

Respondents

Court File No. CV-21-00672880-00CL

ONTARIO

SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT
TORONTO

ANCILLARY ORDER

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Lawyers for the Court Appointed Receiver,
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EXHIBIT "F"



Court File No. CV-21-00672880-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE
JUSTICE CAVANAGH

)
)
)

TUESDAY, THE 7TH
DAY OF JUNE, 2022

B E T W E E N:

BAO YING CAO and 13364097 CANADA INC.

Applicants

and

XIAODONG YANG and USERS OF SUNRISE TECHNOLOGY

Respondents

CLAIMS PROCESS AND BAR ORDER

THIS MOTION, made by BDO Canada Limited, in its capacity as the Court-appointed receiver (in such capacity, the “**Receiver**”) without security, of the Contested Funds (as defined in the Interpleader Order) held by Bao Ying Cao and 13364097 Canada Inc. (the “**Applicants**”) for an Order, among other things, establishing a claims process to identify and determine claims to the Contested Funds, was heard this day by Zoom judicial video conference.

ON READING the Notice of Motion dated May 20, 2022, the First Report of the Receiver dated May 19, 2022 (the “**First Report**”) and its appendices, and on hearing the

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submissions of counsel for the Receiver, and counsel for the Applicants, no one else appearing for any other parties on the Service List, although properly served as appears from the affidavit of Beth Wise, sworn May 20, 2022, filed, and on hearing the submissions of the lawyer(s) for the parties.

SERVICE

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

DEFINITIONS AND INTERPRETATION

2. **THIS COURT ORDERS** that, in addition to terms defined elsewhere herein, the following terms shall have the following meanings:

- (a) **“Claim Statement”** means the form delivered in accordance with this Claims Process in writing or digitally via the Claims Portal to each Claimant, by which they may confirm their Claim, substantially in the form attached as **Schedule “C”** hereto;
- (b) **“Claim Statement Instruction Letter”** means a letter to Claimants regarding the Claims Process and instructions in respect thereto, substantially in the form attached as **Schedule “D”** hereto;
- (c) **“Appointment Order”** means the Order of the Court made December 7, 2021, among other things, appointing BDO as Receiver of the Contested

Funds held by Applicants pertaining to the Sunrise Technology Scheme (as defined in that Order);

- (d) “**BIA**” means the *Bankruptcy and Insolvency Act*, R.S.C., 1985, c. B-3;
- (e) “**Business Day**” means a day, other than a Saturday, Sunday or a statutory holiday, on which banks are generally open for business in Toronto, Ontario;
- (f) “**Claim**” means:
 - (i) any debt or liability, present or future, to which the Applicants were subject on December 7, 2021 or to which the Applicants may become subject before the Receiver’s discharge, by reason of any obligations incurred before December 7, 2021 pertaining to the Contested Funds held by the Applicants as a result of the Sunrise Technology Scheme, but excluding any Unaffected Claim; and
 - (ii) any claim against any past or present director or officer of the Applicant, 13364097 Canada Inc. as a result of the Contested Funds;
- (g) “**Claimant**” means any Person asserting a Claim, and includes a transferee or assignee of a Claim, trustee, executor, or other Person acting on behalf of or through such Person;
- (h) “**Claims Bar Date**” means a date that is 45 days following service by the Receiver of the Public Notice to Claimants, and the posting of said Notice on the Receiver’s website. The Claims Bar Date shall be specifically set

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out in the Notices and Forms sent to Claimants, and shall be posted on the Receiver's website, once known.

- (i) “**Claims Package**” means a package of information to be provided to the Claimants, in writing or digitally, which package shall include a copy of this Order without Schedules, the Notice to Claimants, a Claim Statement Instruction Letter, Claim Statement, Request for Amendment, and such other materials as the Receiver may consider appropriate or desirable;
- (j) “**Claims Portal**” means the website established and maintained by the Receiver for the purpose of facilitating the Claims Process;
- (k) “**Claims Process**” means the procedures outlined in this Order, including the Schedules to this Order, to determine the Claims asserted by the Claimants to the Contested Funds;
- (l) “**Claims Threshold**” means any potential Claim over and above \$100;
- (m) “**CJA**” means the *Courts of Justice Act*, R.S.O. 1990, c C.43, as amended;
- (n) “**Court**” means the Ontario Superior Court of Justice (Commercial List);
- (o) “**Dispute Notice**” means a written notice, delivered to the Receiver by a Claimant who has received a Notice of Revision or Disallowance, of that Person's intention to dispute such Notice of Revision or Disallowance and the reasons for the dispute, substantially in the form attached as **Schedule “F”** hereto;

- (p) “**Net Claim Position**” means the Receiver’s analysis and reconciliation of the amount(s) of deposit and withdrawal transactions made by a Claimant to and from the Applicants’ Accounts, which affect the calculation of the Claimant’s potential Claim to the Contested Funds.
- (q) “**Notice to Claimants**” means a notice, substantially in the form attached as **Schedule “B”**, delivered in writing or digitally by the Receiver to each Claimant, providing the details of the Claims Portal and notifying the Claimant that the Claimant will have until the Claims Bar Date to confirm their Claim;
- (r) “**Notice of Revision or Disallowance**” means a notice substantially in the form attached as **Schedule “E”** hereto, to be sent by the Receiver where it disputes or has revised or disallowed all or part of a Claimant’s Claim or the information set forth in a Claimant’s Request for Amendment, as the case may be;
- (s) “**Person**” means any individual, corporation, firm, limited or unlimited liability company, general or limited partnership, association (incorporated or unincorporated), trust, unincorporated organization, joint venture, trade union, government authority or any agency, regulatory body or officer thereof or any other entity, wherever situate or domiciled, and whether or not having legal status, and whether acting on their own or in a representative capacity;
- (t) “**Proceedings**” means the Receivership Proceedings;

- (u) “**Proof of Claim**” means a proof of claim, substantially in the form attached as **Schedule “G”** hereto, to be completed and filed by a Person claiming to be a Claimant but who was not entitled to receive a Claims Package;
- (v) “**Proof of Claim Instruction Letter**” means a letter to Persons not entitled to receive the Claims Package regarding the Claims Process and instructions in respect thereto, substantially in the form attached as **Schedule “H”** hereto;
- (w) “**Protocol**” means the E-Service Protocol of the Commercial List;
- (x) “**Proven Claim**” means the amount of a Claim, as finally determined under the Claims Process;
- (y) “**Public Notice to Claimants**” means the notice publicizing the Claims Process and published under authority of this Order, substantially in the form of notice attached hereto as **Schedule “A”**;
- (z) “**Receiver’s Website**” means the website maintained by the Receiver at the following URL: www.bdo.ca/en-ca/extranets/sunrise-claims;
- (aa) “**Request for Amendment**” means a Claimant’s request for an amendment to the Claimant’s Information, substantially in the form attached hereto as Section Two of the Claim Statement at **Schedule “C”**;

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- (bb) “**Required Information**” means Information required by the Receiver from the Financial Institutions, in order to determine the identities and contact information of certain Claimants; and
- (cc) “**Unaffected Claim**” means any claim secured by the Receiver’s Charge, as such terms are defined in the Appointment Order.

GENERAL PROVISIONS

3. **THIS COURT ORDERS** that the Receiver is hereby authorized to use its reasonable discretion as to the adequacy of compliance with respect to the terms of this Order, and may, where it is satisfied that a Claim has been adequately proven, waive strict compliance with the requirements of this Order, or request any further documentation from a Person that the Receiver may require in order to enable the Receiver to determine the validity of a Claim.

4. **THIS COURT ORDERS** that, notwithstanding the terms of this Order, the Receiver may apply to this Court from time to time for such further order or orders as it considers necessary or desirable to amend, supplement or replace this Order.

5. **THIS COURT ORDERS** that the Receiver may from time to time apply to this Court for advice and directions in the discharge of its powers and duties hereunder.

6. **THIS COURT ORDERS** that the form and substance of each of the Public Notice to Claimants, Notice to Claimants, Claim Statement, Claim Statement Instruction Letter, Request for Amendment, Notice of Revision or Disallowance, Dispute Notice, Proof of Claim, Proof of Claim Instruction Letter, and Social Media Notice, substantially in the

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forms attached as Schedules A, B, C, D, E, F, G, H, and I, respectively, to this Order, together with the digital version thereof, where applicable, are hereby approved. Notwithstanding the foregoing, the Receiver may from time to time make changes to such forms as the Receiver considers necessary or advisable.

RECEIVER'S ROLE

7. **THIS COURT ORDERS** that the Receiver, in addition to its prescribed rights, duties, responsibilities and obligations under the Appointment Order, shall take all actions and fulfill any other roles as are authorized by this Order or are incidental thereto, including the determination of Claims and referral of any Claim to the Court.

8. **THIS COURT ORDERS** that: (i) in carrying out the terms of this Order, the Receiver shall have all of the protections given to it by the Appointment Order and this Order; (ii) the Receiver shall incur no liability or obligation as a result of carrying out the provisions of this Order, except for claims based on gross negligence or wilful misconduct; and (iii) the Receiver shall not be liable for any claims or damages resulting from any errors or omissions in such records or information provided by any Claimant, except for claims based on gross negligence or wilful misconduct.

NOTICE TO CLAIMANTS

9. **THIS COURT ORDERS** that the Receiver be and is hereby authorized and directed to send a copy of the Claims Package, by ordinary mail or email or, where no other means of communication is possible, through digital messaging applications, including WhatsApp, as soon as practicable, to:

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- (a) all known Claimants who may be owed monies by the Applicant(s) from the Contested Funds, and which monies remain unpaid in whole or in part;
- (b) any Person who commenced a legal proceeding in any court or tribunal in respect of a cause of action in respect of the Contested Funds which arose prior to December 7, 2021, and which was served on the Applicants;
- (c) the Canada Revenue Agency; and
- (d) the Minister of Finance.

10. **THIS COURT ORDERS** that, as soon as practicable after the date of this Order: (i) the Receiver shall cause a copy of the Claims Package to be posted on the Receiver's Website; and (ii) the Receiver shall open an online Claims Portal on the Receiver's Website to enable the electronic submission of Claim Statements, Proofs of Claim, Requests for Amendment, and Notices of Dispute by Claimants.

11. **THIS COURT ORDERS** that the Receiver shall dispatch by email, ordinary mail, or courier, or, where no other means of communication is possible, through digital messaging applications, including WhatsApp, as soon as practicable following receipt of a request therefor, a copy of the Claims Package and/or Proof of Claim to any Person claiming to be a Claimant and requesting such material, provided such request is received prior to the Claims Bar Date. The Receiver shall not be responsible if the request is made too late for the Claimant to file a Proof of Claim by the Claims Bar Date.

PUBLICATION OF SOCIAL MEDIA NOTICE

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12. **THIS COURT ORDERS** that the Receiver shall make this Order publicly available, in substantially the form attached as **Schedule “I”** hereto (the “**Social Media Notice**”), by providing a copy of the Social Media Notice to Sunrise Claimants who are maintaining social media websites and/or online chat group(s) for the purpose of facilitating information in respect of these proceedings, and shall request that they post or distribute copies of the Social Media Notice and Claims Process Order on such social media websites and/or online chat group(s) as soon as possible.

13. **THIS COURT ORDERS** that the Social Media Notice be and is hereby approved.

NOTICE SUFFICIENT

14. **THIS COURT ORDERS** that the publication of the Social Media Notice, as provided for in paragraph 12 of this Order, and the delivery to the Claimants of the Claims Package as provided for in paragraph 9 of this Order and in accordance with paragraph 11 of this Order, together with the posting of all materials on the Receiver’s Website, shall constitute good and sufficient service and delivery of notice of this Order and notice of the Claims Bar Date on all Persons who may be entitled to receive notice and who may wish to assert Claims, and that no other notice or service need be given or made, and no other document or material need be sent to or served upon any Person in respect of this Order. All Persons, including Claimants, shall be bound by the Claims Bar Date, this Order, and any notices published in accordance with the terms of this Order, regardless of whether or not they received actual notice, and any steps taken in respect of any Claim, in accordance with this Order.

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15. **THIS COURT ORDERS** that service shall be effective, in the case of mailing, three (3) Business Days after the date of mailing, in the case of service by courier, on the day after the courier package was sent, and in the case of service by fax or e-mail or digital message application, on the day after the fax or e-mail or digital message was transmitted, unless such day is not a Business Day, or the fax or e-mail transmission or message application was made after 5:00 p.m. (Toronto time), in which case, it is effective on the next Business Day.

16. **THIS COURT ORDERS** that neither: (i) the reference to a purported Claim as a “Claim” or a purported Claimant as a “Claimant” in this Order, nor (ii) the delivery of a Notice to Claimants, Claim Statement, or Proof of Claim by the Receiver to a Person shall constitute an admission by the Receiver of any obligation to any Person.

FILINGS OF CLAIM STATEMENTS

17. **THIS COURT ORDERS** that the Receiver shall include in the Claims Package the Claim Statement Instruction Letter, attached as **Schedule “D”** hereto.

18. **THIS COURT ORDERS** that, except as otherwise provided herein, each Claimant that is identified by the Receiver as having a Claim against the Contested Funds, shall receive a Claim Statement, in substantially the form attached as **Schedule “C”** hereto. Each Claim is based on the Receiver’s reconciliation of the interests in the Contested Funds.

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19. **THIS COURT ORDERS** that the only Claimants who shall be considered to have a Claim against the Contested Funds are those Claimants who e-transferred funds to the bank account(s) of the Applicant(s).
20. **THIS COURT ORDERS** that the Receiver is authorized to exclude from the Claims Process, and from any ultimate distribution of the Contested Funds, any Claimants with a Net Claim Position at or below \$100.00.
21. **THIS COURT ORDERS** that, if the Claimant agrees with the contents of the Claim Statement, the Claimant shall, on or before the Claims Bar Date, acknowledge the Claimant's agreement on the Receiver's Claims Portal.
22. **THIS COURT ORDERS** that each Claimant is required to confirm or dispute the information contained in the Claim Statement in order to be eligible for a distribution from the Contested Funds.
23. **THIS COURT ORDERS** that a Claim Statement shall be deemed timely filed only if acknowledged electronically on the Receiver's Portal on or before the Claims Bar Date.
24. **THIS COURT ORDERS** that the Claim Statement shall contain a unique login ID to be used in the Claims Portal. The Claims Portal and Claim Statement shall contain an identical acknowledgement by the Receiver of each individual Claim.
25. **THIS COURT ORDERS** that the acknowledgement by the Receiver of a Claim is subject to the outcome of any Request for Amendment or Proof of Claim received from another Claimant.

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26. **THIS COURT ORDERS** that, in order for a Claim Statement to be properly filed pursuant to this Order, said Claim Statement shall be:

- (a) written in the English or French language;
- (b) accompanied by a government-issued photo identification of the Claimant, indicating the Claimant's name and a photograph of the Person; and
- (c) conform substantially with the Claim Statement attached as Schedule "C" to this Order.

27. **THIS COURT ORDERS** that Unaffected Claims shall not be subject to this Order and holders of Unaffected Claims shall not be required to file a Proof of Claim in respect of their Unaffected Claims.

28. **THIS COURT ORDERS** that any Claimant who disagrees with the Claim amounts or other information stated in the Claim Statement must complete a Request for Amendment in the Claims Portal, and provide all supporting documentation to the Receiver, such that the Request for Amendment is actually received by the Receiver by the Claims Bar Date or such later date as the Receiver may agree in writing or the Court may order.

29. **THIS COURT ORDERS** that any party believing itself to be a Claimant, other than those entitled to receive a Claims Package and Notice to Claimants, shall file with the Receiver a Proof of Claim through the Claims Portal, so that such Proofs of Claim are actually received by the Receiver by no later than the Claims Bar Date.

30. **THIS COURT ORDERS** that, at any time, the Receiver may: (i) request additional information with respect to any Claim, and may request that a Claimant file a revised Request for Amendment or Proof of Claim; (ii) attempt to consensually resolve the amount or any other aspect of a Claim; or (iii) revise or disallow a Claim.

DETERMINATION OF CLAIMS

31. **THIS COURT ORDERS** that, subject to the terms of this Order, the Receiver shall review all Requests for Amendment and Proofs of Claim (and any supporting documentation) filed on or before the Claims Bar Date, and may accept, revise or disallow (in whole or in part) the Claim set out in any Request for Amendment or Proof of Claim.

Notices of Revision or Disallowance

32. **THIS COURT ORDERS** that, in the case of any Request for Amendment, the Receiver: (a) shall review and consider the Request for Amendment; and (b) may accept the amendments requested, or revise or disallow them by way of Notice of Revision or Disallowance, sent to the Claimant, together with the form of Dispute Notice, by no later than 45 days after the Claims Bar Date.

33. **THIS COURT ORDERS** that, if the Claimant does not dispute the Notice of Revision or Disallowance, then, subject to further order of this Court, the Notice of Revision or Disallowance shall be deemed to be accepted as final and binding.

34. **THIS COURT ORDERS** that if the Receiver does not deliver a Notice of Revision or Disallowance, subject to further order of this Court, the amount of the Claim or the

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information set forth in such Claimant's Request for Amendment or Proof of Claim shall be deemed to be accepted as final and binding.

35. **THIS COURT ORDERS** that, unless the Claim Statement is confirmed in the Claims Portal or in writing, or a Request for Amendment is completed in the Claims Portal or received by the Receiver in writing on or before the Claims Bar Date, the Claimant shall not be eligible for a distribution from the Contested Funds. In the event that the Claim Statement and the information therein is confirmed, it shall be final and binding on the Claimant, and may be relied upon by the Receiver in valuing the Claim for all purposes, and the Claimant shall be barred from making any Claim inconsistent with the information contained in the Claim Statement.

36. **THIS COURT ORDERS** that where a Claim has been accepted by the Receiver, and a Claim Statement confirmed in accordance with paragraph 22, such Claim shall constitute a Proven Claim for the purposes of the Claims Process. The acceptance of any Claim or other determination of same in accordance with this Order, in whole or in part, shall not constitute an admission of any fact, thing, obligation, or quantum of any Claim by any Person, save and except in the context of the Claims Process.

Dispute Notices

37. **THIS COURT ORDERS** that any Claimant who intends to dispute a Notice of Revision or Disallowance shall deliver a Dispute Notice, in substantially the form attached as **Schedule "F"** hereto, by upload to the Claims Portal, such that the Dispute Notice is actually received by the Receiver by 5:00 p.m. (Toronto time) on the day which is ten (10)

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calendar days after the date of the Notice of Revision or Disallowance, or such later date as the Receiver may agree to in writing or the Court may order.

38. **THIS COURT ORDERS** that if the Receiver does not receive a Dispute Notice with respect to a Notice of Revision or Disallowance, in accordance with paragraph 37 of this Order, then, subject to further order of this Court, the Notice of Revision or Disallowance shall be deemed to be accepted as final and binding. The amount stipulated in the Notice of Revision or Disallowance, if any, shall constitute such Claimant's Proven Claim, and the balance of such Claimant's Claim, if any, shall be forever barred and extinguished.

39. **THIS COURT ORDERS** that upon receipt of a Dispute Notice, the Receiver shall notify such Claimant of its determination as soon as practicable, and the Receiver may attempt to consensually resolve the amount of the Claim with the Claimant. If the Claimant disagrees with the Receiver's determination and any attempts to otherwise resolve the dispute are unsuccessful, the Receiver will bring a motion for the Court's approval of a procedure to determine the disputed Claim, together with any other such disputed Claims. In the report of the Receiver, the Receiver shall suggest an appropriate procedure to deal with any outstanding Dispute Notices fairly and efficiently.

40. **THIS COURT ORDERS** that, where a Claim has been revised or disallowed pursuant to paragraph 32 of this Order, the revised or disallowed Claim (or revised or disallowed portion thereof) shall not be a Proven Claim until determined otherwise in accordance with the Claims Process or as otherwise ordered by the Court.

CLAIMS BAR

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41. **THIS COURT ORDERS** that any Claimant that does not: confirm the Claim Statement; deliver a Request for Amendment; or deliver a Proof of Claim, together with supporting documentation in respect of such Claim; in accordance with this Order, on or before the Claims Bar Date, shall, subject to further Order of the Court:

- (a) be forever barred, estopped and enjoined from asserting or enforcing any Claim (or filing a Proof of Claim, as the case may be, with respect to such Claim) against the Contested Funds and such Claim shall be forever extinguished;
- (b) not be permitted to participate in any distribution from the Contested Funds;
and
- (c) not be entitled to receive further notices in, or participate as a Claimant in, these proceedings.

42. **THIS COURT ORDERS** that, subject to further Order of the Court, the Claims Bar Date shall be 5:00 p.m. (Toronto time) on the 45th day following service by the Receiver of the Public Notice to Claimants, and the posting of said Notice on the Receiver's website. The Claims Bar Date shall be specifically set out in the Notices and Forms sent to Claimants, and shall be posted on the Receiver's website, once known. The Receiver may, at its sole discretion, extend the date generally or in individual cases. If the Claims Bar Date is extended generally, the Receiver shall post notice of the extension on the Receiver's Website.

NOTICES OF TRANSFEREES

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43. **THIS COURT ORDERS** that if, after the earlier of:

- (a) the date of filing of a Claim Statement; and
- (b) the Claims Bar Date,

the holder of a Claim, or any subsequent holder of same who has been acknowledged by the Applicants in respect thereof prior to December 7, 2021, transfers or assigns such Claim to another Person, the Receiver shall not be obliged to give notice to or to otherwise deal with the transferee or assignee of such Claim unless and until actual notice of transfer or assignment, together with satisfactory evidence of such transfer or assignment, have been delivered to the Receiver, and the Receiver has acknowledged in writing such transfer or assignment. Thereafter, such transferee or assignee shall, for all purposes hereof, constitute the Claimant in respect of such Claim, and shall be bound by notices given and steps taken in respect thereof in accordance with the provisions of this Order, including any omission or failure to act on the part of the transferor or assignor, prior to the written acknowledgement by the Receiver of such transfer or assignment.

44. **THIS COURT ORDERS** that if the holder of a Claim has transferred or assigned the whole of such Claim to more than one Person, or part of such Claim to another Person or Persons, such transfer or assignment shall not create a separate Claim, and such Claim shall continue to constitute and be dealt with as a single Claim, notwithstanding such transfer or assignment, and the Receiver shall not be bound to acknowledge or recognize any such transfer or assignment and shall be entitled to send notice to and to otherwise deal with such Claim only as a whole, and then only to and with the Person last holding such Claim in whole as the Claimant in respect of such Claim. Provided that a

transfer or assignment of the Claim has taken place in accordance with this Order and the Receiver has acknowledged in writing such transfer or assignment, the Person last holding such Claim in whole as the Claimant in respect of such Claim may by notice to the Receiver, in writing, direct that subsequent dealings in respect of such Claim, but only as a whole, shall be with a specified Person, and, in such event, such Claimant, transferee or assignee of the Claim shall be bound by any notices given or steps taken in respect of such Claim by or with respect to such Person in accordance with this Order.

DEATH OR INCAPACITY

45. **THIS COURT ORDERS** that if any Claimant has deceased, the Receiver may accept a Claim on such deceased Person's behalf from the duly appointed legal representative or estate trustee of such deceased Person.

46. **THIS COURT ORDERS** that if any Claimant has deceased or become incapacitated, and no legal representative has been appointed or otherwise has authority to act on behalf of such Person, the Receiver shall have the discretion to allow such Person's surviving spouse, survivor, or next-of-kin to act on such Person's behalf.

47. **THIS COURT ORDERS** that before allowing a person to act on behalf of a deceased or incapacitated Person, the Receiver, acting reasonably, may require the person to execute a statutory declaration or provide some other similar form of document confirming the person's relationship to the deceased or incapacitated Person.

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48. **THIS COURT ORDERS** that the Receiver shall incur no liability or obligation to any person for exercising its discretion to allow a third party to act on behalf of a deceased or incapacitated Person.

49. **THIS COURT ORDERS** that in exercising the discretion to allow a third party to confirm, dispute, or file a Claim on behalf of a deceased or incapacitated Person, or to receive funds otherwise payable to such Person, the Receiver shall consider:

- (a) If such Person is alive, whether it appears to the Receiver that the distribution of funds to such third party is in the best interests of the incapacitated Person; and
- (b) If such Person is deceased and intestate, the rules relating to the distribution of intestate estates, as set out in the *Estates Act*, R.S.O. 1990 c. E.21.

DIRECTIONS

50. **THIS COURT ORDERS** that the Receiver, or any other Person with a material interest in this Claims Process, may, at any time, and with such notice as the Court may require, seek directions from the Court with respect to this Order and the Claims Process, including the forms attached as Schedules hereto.

NOTICES, SERVICE, AND COMMUNICATION

51. **THIS COURT ORDERS** that, except as otherwise provided herein, the Receiver may deliver the Claims Package, a Notice of Revision or Disallowance and any notice or

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other communication to be given under this Order to Claimants or other interested Persons, and the same will be sufficiently given by forwarding true copies thereof by prepaid ordinary mail, registered mail, courier, personal delivery, facsimile transmission, email, or digital messaging application, to such Claimants or other interested Persons at the address last shown on the books and records of the Applicant. Any such service and delivery shall be deemed to have been received: (a) if sent by ordinary mail or registered mail, on the third Business Day after mailing within Ontario, the fifth (5th) Business Day after mailing within Canada (other than within Ontario), and the tenth (10th) Business Day after mailing internationally; (b) if sent by courier or personal delivery, on the next Business Day following dispatch; and (c) if delivered by facsimile transmission, email, or digital messaging application by 5:00 p.m. on a Business Day, on such Business Day, and if delivered after 5:00 p.m. or other than on a Business Day, on the following Business Day.

52. **THIS COURT ORDERS** that the E-Service Protocol of the Commercial List (the “**Protocol**”) is approved and adopted by reference herein and, through the administration of the Claims Process, the service of documents made in accordance with the Protocol (which can be found on the Commercial List website at <https://www.ontariocourts.ca/scj/practice/practice-directions/toronto/eservice-commercial/>) shall be valid and effective service. Subject to Rule 3.01(d) of the *Rules of Civil Procedure* and paragraph 21 of the Protocol, service of documents in accordance with the Protocol will be effective upon transmission. All references to the singular herein include the plural, the plural include the singular, and any gender includes the other gender.

53. **THIS COURT ORDERS** that any notice or other communication to be given under this Order by a Claimant to the Receiver shall be in writing in substantially the same form, if any, provided for in this Order and will be sufficiently given only if delivered by registered mail, courier, personal delivery or electronic or digital transmission (including the upload of documents to the Claims Portal) addressed to:

BDO Canada Limited,
in its capacity as Receiver of the Contested Funds held by the Applicants
pertaining to Sunrise Technology

Email: bdosunriseclaims@bdo.ca

Any such notice or communication shall be deemed to be received upon actual receipt thereof during normal business hours on a Business Day, or if delivered outside of normal business hours, the next Business Day.

54. **THIS COURT ORDERS** that if, during any period in which notices or other communications are being given pursuant to this Order, a postal strike or postal work stoppage of general application should occur, such notices or other communications sent by ordinary mail and then not received shall not, absent further Order of the Court, be effective, and notices and other communications given hereunder during the course of any such postal strike or work stoppage of general application shall only be effective if given by courier, personal delivery or electronic or digital transmission, in accordance with this Order.

EFFECT, RECOGNITION AND ASSISTANCE OF OTHER COURTS

55. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States, or

abroad, to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order, or to assist the Receiver and its agents in carrying out the terms of this Order.

56. **THIS COURT ORDERS** that the Receiver be at liberty and is hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order.

MISCELLANEOUS


57. **THIS COURT ORDERS** that this Order and all of its provisions are effective from 12:01 a.m. Eastern Standard Time on the date of this Order without any need for entry and filing.

58. **THIS COURT ORDERS** that nothing in this Order shall constitute or be deemed to constitute an allocation or assignment of a Claim, and, for greater certainty, this Order does not provide for distribution of the Contested Funds, and is intended only to commence the Claims Process for the submission and adjudication of the Claims.

59. **THIS COURT ORDERS** that the Receiver shall incur no liability or obligation as a result of its appointment or carrying out the provisions of this Order, save and except for any gross negligence or wilful misconduct on its part.

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60. **THIS COURT ORDERS** that the Receiver is authorized to take no further actions in relation to the digital Sunrise Wallets, or in relation to cryptocurrency transactions which may have been made to or from the Sunrise Technology online platform.

A digital signature in blue ink, appearing to read 'Cavanagh', is displayed within a light yellow rectangular box.

Digitally signed by
Mr. Justice Cavanagh

(Signature of judge, officer or registrar)

RCP-E 59A (September 1, 2020)

SCHEDULE A

PUBLIC NOTICE TO CLAIMANTS

Public Notice to Claimants in respect of the Contested Funds held by Bao Ying Cao and 13364097 Canada Inc. (the “Applicants”) pertaining to Sunrise Technology

Re: Notice of Claims Process

This notice is being published pursuant to Orders of the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) made May 27, 2022 (the “**Claims Process Order**”). Effective as of December 7, 2021, BDO Canada Limited was appointed by the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) as receiver (the “**Receiver**”) of the Contested Funds held by 13364097 Canada Inc. and Bao Ying Cao (collectively, the “**Applicants**”).

The Persons having Claims to the Contested Funds (the “**Claimants**”) should receive a Claims Package by e-mail, regular mail, or via digital messaging application from the Receiver, if the Claimants and their current addresses, e-mail addresses, or particulars on a digital messaging application are known to the Receiver.

Claimants may also obtain the Claims Process Order and a Claims Package by downloading it from the Receiver’s website at www.bdo.ca/en-ca/extranets/sunrise-claims . Claim Statements, Requests for Amendment, and Proofs of Claim must be received by the Receiver in the prescribed form by **5:00 p.m. (Toronto time) on _____, 2022** (the “**Claims Bar Date**”). It is your responsibility to complete the appropriate documents and ensure that the Receiver receives your completed documents by the Claims Bar Date. **IF THE APPROPRIATE DOCUMENTS ARE NOT RECEIVED BY THE RECEIVER BY THE CLAIMS BAR DATE, YOU WILL NOT BE ENTITLED TO RECEIVE A DISTRIBUTION. DISTRIBUTIONS WILL BE DETERMINED BY THE COURT AT A LATER DATE.**

CLAIMS WHICH ARE NOT RECEIVED BY THE CLAIMS BAR DATE WILL BE BARRED AND EXTINGUISHED FOREVER.

DATED at Hamilton, Ontario, this ____ day of _____, 2022.

SCHEDULE B

NOTICE TO CLAIMANTS

Notice to Claimants in respect of the Contested Funds held by Bao Ying Cao and 13364097 Canada Inc. (the “Applicants”) pertaining to Sunrise Technology

Re: Notice of Claims Process

Effective as of December 7, 2021, BDO Canada Limited was appointed by the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) as receiver (the “**Receiver**”) of the Contested Funds held by 13364097 Canada Inc. and Bao Ying Cao (collectively, the “**Applicants**”). This notice is being delivered pursuant to Orders of the Court made May 27, 2022 (the “**Claims Process Order**”).

The records of the Applicant(s) indicate that you have a potential Claim to the Contested Funds. The Receiver obtained the Claims Process Orders to determine who is entitled to share in the distribution of the Contested Funds. In order to receive a distribution of the Contested Funds, the Receiver **MUST receive** your acknowledgement of your Claim Statement or Request for Amendment **on or before 5:00 p.m. (Toronto time) on _____, 2022** in accordance with the Claims Process Order.

Please read the enclosed Claim Statement – Instruction Letter carefully for instructions on how to participate in the Claims Process.

To access the online claims portal (the “**Claims Portal**”) established by the Receiver, please use the following link: _____

IF THE RECEIVER DOES NOT **RECEIVE** YOUR ACKNOWLEDGEMENT OF YOUR CLAIM STATEMENT OR REQUEST FOR AMENDMENT OF YOUR CLAIM BY **5:00 p.m. (TORONTO TIME) ON _____, 2022** THROUGH THE CLAIMS PORTAL OR IN WRITING, YOU WILL **NOT** BE ENTITLED TO RECEIVE ANY DISTRIBUTION OF THE CONTESTED FUNDS.

DATED at Hamilton this ____ day of _____, 2022.

SCHEDULE C

CLAIM STATEMENT

[Claimant Name]

[Address]

The Receiver encourages all Claimants to use the online Claims Portal at _____ to submit the information contained in this form instead of the paper version. This form should only be completed and returned by mail if you are unable to access the online Claims Portal.

Please read the enclosed **Claim Statement – Instruction Letter** carefully prior to completing this Claim Statement.

Claim Statement Unique ID: [Number]

EACH AND EVERY CLAIMANT MUST SEPARATELY ACKNOWLEDGE THEIR INTEREST FOR EACH CLAIM.

You **must** complete Section 1 or Section 2, but not both. Everyone must complete Section 3. **If Section 3 is not completed, this form will be disregarded for the purposes of distribution.**

Once completed, return a copy of this document, together with any required supporting documentation, by ordinary mail, courier, personal delivery or electronic or digital transmission. Any such submission must be **received** by the Receiver by 5:00 p.m. (Toronto time) on _____, 2022 (the “**Claims Bar Date**”) at the following address:

BDO Canada Limited,
in its capacity as Receiver of the Contested Funds held by the Applicants pertaining to Sunrise Technology

Email: bdosunriseclaims@bdo.ca

If you do not return this form or complete the online Claims Portal by the Claims Bar Date, you will be barred from making any claim for a distribution in this proceeding.

Please type your response or print legibly.

Contact Information for Claimant Submitting Acknowledgement Form	Adjusted Contact Information for Claimant Submitting Acknowledgement Form (where applicable)	
Claimant Mailing Address		
Claimant Email Address		
Claimant Phone Number		

***Please correct any errors in the information above in the boxes provided. If more substantial changes are required (i.e. your name has legally changed from that noted**

above), please complete the Request for Amendment form provided.

PARTICULARS OF YOUR CLAIM:

Transaction Details	
Sender E-mail Address	
Sender Name	
Transaction Date	Transaction Amount
Date	\$
Date	\$
Date	\$
Net Claim Amount	\$

SECTION ONE

ACKNOWLEDGEMENT

If you agree with all of the information set out above in the PARTICULARS OF YOUR CLAIM section, you must acknowledge same by checking the boxes and signing below. If, however, you disagree with this information in any respect, then you must complete Section Two, the Request for Amendment.

I hereby confirm that the above information is true and correct in every respect.

I authorize the Receiver to e-transfer any and all funds that I may be entitled to back to the e-mail address which transferred the funds to the bank account(s) of the Applicant(s).

DATED this _____ day of _____, 2022.

Signature: _____

Print Name: _____

SECTION TWO- REQUEST FOR AMENDMENT

I, [name of Claimant], do hereby request that the information provided in this Acknowledgement Form be amended as follows.

WE DO NOT REQUIRE YOU TO COMPLETE FIELDS FOR WHICH THERE IS NO DISPUTE.

PLEASE INDICATE ONLY THE SPECIFIC AMENDMENTS REQUESTED AND PROVIDE SUPPORTING DOCUMENTATION FOR THOSE REQUESTED AMENDMENTS.

Possible Reasons for Requested Amendments
Claimant Name Change- Marriage/Divorce/Deceased Claimant/Transfer of Ownership Interest/Other
Incorrect Financial Institution Name
Incorrect Transaction ID
Incorrect Date
Incorrect Transaction Amount
Incorrect or Changed E-mail Address
Other

***In the below table(s) please specify the amendment requested and the reason for such amendment. Supporting documentation is also required to illustrate the need for any amendment. For example, if your name has legally changed, government issued proof to substantiate such change is required to be sent together with this completed form.**

Transaction Information	Amended Information (where applicable)	Reason for Requested Amendment (where applicable)
Claimant		
Transaction Date		
Transaction ID		
E-mail Address		
Transaction Amount		
Other		

REQUEST FOR AMENDMENT (CONTINUED)

Transaction Information		Amended Information (where applicable)	Reason for Requested Amendment (where applicable)
Claimant			
Transaction Date			
Transaction ID			
E-mail Address			
Transaction Amount			
Other			

Transaction Information		Amended Information (where applicable)	Reason for Requested Amendment (where applicable)
Claimant			
Transaction Date			
Transaction ID			
E-mail Address			
Transaction Amount			
Other			

REQUEST FOR AMENDMENT (CONTINUED)

Transaction Information		Amended Information (where applicable)	Reason for Requested Amendment (where applicable)
Claimant			
Transaction Date			
Transaction ID			
E-mail Address			
Transaction Amount			
Other			

I hereby confirm that the above information is true and correct in every respect.

DATED this _____ day of _____, 2022.

Signature: _____

Print Name: _____

SECTION THREE

DECLARATION OF RESIDENCY:

Everyone must complete this section.

If Section 3 is not completed, this form will be disregarded for the purposes of distribution.

Please check the box that applies.

I am a tax resident of Canada.

I am a tax resident of a jurisdiction other than Canada.

I certify that the above information is true.

DATED this _____ day of _____, 2022.

Signature: _____

Print Name: _____

SCHEDULE G

PROOF OF CLAIM

Effective as of December 7, 2021, BDO Canada Limited was appointed by the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) as receiver (the “**Receiver**”) of the Contested Funds held by 13364097 Canada Inc. and Bao Ying Cao (collectively, the “**Applicants**”). This notice is being delivered pursuant to Orders of the Court made on May 27, 2022 (the “**Claims Process Order**”).

The Receiver obtained the Claims Process Orders to determine who is entitled to share in the distribution of the Contested Funds. **You are receiving this Proof of Claim form because the Receiver could not reconcile your claim to the Contested Funds with the records of the Applicant(s).** As a result, you are required to provide the information and documentation necessary to prove your claim in the Contested Funds.

Defined terms not defined within this Proof of Claim form shall have the meaning ascribed thereto in the Order dated May 27, 2022, as may be amended from time to time (the “**Claims Process Order**”). **Please type your response or print legibly. An electronic copy of this form may be accessed at www.bdo.ca/en-ca/extranets/sunrise-claims.**

PARTICULARS OF OWNERSHIP INTEREST CLAIMED

Please provide as much information as you have available.

(a) Full legal name:

(b) Full mailing address:

(c) Other contact information:

Telephone number: _____

Email address: _____

(d) Transaction Date:

(e) Transaction Amount:

(f) Transaction Sender:

(g) Transaction Recipient:

(f) Transaction ID Number:

Please also provide all additional supporting documentation in support of your Claim.

DECLARATION OF RESIDENCY:

Everyone must complete this section.

If this section is not completed, this form will be disregarded for the purposes of distribution.

Please check the box that applies.

I am a tax resident of Canada.

I am a tax resident of a jurisdiction other than Canada.

I certify that the above information is true.

DATED this _____ day of _____, 2022.

Signature: _____ Print Name: _____

This Proof of Claim form must be **received** by the Receiver by no later than **5:00 p.m. (Toronto time) on the Claims Bar Date of _____, 2022**, by either ordinary mail, personal delivery, courier or electronic or digital transmission at the following address:

BDO Canada Limited,
in its capacity as Receiver of the Contested Funds held by the Applicants pertaining to Sunrise
Technology

Email: bdosunriseclaims@bdo.ca

If the Receiver **does not receive** your Proof of Claim and any documentation necessary to support your Claim by **5:00 p.m. (Toronto time) on _____, 2022** (the “**Claims Bar Date**”), your claim will be forever barred and extinguished and you will be prohibited from making or enforcing a Claim against the Applicant(s) and shall not be entitled to further notice or distribution, if any, and shall not be entitled to participate as a creditor in these proceedings.

SCHEDULE D

CLAIM STATEMENT – INSTRUCTION LETTER

A. Claims Process

Effective as of December 7, 2021, BDO Canada Limited was appointed by the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) as receiver (the “**Receiver**”) of the Contested Funds held by 13364097 Canada Inc. and Bao Ying Cao (collectively, the “**Applicants**”). This notice is being delivered pursuant to Orders of the Court made May 27, 2022 (the “**Claims Process Order**”). Copies of the Claims Process Order can be found on the Receiver’s website at: www.bdo.ca/en-ca/extranets/sunrise-claims . Any capitalized terms not defined herein shall have the meaning ascribed thereto in the Claims Process Order.

The Receiver obtained the Claims Process Order to determine who is entitled to share in the Contested Funds held by the Applicants. In order to be eligible to receive a distribution of the proceeds, the Receiver must **receive** your acknowledgment or dispute of your Claim by **5:00 p.m. (Toronto Time) on _____, 2022** in accordance with the Claims Process Order.

This letter provides instructions for completing the enclosed Claim Statement in writing or by using the online Claims Portal. **The Receiver encourages all Claimants to use the online Claims Portal to ensure the efficiency of the process.**

The Claims Process is intended for any Claimant claiming an interest in the Contested Funds that were held by the Applicants. In order to claim an interest in the Contested Funds, you must have transferred funds to the bank account(s) of the Applicant(s) before December 7, 2021, in connection with your use of the Sunrise Technology website or application.

Each Claimant is required to individually submit a Claim Statement in respect of their interest in the online Claims Portal or by returning a written Claim Statement through the Claims Portal. This includes all parties having the same email address.

Pursuant to the Claims Process Order, failure to acknowledge your Claim Statement in the online Claims Portal, or submit a Request for Amendment, such that it is **received** by the Receiver by **5:00 p.m. (Toronto Time) on the Claims Bar Date of _____, 2022**, will result in your Claim being forever barred and extinguished and you will be prohibited from making or enforcing a Claim against the Applicants and shall not be entitled to further notice or distribution, if any, and shall not be entitled to participate as a creditor in these proceedings.

B. Request for Amendment

If you believe that you have a Claim that is other than as set out on the Claim Statement (for example, an additional Claim or a Claim for a different amount), then you must file a Request for Amendment for that additional Claim. **Your Request for Amendment must be received by the Receiver by 5:00 p.m. (Toronto time) on _____, 2022, the Claims Bar Date.** Pursuant to the Claims Process Order, failure to submit a Request for Amendment which is received by the Receiver by the Claims Bar Date will result in such Claim being barred and extinguished,

released and discharged forever. A Request for Amendment form is attached at Part Two of the Claim Statement, or may be obtained by contacting the Receiver or by accessing the Receiver's website at www.bdo.ca/en-ca/extranets/sunrise-claims

C. Claims Portal

The Receiver has activated an online Claims Portal to facilitate the Claims Process. Claimants may access the online Claims Portal by using the following link: _____. **Each Claimant is required to individually submit a Claim Statement in respect of their interest. This includes all parties living at the same address or having the same email address.** Please follow the instructions provided in the online Claims Portal to submit your Claim Statement.

If you complete your **Claim Statement** in the online Claims Portal, you are **not** required to complete and return any of the written forms provided.

D. General Instructions for Completing the Claim Statement

All Claim Statements must be electronically signed and dated.

The Claim Statement is pre-populated with your personal information (i.e. legal name, e-mail address) that the Receiver has, and contains an acknowledgment by the Receiver of your Claim to the Contested Funds. This information was derived through a reconciliation by the Receiver of the bank records of the Applicant(s) and those obtained through financial institutions.

If you **agree** with the information contained in the Claim Statement, you are required to complete Section One of the Claim Statement.

If you **do not agree** with the information contained in the Claim Statement, you are required to complete Section Two of the Claim Statement entitled "Request for Amendment". If you are requesting an amendment to any of the information, you are also required to provide copies of the documentation to support your requested amendment(s).

All Claimants must complete Section Three of the Claim Statement in respect of your residency status for tax purposes. In the event that this section is not completed, your claim will not be accepted, and your Claim Statement will be discarded.

E. Questions

If you have any questions regarding the Claims Process, please contact the Receiver at the address provided below. All notices and enquiries with respect to the Claims Process should be addressed to:

BDO Canada Limited,
in its capacity as Receiver of the Contested Funds held by the Applicants pertaining to Sunrise
Technology

Email: bdosunriseclaims@bdo.ca

SCHEDULE H

PROOF OF CLAIM – INSTRUCTION LETTER

A. Claims Process

Effective as of December 7, 2021, BDO Canada Limited was appointed by the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) as receiver (the “**Receiver**”) of the Contested Funds held by 13364097 Canada Inc. and Bao Ying Cao (collectively, the “**Applicants**”). This notice is being delivered pursuant to Order of the Court made May 27, 2022 (the “**Claims Process Order**”). Copies of the Claims Process Order can be found on the Receiver’s website at: www.bdo.ca/en-ca/extranets/sunrise-claims . Any capitalized terms not defined herein shall have the meaning ascribed thereto in the Claims Process Order.

The Receiver obtained the Claims Process Order to determine who is entitled to share in the distribution of the Contested Funds. **You are receiving this Proof of Claim form because the Receiver could not reconcile your claim to the Contested Funds with the records of the Applicant(s).** As a result, you are required to provide the information and documentation necessary to prove your claim to the Contested Funds.

In order to be eligible to receive a distribution of the Contested Funds, the Receiver must **receive** your completed Proof of Claim form by **5:00 p.m. (Toronto Time) on _____, 2022** in accordance with the Claims Process Order.

This letter provides instructions for completing the enclosed Proof of Claim Form by using the online Claims Portal. **The Receiver encourages all Claimants to use the online Claims Portal to ensure the efficiency of the process.**

The Claims Process is intended for any Claimant claiming an interest in the Contested Funds that were held by the Applicants. In order to claim an interest in the Contested Funds, you must have transferred funds to the bank account(s) of the Applicant(s) before December 7, 2021, in connection with your use of the Sunrise Technology website or application.

Each Claimant is required to individually submit a Proof of Claim form in respect of their interest in the online Claims Portal or by returning the written Proof of Claim Form. This includes all parties living at the same address or having the same email address.

Pursuant to the Claims Process Order, failure to submit a Proof of Claim in the online Claims Portal such that it is **received** by the Receiver by **5:00 p.m. (Toronto Time) on _____, 2022** will result in your Claim being forever barred and extinguished and you will be prohibited from making or enforcing a Claim against the Applicants and shall not be entitled to further notice or distribution, if any, and shall not be entitled to participate as a creditor in these proceedings.

B. Claims Portal

The Receiver has activated an online Claims Portal to facilitate the Claims Process. Claimants may access the online Claims Portal by using the following link: _____ . **Each Claimant**

is required to individually submit a Claim Statement or Proof of Claim Form (as the case may be) in respect of their interest. This includes all parties living at the same address or having the same email address. Please follow the instructions provided in the online Claims Portal to submit your Proof of Claim Form.

If you complete your **Proof of Claim Form** in the online Claims Portal, you are **not** required to complete and return any of the written forms provided.

C. General Instructions for Completing the Proof of Claim

All Proof of Claim forms must be signed and dated.

The Proof of Claim requires you to provide as much information and documentation as you can in respect of the funds over which you are claiming ownership. This information will be used by the Receiver, together with the records maintained by the Applicant(s) and the relevant financial institutions.

You are required and must complete the Declaration of Residency section of the Proof of Claim in respect of your residency status for tax purposes. In the event that this section is not completed, your claim will not be accepted, and your Proof of Claim will be discarded.

D. Questions

If you have any questions regarding the Claims Process, please contact the Receiver at the address provided below. All notices and enquiries with respect to the Claims Process should be addressed to:

BDO Canada Limited,
in its capacity as Receiver of the Contested Funds held by the Applicants pertaining to Sunrise
Technology

Email: bdosunriseclaims@bdo.ca

SCHEDULE E

NOTICE OF REVISION OR DISALLOWANCE OF CLAIM

Name of Claimant: _____

Transaction Date (if applicable): _____

Transaction Amount (if applicable): _____

Defined terms not defined within this Notice of Revision or Disallowance form have the meaning ascribed thereto in the Claims Process Order dated May 27, 2022. Pursuant to paragraph 31 of the Claims Process Order, the Receiver hereby gives you notice that it has reviewed your [Request for Amendment/ Proof of Claim] and has revised or rejected your Claim as follows:

(A) Revisions or Disallowance:

(B) Reasons for Revision or Disallowance:

**IF YOU DO NOT AGREE WITH THIS NOTICE OF REVISION OR DISALLOWANCE,
PLEASE TAKE NOTICE OF THE FOLLOWING:**

1. If you intend to dispute this Notice of Revision or Disallowance you must, in relation to a Claim Statement or Proof of Claim Form, ***no later than 5:00 p.m. (Toronto time) on the day which is ten (10) days after the date of the Notice of Revision or Disallowance***, deliver a Dispute Notice by ordinary mail, personal service, courier or electronic or digital transmission to the addresses indicated hereon. The form of Dispute Notice is attached to this Notice.
2. If you do not deliver a Dispute Notice by the applicable deadline, the amount of your Claim shall be deemed to be as set out in this Notice of Revision or Disallowance.

Address for Service of Dispute Notices:

BDO Canada Limited,
in its capacity as Receiver of the Contested Funds held by the Applicants pertaining to Sunrise
Technology

Email: bdosunriseclaims@bdo.ca

***IF YOU FAIL TO TAKE ACTION WITHIN THE PRESCRIBED TIME PERIODS, THIS
NOTICE OF REVISION OR DISALLOWANCE WILL BE BINDING UPON YOU.***

DATED this _____ day of _____, 2022.

BDO CANADA LIMITED,
in its capacity as Receiver of the Contested Funds held by the Applicants pertaining to Sunrise
Technology

SCHEDULE F

DISPUTE NOTICE

Defined terms not defined within this Dispute Notice form have the meaning ascribed thereto in the Claims Process Order dated May 27, 2022. Pursuant to paragraph 36 of the Claims Process Order, I hereby give you notice of my intention to dispute the Notice of Revision or Disallowance bearing Number _____ and dated _____ issued by the Receiver in respect of my Claim.

Name of Claimant: _____

Reasons for Dispute (attach additional sheet and copies of all supporting documentation where necessary):

Signature: _____

(Please print name) _____

Date: _____

Telephone Number: () _____

Email: _____

Full Mailing Address: _____

*THIS FORM AND SUPPORTING DOCUMENTATION MUST BE RETURNED BY ORDINARY MAIL, PERSONAL SERVICE, COURIER OR ELECTRONIC OR DIGITAL TRANSMISSION TO THE ADDRESS INDICATED HEREIN AND MUST BE **RECEIVED** BY NO LATER THAN 5:00*

P.M. (TORONTO TIME) ON THE DAY WHICH IS TEN (10) DAYS AFTER THE DATE OF THE NOTICE OF REVISION OR DISALLOWANCE.

Address for Service of Dispute Notices:

BDO Canada Limited,
in its capacity as Receiver of the Contested Funds held by the Applicants pertaining to Sunrise
Technology

Email: bdosunriseclaims@bdo.ca

SCHEDULE I

SOCIAL MEDIA NOTICE

This notice is being published pursuant to Order of the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) made May 27, 2022 (the “**Claims Process Order**”), as attached. Effective as of December 7, 2021, BDO Canada Limited was appointed by the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) as receiver (the “**Receiver**”) of the Contested Funds held by 13364097 Canada Inc. and Bao Ying Cao (collectively, the “**Applicants**”).

The Persons having Claims to the Contested Funds (the “**Claimants**”) should receive a Claims Package by e-mail, regular mail, or via digital messaging application from the Receiver, if the Claimants and their current addresses, e-mail addresses, or particulars on a digital messaging application are known to the Receiver.

Claimants may also obtain the Claims Process Order and a Claims Package by downloading it from the Receiver’s website at www.bdo.ca/en-ca/extranets/sunrise-claims . Claim Statements, Requests for Amendment, and Proofs of Claim must be received by the Receiver in the prescribed form by **5:00 p.m. (Toronto time) on _____, 2022** (the “**Claims Bar Date**”). It is your responsibility to complete the appropriate documents and ensure that the Receiver receives your completed documents by the Claims Bar Date. **IF THE APPROPRIATE DOCUMENTS ARE NOT RECEIVED BY THE RECEIVER BY THE CLAIMS BAR DATE, YOU WILL NOT BE ENTITLED TO RECEIVE A DISTRIBUTION. DISTRIBUTIONS WILL BE DETERMINED BY THE COURT AT A LATER DATE.**

CLAIMS WHICH ARE NOT RECEIVED BY THE CLAIMS BAR DATE WILL BE BARRED AND EXTINGUISHED FOREVER.

DATED at Hamilton, Ontario, this ____ day of _____, 2022.

[COPY OF CLAIMS PROCESS ORDER ATTACHED]

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST
PROCEEDING COMMENCED AT
TORONTO

CLAIMS PROCESS AND BAR ORDER

SCARFONE HAWKINS LLP

One James Street South
14th Floor
P.O. Box 926, Depot 1
Hamilton, Ontario
L8N 3P9

Colleen Yamashita (LSO # 51468H)
cyamashita@shlaw.ca
Tel: 905-523-1333

Lawyers for the Court Appointed Receiver,
BDO Canada Limited

Email for parties served:
Andrew Faith: afaith@polleyfaith.com

File Number: 21C0752

EXHIBIT "G"



SCARFONE HAWKINS LLP

One James Street South
14th and 15th Floors
P.O. Box 926, Depot 1
Hamilton, ON L8N 3P9

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www.classactionlaw.ca

*Barristers, Solicitors and Trade Mark Agents
+ Member Canadian Class Action Network*

Reply to: Lauren Grimaldi ext. 234
lgrimaldi@SHLAW.ca
Direct Dial: (905) 523-4399

April 19, 2023

VIA EMAIL tom.tbond@gmail.com (1) PAGES BY BW: FILE NO.: 19C0651

THINK TANK LEGAL SERVICES CORP.
Suite 211
1585 Markham Rd.
Toronto, Ontario
M1B 2W1

Dear Mr. Thirunavukarasu:

Re: BDO Canada Limited, Bao Ying Cao and Kavitha Raju, Dharunn Prakash
and Raju Somuthevar - Our File No. 19C0651

Please be advised that we are the lawyers for BDO Canada Limited (“**BDO**”), in its capacity as the court-appointed receiver of certain Contested Funds. We have your letter to BDO of April 14, 2023. Please review the attached Interpleader Order, dated December 7, 2021, granted by the Honourable Justice Pattillo.

The Interpleader Order appoints BDO as the Receiver over specific and defined funds, which were particularized in the Interpleader Order at paragraph 6. BDO’s appointment is specific to funds held by Ms. Bao Ying Cao in the bank accounts and PayPal accounts which were specifically listed.

As Receiver, BDO is a neutral, Court-appointed party who is running a process to attempt to return the Contested Funds to the people who sent money **to the Applicants only**.

Please also review the attached Claims Process Order. The Claims Process Order sets out the appropriate procedure to be followed by individuals believing that they may have a claim to the Contested Funds.

Both Orders, as well as BDO’s appointment as receiver, relate **only to funds that were held by the Applicants**. Please see paragraph 19 of the Claims Process Order, which makes clear that **only Claimants who e-transferred funds to the bank account(s) of the Applicant(s) shall be considered to have a claim against the Contested Funds**.

As a result of its appointment as receiver, BDO has obtained access to the Applicant’s banking records for the accounts which were particularized in the Interpleader Order at paragraph 6. As part of BDO’s process, it used the banking records to identify individuals who sent funds to the Applicant and therefore had possible claims to the Contested Funds.

As part of the Claims Process, BDO then sent out Claims Packages to the individuals identified who had transferred funds to the Applicants, and also made available to the public a process for making Claims.

You have indicated in your letter that you represent Kalimuthu Balasubramaniam. BDO has no record of this individual having filed a claim to the Contested Funds as part of the Claims Process. Further, the banking records of the Applicants do not reveal any transactions with this individual. The basis of your client's claim is unclear. Having no record of this individual or any claim from them, BDO is not in a position to entertain any payment, whether for "settlement" or otherwise.

Your letter has also listed in the "Re" line three other individuals, who you have not advised are your clients. According to the Applicant's banking records, none of the individuals named in your letter have made any deposits to the Applicants' bank accounts as defined in the Interpleader Order, and therefore, they are not associated with deposits to the pool of available Contested Funds.

Any payments made to e-mail addresses other than those of the Applicants do not form part of the Contested Funds. **Individuals who made payments to parties other than the Applicants are not entitled to make claims to the Contested Funds.**

Accordingly, the "settlement offer" proposed is not acceptable to the Receiver. The procedure for disputing disallowed claims is set out in the Claims Process Order and in forms which are publicly available on BDO's website.

Should your client, or the other three individuals who may be your clients, wish to institute any legal action, please be advised that you will need to seek leave of the Court. Instituting a legal action in these circumstances may expose your clients to significant legal costs.

If you have any questions about any of the foregoing, please do not hesitate to contact our office.

Otherwise, we trust that the foregoing and attached are satisfactory.

Yours very truly,

SCARFONE HAWKINS LLP

Per



LAUREN GRIMALDI

LG/bw
Encls.

EXHIBIT "H"

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

BETWEEN:

BAO YIN CAO AND 11364097 CANADA INC.

Applicant

- and -

XIAODONG YANG AND USERS OF SUNRISE TECHNOLOGY

Respondents

AFFIDAVIT OF CHRISTOPHER J. MAZUR

(sworn July 19, 2023)

I, Christopher J. Mazur, of the Town of Haldimand in the Province of Ontario, MAKE OATH AND SAY:

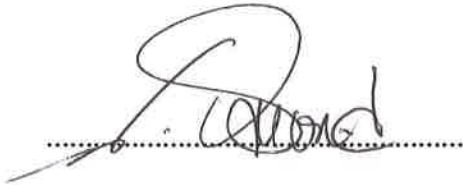
1. I am a Senior Vice President of BDO Canada Limited (“BDO”), Court appointed receiver of the Contested Funds in relation to the Sunrise Technology Scheme (the “Receiver”), and as such have knowledge of the matters hereinafter deposed.
2. The Receiver was appointed pursuant to an order of the Honourable Justice Pattillo dated December, 2021 (the “Appointment Order”).
3. Pursuant to paragraphs 18 and 19 of the Appointment Order, the Receiver and its legal counsel shall be paid their reasonable fees and disbursements, in each case at their standard rates and charges unless otherwise ordered by the Court, and are required to pass their accounts from time to time.

4. I confirm the amount of \$233,686.25 accurately reflects the time charges, fees and disbursements incurred by the Receiver relating to its appointment for the period May 1, 2022 to July 15, 2023. Total hours incurred during the period are 778.05 resulting in an average hourly rate of \$300.35. Attached hereto as **Exhibit “A”**, **Exhibit “B”**, **Exhibit “C”** and **Exhibit “D”** are true copies of the invoices rendered by BDO in its capacity as Receiver during the period which total \$264,065.46 inclusive of applicable taxes.
5. The hourly billing rates set out in the Receiver’s accounts are the normal hourly rates charged by the Receiver for services rendered in relation to similar proceedings.
6. I consider the amounts disclosed for the Receiver’s fees and expenses to be fair and reasonable considering the circumstances connected with this administration.
7. In addition to the approval of the Receiver’s accounts incurred through July 15, 2023, the Receiver is also seeking approval of fees and disbursements that the Receiver estimates that it will incur to complete the remaining activities to conclude the receivership proceedings. As described in the Second Report of the Receiver (the **“Second Report”**), it is anticipated that such remaining activities will include (collectively, the **“Outstanding Matters”**):
 - (a) Finalizing the Second Report, reviewing draft Court materials and attending the Court hearing to be held on August 4, 2023;
 - (b) making the Distribution of the Net Contested Funds in accordance with the Distribution and Discharge Order; and

- (c) any incidental tasks that may be required in connection with concluding the receivership proceedings, including without limitation, the filing of the Receiver's Discharge Certificate
- 8. The Receiver estimates that its fees and disbursements in connection with the Outstanding Matters will be no greater than \$15,000 plus HST.
- 9. This Affidavit is made in support of a motion to, *inter alia*, approve the attached accounts of BDO, together with the fees and disbursements detailed therein.

SWORN before me at the City of
Hamilton in the Province of
Ontario on this 19th day of July, 2023

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Commissioner for Taking Affidavits



Christopher J. Mazur

**Nicole Marie Ormond, a Commissioner, etc.,
Province of Ontario, for BDO Canada Limited.
Expires August 21, 2024.**

Attached is Exhibit "A"

Referred to in the

AFFIDAVIT OF CHRISTOPHER J. MAZUR

Sworn before me

This 19th day of July 2023

A handwritten signature in black ink, appearing to read "N. Ormond", is written over a horizontal line.

Commissioner for taking Affidavits, etc.

**Nicole Marie Ormond, a Commissioner, etc.,
Province of Ontario, for BDO Canada Limited.
Expires August 21, 2024.**



Tel: 905-524-1008
 Fax: 905-570-0249
 www.bdo.ca

BDO Canada Limited
 25 Main Street West, Suite 805
 Hamilton ON L8P 1H1 Canada

INTERIM INVOICE

BDO Canada Limited
 25 Main Street West Suite 805
 Hamilton ON
 L8K 1H1
 In its capacity as Court-Appointed Receiver of the
 Contested Funds

Date	Invoice No.
October 3, 2022	CINV1962683
Sunrise Technology	

TO PROFESSIONAL SERVICES RENDERED in connection with the Receivership of the Contested Funds for the period commencing May 1, 2022 to August 31, 2022 inclusive per the attached detail:

Senior Vice-President	Hours	Rate	Fees
C. Mazur	23.30	\$510.00	\$ 11,883.00
Vice-President			
A. Consoli	95.80	425.00	\$ 40,715.00
Manager			
N. Madaan	49.50	355.00	17,572.50
S. Chow	17.15	355.00	6,088.25
Staff			
C. Casco	0.70	150.00	105.00
C. Zhou	133.00	160.00	21,280.00
G. Harper	2.70	250.00	675.00
K. Kinha	10.50	150.00	1,575.00
S. Sadruddin	28.50	150.00	4,275.00
Y. Gharat	16.00	160.00	2,560.00
	<u>377.15</u>		<u>\$ 106,728.75</u>
HST on BDO fees			13,874.74
Total			<u>\$ 120,603.49</u>
Amount Due			<u>\$ 120,603.49</u>

H.S.T. #R101518124

Terms:

Net 30 days.

Interest at 1% per month (12.68% per annum calculated monthly) charged on accounts over 30 days.

Sunrise Technology
Receiver's Time Charge Details
May 1, 2022 to August 31, 2022

Date	Name	Hours	Comments
2-May-2022	Angelo Consoli	1.50	Correspondence with YRP Officer re: Crypto Transactions, claims process, request for assistance, etc.; correspondence with Sunrise Claimant re: crypto transactions; correspondence with Applicant Counsel re: PayPal accounts;
2-May-2022	Chris Mazur	0.20	attend re: file matters, crypto transactions
3-May-2022	Chris Mazur	0.30	Attend re: claims process methodology, telephone discussion with resources.
4-May-2022	Angelo Consoli	3.50	Review and considerations re: Claims Process Order; correspondence with Applicants Counsel and Review memo re: account and crypto transactions and prepare summary of same and reconcile transactions to Sunrise Wallets; draft report;
4-May-2022	Kulwant Kinha	3.50	Review file for reconciliations.
4-May-2022	Sibtain Sadruddin	1.50	Team strategy meeting with A. Consoli regarding file status, portal design, Matrix.
4-May-2022	Stephanie Chow	2.55	Prepare inter-bank reconciliation. Call with team.
5-May-2022	Angelo Consoli	3.80	Correspondence with Cryptocurrency consultant re: Sunrise Wallets, estimates to perform traces of the transactions; correspondence with Counsel re: Claims Process considerations, Crypto transactions, banking Gaps, etc.; Review and updates to report;
5-May-2022	Chris Mazur	0.80	Attend re: update to stakeholders, Report to Court.
5-May-2022	Glenn Harper	0.10	Email update to claimant inquiry.
5-May-2022	Glenn Harper	0.50	Prepare email templates divided by claimant inquiries for follow-up communications to be sent out; update claimant log.
5-May-2022	Kulwant Kinha	3.50	checked the missing transaction
5-May-2022	Sibtain Sadruddin	2.00	Matrix update, review, portal items.
6-May-2022	Angelo Consoli	2.50	Correspondence with Counsel re: Claims Process considerations, Claimant identification, etc.; prepare draft update to Claimants and discuss with Counsel; e-mail correspondence with CipherBlade re: considerations of investigating transactions; call with Data Analytics re: review of portal; call with Applicants Counsel re: Crypto Wallets; discussions with Chris re: Claimants, Claims Process considerations, etc.;
6-May-2022	Chris Mazur	0.70	Attend re; crypto issue, various emails, legal opinion re: crypto.
6-May-2022	Glenn Harper	0.10	Discuss email matters with A. Consoli.
6-May-2022	Kulwant Kinha	3.50	Further file review, update values and reconcile.
6-May-2022	Sibtain Sadruddin	1.50	Review of portal and revisions as per A. Consoli.
9-May-2022	Angelo Consoli	3.00	Call with Applicant's Counsel re: status of mandate, proposed claims process, crypto transactions, etc.; review and correspondence re: the Receiver's Claims Process, court report outline, etc.; draft report

9-May-2022	Chris Mazur	1.10 Attend re: court attendance and status re: Crypto issues.
10-May-2022	Angelo Consoli	2.70 Call and e-mail correspondence with counsel re: Receiver's Claim Process, crypto transactions, etc.; call with Sunrise Claimant; call with Data Analyst re: Claims Portal; draft report;
10-May-2022	Chris Mazur	1.40 Review crypto issues, telephone discussion with resources, emails;
10-May-2022	Sibtain Sadruddin	1.00 Review email and strategy call re: review.
11-May-2022	Angelo Consoli	3.20 Review and reconciliation of Applicant Accounts to reflect net Claimants contributions, transfer between accounts, etc.; review Counsel's comments re: Motion, proposed Claims Process, etc.; call with Data Analytics re: account analysis, Portal; Attend to Court Report;
11-May-2022	Nitin Madaan	3.50 Review and analysis of Net Position by Bank.
11-May-2022	Sibtain Sadruddin	1.00 Conference call with A. Consoli and Stephanie re: review bank account analysis. Updates to portal, and reconciliation.
11-May-2022	Stephanie Chow	0.25 Attend call with team.
12-May-2022	Angelo Consoli	4.20 Review Draft Order and compile comments to Counsel; review and revisions to Court Report; review and comments re: account reconciliations; correspondence with PayPal re: funds and account closure; correspondence with Sunrise User;
12-May-2022	Chris Mazur	1.10 Emails to counsel, attend re: Crypto issues;
12-May-2022	Nitin Madaan	4.00 Test the security permissions of the claims submission portal re: Claimant information on the portal. Update the net claimant position matrix.
13-May-2022	Angelo Consoli	3.50 Correspondence with Data Analytics re: account reconciliation, summary analysis for Court Report, etc.; correspondence with Sunrise User; review and updates to Court Report and related schedules; review and correspondence with CIBC re: additional information provided;
13-May-2022	Chris Mazur	0.50 Various e-mails, Telephone discussion with resources on Crypto issues.
13-May-2022	Sibtain Sadruddin	4.00 Build and review matrix for the bank account analysis. Update data source re: new details, reconciliation.
13-May-2022	Stephanie Chow	6.50 Discussions with team. Prepare analysis as discussed.
15-May-2022	Angelo Consoli	4.80 Prepare fee affidavit; prepare R&D; review and revisions to Court Report and related schedules; review and reconciliation re: Applicants USDT purchases, bank account reconciliation, etc.;
16-May-2022	Angelo Consoli	2.30 Call to discuss comments on Report, revisions to report and update to Counsel re: review, considerations, etc.; team discussion re: account analysis and reconciliation of same; revise and execute Authorization re: Scotiabank account details; review correspondence from Sunrise User;
16-May-2022	Carla Casco	0.20 Reconcile April's bank statement
16-May-2022	Chris Mazur	3.10 Review draft Report to Court, telephone discussion with resources, review draft order.

16-May-2022	Sibtain Sadruddin	2.00	Call with Stephanie to discuss/reconcile the HSBC transactions.
16-May-2022	Stephanie Chow	1.20	Call with senior manager. Update reconciliation.
17-May-2022	Angelo Consoli	3.20	Review documentation provided by Sunrise Claimant and update to Counsel; review quotation re: Neesons Court Reporting; Reconciliation re: Applicant's personal accounts and prepare summary to Applicants Counsel and follow up correspondence re: same; call with HSBC rep re: status of account, steps re: funds transfer, etc. and update to Applicants Counsel; call with Data Analytics re: status of account review/reconciliation;
17-May-2022	Chris Mazur	0.60	Various emails, attend re: Report to Court, fee affidavit.
17-May-2022	Sibtain Sadruddin	1.00	Review and updates to schedules.
18-May-2022	Angelo Consoli	3.80	Review Counsel's comments and correspondence re: First Report; Review Motion materials, draft Orders, etc. and provide comments to Counsel; call with Analytics team re: account reconciliation, new information provided by Scotiabank, etc.; Finalize R&D; update Fee Affidavit; various correspondence with Counsel re: review of First Report, Order, service list, etc.; call with Sunrise claimant; review and approval of invoice;
18-May-2022	Carla Casco	0.50	Prepare cheque requisition, set up payables and print cheques;
18-May-2022	Chris Mazur	0.90	Attend re: fee affidavit, review R & D, Attend re: IC's comments, changes to Court Report.
18-May-2022	Nitin Madaan	3.50	Net Claimant Position by Email Matrix
18-May-2022	Sibtain Sadruddin	1.50	Meeting with A. Consoli, additional reviews of the bank account data and reconciliation.
18-May-2022	Stephanie Chow	3.50	Call with team. Discussions with senior manager. Convert new Scotiabank data to excel.
19-May-2022	Angelo Consoli	3.50	Review revised Motion materials and correspondence with Counsel re: comments on same; discussions re: Court report, review and revisions; correspondence with Applicants counsel re: comments on sunrise e-mail address submitted by sunrise claimant, updates to analysis re: personal HSBC & Scotia accounts, and Sunrise Wallets; compile and submit appendices to Counsel; review and correspondence with Forensic staff re: analysis on additional Scotiabank account information;
19-May-2022	Chris Mazur	1.20	Attend re: changes to court report.
19-May-2022	Nitin Madaan	5.50	Update Net Claimant Position Matrix
19-May-2022	Sibtain Sadruddin	2.50	Generate master list - email, addresses, names.
19-May-2022	Stephanie Chow	0.70	Calls with team re: account reconciliations.
20-May-2022	Angelo Consoli	2.70	Review draft analysis re: net Claimant position by e-mail address; correspondence with Counsel re: Net Claim Analysis, and proposed revisions; correspondence with Applicants' Counsel and final revisions; correspondence with Data analytics re: compiling contact list; submit Motion to IT for posting to extranet site;
20-May-2022	Chris Mazur	0.40	Telephone discussion with resources re: changes to finalize Court Report.

24-May-2022	Angelo Consoli	2.40 Correspondence with Sunrise Claimants; review and discussion re: Net Claimant Position analysis; commence draft of Supplemental Report; correspondence from YRP Officer;
24-May-2022	Chris Mazur	0.30 Attend re: possible Supplementary Report to Court.
24-May-2022	Nitin Madaan	3.50 Updated Claimant Net Position reconciliation
24-May-2022	Sibtain Sadruddin	1.00 Generate total number of e-transfers within CIBC transactions.
25-May-2022	Angelo Consoli	2.80 Drafting Supplement to the First Report; correspondence with Counsel re: same; review and discussions with Data Analytics re: reconciliation of accounts; follow up with CIBC re: status of information requests;
25-May-2022	Chris Mazur	0.60 Attend re: Supplemental Report. Emails to/fr counsel.
25-May-2022	Nitin Madaan	4.00 Updated Reconciliation Analysis
26-May-2022	Angelo Consoli	4.50 Review Sunrise Claimant Affidavit submission; call with Counsel re: Supplement to the First Report, Claimant Submission, YRP Officer correspondence, etc.; review and revisions to Supplement to the First Report; review amended Claims Process Order; call and e-mail correspondence with various Sunrise Claimants; correspondence with HSBC and Applicants Counsel re: account reconciliation; correspondence with CIBC re: status of Information Gaps; review and discussions with Data analytics re: RBC transactions listing; correspondence with Counsel re: RBC Order, RBC transactions;
26-May-2022	Chris Mazur	3.90 Review revised Order, supplemental report versions, claimant affidavit, call with counsel, various emails, preparation for court, attend re: RBC position.
26-May-2022	Nitin Madaan	1.50 Update Net Claimant Position.
26-May-2022	Sibtain Sadruddin	2.50 Compile listing of all known RBC transactions for related information request.
27-May-2022	Angelo Consoli	1.80 Prepare for and attend Court Proceedings; call with Counsel re: same; correspondence with Applicants Counsel re: account reconciliations, HSBC request, etc.; correspondence to CIBC re: information and Interac contact request; submit documents for submission to extranet site;
27-May-2022	Chris Mazur	1.30 Preparation for court, attend court, call with IC post court.
27-May-2022	Glenn Harper	0.10 Discuss email matter with A. Consoli.
30-May-2022	Angelo Consoli	1.20 Review correspondence from Counsel re: request from RBC, discussions with Data team re: compiling information and submit to Counsel; correspondence with Applicants' counsel re: review of HSBC and Scotia personal accounts; prepare correspondence to HSBC re: request for transfer of funds; review update from CIBC and request outstanding follow up information;
30-May-2022	Chris Mazur	0.20 Various emails re: HSBC.
30-May-2022	Glenn Harper	0.50 Claimant email correspondence and discuss with A. Consoli.

30-May-2022	Sibtain Sadruddin	1.00	Compile RBC transactions from HSBC account and addition of reference numbers.
31-May-2022	Angelo Consoli	0.40	Correspondence with CIBC re: information requested; review revised RBC transaction list and forward to Counsel for submission to RBC;
31-May-2022	Sibtain Sadruddin	1.00	Compile CIBC list of transactions.
1-Jun-2022	Angelo Consoli	1.50	Review draft CIBC Transaction listing report, discuss with Data Analytics; review and forward final CIBC missing transaction list to Counsel re: follow up with Interac; review update from HSBC re: documentation required to authorize funds transfer and follow up with Applicants Counsel to request same;
1-Jun-2022	Chris Mazur	0.20	Emails and attend re: HSBC, emails to/fr counsel.
1-Jun-2022	Sibtain Sadruddin	2.00	Call with A. Consoli to strategize re: requirements. Update to CIBC master list.
2-Jun-2022	Angelo Consoli	0.80	Call with Applicants' counsel; review and reconciliation re: Scotiabank account; correspondence re: HSBC;
2-Jun-2022	Chris Mazur	0.20	Emails re: HSBC.
3-Jun-2022	Angelo Consoli	1.30	Review correspondence from CIBC re: additional information on missing transactions, update summary chart, review contact names and forward update to Counsel; final review of Scotia account transactions and reconciliation and forward to Applicants counsel;
3-Jun-2022	Chris Mazur	0.20	Attend re: CIBC and interac, various emails.
6-Jun-2022	Angelo Consoli	2.50	Review and correspondence with numerous Sunrise Claimants re: Claims, documentation submitted, unknown email submissions to non-Applicant accounts; correspondence with Counsel re: same; review Factum;
6-Jun-2022	Chris Mazur	0.30	Attend re: HSBC, emails, CIBC transfer.
6-Jun-2022	Glenn Harper	0.10	Discuss claimant follow-ups with A. Consoli.
7-Jun-2022	Angelo Consoli	2.20	Prepare for and attend Court Motion re: Claims Process Order and Ancillary Order; various correspondence with Counsel re: Sunrise and non-Sunrise claimants;
7-Jun-2022	Chris Mazur	2.10	Review factum, preparation for and attend court.
8-Jun-2022	Angelo Consoli	1.20	Review and correspondence with various Sunrise Claimants and NON-Sunrise Claimants;
8-Jun-2022	Chris Mazur	0.10	Review court endorsement.
9-Jun-2022	Angelo Consoli	0.60	Reconciliation re: personal transactions and USDT purchases in Applicants Account transactions
10-Jun-2022	Angelo Consoli	0.70	Summary update to Data Analytics re: updated CIBC data, Claims Process Order, Claims Portal, etc. and call to discuss same;
10-Jun-2022	Chris Mazur	0.30	Review update, discuss next steps.
10-Jun-2022	Nitin Madaan	2.50	Portal Setup & planning.
10-Jun-2022	Sibtain Sadruddin	1.00	Call with A. Consoli re: review items, generate combined master list. Consolidate CIBC missing data list.
12-Jun-2022	Glenn Harper	0.10	Update regarding communications to potential claimants.

13-Jun-2022	Angelo Consoli	1.00	Review and response to Claimants; follow up with Scotiabank re: request for statements; follow up re: request to HSBC to process funds transfer; correspondence with investigator; correspondence with Counsel re: Claims Process Schedules;
13-Jun-2022	Chris Mazur	0.30	Emails re: claims process.
14-Jun-2022	Angelo Consoli	0.20	Review correspondence re: HSBC and Applicant's counsel; call from HSBC re: wire transfer, instructions, etc.; correspondence with Counsel re: Issued Orders;
14-Jun-2022	Catherine Zhou	3.50	Meetings to discuss portal/claim process mandate, next steps. Updating the missing email lists for the databook and work on the automation of the statement;
14-Jun-2022	Chris Mazur	0.20	Emails, HSBC funds.
14-Jun-2022	Sibtain Sadruddin	2.00	Update master list of RBC transactions, applicants accounts.
15-Jun-2022	Angelo Consoli	0.80	Review and correspondence with Sunrise Claimants; review additional list of RBC transactions, update to Counsel; update to data analytics team re: Claims Schedules; follow up call from HSBC rep re: wire transfer;
16-Jun-2022	Nitin Madaan	2.50	Portal Discussion & Template
17-Jun-2022	Catherine Zhou	4.00	Meetings to discuss automation for individual claim statements; Work on the automation of the individual statements. Updating the missing emails for the databook;
21-Jun-2022	Angelo Consoli	0.50	Call with Data Analytics team re: Claims Portal, Claim Statements, timing re: RBC Transactions, etc.; correspondence with HSBC re: successful wire transfer; correspondence with Counsel re: RBC update;
21-Jun-2022	Catherine Zhou	4.00	Meeting with the Sunrise Forensic team for progress update. Update the databook. Strategy for the individual statements;
21-Jun-2022	Chris Mazur	0.10	Emails re: funds.
22-Jun-2022	Angelo Consoli	1.20	Review Claimant correspondence, review Sunrise bank account records and responses accordingly; reconciliation of account transactions with databook;
23-Jun-2022	Angelo Consoli	0.70	Review and correspondence re: various Claimants; review RBC info provided and update to Data Analytics team re: databook tracking; review update from CIBC response re: outstanding information;
23-Jun-2022	Catherine Zhou	4.00	Consolidated the Sunrise data from different accounts. Updated the data model for the individual statement. Worked on the individual claim statement;
23-Jun-2022	Glenn Harper	0.10	Inquiry from potential claimant re: filing claim process.
24-Jun-2022	Catherine Zhou	4.00	Meeting with the Forensic team re: Paypal accounts questions. Worked on the individual claim statement. Updated the data model for the individual statement. Updated the transaction information with the newly provided information.
24-Jun-2022	Nitin Madaan	1.50	Claims Statement data Model discussion.
24-Jun-2022	Stephanie Chow	2.45	Discussions with Consultant and review of Paypal transactions.

27-Jun-2022	Angelo Consoli	1.20	Review revised Databook, updated for RBC transactions, provide comments to Data Analytics team thereon; review correspondence from various Claimants, compare to banking data and responses;
28-Jun-2022	Angelo Consoli	0.80	Call with Data Analytics team to review / revise Claim Statement, discuss Claimant accounts, e-mail addresses, etc.; review and correspondence with various Claimants;
28-Jun-2022	Catherine Zhou	6.00	Updated the databook. Analysis on the different accounts and reconcile different sources. Developed the claim statement for claim process. Meeting with the Forensic team for accounts information and template confirmation;
28-Jun-2022	Nitin Madaan	2.50	Claims Statement Work & discuss reconciling account transactions from different sources.
29-Jun-2022	Angelo Consoli	0.60	Review submissions and correspondence with Sunrise Claimants re: claims; call and correspondence with Applicant Counsel and Paypal re: funds transfer and related notice;
30-Jun-2022	Catherine Zhou	7.50	Development on the automated claim statement. Cross check the claimant information with different sources to correct email addresses of claimants. Update the Databook with the newly identified claimant information;
5-Jul-2022	Angelo Consoli	0.50	Review databook and comments to Data Analyst re: same;
5-Jul-2022	Catherine Zhou	7.50	Review the dataset and documented transactions with multiple emails and addresses. Discussions regarding project progress and questions related to these transactions. Excel claim sheet automation for the claim statement;
6-Jul-2022	Angelo Consoli	0.60	Review databook update re: claimant e-mail matching, updates to same and update to Data Analysts; correspondence with Claimant;
6-Jul-2022	Nitin Madaan	3.50	Claims Statement.
7-Jul-2022	Angelo Consoli	0.30	Correspondence with HSBC and CIBC reps; review and correspondence with various Claimants;
7-Jul-2022	Catherine Zhou	7.50	Correspondence regarding matching claimant email accounts. Meeting with the team for project progress and questions related to databook reconciliation. Excel claim sheet automation for the claim statement;
12-Jul-2022	Angelo Consoli	0.80	Meeting to review Claimant statements, outstanding banking details, etc.;
12-Jul-2022	Catherine Zhou	7.50	Use macros to build the individual statement auto filter and print process based on the current master database. Check-in with the forensic team for project updating and transaction clarification. Built the survey template on Power Apps platform and set up the basic function on the app.
13-Jul-2022	Angelo Consoli	1.00	Review e-mail correspondence and claim info/documentation supplied by Claimants, review Applicants Banking records and responses to Sunrise Claimants;

13-Jul-2022	Chris Mazur	0.10 Attend re: Status.
13-Jul-2022	Nitin Madaan	2.50 Claims Statement discussion and analysis.
14-Jul-2022	Angelo Consoli	0.60 Call with Sunrise Claimants; review various claimant submissions and e-mail correspondence with Sunrise Claimants;
15-Jul-2022	Catherine Zhou	7.50 Debugged the current automation code to let the excel template include all the print section on one sheet. Set up the database connection to power apps environment. Manually Cross-check the CIBC transactions for the account reconciliation.
18-Jul-2022	Angelo Consoli	0.20 Correspondence with Claimants; follow up correspondence to CIBC re: status of outstanding information request;
19-Jul-2022	Angelo Consoli	0.90 Review and responses to various Sunrise Claimants; call to review / discuss status of Claim Statements, account reconciliations, portal, etc.; follow up with Scotiabank re: information request;
19-Jul-2022	Catherine Zhou	7.50 Set up the internal environment for the power apps portal for testing purpose and conduct multiple testing for procedure. Debugged the power apps attachment control process and allowed the power app portal to go back based on the user's answers. Continue work on the reconciliation of the CIBC account.
19-Jul-2022	Chris Mazur	0.10 Email re: CIBC information request.
19-Jul-2022	Nitin Madaan	2.00 Web Portal review and discussions.
21-Jul-2022	Angelo Consoli	0.30 Review updated Sunrise databook; review sunrise claimants e-mails re: claims and responses re: same; review and response to CIBC e-mail;
21-Jul-2022	Catherine Zhou	7.50 Built VBA for individual statement automation. Test the automated statement. Cross-check the CIBC transactions;
21-Jul-2022	Chris Mazur	0.20 Attend re: CIBC and process.
22-Jul-2022	Catherine Zhou	7.50 Updated the databook based on the CIBC newly provided data and worked on excluding the non-transactions. Continue with work on the portal apps debug process. Identify function to link the portal to different database for testing purpose;
25-Jul-2022	Angelo Consoli	0.10 Review banking summary records and response to correspondence from Sunrise Claimant;
26-Jul-2022	Angelo Consoli	0.50 Review / discuss status of outstanding banking info, Claim Statements and Claims Portal;
26-Jul-2022	Catherine Zhou	7.50 Follow-up with the Forensic Team for CIBC reclaim transactions and the power apps portal progress. Update the portal saving data and updated the format of the portal. Built the upload files function on power apps. Created power automate flow so that once one file is uploaded from the user side to the portal, the portal will send the file to the sharepoint folder.
27-Jul-2022	Nitin Madaan	2.50 Review and discussions regarding Portal.

29-Jul-2022	Catherine Zhou	7.50 Upload all the relevant files to Teams and Meeting the Analytics team. Revise the portal saving data function and updated the format of the portal and the individual claim statement template. Team meeting to discuss dataset reconciliation explanation.
2-Aug-2022	Yogda Gharat	3.00 Development and adding upload functionality on the portal for the claimant's to upload their proof of identification
3-Aug-2022	Angelo Consoli	0.20 Follow up correspondence (CIBC / BNS) re: outstanding info;
5-Aug-2022	Angelo Consoli	2.00 Review e-mails from various Sunrise claimants, review Sunrise records and responses to same; prepare status update to Claimants;
5-Aug-2022	Yogda Gharat	3.00 Development and adding storage functionality on the portal for the claimant's to upload their proof of identification
8-Aug-2022	Glenn Harper	0.20 Discuss communication matters to claimants.
8-Aug-2022	Nitin Madaan	1.50 Validate the automated script that sends out the email to the claimant along with their claims statement built using Python language.
17-Aug-2022	Nitin Madaan	1.50 Test the automated script that sends out the email to the claimant along with their claims statement built using Python language.
17-Aug-2022	Yogda Gharat	3.50 Development of an automated script using python which attaches the corresponding claimant's statement to the email
18-Aug-2022	Yogda Gharat	3.00 Development of an automated script using python which attaches the corresponding claimant's statement to the email
19-Aug-2022	Glenn Harper	0.20 Response to claimant.
19-Aug-2022	Glenn Harper	0.70 Communications to claimant inquiries.
19-Aug-2022	Yogda Gharat	3.50 Testing of an automated script using python which attaches the corresponding claimant's statement to the email
22-Aug-2022	Angelo Consoli	1.50 Review Claimants info and call to discuss Claims, additional documentation, etc.; call with CIBC counsel and account rep re: additional outstanding information; review and reconcile additional documentation submitted re: Suspense Account submission;
23-Aug-2022	Angelo Consoli	1.00 Call with Data Analytics re: update on CIBC Suspense account transactions, duplicate Claimant e-mail accounts, portal, etc.;
23-Aug-2022	Chris Mazur	0.10 Status, CIBC information request.
24-Aug-2022	Angelo Consoli	3.70 Complete analysis re: CIBC suspense account transactions, e-mail account set-offs and update to Data Analysts; correspondence with numerous Sunrise Claimants, review documentation submitted vis a vis Applicants Accounts' records and applicable responses;
24-Aug-2022	Catherine Zhou	5.00 Analysis on additional CIBC information data. Meeting with the Forensic Team for data inquires. Updated the current databook with the newly provided data;
25-Aug-2022	Angelo Consoli	0.20 Discuss / review CIBC account reconciliation;

25-Aug-2022	Catherine Zhou	7.50	Worked on the portal building and the newly updated dataset for the Sunrise Project. Reconcile the data source of the original databook. Traced the transactions between the original and updated dataset for CIBC transactions to further integrate the data.
25-Aug-2022	Nitin Madaan	1.50	Portal & Python review and discussions.
26-Aug-2022	Catherine Zhou	7.50	Finalized the discrepancies for the newly provided dataset. Organized the final list of the unidentified RBC email list. Worked on the python coding for mass email setup based on the claimant ID;
29-Aug-2022	Angelo Consoli	0.60	Review and correspondence re: CIBC EMT and account transactions, RBC transaction listing updates, etc.;
30-Aug-2022	Angelo Consoli	0.70	Review and correspondence to Sunrise Claimants; call to discuss update re: Sunrise transaction databook, outstanding transaction detail, etc.; review amended RBC Transaction list and forward to Counsel;
30-Aug-2022	Catherine Zhou	5.00	Updated the databook based on the newly provided data. Meeting with the Forensic Team for progress update and data reconciliation. Research for the bugs of the power apps Portal;
30-Aug-2022	Chris Mazur	0.20	Attend re: status of file matters
31-Aug-2022	Angelo Consoli	1.00	Review and reconcile claimant entries in revised databook to bank account transaction detail; correspondence with Counsel re: RBC transactions, review Affidavit and comments to counsel; swear affidavit for RBC transaction request; review and reconcile Claimant e-mail submissions;
31-Aug-2022	Catherine Zhou	7.50	Updated the databook based on the newly provided data. Debugged the power apps portal and testing for the power flows automation. Worked on properly saving the data from power apps to SharePoint;

377.15

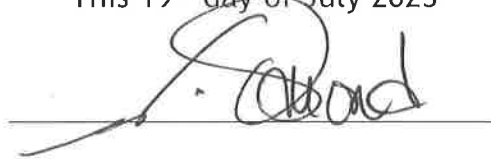
Attached is Exhibit "B"

Referred to in the

AFFIDAVIT OF CHRISTOPHER J. MAZUR

Sworn before me

This 19th day of July 2023

A handwritten signature in black ink, appearing to read "N. Ormond", is written over a horizontal line.

Commissioner for taking Affidavits, etc.

**Nicole Marie Ormond, a Commissioner, etc.,
Province of Ontario, for BDO Canada Limited.
Expires August 21, 2024.**



Tel: 905-524-1008
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Hamilton ON L8P 1H1 Canada

INTERIM INVOICE

BDO Canada Limited
25 Main Street West Suite 805
Hamilton ON
L8K 1H1
In its capacity as Court-Appointed Receiver of the
Contested Funds

Date		Invoice No.
January 31, 2023	Sunrise Technology	CINV2265101

TO PROFESSIONAL SERVICES RENDERED in connection with the Receivership of the Contested Funds for the period commencing September 1, 2022 to December 31, 2022 inclusive per the attached detail:

Senior Vice-President	Hours	Rate	Fees
C. Mazur	2.10	\$510.00	\$ 1,071.00
Vice-President			
A. Consoli	51.60	425.00	\$ 21,930.00
Manager			
N. Madaan	12.00	355.00	4,260.00
Staff			
C. Casco	0.50	150.00	75.00
C. Zhou	141.00	150.00	21,150.00
S. Murphy	0.70	150.00	105.00
S. Rickards	0.50	150.00	75.00
	<u>208.40</u>		<u>\$ 48,666.00</u>
HST on BDO fees			6,326.58
Total			<u>\$ 54,992.58</u>
Amount Due			<u>\$ 54,992.58</u>

H.S.T. #R101518124

Terms:

Net 30 days.

Interest at 1% per month (12.68% per annum calculated monthly) charged on accounts over 30 days.

Sunrise Technology
Receiver's Time charge Details
September 1, 2022 to December 31, 2022

Date	Name	Hours	Comments
1/Sep/2022	Catherine Zhou	7.50	Update the portal claim procedure debugged the current power apps code Worked on the file storage location and connected the power to the SharePoint file folder Worked on the automation of storing each person's files in individual file folder.
1/Sep/2022	Nitin Madaan	2.00	Portal Enhancements.
6/Sep/2022	Angelo Consoli	0.80	Review and correspondence with various claimants; call with Data Analytics team re: additional CIBC documentation, identified payments to Claimants, claims portal, etc.;
6/Sep/2022	Catherine Zhou	7.50	Updated the Databook and reconciled the Databook based on each bank account Meeting to discuss progress update and data reconciliation. Migrating the canvas app contents to the power apps portal.
7/Sep/2022	Catherine Zhou	7.50	Insert the attachment control function to the portal environment and set up the Azure Blob storage account. Rechecked the similar transaction names to merge accounts for a comprehensive dataset. Built the web forms for portal environment testing.
7/Sep/2022	Chris Mazur	0.10	Bank reconciliation.
8/Sep/2022	Angelo Consoli	0.20	Review Scotiabank statements and update for Counsel;
8/Sep/2022	Catherine Zhou	5.00	Attend to storage connection issue. Updated the legal wording on the portal pages. Set up user access for the portal.
12/Sep/2022	Carla Casco	0.20	Cheque requisitions, set up payable and printed cheque.
12/Sep/2022	Catherine Zhou	7.50	Updated the Databook based on the newly provided CIBC suspense account data. Meeting with the Manager for project progress update and the potential solution regarding the portal sharing issue. Worked the debug process for inserting the forms. Set up the environment and admin access for the portal app.
12/Sep/2022	Chris Mazur	0.10	Attend re: progress.
13/Sep/2022	Catherine Zhou	5.00	Created power flows for data storage in SharePoint. Revised the VBA code to filter information based on claimant ID. Organized the claim statement template and tested the mass email setting.
13/Sep/2022	Susan Rickards	0.20	Payment to vendor.

Sunrise Technology
Receiver's Time charge Details
September 1, 2022 to December 31, 2022

Date	Name	Hours	Comments
14/Sep/2022	Catherine Zhou	5.00	Research for the environment requirement for sharing surveys with users. Tested and debugged the portal web code. Built the forms required for the portal environment. Migrated the original function from the canvas app to the portal app.
15/Sep/2022	Angelo Consoli	0.30	Correspondence with Applicant Counsel re: Scotia Bank funds, account reconciliation and steps re: transfer request for account;
16/Sep/2022	Catherine Zhou	2.50	Meeting with the IT team for azure directory setup. Continue working on the debugging for the web form setup.
19/Sep/2022	Angelo Consoli	0.80	Correspondence with Applicant's Counsel; update notice to Scotia and submit request re: transfer of funds; review Claimant queries vis a vis data book;
19/Sep/2022	Catherine Zhou	7.50	Insert the forms to the portal app and built the form steps on portal app. Set up the table permissions for different layer of access. Created model-driven app to ensure the collected data can be properly extracted. Meeting with IT for the portal publication solution.
20/Sep/2022	Angelo Consoli	0.80	Call to review Databook reconciliation and discuss Portal, next steps, etc.;
20/Sep/2022	Catherine Zhou	7.50	Built the portal pages with the proper layout. Insert the required forms and file attachment control to the pages. Set up the portal environment. Meeting with IT for the portal publishing solution. Meeting with to discuss project update and updated the portal based on the discussion.
20/Sep/2022	Chris Mazur	0.10	Attend re: status.
21/Sep/2022	Angelo Consoli	2.50	Review Claims Portal and compile revisions for data analytics vis a vis Claim Statement; review and responses to Claimants re: information submissions / requests;
21/Sep/2022	Nitin Madaan	2.50	Portal review.
26/Sep/2022	Catherine Zhou	7.50	Build the advanced form steps on the portal so that the forms can be transitioned based on the previous step. Worked on the debug of the portal login page and used java scripts to insert the webform. Updated the site pages. Conducted multiple test for the external user environment.
27/Sep/2022	Angelo Consoli	1.20	Review reconciliation of CIBC account; call with Data Analytics to review Claims Portal updates, Claim Statement, etc.;

Sunrise Technology
Receiver's Time charge Details
September 1, 2022 to December 31, 2022

Date	Name	Hours	Comments
27/Sep/2022	Catherine Zhou	7.50	Meeting to review the claims portal and the claim statement template; Worked on the connection between portal and Azure Blob storage. Removed the authenticated requirements. Update to template; Review the Databook reconciliation to ensure the discrepancy is minimum.
28/Sep/2022	Angelo Consoli	0.80	Review and compile revisions to Claims Portal inserts and provide to Data Analytics; review Claimant e-mails, review Databook and respond accordingly.
28/Sep/2022	Chris Mazur	0.10	Attend re: RBC transaction details;
3/Oct/2022	Angelo Consoli	3.50	Review Claimant email submissions and correspondence, review related documentation vis a vis Databook and responses to Claimants.
3/Oct/2022	Sherri Murphy	0.70	Requested edits, formatting, re-sent summary for approval.
4/Oct/2022	Angelo Consoli	0.30	Call with Data Analytics team re: portal updates, outstanding matters, next steps; correspondence with various Claimants;
4/Oct/2022	Catherine Zhou	5.00	Meeting to discuss project update and the review of the portal. Updated the portal setup by adding the support document plug-in and changed the home page direction. Added inserts for processing the claim statement and the supporting documents. Follow-up with IT for portal release and the mass email setup Worked on outstanding item list for the project progress follow-up.
4/Oct/2022	Nitin Madaan	2.50	Claims Portal QA and Discussions with IT regarding Security.
6/Oct/2022	Angelo Consoli	0.20	Review correspondence from Claimants, review Databook information and responses.
11/Oct/2022	Angelo Consoli	0.30	Call to review revisions to Claims Portal, timing for implementation, signature line, etc.; review e-mails and response to Claimants;
11/Oct/2022	Catherine Zhou	5.00	Followed up with the IT team for mass email setup and Power apps portal migration. Meeting for portal review and legal wording update. Built the portal on the new environment and started the migration process.
13/Oct/2022	Angelo Consoli	1.50	Review re: client claim portal, disclaimer information, etc.; draft e-mail update to Claimants re: Claims Process, excluded Claims, etc.;

Sunrise Technology
Receiver's Time charge Details
September 1, 2022 to December 31, 2022

Date	Name	Hours	Comments
13/Oct/2022	Catherine Zhou	1.50	Follow up with the IT team for the mass e-mail setup testing time and the additional requirements of the project migration Followed up with the forensic team for the project update and the needed DNS name for the public portal. Prepared the needed template for the testing with the IT team.
14/Oct/2022	Angelo Consoli	2.00	Review email correspondence and claim information submitted by Claimants vis a vis Databook and respond accordingly; update draft e-mail to Claimants re: Claims Process and forward to counsel for review; correspondence with Counsel re: Scotiabank notice of funds transfer.
17/Oct/2022	Angelo Consoli	1.50	Discussion with Data Analyst re: review and revisions to Claim Statement Particulars of Claim for submission to Claimants; correspondence with Counsel re: confirmation of Scotiabank funds transfer; review correspondence, review Databook info and responses to Claimant;
17/Oct/2022	Catherine Zhou	5.00	Meeting to review the claim statement template format revision. Worked on the migration of the portal from the test environment to the BDO environment. Followed up with IT and Marketing for mass email testing and website branding. Built the model-driven portal to access the survey data.
18/Oct/2022	Chris Mazur	0.20	Attend re: privacy and claims process.
20/Oct/2022	Nitin Madaan	2.00	IT discussions and brand approval.
21/Oct/2022	Angelo Consoli	0.20	Counsel correspondence update;
21/Oct/2022	Catherine Zhou	4.00	Meeting the IT team for the Mass email testing and mass email setup. Followed up with the marketing team for the website and email branding. Worked on the email testing template and conducted a couple of tests for the mass email.
21/Oct/2022	Chris Mazur	0.30	Attend re: Claim process; email from Counsel re: privacy matters.
24/Oct/2022	Angelo Consoli	1.50	Review and response to Counsel re: RBC data, Claims Portal considerations, etc.; review and responses to various Sunrise Claimants; correspondence with Privacy Officer;
24/Oct/2022	Catherine Zhou	1.50	Meeting with the marketing team for the branding requirements and email template of the mass email. Updated the website based on the provided materials and conducted testing.
24/Oct/2022	Chris Mazur	0.20	Attend re: RBC and privacy issues.

Sunrise Technology
Receiver's Time charge Details
September 1, 2022 to December 31, 2022

Date	Name	Hours	Comments
25/Oct/2022	Angelo Consoli	1.20	Review Claimant data; call to discuss status/revisions to Claims Portal and related forms, links; compile list of Claimant account negative balances and compile/send email to same:
25/Oct/2022	Catherine Zhou	1.00	Meeting to discuss progress update and the remaining items with the required timeline. Followed up with the IT team for inserting template to the Python script.
27/Oct/2022	Catherine Zhou	5.00	Meeting to review the current dashboard. Worked with team in the QC process. Updating the format based on feedback. Prepared the complete dashboard for the presentation with the Fengate team.
27/Oct/2022	Nitin Madaan	1.50	Portal QA.
28/Oct/2022	Angelo Consoli	3.70	Review and response to Sunrise Claimant;
28/Oct/2022	Catherine Zhou	5.00	Updated the portal website based on the branding requirements. Followed up with the IT team for the email template requirements. Conducted testing for email and data collection function for the new portal and the email template.
31/Oct/2022	Catherine Zhou	5.00	Followed up with IT for the DNS name of the portal website. Updated the portal website home page according to the feedback provided from marketing. Followed up for the html email template and conducted testing by using the new template.
1/Nov/2022	Angelo Consoli	0.20	Call to discuss Status update on Portal, RBC information, etc.;
1/Nov/2022	Catherine Zhou	1.00	Meeting to discuss project update and the portal development conversion; Re-assessed the portal ability for data collection and modified the data collection portal to be more user-friendly.
2/Nov/2022	Nitin Madaan	1.50	Review Portal.
3/Nov/2022	Angelo Consoli	0.50	Correspondence with Counsel and Data Team re: RBC info and review same; correspondence with various Claimants.
3/Nov/2022	Chris Mazur	0.10	Attend re: RBC information received.
4/Nov/2022	Carla Casco	0.30	Set up payable, prepared cheque requisition and print cheque.
4/Nov/2022	Catherine Zhou	5.00	Worked on integrating the RBC email list to the original Databook. Reconciled the updated Databook and identified people using different emails manually. Tested on the VBA code for the individual statement print out and revised the issues of the VBA code during the testing.
4/Nov/2022	Chris Mazur	0.10	Attend to file status.

Sunrise Technology
Receiver's Time charge Details
September 1, 2022 to December 31, 2022

Date	Name	Hours	Comments
8/Nov/2022	Angelo Consoli	0.30	Update call re: status of Claims statements, Portal, analysis of RBC account data, etc.; correspondence with Claimant;
8/Nov/2022	Catherine Zhou	3.00	Meeting to review the newly updated Databook and the format of the individual statements. Updated the claimant summary according to the updated Databook Updated the individual statement format according to the new feedback. Regrouped the claimant lists and indexed them based on the balance amount of each claimant.
15/Nov/2022	Angelo Consoli	0.50	Review and correspondence with Claimants.
16/Nov/2022	Angelo Consoli	0.20	Review and correspondence with Claimant.
22/Nov/2022	Angelo Consoli	1.20	Review and responses to claimant enquiries; review and updates to Claims schedule; updates to draft email to claimants;
29/Nov/2022	Angelo Consoli	0.70	Review and updates re: Claims Portal Privacy Policy; review claimant emails and supporting documentation vis a vis Databook results;
30/Nov/2022	Angelo Consoli	0.80	Call with Data Analytics team to review / discuss Databook entries, Claims Portal and final outstanding matters prior to commencing Claims Process;
30/Nov/2022	Catherine Zhou	1.00	Meeting to review the cancelled transactions and the portal revision launch plan. Recheck the Databook and claim statement before the launch. Checked in with IT for the mass email restrictions lift.
1/Dec/2022	Angelo Consoli	1.70	Review and reconciliation of bank account analysis re: Cancelled Transactions, Claim Statements vis a vis documentation submitted by Claimants; update re: Claims Portal, Privacy Statement;
5/Dec/2022	Angelo Consoli	1.80	Review and updates to Claims Package and related schedules re: Claims Bar Notice, cover e-mail, etc.;
6/Dec/2022	Chris Mazur	0.20	Attend re: claims process.
8/Dec/2022	Angelo Consoli	1.70	Review and comments on Claims Portal and proposed updates; review Claimant correspondence; compile and submit list of duplicate claimant e-mail addresses; Team meeting to discuss Claims portal; timing, etc.;
8/Dec/2022	Catherine Zhou	4.00	Updated the privacy statement on the power apps portal. Updated the Schedule G on the power apps portal. Team meeting to discuss claims, Portal, timing for the portal launch. Schedule email launch date with the IT department.
12/Dec/2022	Chris Mazur	0.20	Attend re: privacy statement.

Sunrise Technology
Receiver's Time charge Details
September 1, 2022 to December 31, 2022

Date	Name	Hours	Comments
13/Dec/2022	Angelo Consoli	2.80	Review and response to numerous claimants and review related submissions vis a vis data book; call to discuss timing / status of Claims Portal, mass e-mail, etc.;
13/Dec/2022	Catherine Zhou	3.50	Updated the portal content based on the feedback from the Restructuring team. Worked on the python scripts for the mass emails. Check-in meeting for final review before the launch date. Merged transactions for claimants with more than one email. Cross checked all the emails to identify the emails are on the service list but not in the databook.
14/Dec/2022	Angelo Consoli	2.30	Final review and updates to Claims Process Schedules, compile same and forward to Data team re: Claims Process submission; call to Claimant; update to Counsel;
15/Dec/2022	Angelo Consoli	3.00	Review and response to numerous Claimants; draft e-mail to parties requiring proof of claim form; review various draft of updates to Claimants; review the Claims Portal.
15/Dec/2022	Catherine Zhou	3.00	Print all updated claim statements. Update all groups re: email content and python scripts. Conducted testing process for the mass email process.
16/Dec/2022	Angelo Consoli	3.50	Review and update to various iterations of Claims Process and Notice of Claims Bar Date to Claimants; review and discussions with Data Analyst re: Claimant e-mails, Portal, etc.; various correspondence with Claimants;
16/Dec/2022	Catherine Zhou	5.00	Meeting for final review of emails, claim statements and portal. Update the portal based on the latest feedback. Update the email content based on the testing result. Update portal link on email attachments and email content. Meeting with IT for SMTP setup and the portal web link. Conducted test for mass email and launch the mass email process and portal for approx. 2600 claimants.
19/Dec/2022	Susan Rickards	0.30	Mailing of Claims Notices.
19/Dec/2022	Angelo Consoli	1.00	Correspondence with numerous claimants re: Claims Process, posting Social Media notice, etc.; update re: Claims Process; correspondence with staff re: mailing of Claims Notices;
20/Dec/2022	Chris Mazur	0.20	Attend re: claims process.
21/Dec/2022	Angelo Consoli	0.30	Update to Counsel re: Claims Process; call and correspondence with Claimant;

Sunrise Technology
Receiver's Time charge Details
September 1, 2022 to December 31, 2022

Date	Name	Hours	Comments
22/Dec/2022	Angelo Consoli	2.50	Review and responses to Claimant e-mails re: claim submissions, excluded transactions vis a vis databook account details, information requests, etc.;
22/Dec/2022	Chris Mazur	0.20	Attend re: claims process.
23/Dec/2022	Angelo Consoli	1.80	Review Claimant e-mails and responses re: claims, excluded transactions, additional documentation, filing claims, etc.;
23/Dec/2022	Angelo Consoli	1.50	Review Claimant e-mails, review databook re: statement reconciliations, responses re: claims, excluded transactions, additional documentation, filing claims, etc.;
		<u>208.40</u>	

Attached is Exhibit "C"

Referred to in the

AFFIDAVIT OF CHRISTOPHER J. MAZUR

Sworn before me

This 19th day of July 2023

A handwritten signature in black ink, appearing to read "Nicole Marie Ormond", is written over a horizontal line.

Commissioner for taking Affidavits, etc.

**Nicole Marie Ormond, a Commissioner, etc.,
Province of Ontario, for BDO Canada Limited,
Expires August 21, 2024.**



Tel: 905-524-1008
 Fax: 905-570-0249
 www.bdo.ca

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INTERIM INVOICE

BDO Canada Limited
 25 Main Street West Suite 805
 Hamilton ON
 L8K 1H1
 In its capacity as Court-Appointed Receiver of the
 Contested Funds

Date		Invoice No.
April 24, 2023	Sunrise Technology	CINV2265167

TO PROFESSIONAL SERVICES RENDERED in connection with the Receivership of the Contested Funds for the period commencing January 1, 2023 to March 31, 2023 inclusive per the attached detail:

Senior Vice-President	Hours	Rate	Fees
C. Mazur	1.60	\$545.00	\$ 872.00
Vice-President			
A. Consoli	76.00	475.00	\$ 36,100.00
Staff			
C. Casco	0.80	175.00	140.00
C. Zhou	20.00	175.00	3,500.00
M. Finnegan	0.50	175.00	87.50
S. Murphy	5.30	175.00	927.50
S. Rickards	0.20	175.00	35.00
	<u>104.40</u>		<u>\$ 41,662.00</u>
HST on BDO fees			<u>5,416.06</u>
Total			<u>\$ 47,078.06</u>

Amount Due \$ 47,078.06

H.S.T. #R101518124

Terms:

Net 30 days.

Interest at 1% per month (12.68% per annum calculated monthly) charged on accounts over 30 days.

Sunrise Technology
Receiver's Time charge Details
January 1, 2023 to March 31, 2023

Date	Name	Hours	Comments
3/Jan/2023	Angelo Consoli	3.50	Review numerous Claimant e-mails, review documentation relative to Databook and responses accordingly to Claimant enquiries;
4/Jan/2023	Angelo Consoli	1.20	Review and responses to numerous Claimant enquiries; calls with various claimants re: claims, portal, etc.; review Claims Portal data and correspondence with Data team re: follow up on returned e-mails and Claimant submissions;
5/Jan/2023	Angelo Consoli	0.30	Review Claimant e-mail query, review databook and respond accordingly;
6/Jan/2023	Angelo Consoli	0.50	Review Claimant e-mail enquiries and responses; Review Claimant Proof of Claim submission;
9/Jan/2023	Angelo Consoli	2.20	Bank reconciliation; review Claimants e-mail queries and related responses re: documentation supplied, databook variance; correspondence with Counsel re: claimant proof of claim and review same; correspondence re: status of second attempts on returned e-mails;
9/Jan/2023	Catherine Zhou	3.00	Contact with IT to schedule the second emails to returned e-mails. Tested for the second run of mass email. Resent the second email to all returned emails;
10/Jan/2023	Angelo Consoli	0.80	Review and responses to various Claimants enquiries, documents submitted;
10/Jan/2023	Catherine Zhou	2.00	Worked on the portal update based on the feedback of the team. Sort the portal data and exported the excel for the review of the team;
12/Jan/2023	Angelo Consoli	0.70	Review Claimant enquiries and responses; review Claims portal submissions for disputed Claims; review correspondence from Counsel re: claimant enquiries;
13/Jan/2023	Angelo Consoli	0.20	Review and responses to claimant queries;
16/Jan/2023	Angelo Consoli	2.80	Review Claimant e-mails and related claim information and responses; call with Claimant re: claims process and instructions re: use of the Portal; review Claimant submissions re: disputes on quantum of Claim and review Databook and note variances;
17/Jan/2023	Angelo Consoli	1.20	Review Claimant e-mail query to Counsel; review Claimant Claim Portal submissions re: disputed Claims;
19/Jan/2023	Carla Casco	0.30	Prepared cheque requisition, set up payable & printed cheque.
19/Jan/2023	Susan Rickards	0.20	Payment to vendor.
19/Jan/2023	Angelo Consoli	0.30	Update to Data Team re: review of Claims Portal, request for analysis and compilation of Claimants filed vs. unfiled to prepare list to receive Reminder Notice;
20/Jan/2023	Angelo Consoli	1.20	Review and responses to Claimant e-mails; review and response to Claimant portal submission re: claim discrepancy; Update Social Media Notice for Reminder Notice and forward to Claimant to post onto What's App platform for Sunrise Uses; updates to schedule;
20/Jan/2023	Catherine Zhou	1.00	Worked on the portal survey response data consolidation. Prepared the list for the no-response claimants for the email reminders.

Sunrise Technology
Receiver's Time charge Details
January 1, 2023 to March 31, 2023

Date	Name	Hours	Comments
23/Jan/2023	Angelo Consoli	0.80	Review and responses to Claimant e-mail enquiries; review summary of Claimants filed with agreement vs disputes;
24/Jan/2023	Angelo Consoli	1.80	Review summary of Claims Portal entries and follow up with Data team re: Reminder Notice; review and responses to various Claimants re: claim disputes, lack of supporting documentation;
26/Jan/2023	Angelo Consoli	1.30	Review Claims Portal and Claimant enquiries; follow up with Data Team and IT re: Claimant Notice;
27/Jan/2023	Angelo Consoli	1.80	Correspondence with Data team re: Reminder of Claims Bar Date Notice to be issued to unfiled Claimants; review Claims Portal submissions and Claimant queries and responses;
27/Jan/2023	Catherine Zhou	5.00	Updated the summary of the portal response report. Cross check the current record to document all who haven't responded to the survey email. Prepare the code for sending the final reminder to claimants. Worked with IT to send the mass emails to over 2000 people for the final reminder
27/Jan/2023	Chris Mazur	0.20	Attend re: claims process.
28/Jan/2023	Chris Mazur	0.10	Bank reconciliation;
31/Jan/2023	Angelo Consoli	3.20	Review and responses to numerous Claimant e-mails re: Claims Process, disputes, insufficient information; review Claims Portal submissions and follow up re: outstanding Claimants;
31/Jan/2023	Chris Mazur	0.10	Attend re: claims process.
1/Feb/2023	Angelo Consoli	0.40	Review Claims Portal; review and responses to various Claimant enquiries;
2/Feb/2023	Angelo Consoli	3.00	Review and correspondence with various claimants re: claim submissions, supporting documents, etc.; correspondence with Counsel re: update on claimant correspondence, Claims Bar deadline, etc.; call with Data team re: review and summary of claims portal submissions; follow up with various claimants re: Claims Bar Deadline;
3/Feb/2023	Angelo Consoli	0.20	Review and correspondence with IT re: Claims Portal, delivery reports; review Claimant correspondence;
3/Feb/2023	Chris Mazur	0.20	Attend re: claims process, various e-mails.
6/Feb/2023	Angelo Consoli	2.20	Review and compile list of Claimant submitted Proof of Claims, reconcile to databook; review Claimant e-mail correspondence;
6/Feb/2023	Chris Mazur	0.20	Attend re: claims process, claims review;
7/Feb/2023	Angelo Consoli	0.10	Review and response to Claimant enquiry;
8/Feb/2023	Catherine Zhou	4.00	Worked on the data analysis from the portal survey answers. Consolidated the data from different sources. Worked on the master databook for individual analysis
17/Feb/2023	Chris Mazur	0.20	E-mail from counsel, status of claims process.
21/Feb/2023	Angelo Consoli	0.50	Review and analysis re: claim submissions on Claims Portal and follow up with Data team re: same;

Sunrise Technology
Receiver's Time charge Details
January 1, 2023 to March 31, 2023

Date	Name	Hours	Comments
22/Feb/2023	Catherine Zhou	5.00	Worked on the manual mapping of the ID submissions based on the photo ID attachments Worked on the consolidation of the claim response for positive, negative, and neutral groups. Reviewed all Positive group claimants attachments for Photo ID validation. Prepare the detail summary of Schedule G. Prepare email list of claimants with invalid photo IDs.
23/Feb/2023	Angelo Consoli	1.70	Review detailed Claims Portal schedules and discussion re: outstanding items, claimant deficiencies, claims summary, etc.; review and responses to numerous claimants emails;
24/Feb/2023	Angelo Consoli	2.20	Claims Portal review re: positive, neutral and negative Claim filings; review claimant e-mails re: ID submissions and update to Data; prepare summary of Claims Portal filings and update to Counsel re: Claims Portal review; call with Data re: Schedule G filings, list of Claimants to submit follow up requests;
27/Feb/2023	Angelo Consoli	3.00	Review Claims Portal Data including "Disagreed" claims from Negative, Neutral and Positive Claimants; review and finalize listing of Proof of Claims submitted off portal; updates to tracking chart for allowance / disallowance of claims;
27/Feb/2023	Chris Mazur	0.20	E-mail from counsel, status of claims.
28/Feb/2023	Angelo Consoli	3.50	Detailed review of on-line Claims submitted for Claimants without a Claim ID number; prepare of same for next steps re: Claims to be accepted vs. disallowed;
1/Mar/2023	Angelo Consoli	0.50	Review and responses to Sunrise Claimants;
3/Mar/2023	Angelo Consoli	3.30	Review Claims Portal submissions, supporting documentation, etc.; correspondence with various Claimants re: clarification of information submitted; update list of notices of disallowances; correspondence with Data team re: access to Claims Portal;
6/Mar/23	Angelo Consoli	3.20	Review and revisions to list of Disallowed Claims, revisions to Schedule E; review preparation of notices with Staff; review and correspondence with various Claimants re: supporting documentation / claims; review documents on Claims portal in support of Claims; follow up requests to Claimants re: e-mails and documentation submitted;
7/Mar/23	Angelo Consoli	3.70	Claims review, updates to Disallowance schedules; correspondence with various Claimants re: submissions, supporting documentation, etc.; correspondence with staff re: compilation of disallowances and draft notices;
7/Mar/23	Maxine Finnegan	0.50	Mail merge and edit notice to creditors re: disallowances;
8/Mar/2023	Sherri Murphy	3.50	Compile e-mails to be submitted to Claimants re: Notice of Revision or Disallowance;
8/Mar/23	Angelo Consoli	2.80	Correspondence with various claimants re: clarification of submissions, deficiencies; updates to draft disallowance notices; review claims and updates to databook tracking and disallowance listings; review portal re: Claimant ID's;
9/Mar/2023	Sherri Murphy	1.80	Compile e-mails to be submitted to Claimants re: Notice of Revision or Disallowance;

Sunrise Technology
Receiver's Time charge Details
January 1, 2023 to March 31, 2023

Date	Name	Hours	Comments
9/Mar/23	Carla Casco	0.30	Prepare cheque requisitions, set up payables, and print cheques;
9/Mar/23	Angelo Consoli	4.20	Review Claim Submission disputes, claims portal, update lists of claims with deficiencies; draft notices to Claimants; correspondence with various Claimants; correspondence with Data team re: databook updates; staff meeting to discuss / review compilation of notice of disallowance e-mails;
10/Mar/23	Angelo Consoli	2.70	Compile listings of Notices to Claimants; update to Counsel re: claimant review and related issues; correspondence with various claimants re: clarification of submissions, next steps, etc.; final review of disallowance notices and submit to Claimants; follow up correspondence with Claimants responding;
10/Mar/23	Chris Mazur	0.20	Attend re: claim process.
13/Mar/23	Angelo Consoli	2.80	Review additional claims; prepare and issue Disallowances; review Claimant correspondence re: disallowances issued; discussion with data team re: databook; reconciliation of same;
13/Mar/23	Chris Mazur	0.20	Attend re: Disallowance notices;
15/Mar/23	Angelo Consoli	3.80	Review and reconciliation of Claims Accepted, Disallowed; review for duplicate Claims to ensure valid claims included; review various customer disputes;
16/Mar/23	Angelo Consoli	1.00	Correspondence with various Claimants; e-mail correspondence to Claimants re: verification of ID; prepare Dispute Notice and forward to Claimant;
17/Mar/23	Carla Casco	0.20	Bank reconciliation;
24/Mar/23	Angelo Consoli	3.00	Review and responses to Claimants re: Notices of Disallowances, information requests; review Dispute Notices;
27/Mar/23	Angelo Consoli	0.60	Correspondence with Sunrise Claimant; review schedule;
30/Mar/23	Angelo Consoli	0.80	Discussion with Data Team re: extraction and review of Claims Portal Data for Claimants filing Disputes and/or requested to provide additional data; review and compile Dispute Notices filed;
31/Mar/23	Angelo Consoli	3.00	Review Claims Portal data download re: submissions for Disallowances issues; review and summarize Notice of Disputes; correspondence with Claimants re: additional information requests, clarifications, etc.;
		<u>104.40</u>	


Attached is Exhibit "D"

Referred to in the

AFFIDAVIT OF CHRISTOPHER J. MAZUR

Sworn before me

This 19th day of July 2023

A handwritten signature in black ink, appearing to read "N. Ormond", is written over a horizontal line.

Commissioner for taking Affidavits, etc.

**Nicole Marie Ormond, a Commissioner, etc.,
Province of Ontario, for BDO Canada Limited.
Expires August 21, 2024.**



Tel: 905-524-1008
Fax: 905-570-0249
www.bdo.ca

BDO Canada Limited
25Main Street West, Suite 805
Hamilton ON L8P 1H1 Canada

INTERIM INVOICE

BDO Canada Limited
25 Main Street West Suite 805
Hamilton ON
L8K 1H1
In its capacity as Court-Appointed Receiver of the
Contested Funds

Date		Invoice No.
July 20, 2023	Sunrise Technology	CINV2438497

TO PROFESSIONAL SERVICES RENDERED in connection with the Receivership of the Contested Funds for the period commencing April 1, 2023 to July 15, 2023 inclusive per the attached detail:

Senior Vice-President	Hours	Rate	Fees
C. Mazur	5.60	\$545.00	\$ 3,052.00
Vice-President			
A. Consoli	62.50	475.00	\$ 29,687.50
H. Daoust	1.30	475.00	\$ 617.50
Staff			
C. Casco	1.40	175.00	245.00
C. Zhou	15.50	175.00	2,712.50
S. Murphy	1.80	175.00	315.00
	<u>88.10</u>		<u>\$ 36,629.50</u>
HST on BDO fees			4,761.84
Total			<u>\$ 41,391.34</u>
 Amount Due			 <u>\$ 41,391.34</u>

H.S.T. #R101518124

Terms:

Net 30 days.

Interest at 1% per month (12.68% per annum calculated monthly) charged on accounts over 30 days.

Sunrise Technology
Receiver's Time charge Details
April 1, 2023 to July 15, 2023

Date	Name	Hours	Comments
3-Apr-2023	Angelo Consoli	1.80	Review Claimant correspondence and submissions re: Notices of Disputes, updates to related tracking schedules; correspondence to Claimant;
4-Apr-2023	Angelo Consoli	1.50	Review Claims Portal re-submissions and reconcile Claimant details vis a vis the Databook; updates to tracking sheets for accepted, disallowed claims;
6-Apr-2023	Angelo Consoli	2.20	Review and e-mails and telephone correspondence with various Claimants re: claim submissions, clarification of documentation, etc.; updates to tracking schedules;
10-Apr-2023	Chris Mazur	0.10	Attend re: status of claims process.
10-Apr-2023	Sherry Murphy	0.70	Revisions to schedule for manager review.
12-Apr-2023	Angelo Consoli	0.70	Call with Data team re: Claim review, summary of same and next steps; correspondence with various claimants;
13-Apr-2023	Carla Casco	0.20	Bank reconciliation;
14-Apr-2023	Angelo Consoli	3.40	Review Dispute Notices; complete summary; prepare and submit Notices of Determination pursuant to Paragraph 39 of the Claims Process Order; calls and various e-mail correspondence with Claimants re: review / status of documentation submission review, etc.;
17-Apr-2023	Angelo Consoli	1.70	Prepare summary of outstanding items, claims review findings, updates, etc. for data team to consolidate claims; telephone and e-mail correspondence with Claimant;
18-Apr-2023	Angelo Consoli	0.40	Call to discuss data consolidation; Review and responses to Claimant correspondence; review notice from Paralegal for 3 disallowed Claimants and update to Counsel re: response to same;
18-Apr-2023	Catherine Zhou	2.00	Work on the address update and email delivery log consolidation. Discussion re: the Databook Consolidation progress update;
19-Apr-2023	Chris Mazur	0.20	Attend re; claims process, e-mails.
20-Apr-2023	Angelo Consoli	0.20	Call and e-mail correspondence with Sunrise Claimants;
20-Apr-2023	Chris Mazur	0.10	Attend re claimant's counsel's letter.
21-Apr-2023	Catherine Zhou	2.00	Prepare address update for claimants responses. Consolidated the master Databook for different groups.
24-Apr-2023	Angelo Consoli	0.90	Review updates from Data team re: claims tracking, dispute submissions, additional documentation submitted;
25-Apr-2023	Angelo Consoli	1.30	Review and responses to numerous Sunrise Claimants; review summary schedules re: responses to disallowances, etc.;
28-Apr-2023	Catherine Zhou	2.50	Prepared claimant survey response consolidation. Updated the databook to remove duplicate records and update for additional Claimant documentation. Updated the information from the email filling records.
28-Apr-2023	Chris Mazur	0.10	Bank Reconciliation.

1-May-2023 Angelo Consoli	0.80 Review and responses to various Claimants; review updated draft Databook schedules re: additional information provided by Claimants as requested; updates to Data team;
1-May-2023 Carla Casco	0.30 Prepare cheque requisitions, print cheques;
2-May-2023 Catherine Zhou	2.00 Comparison of the list between the raw data from portal and the data in the approval list. Cross check the bounce back email log for the summary of the unfiled claims;
3-May-2023 Angelo Consoli	0.90 Review and discussion with Data team re: updated databook listings, reconciliation of Claimant filings, etc.; review update from claim submission, compile and submit Notice of Disallowance;
3-May-2023 Catherine Zhou	3.00 Compiled data reconciliation for each group to remove the duplicate records. Cross check the raw data for the address update of each claimant. Call to discuss databook progress update.
4-May-2023 Angelo Consoli	0.70 Call and e-mail correspondence with Claimant; review revised databook analysis and discussions with data team to reflect updates;
4-May-2023 Catherine Zhou	2.50 Updated the summary of the portal survey response list. Updated the Summary of the claimant list. Consolidated the claimants with multiple emails/Claim ID and consolidate records.
9-May-2023 Angelo Consoli	1.20 Review e-mails, banking records, Claim submissions, etc. and responses to various Sunrise Claimants re: claims; review various claim submissions and databook entries;
11-May-2023 Angelo Consoli	2.50 Review and reconciliation of Data Entry, Disallowance notices, etc.; call with Data re: reconciliation of same and updates; draft update to Counsel;
11-May-2023 Catherine Zhou	1.50 Call to discuss final review of the consolidated data list from the portal. Updated the list for the paper filing records and the additional documentation submitted.
12-May-2023 Angelo Consoli	0.80 Review Claimant correspondence; draft update to counsel;
16-May-2023 Chris Mazur	0.20 Attend re: progress on claims, e-mail from counsel.
17-May-2023 Angelo Consoli	1.50 Correspondence with claimants re: claim submissions; review of Data Claims tracking, finalize update and submit to Counsel re: claims process;
17-May-2023 Chris Mazur	0.20 Review draft e-mail to counsel.
18-May-2023 Chris Mazur	0.10 Email from counsel.
19-May-2023 Angelo Consoli	0.30 Correspondence with counsel re: various estate matters, next steps;
23-May-2023 Chris Mazur	0.20 Email to/fr counsel, on claimants and process.
24-May-2023 Angelo Consoli	1.20 Review and responses to Claimants; report drafting; update to counsel;
24-May-2023 Carla Casco	0.30 Prepare cheque requisition, set up payable, print cheque;
25-May-2023 Chris Mazur	0.20 Emails fr/to counsel.
29-May-2023 Angelo Consoli	3.30 Correspondence with various claimants re: claim submissions; draft Court Report; correspondence with Counsel re: notice provisions, Claims Bar;
30-May-2023 Angelo Consoli	2.80 Correspondence with Sunrise Claimants; Draft Court Report;
30-May-2023 Chris Mazur	0.20 Attend re: claimant issue and report to court.
2-Jun-2023 Angelo Consoli	1.50 Review and updates to report;
5-Jun-2023 Angelo Consoli	2.50 Review and updates to Draft Court report;
6-Jun-2023 Angelo Consoli	2.80 Review and updates to Draft Court Report; correspondence with various claimants;
7-Jun-2023 Chris Mazur	1.80 Review report to court, file
9-Jun-2023 Angelo Consoli	1.50 Call to discuss comments on Draft Report; updates to Report and forward to Counsel re: various outstanding matters;
9-Jun-2023 Carla Casco	0.20 Reconcile May's bank statement
9-Jun-2023 Chris Mazur	0.70 Review and comments on report to court.
12-Jun-2023 Angelo Consoli	0.50 Review and correspondence with various claimants;

14-Jun-2023 Angelo Consoli	0.50 Call with Counsel to discuss Draft Report; review and responses to various Sunrise Claimants;
15-Jun-2023 Chris Mazur	0.20 Attend re: counsels amendments to report.
16-Jun-2023 Angelo Consoli	2.50 Call with Counsel to review/discuss comments on revised Court Report; update report and forward to Counsel for review; correspondence with various Claimants re: outstanding information requests;
19-Jun-2023 Angelo Consoli	1.00 Discussion re: Court Report and update to Counsel; review various claimant correspondence and responses; updates to related charts re: submissions;
19-Jun-2023 Chris Mazur	0.30 Attend re: revised report, e-mail from counsel.
20-Jun-2023 Angelo Consoli	2.70 Call with Claimant re: review and clarification of Claim Statement and related claim; call with Counsel re: Claims, draft report, service, etc.; Review Draft Notice of Motion and Draft Order and provide comments to Counsel; correspondence with various claimants re: claim submissions;
20-Jun-2023 Chris Mazur	0.30 Review Notice and Order, counsel changes to report.
20-Jun-2023 Hugo Daoust	1.00 Review and call with Claimant re: clarification of Claim Statement and related Claim
21-Jun-2023 Angelo Consoli	0.50 Call with Claimant re: request for information; e-mails to various claimants re: link to submit outstanding information;
22-Jun-2023 Hugo Daoust	0.30 Telephone conversation with claimant;
23-Jun-2023 Angelo Consoli	3.30 Review and updates to Draft Court Report; correspondence to Counsel re: Court timing; drafting Affidavit;
26-Jun-2023 Angelo Consoli	1.10 Review correspondence from Claimants; update tracking sheet and reconcile accepted Claimants listing;
26-Jun-2023 Chris Mazur	0.30 Attend re: file status;
27-Jun-2023 Angelo Consoli	1.20 Call with Claimant re: supporting documents for claim submission; correspondence with Counsel re: court date; review and updates to Court Report;
27-Jun-2023 Chris Mazur	0.20 Attend re: court date. e-mails
28-Jun-2023 Angelo Consoli	0.80 Review documentation in support of Claim; update Claim tracking; update R&D;
29-Jun-2023 Angelo Consoli	1.30 Review and reconcile Claimants claims, addresses, etc. re: outstanding information, prepare list for follow up;
30-Jun-2023 Angelo Consoli	0.50 Review and response to Claimant; follow up with various Claimants re: outstanding information;
30-Jun-2023 Chris Mazur	0.20 Attend re: claimants;
5-Jul-2023 Angelo Consoli	0.80 call with Claimant re: file status update; draft e-mail to all Accepted Claimants re: Court Proceedings;
6-Jul-2023 Angelo Consoli	1.80 correspondence with various claimants re: outstanding information, claim review; updates to e-mail and mailing addresses, reconcile Accepted list and send update re: Court date, etc.;
7-Jul-2023 Angelo Consoli	1.50 review and e-mail correspondence with Claimants; call with Claimant; update Counsel re: various Claimant matters, update on Claims filed, etc.;
10-Jul-2023 Carla Casco	0.20 June's Reconciliation
10-Jul-2023 Angelo Consoli	0.30 review and responses to various Claimants; update contact chart for ID updates;
11-Jul-2023 Carla Casco	0.20 set up payable, prepare cheque requisition, print cheque.
11-Jul-2023 Angelo Consoli	0.40 review correspondence from Counsel re: claimant filings, etc.; correspondence with claimants; discussions re: chart for inclusion in report;
11-Jul-2023 Sherri Murphy	1.00 Prepare schedule for court report.
12-Jul-2023 Angelo Consoli	0.20 correspondence with various claimants; calls to Claimant;
13-Jul-2023 Sherri Murphy	0.10 Prepare schedule for court report.
13-Jul-2023 Angelo Consoli	0.50 call with Claimant; e-mail follow up with various claimants re: outstanding information; update draft Affidavit;

14-Jul-2023 Angelo Consoli

2.70 review and correspondence with Claimants re: document submission; review and revisions to draft Court Report; numerous correspondence to Claimants re: outstanding info;

88.10

EXHIBIT "I"

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

B E T W E E N:

BAO YING CAO and 13364097 CANADA INC.

Applicants

and

XIAODONG YANG and USERS OF SUNRISE TECHNOLOGY

Respondents

AFFIDAVIT OF DANIELLE IAMPIETRO

I, Danielle Iampietro, of the City of Hamilton, in the Province of Ontario, MAKE OATH
AND SAY:

1. I am a partner at the law firm of Scarfone Hawkins LLP ("**SHLLP**"), counsel for BDO Canada Limited ("**BDO**"), Court-appointed Receiver, without security, of the Contested Funds held by the Applicants, and, as such, I have knowledge of the facts contained in this Affidavit. Where this Affidavit is based on information and belief, I verily believe it to be true.

2. SHLLP has prepared an interim statement of account in connection with its fees and disbursements, dated August 31, 2022, for the period from May 1, 2022 to August 31, 2022, for fees in the amount of \$43,690.00 and HST in the amount of \$5,679.70, plus disbursements in the amount of \$645.29 and HST in the amount of \$83.89 (the "**August 31 2022 Statement of Account**").

3. Attached hereto and marked as **Exhibit “A”** is a true copy of the August 31 2022 Statement of Account, which totals \$50,098.88, along with a breakdown of timekeepers who have worked on this file and a breakdown of their hourly rates.

4. SHLLP has prepared an interim statement of account in connection with its fees and disbursements, dated December 31, 2022, for the period from September 1, 2022 to December 31, 2022, for fees in the amount of \$4,347.50 and HST in the amount of \$565.18, plus disbursements in the amount of \$1,278.24 and HST in the amount of \$166.17 (the **“December 31 2022 Statement of Account”**).

5. Attached hereto and marked as **Exhibit “B”** is a true copy of the December 31 2022 Statement of Account, which totals \$6,357.09, along with a breakdown of timekeepers who have worked on this file and a breakdown of their hourly rates.

6. SHLLP has prepared an interim statement of account in connection with its fees and disbursements, dated March 9, 2023, for the period from January 1, 2023 to March 9, 2023, for fees in the amount of \$1,005.00 and HST in the amount of \$130.65 (the **“March 9 2023 Statement of Account”**).

7. Attached hereto and marked as **Exhibit “C”** is a true copy of the March 9 2023 Statement of Account, which totals \$1,135.65, along with a breakdown of timekeepers who have worked on this file and a breakdown of their hourly rates.

8. SHLLP has prepared an interim statement of account in connection with its fees and disbursements, dated May 24, 2023, for the period from March 10, 2023 to May 24, 2023, for fees in the amount of \$2,103.75 and HST in the amount of \$273.49 (the **“May 24 2023 Statement of Account”**).

9. Attached hereto and marked as **Exhibit “D”** is a true copy of the May 24 2023 Statement of Account, which totals \$2,246.59, along with a breakdown of timekeepers who have worked on this file and a breakdown of their hourly rates.
10. SHLLP has prepared an interim statement of account in connection with its fees and disbursements, dated June 30, 2023, for the period from May 25, 2023 to June 30, 2023 for fees in the amount of \$9,462.50 and HST in the amount of \$1,230.13 (the **“June 30 2023 Statement of Account”**).
11. Attached hereto and marked as **Exhibit “E”** is a true copy of the June 30 2023 Statement of Account, which totals \$10,692.63, along with a breakdown of timekeepers who have worked on this file and a breakdown of their hourly rates.
12. SHLLP has prepared an interim statement of account in connection with its fees and disbursements, dated July 15, 2023, for the period from June 30, 2023 to July 15, 2023 for fees in the amount of \$472.50 and HST in the amount of \$61.43 (the **“July 15 2023 Statement of Account”**).
13. Attached hereto and marked as **Exhibit “F”** is a true copy of the July 15 2023 Statement of Account, which totals \$533.93, along with a breakdown of timekeepers who have worked on this file and a breakdown of their hourly rates.
14. All of the work performed and charged on the Statement of Account relates to legal services provided to BDO in its capacity as Receiver in connection of this matter.

15. I swear this Affidavit in support of a motion to approve the attached account of SHLLP, and the fees and disbursements detailed therein, and for no other or improper purpose.

SWORN BEFORE ME at the City of Hamilton, in the Province of Ontario on July 21, 2023.



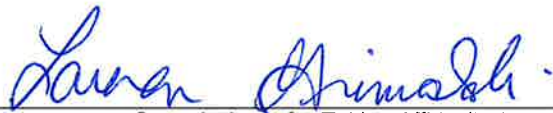
Commissioner for Taking Affidavits
(or as may be)

Lauren Grimaldi LSO #59665S



DANIELLE IAMPIETRO

This is **Exhibit "A - F"** referred to in the Affidavit of
DANIELLE IAMPIETRO sworn July 21, 2023.



Commissioner for Taking Affidavits (or as may be)

EXHIBIT "A"

BDO CANADA LIMITED
25 MAIN STREET WEST
SUITE 805
HAMILTON, ONTARIO
L8S 1A2 CANADA

ANGELO CONSOLI

INVOICE NUMBER:
184485
DATE:
August 31, 2022
OUR FILE NO.:
21C0752

IN ACCOUNT WITH
Scarfone Hawkins LLP
LAWYERS AND TRADE-MARK AGENTS
ONE JAMES STREET SOUTH
14TH FLOOR
P.O. BOX 926, DEPOT #1
HAMILTON, ONTARIO
L8N 3P9

TELEPHONE 905-523-1333
TELEFAX 905-523-5878

H.S.T. REGISTRATION NO. 873984314 RT - 0001

**RE: Bao Ying Cao and 13364097 Canada Inc. - BDO Receivership- Sunrise Technology - Work
From May, 2022 to Date**

TO ALL PROFESSIONAL services rendered in connection with the above-noted matter to Aug 31/22

DATE	TIMEKEEPER	HOURS	DESCRIPTION
05 /02/22	CY	0.20	Considering and advising on claims process order and bank production motion and procedure;
05 /02/22	CY	0.80	Considering and advising on claims process order revisions;
05 /02/22	DI	0.10	Letter received from and Letter to BDO;
05 /02/22	LG	3.60	Reviewing draft Claims Process Order; Reviewing status; Drafting correspondence; Reviewing issues with CY; Revising draft materials; Drafting motion regarding financial institutions;
05 /03/22	CY	0.60	Reviewing and revising draft court materials and report to client;
05 /04/22	CY	0.20	Correspondence and documentation received from BDO;
05 /04/22	DI	0.10	Letter received from BDO;
05 /05/22	CY	0.10	Considering and advising on claims process;
05 /05/22	CY	0.40	Considering and advising on BDO position and claims process moving forward;
05 /05/22	CY	0.20	Reviewing correspondence from BDO regarding claims process and crypto opinion;
05 /05/22	DI	0.25	Considering legal issues; Instructions regarding dealings with Crypto currency;

05 /05/22	DI	0.35	<i>Considering legal issues; Letter to client;</i>
05 /05/22	DI	0.20	<i>Letter received from client (several);</i>
05 /05/22	LG	0.80	<i>Reviewing correspondence from A. Consoli; Reviewing crypto currency transactions; Report to DI;</i>
05 /05/22	LG	0.45	<i>Drafting correspondence to client;</i>
05 /05/22	LG	0.30	<i>Reviewing correspondence; Drafting correspondence to client;</i>
05 /06/22	CY	0.25	<i>Reviewing and considering correspondence from BDO regarding crypto and claims process;</i>
05 /06/22	CY	0.40	<i>Considering and advising on crypto and claims process and strategy moving forward; Reviewing correspondence to Scotiabank regarding productions;</i>
05 /06/22	CY	0.20	<i>Considering and advising on motion for directions and dual claims process; Reviewing report to BDO;</i>
05 /06/22	CY	0.45	<i>Reviewing advice from and to BDO; Considering and advising on claims process and procedure;</i>
05 /06/22	DI	0.10	<i>Reviewing Scotia correspondence;</i>
05 /06/22	DI	0.30	<i>Considering legal issues; Instructions regarding request for advice and directions from the Court;</i>
05 /06/22	DI	0.90	<i>Telephone attendance on A. Consoli; Letter received from BDO; Instructions regarding AML obligations; Instructions regarding etransfer of funds; Instructions regarding decision to seek advice and direction of the Court; Letter to Voice-mail from A. Consoli to BDO</i>
05 /06/22	DI	0.10	<i>Letter received from Scotia;</i>
05 /06/22	DI	0.10	<i>Letter received from client;</i>
05 /06/22	LG	0.13	<i>Reviewing client correspondence;</i>
05 /06/22	LG	0.20	<i>Considering and advising on the legal implications of issues raised in client correspondence and crypto currency issues;</i>
05 /06/22	LG	0.10	<i>Correspondence to Scotiabank;</i>
05 /06/22	LG	4.47	<i>Considering and advising on the legal implications of crypto currency issues;</i>
05 /09/22	CY	0.20	<i>Reviewing draft report to BDO; Considering and advising on withholding taxes;</i>
05 /09/22	LG	0.55	<i>Drafting report to client;</i>
05 /09/22	LG	1.85	<i>Reviewing case law on trust situations and methods of distribution to beneficiaries;</i>
05 /09/22	LG	0.10	<i>Reviewing student research; Instructions regarding student research;</i>
05 /10/22	CY	0.40	<i>Reviewing correspondence and position of BDO; Considering and advising on claims process and strategy; Reviewing draft report to BDO;</i>

05 /10/22	DI	0.20	<i>Considering legal issues including withholding taxes; Letter to BDO;</i>
05 /10/22	DI	0.30	<i>Telephone attendance on A. Consoli;</i>
05 /10/22	DI	0.20	<i>Letter received from BDO;</i>
05 /10/22	DI	0.10	<i>Reviewing Polley Faith advice;</i>
05 /10/22	LG	1.40	<i>Reviewing correspondence from client; Reviewing issues with CY; Correspondence with D. Shinier; Drafting correspondence to client; Reviewing and revising draft Order and Schedules;</i>
05 /11/22	CY	0.20	<i>Considering and advising on position of Polley Faith and logistics of hearing;</i>
05 /11/22	CY	0.10	<i>Reviewing correspondence from Scotiabank; Considering and advising on necessity of motion vis-a-vis RBC;</i>
05 /11/22	CY	0.20	<i>Considering and advising on draft motion materials and strategy moving forward;</i>
05 /11/22	DI	0.70	<i>Reviewing and revising materials; Letter to BDO;</i>
05 /11/22	DI	0.25	<i>Letter received from BDO; Considering whether claimants to acknowledge withdrawal of funds;</i>
05 /11/22	LG	0.10	<i>Correspondence regarding motion timing;</i>
05 /11/22	LG	0.20	<i>Considering and advising on the legal implications of ownership of funds;</i>
05 /11/22	LG	0.10	<i>Meeting with CY to review timing issues;</i>
05 /11/22	LG	0.10	<i>Instructions regarding legal research to student;</i>
05 /11/22	LG	0.65	<i>Meeting with D. Shinier and J. Wang of Polley Faith; Reporting on meeting;</i>
05 /11/22	LG	0.30	<i>Reviewing correspondence; Drafting correspondence to DI and CY;</i>
05 /12/22	CY	0.20	<i>Reviewing report to BDO regarding crypto claims in claims process; Considering and advising on trustee liability under FINTRAC and appointment order;</i>
05 /12/22	CY	0.45	<i>Correspondence and marked up claims order received from BDO; Considering and advising on BDO revisions and questions;</i>
05 /12/22	CY	0.10	<i>Considering and advising on FINTRAC obligations of receiver;</i>
05 /12/22	DI	0.10	<i>Letter to BDO;</i>
05 /12/22	DI	0.10	<i>Letter received from BDO;</i>
05 /12/22	LG	0.60	<i>Considering and advising on the legal implications of claims process and distribution; Revising draft materials;</i>

05 /12/22	LG	1.65	<i>Considering and advising on the legal implications of constructive trusts, for the purposes of factum;</i>
05 /12/22	LG	1.65	<i>Reviewing client comments; Revising draft materials;</i>
05 /13/22	CY	0.20	<i>Reviewing report to BDO; Considering and advising on FINTRAC obligations; Correspondence from BDO; Reviewing correspondence to Scotiabank; Reviewing further advice and research on FINTRAC;</i>
05 /13/22	DI	0.25	<i>Considering FINTRAC issues; Letter to BDO;</i>
05 /13/22	DI	0.10	<i>Letter received from client; Instructions regarding counsel fees;</i>
05 /13/22	LG	0.10	<i>Drafting email to client;</i>
05 /13/22	LG	0.15	<i>Instructions regarding legal research to student;</i>
05 /13/22	LG	0.10	<i>Reviewing client email; Email to Scotiabank requesting information;</i>
05 /13/22	LG	2.45	<i>Drafting motion materials;</i>
05 /16/22	CY	1.20	<i>Reviewing and revising draft motion materials;</i>
05 /16/22	CY	0.10	<i>Reviewing correspondence exchanged with client and Scotiabank;</i>
05 /16/22	CY	0.80	<i>Receipt and review of draft First Report; Considering and advising on revisions to report;</i>
05 /16/22	LG	0.10	<i>Correspondence to client enclosing authorization form; Reviewing authorization form;</i>
05 /16/22	LG	1.70	<i>Reviewing Receiver's First Report;</i>
05 /17/22	CY	0.10	<i>Correspondence and screenshots received from BDO regarding Binance and Sunrise claimants;</i>
05 /17/22	CY	0.60	<i>Considering and advising on revisions to First Report and motion materials; Reviewing correspondence to Polley Faith, exchanged with client and Commercial Court;</i>
05 /17/22	CY	0.45	<i>Reviewing revised First Report; Reviewing various correspondence exchanged with Polley Faith, the Court and BDO; Reviewing correspondence to Scotiabank; Considering and advising on outstanding information from financial institutions;</i>
05 /17/22	DI	0.70	<i>Letter received from client; Reviewing Binance advice; Reviewing Receiver's Report; Instructions regarding Crypto issues and Receiver's ability to deal with crypto currency in its discretion; Letter to client;</i>
05 /17/22	DI	0.10	<i>Letter to BDO;</i>
05 /17/22	LG	0.50	<i>Meeting with CY to review comments on draft First Report;</i>
05 /17/22	LG	0.10	<i>Correspondence to Polley Faith regarding social media notice;</i>
05 /17/22	LG	0.20	<i>Correspondence to Neesons reporting office regarding YouTube and Zoom facilities for hearing;</i>

05 /17/22	LG	3.40	<i>Reviewing and revising draft First Report; Correspondence with Neesons Court Reporting; Correspondence with Applicants' counsel; Drafting correspondence to client; Revising draft motion materials;</i>
05 /18/22	CY	0.60	<i>Reviewing and revising draft motion materials and orders;</i>
05 /18/22	CY	0.10	<i>Reviewing report to BDO regarding court materials, social media notice and claims portal;</i>
05 /18/22	CY	0.20	<i>Reviewing comments received from and forwarded to BDO regarding draft materials; Considering and advising on evidence for financial institution motion;</i>
05 /18/22	CY	0.10	<i>Receipt and review of correspondence and documentation received from Scotiabank; Reviewing various correspondence to BDO;</i>
05 /18/22	CY	0.10	<i>Correspondence from BDO regarding crypto claimants and WhatsApp;</i>
05 /18/22	DI	0.20	<i>Letter received from BDO; Instructions regarding Report; Letter to BDO;</i>
05 /18/22	DI	0.20	<i>Reviewing revised documents; Letter to BDO;</i>
05 /18/22	DI	0.10	<i>Letter received from BDO;</i>
05 /18/22	DI	0.30	<i>Letter to BDO; Voice-mail from A. Consoli; Letter to BDO</i>
05 /18/22	DI	0.15	<i>Letter received from BDO; Reviewing advice;</i>
05 /18/22	DI	0.65	<i>Reviewing Polley Faith advice; Reviewing Aide Memoir; Letter received from BDO; Considering legal issues regarding threshold amounts and Receiver discretion; Letter to BDO;</i>
05 /18/22	LG	3.17	<i>Revising draft motion materials; Drafting correspondence to client; Reviewing client correspondence and concerns;</i>
05 /18/22	LG	0.15	<i>Correspondence with Neesons reporting office;</i>
05 /18/22	LG	0.10	<i>Instructions regarding legal research to student;</i>
05 /18/22	LG	1.33	<i>Correspondence to Scotiabank requesting address for service; Reviewing legal issues in preparation for factum;</i>
05 /19/22	CY	1.40	<i>Receipt and review of revised motion materials and comments from BDO; Considering and advising on revisions; Further correspondence from BDO regarding Scotiabank information; Considering and advising on service issues; Considering and advising on Schedule A to financial institutions; Reviewing revised first report;</i>
05 /19/22	CY	0.40	<i>Reviewing further revised reported motion materials; Reviewing report to client; Considering and advising on service issues;</i>
05 /19/22	CY	0.60	<i>Reviewing further revisions to court materials and draft order; Considering and advising on factum and notice; Reviewing and revising correspondence to claimants and service list;</i>

05 /19/22	DI	0.20	<i>Letter received from and Letter to BDO;</i>
05 /19/22	DI	0.55	<i>Reviewing and revising materials; Reviewing PPSA search; Letter to BDO;</i>
05 /19/22	DI	0.30	<i>Reviewing services advice; Letter received from and Letter to BDO;</i>
05 /19/22	DI	0.10	<i>Telephone attendance on A. Consoli;</i>
05 /19/22	LG	4.95	<i>Reviewing draft materials and client comments; Revising materials; Instructions to BW; Drafting letter to claimants; Instructions to student;</i>
05 /20/22	CY	0.80	<i>Receipt and review of correspondence and further revised report and service list from BDO; Finalizing motion materials;</i>
05 /20/22	CY	0.45	<i>Telephone conference with A. Consoli and DI;</i>
05 /20/22	CY	0.25	<i>Correspondence exchanged with BDO regarding further section in first report regarding threshold limit;</i>
05 /20/22	CY	1.80	<i>Reviewing and revising motion materials; Finalizing materials; Considering and advising on service and filing; Various correspondence exchanged with BDO;</i>
05 /20/22	CY	0.10	<i>Various communications and correspondence with Commercial List;</i>
05 /20/22	CY	0.10	<i>Correspondence received from Polley Faith; Considering and advising on communications to claimants; Correspondence to Polley Faith;</i>
05 /20/22	DI	0.35	<i>Telephone attendance on A. Consoli and CY;</i>
05 /20/22	DI	0.10	<i>Reviewing BDO advice;</i>
05 /20/22	DI	0.65	<i>Letter received from BDO; Reviewing revised materials; Sealing Affidavit; Reviewing revised report;</i>
05 /20/22	DI	1.10	<i>Reviewing final Motion Record;</i>
05 /20/22	DI	0.10	<i>Reviewing Polley Faith advice;</i>
05 /20/22	LG	0.90	<i>Reviewing, revising, and finalizing motion materials;</i>
05 /24/22	CY	0.30	<i>Considering and advising on various service issues; Considering and advising on response from claimants; Correspondence from RBC;</i>
05 /25/22	CY	0.45	<i>Correspondence from BDO; Considering and advising on threshold quantum of claims in claims process order; Receipt and review of Aide Memoire received from Shiner; Reviewing correspondence exchanged with BDO; Revising orders;</i>
05 /25/22	CY	0.40	<i>Receipt and review of responding affidavit from Wasiatycz; Further correspondence from BDO;</i>

			<i>Considering and advising on claims order and supplementary report and response to BDO;</i>
05 /25/22	DI	0.10	<i>Letter received from BDO;</i>
05 /25/22	LG	0.10	<i>Instructions regarding responses to service of motion on individual potential claimants;</i>
05 /25/22	LG	0.10	<i>Reviewing email from BDO regarding threshold analysis;</i>
05 /25/22	LG	2.85	<i>Reviewing client email; Drafting email to client; Telephone attendance on S. Khan of RBC; Email to client; Drafting email to Sunrise Claimants regarding motion hearing; Reviewing Applicants' Aide Memoire for motion hearing;</i>
05 /25/22	LG	0.35	<i>Reviewing Affidavit of Sunrise user;</i>
05 /25/22	LG	0.35	<i>Reviewing client email regarding threshold for claims; Drafting email to client;</i>
05 /26/22	CY	0.40	<i>Considering and advising on BDO supplementary report and submissions to Court; Reviewing various correspondence received from and to BDO;</i>
05 /26/22	CY	0.80	<i>Reviewing further revised claims order; Reviewing supplementary report and revised ancillary order; Considering and advising on RBC order and reviewing correspondence exchanged with RBC; Instructions regarding service and filing and communications with claimants; Considering and advising on RBC order revisions;</i>
05 /26/22	DI	0.80	<i>Reviewing Supplemental Report; Reviewing RBC advice; Letter to BDO (Supplemental Report); Letter to BDO (RBC advice); Reviewing affidavit;</i>
05 /26/22	DI	0.10	<i>Letter received from client;</i>
05 /26/22	DI	0.65	<i>Reviewing and revising client report; Letter received from RBC; Reviewing Montoni advice; Reviewing YRP advice; Letter received from BDO;</i>
05 /26/22	DI	0.30	<i>Letter received from LBN; Letter received from BDO; Reviewing RBC transactions;</i>
05 /26/22	DI	0.10	<i>Letter received from RBC;</i>
05 /26/22	DI	0.35	<i>Reviewing Interac advice; Letter received from BDO; Reviewing CIBC advice; Letter received from RBC;</i>
05 /26/22	LG	0.10	<i>Instructions regarding Sunrise User court materials;</i>
05 /26/22	LG	7.95	<i>Reviewing and revising supplementary report of Receiver; Drafting correspondence to client; Reviewing correspondence from counsel for RBC; Drafting correspondence to client; Drafting correspondence to Sunrise User regarding court materials and Zoom link; Correspondence with client; Meeting with client and Polley Faith; Instructions to BW regarding Court materials; Revising draft materials and Orders; Reviewing issues with CY; Telephone attendance on client; Telephone attendance on S. Khan;</i>

			<i>Correspondence with S. Khan regarding RBC Order; Correspondence with client; Preparing for motion hearing;</i>
05 /27/22	CY	0.40	<i>Considering and advising on motion before Justice Conway and steps moving forward; Reviewing various communications to and from Justice Conway and Court; Reviewing correspondence to RBC, claimants and client;</i>
05 /27/22	CY	0.10	<i>Receipt and review of Endorsement of Justice Conway and issued Order regarding RBC;</i>
05 /27/22	DI	0.10	<i>Letter received from SCJ;</i>
05 /27/22	LG	2.65	<i>Preparing for motion; Attendance at motion; Correspondence with Court office; Telephone call with client; Correspondence to Polley Faith; Revising RBC Order; Correspondence to Justice Conway;</i>
05 /27/22	LG	0.10	<i>Correspondence to RBC and J. Wasiatycz;</i>
05 /27/22	LG	0.20	<i>Meeting with Sunrise User at SH LLP;</i>
05 /30/22	CY	0.10	<i>Correspondence received from Khan regarding RBC order; Reviewing correspondence to Khan and BDO; Correspondence from BDO regarding RBC, CIBC and Interac transactions;</i>
05 /30/22	DI	0.10	<i>Letter received from RBC;</i>
05 /30/22	DI	0.10	<i>Reviewing CIBC Interac advice;</i>
05 /30/22	LG	0.10	<i>Correspondence with counsel for RBC; Instructions to BW;</i>
05 /30/22	LG	0.10	<i>Correspondence to client;</i>
05 /31/22	CY	0.10	<i>Considering and advising on response of claimants and various service issues; Correspondence exchanged with Commercial List;</i>
05 /31/22	CY	0.10	<i>Reviewing correspondence to Khan and to Justice McEwen; Correspondence received from BDO;</i>
05 /31/22	DI	0.10	<i>Letter received from BDO;</i>
05 /31/22	LG	0.50	<i>Reviewing email from client regarding request for information from Interac; Correspondence with Commercial List Court; Drafting correspondence to Justice McEwen; Instructions to BW;</i>
05 /31/22	LG	0.10	<i>Correspondence received from client regarding RBC transactions; Correspondence to S. Khan with detailed list for HSBC transactions;</i>
05 /31/22	LG	0.10	<i>Reviewing and revising draft letter to Justice McEwen; Instructions to BW;</i>
05 /31/22	LG	0.10	<i>Correspondence to counsel for RBC regarding issued Order;</i>
05 /31/22	LG	0.45	<i>Drafting factum;</i>
06 /01/22	CY	0.20	<i>Reviewing correspondence exchanged with BDO; Considering and advising on Interac order;</i>

			<i>Reviewing correspondence to Interac legal counsel; Considering and advising on written submissions;</i>
06 /01/22	DI	0.10	<i>Letter received from BDO;</i>
06 /01/22	LG	3.05	<i>Drafting factum; Correspondence received from client; Correspondence to Interac;</i>
06 /02/22	LG	2.95	<i>Drafting factum; Considering and investigating the law of restitution for factum;</i>
06 /03/22	CY	0.20	<i>Considering and advising on hearing issues; Reviewing correspondence to Court; Reviewing various correspondence to and from Interac counsel; Reviewing correspondence from and to BDO regarding CIBC and Interac;</i>
06 /03/22	DI	0.55	<i>Letter received from Interac (several); Letter received from client (several); Reviewing CIBC advice;</i>
06 /03/22	LG	4.40	<i>Reviewing law of restitution; Drafting factum; Correspondence to and regarding Interac request for information;</i>
06 /06/22	CY	0.10	<i>Correspondence received from Commercial List regarding hearing; Considering and advising on YouTube link;</i>
06 /06/22	CY	1.20	<i>Reviewing and revising factum; Reviewing various correspondence to and from client; Reviewing correspondence from claimants;</i>
06 /06/22	CY	0.60	<i>Further review and revision of factum relating to Crypto wallets and accounting;</i>
06 /06/22	CY	0.45	<i>Reviewing and considering further revised factum;</i>
06 /06/22	CY	0.20	<i>Reviewing various correspondence from client, Polley Faith and Court; Considering and advising on hearing and court filings;</i>
06 /06/22	DI	0.20	<i>Letter received from BDO; Reviewing claimant correspondence;</i>
06 /06/22	LG	0.10	<i>Reviewing correspondence from Commercial List Court; Correspondence sent to Neeson's Court Reporting;</i>
06 /06/22	LG	2.50	<i>Revising draft factum; Instructions to BW regarding Orders, court materials, and coordination with Neesons; Drafting correspondence to Sunrise Users regarding adjournment; Correspondence with client and with CY; Correspondence to Commercial List; Instructions to BW regarding additional Sunrise Users to speak at motion;</i>
06 /06/22	LG	0.10	<i>Reviewing client correspondence regarding claimant nondisclosure of return of funds;</i>
06 /06/22	LG	0.10	<i>Telephone attendance on client;</i>
06 /07/22	CY	0.20	<i>Considering and advising on submissions for hearing; Reviewing final orders; Reviewing correspondence from BDO; Reviewing correspondence to claimants;</i>
06 /07/22	CY	0.10	<i>Considering and advising on hearing and next steps;</i>

06 /07/22	DI	0.20	<i>Letter received from BDO (several); Reviewing materials;</i>
06 /07/22	LG	3.50	<i>Preparing for and attendance at Court appearance;</i>
06 /07/22	LG	0.20	<i>Meeting with CY to report on Court attendance; Emails with client;</i>
06 /08/22	CY	0.20	<i>Receipt and review of endorsement of Justice Cavanaugh and issued orders; Reviewing report to client;</i>
06 /08/22	CY	0.10	<i>Further correspondence and orders received from Court; Various communications from claimants;</i>
06 /08/22	DI	0.20	<i>Reviewing Endorsement;</i>
06 /08/22	LG	0.25	<i>Reviewing endorsement of Justice Cavanagh; Correspondence to client;</i>
06 /10/22	DI	0.10	<i>Letter received from BDO;</i>
06 /13/22	CY	0.10	<i>Reviewing correspondence to client regarding schedules and order; Reviewing correspondence to Commercial List; Correspondence from BDO;</i>
06 /13/22	DI	0.10	<i>Letter received from BDO;</i>
06 /13/22	LG	0.20	<i>Reviewing final Schedules to Order; Correspondence to client;</i>
06 /14/22	CY	0.10	<i>Correspondence exchanged with Commercial List; Receipt and review of issued Order with schedules; Reviewing schedules; Reviewing correspondence to and from client;</i>
06 /14/22	LG	0.10	<i>Correspondence to client with Order and Schedules;</i>
06 /15/22	CY	0.10	<i>Considering and advising on FINTRAC obligations;</i>
06 /15/22	CY	0.10	<i>Correspondence received from and to BDO regarding RBC transactions; Correspondence from BDO;</i>
06 /15/22	DI	0.20	<i>Letter received from BDO; Reviewing materials;</i>
06 /15/22	LG	0.10	<i>Emails with client;</i>
06 /16/22	CY	0.10	<i>Receipt and review of issued Orders and report to BDO; Correspondence from Khan regarding RBC order;</i>
06 /16/22	DI	0.60	<i>Reviewing RBC advice; Reviewing issued and Entered Ancillary and Claims Process Order;</i>
06 /16/22	LG	0.10	<i>Correspondence to client enclosing issued Orders;</i>
06 /21/22	CY	0.10	<i>Reviewing various correspondence exchanged with BDO and RBC counsel;</i>
06 /21/22	DI	0.10	<i>Instructions regarding RBC counsel fees;</i>
06 /21/22	DI	0.10	<i>Letter received from client;</i>
06 /21/22	LG	0.15	<i>Telephone attendance on counsel for RBC; Drafting email to client;</i>

06 /22/22	LG	0.10	<i>Drafting correspondence to RBC counsel;</i>
06 /23/22	CY	0.10	<i>Correspondence received from Carle from RBC regarding compliance with court order; Reviewing correspondence to and from BDO; Reviewing correspondence to Carle;</i>
06 /23/22	DI	0.10	<i>Letter received from client;</i>
06 /23/22	LG	0.20	<i>Reviewing correspondence received from RBC; Reviewing information; Correspondence to client;</i>
07 /07/22	LG	0.10	<i>Instructions regarding research to student;</i>
07 /19/22	CY	0.10	<i>Correspondence from BDO regarding status of receivership;</i>
07 /19/22	DI	0.25	<i>Letter received from BDO; Reviewing CIBC advice; Reviewing transaction spreadsheet; Letter to BDO;</i>
08 /08/22	CY	0.10	<i>Correspondence received from Chucksons Inc. regarding claim submission;</i>
08 /30/22	CY	0.10	<i>Correspondence received from BDO regarding RBC claims;</i>
08 /30/22	DI	0.10	<i>Letter received from BDO;</i>
08 /30/22	LG	0.50	<i>Reviewing email received from A. Consoli; Drafting Affidavit; Instructions to BW;</i>
08 /31/22	CY	0.20	<i>Reviewing draft affidavit of Consoli and exhibits; Reviewing various correspondence received from and to BDO regarding Affidavit;</i>
08 /31/22	DI	0.10	<i>Letter received from client;</i>
08 /31/22	LG	0.10	<i>Correspondence to A. Consoli with Affidavit;</i>
08 /31/22	LG	0.10	<i>Revising draft Affidavit of Angelo Consoli; Telephone call with A. Consoli;</i>
08 /31/22	LG	0.10	<i>Meeting with A. Consoli regarding Affidavit;</i>

TIMEKEEPER SUMMARY

Timekeeper	ID	Hours	Rate	Total
COLLEEN YAMASHITA	CY	24.00	\$400.00	\$9,600.00
DANIELLE IAMPIETRO	DI	16.45	\$500.00	\$8,225.00
LAUREN GRIMALDI	LG	73.90	\$350.00	\$25,865.00
TOTAL FEES:				<u>\$43,690.00</u>


FEE	PLUS H.S.T.	DISBURSEMENTS	H.S.T EXEMPT	H.S.T NON- EXEMPT	PLUS H.S.T.	GRAND TOTAL
\$43,690.00	\$5,679.70					\$49,369.70
		WESTLAW/E-CARSWELL ACCESS		\$521.15		\$521.15
		OFFICIAL EXAMINER		\$112.50		\$112.50
		PPSA SEARCH(ES)/REGISTRATION		\$8.00		\$8.00
		LONG DISTANCE CALLS		\$3.64		\$3.64
\$43,690.00	\$5,679.70		\$0.00	\$645.29	\$83.89	\$50,098.88

BALANCE DUE TO THIS OFFICE: \$50,098.88
PREVIOUS AMOUNT OWING \$13,489.38
PREVIOUS PAYMENTS \$13,489.38
BALANCE DUE NOW \$50,098.88

THIS IS OUR ACCOUNT,

Per:

SCARFONE HAWKINS LLP



DANIELLE IAMPIETRO
 JSDI / /
 E. & O.E.

Laura Brooker

EXHIBIT "B"

BDO CANADA LIMITED
25 MAIN STREET WEST
SUITE 805
HAMILTON, ONTARIO
L8S 1A2 CANADA

ANGELO CONSOLI

INVOICE NUMBER:
188409
DATE:
December 31, 2022
OUR FILE NO.:
21C0752

IN ACCOUNT WITH

Scarfone Hawkins LLP
LAWYERS AND TRADE-MARK AGENTS
ONE JAMES STREET SOUTH
14TH FLOOR
P.O. BOX 926, DEPOT #1
HAMILTON, ONTARIO
L8N 3P9

TELEPHONE 905-523-1333
TELEFAX 905-523-5878

H.S.T. REGISTRATION NO. 873984314 RT - 0001

**RE: Bao Ying Cao and 13364097 Canada Inc. - BDO Receivership- Sunrise Technology - Work
From September, 2022 to Date**

TO ALL PROFESSIONAL services rendered in connection with the above-noted matter to Dec 31/22

DATE	TIMEKEEPER	HOURS	DESCRIPTION
09 /01/22	LG	0.10	<i>Drafting correspondence to RBC counsel;</i>
09 /19/22	LG	0.10	<i>Telephone attendance on S. Khan;</i>
09 /28/22	DI	0.10	<i>Letter received from BDO;</i>
09 /28/22	LG	0.10	<i>Correspondence with client; Correspondence to S. Khan;</i>
10 /03/22	LG	0.10	<i>Correspondence to S. Kahn at RBC;</i>
10 /04/22	DI	0.10	<i>Reviewing RBC advice;</i>
10 /04/22	LG	0.10	<i>Reviewing correspondence from S. Kahn at RBC;</i>
10 /14/22	CY	0.20	<i>Correspondence received from BDO regarding contested funds claims process and draft correspondence to claimants; Reviewing correspondence to RBC;</i>
10 /14/22	DI	0.10	<i>Letter received from BDO;</i>
10 /14/22	LG	0.10	<i>Reviewing correspondence from client; Correspondence to S. Khan at RBC;</i>
10 /17/22	CY	0.20	<i>Considering and advising on response to BDO; Correspondence to claimants and privacy language;</i>

10 /17/22	DI	0.10	<i>Letter received from BDO;</i>
10 /17/22	LG	0.40	<i>Reviewing correspondence received from client;</i>
10 /17/22	LG	0.35	<i>Reviewing and considering legal issues; Reviewing issues and next steps;</i>
10 /17/22	LG	0.10	<i>Reviewing client correspondence;</i>
10 /18/22	CY	0.20	<i>Reviewing correspondence and template from BDO; Considering and advising on privacy issues and concerns; Reviewing further correspondence to and from BDO;</i>
10 /18/22	DI	0.25	<i>Reviewing instructions regarding legal issues; Letter to BDO;</i>
10 /19/22	CY	0.40	<i>Reviewing claims order and proposed correspondence to BDO; Considering and advising on claim exclusions and privacy concerns;</i>
10 /19/22	LG	4.90	<i>Reviewing and considering various privacy issues involved in claims process; Reviewing correspondence from A. Consoli and considering all issues raised; Drafting correspondence to client;</i>
10 /20/22	CY	0.40	<i>Considering and advising on exclusion of claims and report to claimants; Reviewing revised draft response to BDO; Reviewing and considering relevant statutory authority and case law regarding disclosure of personal information in claims process; Considering and advising on PIPEDA concerns;</i>
10 /20/22	DI	0.30	<i>Reviewing and revising client report (privacy issues and claim threshold);</i>
10 /20/22	LG	0.20	<i>Revising draft letter to client; Telephone message for S. Khan;</i>
10 /21/22	CY	0.10	<i>Reviewing correspondence from Khan regarding RBC third party demands; Reviewing correspondence to BDO;</i>
10 /21/22	DI	0.25	<i>Letter to BDO (several);</i>
10 /21/22	DI	0.10	<i>Letter received from BDO;</i>
10 /21/22	LG	0.50	<i>Reviewing student research; Drafting correspondence to client;</i>
10 /21/22	LG	0.10	<i>Reviewing correspondence received from S. Khan at RBC; Drafting correspondence to client;</i>
10 /24/22	CY	0.10	<i>Reviewing correspondence to BDO regarding RBC position;</i>
10 /24/22	LG	0.10	<i>Correspondence to client regarding timeline for RBC information;</i>
11 /03/22	DI	0.30	<i>Letter received from RBC (several); Letter received from BDO;</i>
11 /03/22	LG	0.20	<i>Reviewing letter received from RBC; Reviewing excel chart; Drafting correspondence to client;</i>
11 /03/22	LG	0.10	<i>Reviewing correspondence received from RBC; Correspondence to client;</i>

11 /04/22	LG	0.10	<i>Correspondence with A. Consoli regarding payment to RBC;</i>
12 /02/22	CY	0.10	<i>Correspondence and privacy statement received from BDO; Reviewing privacy statement; Considering and advising on claims process;</i>
12 /02/22	DI	0.10	<i>Letter received from BDO; Reviewing documents;</i>
12 /14/22	CY	0.10	<i>Correspondence and Order Schedules received from BDO;</i>
12 /14/22	DI	0.10	<i>Letter received from BDO; Reviewing documents;</i>
12 /21/22	DI	0.10	<i>Letter received from BDO;</i>

TIMEKEEPER SUMMARY

Timekeeper	ID	Hours	Rate	Total
COLLEEN YAMASHITA	CY	1.80	\$400.00	\$720.00
DANIELLE IAMPIETRO	DI	1.90	\$500.00	\$950.00
LAUREN GRIMALDI	LG	7.65	\$350.00	\$2,677.50
TOTAL FEES:				<u>\$4,347.50</u>

FEE	PLUS H.S.T.	DISBURSEMENTS	H.S.T EXEMPT	H.S.T NON- EXEMPT	PLUS H.S.T.	GRAND TOTAL
\$4,347.50	\$565.18					\$4,912.68
		WESTLAW/E-CARSWELL ACCESS		\$56.68		\$56.68
		OFFICIAL EXAMINER		\$609.50		\$609.50
		LONG DISTANCE CALLS		\$2.56		\$2.56
		TECH ROLE ATTENDANCE		\$609.50		\$609.50

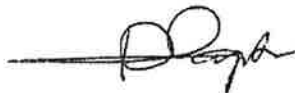
\$4,347.50	\$565.18	\$0.00	\$1,278.24	\$166.17	\$6,357.09
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BALANCE DUE TO THIS OFFICE:	\$6,357.09
PREVIOUS AMOUNT OWING	\$50,098.88
PREVIOUS PAYMENTS	\$50,098.88
BALANCE DUE NOW	\$6,357.09

THIS IS OUR ACCOUNT,

Per:

SCARFONE HAWKINS LLP



DANIELLE IAMPIETRO
JSDI / /
E. & O.E.

Laura Brooker

EXHIBIT "C"

BDO CANADA LIMITED
25 MAIN STREET WEST
SUITE 805
HAMILTON, ONTARIO
L8S 1A2 CANADA

ANGELO CONSOLI

INVOICE NUMBER:
191113
DATE:
March 9, 2023
OUR FILE NO.:
21C0752

IN ACCOUNT WITH

Scarfone Hawkins LLP

LAWYERS AND TRADE-MARK AGENTS
ONE JAMES STREET SOUTH
14TH FLOOR
P.O. BOX 926, DEPOT #1
HAMILTON, ONTARIO
L8N 3P9

TELEPHONE 905-523-1333
TELEFAX 905-523-5878

H.S.T. REGISTRATION NO. **873984314 RT - 0001**

**RE: Bao Ying Cao and 13364097 Canada Inc. - BDO Receivership- Sunrise Technology - Work
From February, 2023 to Date**

TO ALL PROFESSIONAL services rendered in connection with the above-noted matter to Mar 09/23

DATE	TIMEKEEPER	HOURS	DESCRIPTION
02 /02/23	CY	0.20	<i>Reviewing correspondence from BDO and proposed response regarding claims bar date and communication with claimants; further correspondence received from BDO regarding update on claims process and next steps;</i>
02 /02/23	DI	0.30	<i>Letter received from BDC; Considering legal issues! Reviewing and revising draft response</i>
02 /02/23	LG	0.65	<i>Reviewing email from A. Consoli, reviewing Order, drafting email to client;</i>
02 /24/23	CY	0.20	<i>Receipt and review of report on claims process results from BDO; considering and advising on response; reviewing response to BDO;</i>
02 /24/23	DI	0.20	<i>Letter received from BDO</i>
02 /24/23	LG	0.35	<i>Reviewing correspondence received from client, drafting email to client;</i>
03 /06/23	CY	0.45	<i>Receipt and review of correspondence and draft disallowances from BDO; reviewing claims order; correspondence to BDO regarding compliance with Order and proposed revisions; correspondence from client;</i>
03 /06/23	DI	0.10	<i>Letter received from BDO</i>

TIMEKEEPER SUMMARY

Timekeeper	ID	Hours	Rate	Total
COLLEEN YAMASHITA	CY	0.85	\$400.00	\$340.00
DANIELLE IAMPIETRO	DI	0.60	\$525.00	\$315.00
LAUREN GRIMALDI	LG	1.00	\$350.00	\$350.00
TOTAL FEES:				<u>\$1,005.00</u>


FEE	PLUS H.S.T.	DISBURSEMENTS	H.S.T EXEMPT	H.S.T NON- EXEMPT	PLUS H.S.T.	GRAND TOTAL
\$1,005.00	\$130.65					\$1,135.65
\$1,005.00	\$130.65		\$0.00	\$0.00	\$0.00	\$1,135.65

BALANCE DUE TO THIS OFFICE: \$1,135.65
PREVIOUS AMOUNT OWING \$6,357.09
PREVIOUS PAYMENTS \$6,357.09
BALANCE DUE NOW \$1,135.65

THIS IS OUR ACCOUNT,

Per:

SCARFONE HAWKINS LLP



DANIELLE IAMPIETRO
 JSDI / / JILL MEDEIROS
 F. & O.E.

EXHIBIT "D"

BDO CANADA LIMITED
25 MAIN STREET WEST
SUITE 805
HAMILTON, ONTARIO
L8S 1A2 CANADA

ANGELO CONSOLI

INVOICE NUMBER:
193245
DATE:
May 24, 2023
OUR FILE NO.:
21C0752

Scarfone Hawkins LLP

IN ACCOUNT WITH

LAWYERS AND TRADE-MARK AGENTS
ONE JAMES STREET SOUTH
14TH FLOOR
P.O. BOX 926, DEPOT #1
HAMILTON, ONTARIO
L8N 3P9

TELEPHONE 905-523-1333
TELEFAX 905-523-5878

H.S.T. REGISTRATION NO. 873984314 RT - 0001

**RE: Bao Ying Cao and 13364097 Canada Inc. - BDO Receivership- Sunrise Technology - Work
From March, 2023 to Date**

TO ALL PROFESSIONAL services rendered in connection with the above-noted matter to May 24/23

DATE	TIMEKEEPER	HOURS	DESCRIPTION
03 /10/23	CY	0.20	<i>Receipt and review of correspondence from BDO regarding update on claims process;</i>
03 /10/23	DI	0.15	<i>Letter received from BDO (several)</i>
03 /10/23	LG	0.20	<i>Reviewing correspondence from A. Consoli, drafting correspondence to A. Consoli;</i>
03 /13/23	CY	0.20	<i>Correspondence received from BDO and reviewing response regarding claims bar date and non compliant claims; further correspondence from BDO;</i>
04 /06/23	CY	0.20	<i>Considering and advising on claim dispute process, court approval and discharge motion;</i>
04 /06/23	LG	0.50	<i>Telephone attendance on client, reviewing next steps with CY, instructions to BW regarding commercial list motions dates;</i>
04 /12/23	CY	0.10	<i>Considering and advising on distribution and discharge motion;</i>
04 /12/23	LG	0.10	<i>Emails with BW and CY regarding next available court date;</i>
04 /12/23	LG	0.10	<i>Emails and instructions regarding booking court date;</i>
04 /18/23	CY	0.20	<i>Receipt and review of correspondence and documentation received from BDO; reviewing correspondence from Think Tank;</i>

04 /18/23	DI	0.20	<i>Letter received from client; Reviewing documents</i>
04 /18/23	LG	0.20	<i>Reviewing email and documents from A. Consoli, email to client;</i>
04 /18/23	LG	0.55	<i>Drafting letter to T. Thirunavukarasu;</i>
04 /19/23	CY	0.10	<i>Reviewing correspondence to BDO;</i>
04 /19/23	CY	0.10	<i>Reviewing response to Thirunavukarasu;</i>
04 /19/23	CY	0.10	<i>Reviewing and finalizing letter to Thirunavukarasu and attachments;</i>
04 /19/23	LG	0.50	<i>Drafting letter to paralegal T. Thirunavukarasu;</i>
04 /20/23	DI	0.10	<i>Letter received from client</i>
05 /08/23	CY	0.10	<i>Considering and advising on discharge motion;</i>
05 /17/23	DI	0.10	<i>Letter received from BDO</i>
05 /18/23	CY	0.40	<i>Receipt and review of correspondence and Statemetn of Receipt and Disbursements; considering and advising on issues raised; reviewing report to client;</i>
05 /18/23	LG	0.40	<i>Reviewing correspondence from A. Consoli, drafting correspondence to A. Consoli;</i>
05 /19/23	CY	0.20	<i>Reviewing correspondence forwarded to and received from BDO; considering and advising on next steps;</i>
05 /19/23	DI	0.10	<i>Letter received from BDO</i>
05 /19/23	LG	0.20	<i>Reviewing email from A. Consoli, drafting email to A. Consoli;</i>
05 /23/23	CY	0.10	<i>Reviewing report to BDO regarding timing of discharge motion;</i>

TIMEKEEPER SUMMARY

Timekeeper	ID	Hours	Rate	Total
COLLEEN YAMASHITA	CY	2.00	\$400.00	\$800.00
DANIELLE IAMPIETRO	DI	0.65	\$525.00	\$341.25
LAUREN GRIMALDI	LG	2.75	\$350.00	\$962.50
TOTAL FEES:				<u>\$2,103.75</u>

FEE	PLUS H.S.T.	DISBURSEMENTS	H.S.T EXEMPT	H.S.T NON- EXEMPT	PLUS H.S.T.	GRAND TOTAL
\$2,103.75	\$273.49					\$2,377.24
\$2,103.75	\$273.49		\$0.00	\$0.00	\$0.00	\$2,377.24

BALANCE DUE TO THIS OFFICE: \$2,377.24
PREVIOUS AMOUNT OWING \$0.00
PREVIOUS PAYMENTS \$0.00
BALANCE DUE NOW \$2,246.59

THIS IS OUR ACCOUNT,

Per:

SCARFONE HAWKINS LLP



DANIELLE IAMPIETRO
JSDI / / Francesca Dodoo-Amoo
E. & O.E.

TRUST STATEMENT

DATE	ITEM	DISBURSEMENTS	RECEIPTS
March-15-2023	Received From: Scarfone Hawkins LLP - CI Transfer to Trust		\$130.65
May-24-2023	Paid To: Scarfone Hawkins LLP Payment for invoice: 193245	\$130.65	
	TOTAL	<u>\$130.65</u>	<u>\$130.65</u>
	TRUST BALANCE		\$0.00

SCARFONE HAWKINS LLP
Per:

DANIELLE IAMPIETRO

EXHIBIT "E"

BDO CANADA LIMITED
25 MAIN STREET WEST
SUITE 805
HAMILTON, ONTARIO
L8S 1A2 CANADA

ANGELO CONSOLI

INVOICE NUMBER:
194612
DATE:
June 30, 2023
OUR FILE NO.:
21C0752

IN ACCOUNT WITH

Scarfone Hawkins LLP
LAWYERS AND TRADE-MARK AGENTS
ONE JAMES STREET SOUTH
14TH FLOOR
P.O. BOX 926, DEPOT #1
HAMILTON, ONTARIO
L8N 3P9

TELEPHONE 905-523-1333
TELEFAX 905-523-5878

H.S.T. REGISTRATION NO. 873984314 RT - 0001

**RE: Bao Ying Cao and 13364097 Canada Inc. - BDO Receivership- Sunrise Technology - Work
From May, 2023 to Date**

TO ALL PROFESSIONAL services rendered in connection with the above-noted matter to Jun 30/23

DATE	TIMEKEEPER	HOURS	DESCRIPTION
05 /25/23	LG	0.10	Telephone message for LG from A. Consoli, telephone message for A. Consoli;
05 /26/23	LG	0.10	Telephone message for LG from A. Consoli, email to A. Consoli;
05 /29/23	LG	0.15	Telephone attendance on A. Consoli;
06 /09/23	CY	0.20	Correspondence and draft second report received from BDO;
06 /09/23	DI	0.10	Letter received from BDO;
06 /12/23	LG	1.65	Reviewing email from client, reviewing and considering Receiver's draft report;
06 /13/23	CY	0.30	Considering and advising on court orders and next steps with LG;
06 /13/23	CY	0.40	Considering and advising on distribution order, discharge and next steps;
06 /13/23	LG	2.25	Reviewing and considering receiver's report, discussions with CY, drafting email report to CY;
06 /13/23	LG	4.15	Reviewing draft report and drafting email to client, call with client, meeting with CY to discuss issues;
06 /14/23	CY	2.45	Reviewing and considering draft report prepared by BDO; considering and advising on revisions and next steps;
06 /14/23	CY	0.20	Meeting with LG to discussion revisions and report to BDO;

06 /14/23	CY	0.40	<i>Reviewing and revising report to BDO;</i>
06 /14/23	DI	0.10	<i>Reviewing advice (draft report);</i>
06 /15/23	CY	0.20	<i>Considering and advising on distribution and caselaw regarding pro rata versus other methods;</i>
06 /16/23	CY	0.60	<i>Receipt and review of correspondence and further revised draft report from BDO;</i>
06 /16/23	DI	0.10	<i>Letter received from client;</i>
06 /16/23	LG	0.75	<i>Telephone attendance on A. Consoli;</i>
06 /19/23	CY	0.25	<i>Considering and advising on next steps and strategy with LG;</i>
06 /19/23	CY	0.10	<i>Reviewing report to BDO; correspondence from BDO;</i>
06 /19/23	CY	0.80	<i>Reviewing and revising NOM and draft Order; considering and advising on motion materials;</i>
06 /19/23	DI	0.30	<i>Reviewing revised report;</i>
06 /19/23	DI	0.10	<i>Reviewing client advice;</i>
06 /19/23	LG	3.95	<i>Drafting motion materials for motion for discharge and distribution, discussing materials and next steps with CY, emails with client, instructions to BW regarding motions date;</i>
06 /20/23	CY	0.60	<i>Considering and advising on reserve costs and future fees with LG; revising motion materials;</i>
06 /20/23	CY	0.80	<i>Reviewing and further revising amended second report; reviewing report to client;</i>
06 /20/23	CY	0.20	<i>Reviewing correspondence to BDO and further reviews NOM and draft order;</i>
06 /20/23	DI	0.20	<i>Reviewing revised report;</i>
06 /20/23	LG	0.25	<i>Reviewing issues of future fees and completion costs with CY;</i>
06 /20/23	LG	0.50	<i>Telephone attendance on client;</i>
06 /20/23	LG	0.95	<i>Revising draft report, revising draft notice of motion and draft order, email to client;</i>
06 /20/23	LG	0.30	<i>Telephone attendance on A. Consoli, email to client;</i>
06 /23/23	CY	0.10	<i>Correspondence received from BDO; reviewing correspondence to BDO;</i>
06 /26/23	CY	0.10	<i>Considering and advising on motion date; correspondence received from Commercial List;</i>
06 /26/23	CY	0.10	<i>Reviewing report to BDO;</i>
06 /26/23	CY	0.10	<i>Considering and advising on involvement of Polley Faith; reviewing correspondence to Polley Faith;</i>
06 /26/23	CY	0.10	<i>Correspondence received from BDO;</i>
06 /26/23	DI	0.10	<i>Letter received from client;</i>

06 /26/23	LG	0.10	<i>Instructions regarding court date, emails with CY and BW regarding court date;</i>
06 /26/23	LG	0.15	<i>Drafting email to Polley Faith regarding form for court date, emails with CY;</i>
06 /27/23	CY	0.20	<i>Reviewing correspondence forwarded to and received from Shnier; correspondence to Court; correspondence from Court; reviewing correspondence to Polly Faith and BDO; considering and advising on delivery of materials and strategy;</i>
06 /27/23	DI	0.10	<i>Letter received from PF;</i>
06 /27/23	LG	0.20	<i>Reviewing correspondence regarding court date, correspondence to D. Shnier, correspondence to A. Consoli, instructions to BW;</i>
06 /29/23	CY	0.10	<i>Reviewing report to BDO regarding motion and next steps;</i>
06 /29/23	DI	0.10	<i>Reviewing hearing advice;</i>
06 /29/23	LG	0.20	<i>Reviewing service requirements for motion, email to client;</i>

TIMEKEEPER SUMMARY

Timekeeper	ID	Hours	Rate	Total
COLLEEN YAMASHITA	CY	8.30	\$400.00	\$3,320.00
DANIELLE IAMPIETRO	DI	1.20	\$525.00	\$630.00
LAUREN GRIMALDI	LG	15.75	\$350.00	\$5,512.50
TOTAL FEES:				<u>\$9,462.50</u>

FEE	PLUS H.S.T.	DISBURSEMENTS	H.S.T EXEMPT	H.S.T NON-EXEMPT	PLUS H.S.T.	GRAND TOTAL
\$9,462.50	\$1,230.13					\$10,692.63

\$9,462.50	\$1,230.13		\$0.00	\$0.00	\$0.00	\$10,692.63
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BALANCE DUE TO THIS OFFICE:	\$10,692.63
PREVIOUS AMOUNT OWING	\$2,246.59
PREVIOUS PAYMENTS	\$2,246.59
BALANCE DUE NOW	\$10,692.63

THIS IS OUR ACCOUNT,

Per:

SCARFONE HAWKINS LLP



DANIELLE IAMPIETRO
JSDI / /
E. & O.E.

Laura Brooker

EXHIBIT "F"

BDO CANADA LIMITED
25 MAIN STREET WEST
SUITE 805
HAMILTON, ONTARIO
L8S 1A2 CANADA

ANGELO CONSOLI

INVOICE NUMBER:
194893
DATE:
July 15, 2023
OUR FILE NO.:
21C0752

IN ACCOUNT WITH

Scarfone Hawkins LLP
LAWYERS AND TRADE-MARK AGENTS
ONE JAMES STREET SOUTH
14TH FLOOR
P.O. BOX 926, DEPOT #1
HAMILTON, ONTARIO
L8N 3P9

TELEPHONE 905-523-1333
TELEFAX 905-523-5878

H.S.T. REGISTRATION NO. 873984314 RT - 0001

**RE: Bao Ying Cao and 13364097 Canada Inc. - BDO Receivership- Sunrise Technology - Work
From July 1, 2023 to July 15,2023**

TO ALL PROFESSIONAL services rendered in connection with the above-noted matter to Jul 15/23

DATE	TIMEKEEPER	HOURS	DESCRIPTION
07 /07/23	CY	0.30	<i>Receipt and review of correspondence and emails from claimants received from BDO; Reviewing correspondence to BDO; Considering and advising on next steps</i>
07 /07/23	DI	0.30	<i>Letter received from client; Reviewing report and additional claims advice</i>
07 /07/23	LG	0.10	<i>Reviewing correspondence from client, correspondence to client</i>
07 /10/23	CY	0.40	<i>Considering and advising on questions from BDO; Reviewing Claims Process Order; Report to BDO</i>

TIMEKEEPER SUMMARY

Timekeeper	ID	Hours	Rate	Total
COLLEEN YAMASHITA	CY	0.70	\$400.00	\$280.00
DANIELLE IAMPIETRO	DI	0.30	\$525.00	\$157.50
LAUREN GRIMALDI	LG	0.10	\$350.00	\$35.00

TOTAL FEES:

\$472.50

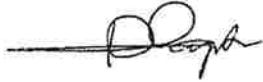
FEE	PLUS H.S.T.	DISBURSEMENTS	H.S.T EXEMPT	H.S.T NON- EXEMPT	PLUS H.S.T.	GRAND TOTAL
\$472.50	\$61.43					\$533.93
\$472.50	\$61.43		\$0.00	\$0.00	\$0.00	\$533.93

BALANCE DUE TO THIS OFFICE: \$533.93
PREVIOUS AMOUNT OWING \$10,692.63
PREVIOUS PAYMENTS \$10,692.63
BALANCE DUE NOW \$533.93

THIS IS OUR ACCOUNT,

Per:

SCARFONE HAWKINS LLP



DANIELLE IAMPIETRO
JSDI / /
E. & O.E.

Laura Brooker

BAO YING CAO et al.
Applicants

-and- XIAODONG YANG et al.
Respondents

Court File No. CV-21-00672880-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT TORONTO

AFFIDAVIT OF DANIELLE IAMPIETRO

SCARFONE HAWKINS LLP

One James Street South
14th Floor

P.O. Box 926, Depot 1
Hamilton, Ontario
L8N 3P9

Colleen Yamashita (LSO # 51468H)
cyamashita@shlaw.ca

Lauren Grimaldi (LSO # 51468H)
lgrimaldi@shlaw.ca

Tel: 905-523-1333

Lawyers for the Court Appointed Receiver,
BDO Canada Limited

Email for parties served:
Andrew Faith: afaith@polleyfaith.com

File Number: 21C0752

RCP-F 4C (September 1, 2020)

EXHIBIT "J"

Receiver's Statement of Receipts and Disbursements
In the matter of the Receivership over the Contested Funds
Subject to the Sunrise Technology Scheme
For the period December 7, 2021 to July 20, 2023

Receipts	<u>Amount</u>
Contested Funds - CIBC Accounts	\$ 1,329,965.38
Contested Funds - HSBC Accounts	28,892.49
Contested Funds - Scotiabank Account	23,301.41
Contested Funds - Wise Account	20,766.75
Contested Funds - PayPal Accounts	495.10
Contested Funds - EQ Accounts	26.65
Interest	<u>38,261.25</u>
 Total Receipts	 \$ 1,441,709.03
 Disbursements	
Receiver Fees	\$ 325,136.25
Legal Fees	81,443.62
Court Ordered Legal Payment	35,000.00
HST paid	52,424.88
Bank service charges	<u>1,204.00</u>
 Total Disbursements	 <u>495,208.75</u>
 Balance in Receiver's Trust Account	 <u><u>\$ 946,500.28</u></u>

EXHIBIT "K"



Welcome BRIDGET CHIASSON from BDO CANADA LLP

[Back](#)

[Print](#)

[EasyView Search Summary](#)



Ontario Search Results

ID 2237592

Search Type [BD] Business Debtor

Phone: (416) 225-5511

Your Ref No. HAMILTON - NICOLE

Searched :06JUN2023 00:01 PM

Printed :06JUN2023 00:17 PM

PSSME01 PERSONAL PROPERTY SECURITY REGISTRATION SYSTEM 06/06/2023
CCCL369 ENQUIRY REQUEST 12:01:36

FILE CURRENCY 05JUN 2023
CHANGE ACCOUNT (Y/N) : N ACCOUNT NUMBER : 009233 0001 ACCOUNT CODE : LIEBNWE

SEARCH TYPE (BD,IN,IS,MV) :
SEARCH CRITERIA :

SUB-SEARCH

RETRIEVE REGISTRATIONS RECORDED SINCE (DDMMYYYY) :
RESPONSE TYPE (V,P) : V RESPONSE LANGUAGE (E,F) : E PICK-UP CODE :
RESPONSE MAILING ADDRESS
NAME :
ADDRESS :
CITY : PROV :
POSTAL CODE :

PRINT RESPONSE LOCALLY (Y/N) : N
ENQUIRY FOR "13364097 CANADA INC." ENDED

NO MATCH

**"NO MATCH" MEANS THAT NO LIENS WERE FOUND IN THE ONTARIO
PERSONAL PROPERTY REGISTRY BASED ON THE SEARCH CRITERIA YOU SPECIFIED**

END OF REPORT

EXHIBIT "L"

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

B E T W E E N:

BAO YING CAO and 13364097 CANADA INC.

Applicants

and

XIAODONG YANG and USERS OF SUNRISE TECHNOLOGY

Respondents

RECEIVER'S CERTIFICATE OF COMPLETION

RECITALS

A. Pursuant to the Order of the Honourable Justice Pattillo of the Ontario Superior Court of Justice (the "**Court**") dated December 7, 2021, BDO Canada Limited was appointed as the receiver (the "**Receiver**"), without security, of the Contested Funds held by 13364097 Canada Inc. and Bao Ying Cao (the "**Applicants**").

B. Pursuant to an Order of the Court dated August 4, 2023, granted by the Honourable Justice Kimmel (the "**Distribution and Discharge Order**"), the Court authorized and directed, among other things, the Receiver to carry out the distribution (the "**Distribution**") of the Contested Funds and certain final outstanding matters (the "**Outstanding Matters**") that were proposed or contemplated in the Second Report of the Receiver, dated July 24, 2023, as amended or supplemented (the "**Final Report**"), and further provided that, upon the Receiver filing a Certificate of Completion with this Court, certifying that it has completed the Distribution and the Outstanding Matters, the Receiver shall thereby be immediately discharged and released from any and all liability in respect of all acts or omissions of the Receiver in the performance of intended performance of the Receiver's mandate or any activity related thereto.

THE RECEIVER HEREBY CERTIFIES the following:

1. The Receiver has completed the Distribution and all of the Outstanding Matters in accordance with the terms of the Final Report and the Distribution and

Discharge Order, such that the discharge and release of the Receiver should now be effective.

DATED at Hamilton, Ontario, this _____ day of _____, 2023.

**BDO CANADA LIMITED, in its capacity as
Receiver, without security, of the
Contested Funds, and not in its personal
capacity**

Name:

Title:

BAO YING CAO et al.
Applicants

-and- **XIAODONG YANG et al.**
Respondents

Court File No. CV-21-00672880-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT
TORONTO

RECEIVER'S CERTIFICATE OF COMPLETION

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Tel: 905-523-1333

Lawyers for the Court Appointed Receiver,
BDO Canada Limited

File Number: 21C0752

RCP-F 4C (September 1, 2020)

TAB 3

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE)
JUSTICE KIMMEL)
FRIDAY, THE 4TH
DAY OF AUGUST, 2023

B E T W E E N:

BAO YING CAO and 13364097 CANADA INC.

Applicants

and

XIAODONG YANG and USERS OF SUNRISE TECHNOLOGY

Respondents

DISTRIBUTION AND DISCHARGE ORDER

THIS MOTION, made by BDO Canada Limited (“**BDO**”), in its capacity as the Court-appointed receiver (the “**Receiver**”), without security, of the Contested Funds (as defined in the Interpleader Order dated December 7, 2021) held by Bao Ying Cao and 13364097 Canada Inc. (the “**Applicants**”), for an Order for the relief as set out in the Notice of Motion dated July 24, 2023, was heard this day by judicial video conference via Zoom at Toronto, Ontario.

ON READING the Notice of Motion dated July 24, 2023, the Second Report of the Receiver dated July 24, 2023 (the “**Second Report**”) and its appendices, the affidavit of Christopher Mazur sworn July 19, 2023 (the “**BDO Fee Affidavit**”), the affidavit of Danielle Lampietro sworn July 21, 2023 (the “**SH LLP Fee Affidavit**”), and on hearing the submissions of counsel for the Receiver,

1. **THIS COURT ORDERS** that the time and method for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

2. **THIS COURT ORDERS** that the Second Report of the Receiver, dated July 24, 2023, and the activities of the Receiver set out therein, are hereby approved.

3. **THIS COURT ORDERS** that the Receiver’s Determinations with respect to the Dispute Notices filed by certain Sunrise Users, as described in the Second Report, are hereby approved, and are to be considered final determinations of the claims to the Contested Funds made by those Sunrise Users who filed Dispute Notices.

4. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and Scarfone Hawkins LLP, as set out in the Second Report, the BDO Fee Affidavit, and the SH LLP Fee Affidavit, are hereby approved.

5. **THIS COURT ORDERS** that the Completion Costs Reserve from the Contested Funds to secure the estimated future fees and disbursements of the Receiver and its counsel, as set out in the Second Report, is hereby approved.

6. **THIS COURT ORDERS** that, after payment of the fees and disbursements herein approved, including the Completion Costs Reserve, the Receiver shall pay the monies remaining to the Accepted Sunrise Claimants in accordance with the proposed distribution set out in the Second Report.

7. **THIS COURT ORDERS** that, after the distribution to the Accepted Sunrise Claimants is complete, should there be any cheques not cashed by the Accepted Sunrise Claimants, the Receiver shall apply the amounts uncashed to any additional time or fees spent over and above the Completion Costs Reserve amount, if any. If any funds remain once any additional time or fees are paid, or there is any unused portion of the Completion Costs Reserve, the Receiver shall return to Court to obtain an Order with respect to any remaining funds.

8. **THIS COURT ORDERS** that the Receiver's Interim Statement of Receipts and Disbursements included in the Second Report, filed, is hereby approved.

9. **THIS COURT ORDERS** that, upon payment of the proposed distribution set out herein and in the Second Report (the "**Distribution**") and upon the Receiver filing a Discharge Certificate, in the form attached to the Second Report as **Appendix "L"**, certifying that it has completed the other activities described in the Second Report (the "**Outstanding Matters**"), the Receiver shall be discharged as Receiver of the Contested Funds, provided however that, notwithstanding its discharge herein, (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein; and (b) the Receiver shall continue

to have the benefit of the provisions of all Orders made in this proceeding, including all approvals and protections in favour of BDO in its capacity as Receiver.

10. **THIS COURT ORDERS AND DECLARES** that, upon filing the Discharge Certificate, BDO Canada Limited is hereby released and discharged from any and all liability that BDO Canada Limited now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of BDO Canada Limited while acting in its capacity as Receiver herein as described in any of its reports to the Court, save and except for any gross negligence or wilful misconduct on the Receiver's part. Without limiting the generality of the foregoing, BDO Canada Limited is hereby forever released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within proceedings, save and except for any gross negligence or wilful misconduct on the Receiver's part.

(Signature of Judge)

RCP-E 59A (September 1, 2020)

BAO YING CAO et al.
Applicants

-and- **XIAODONG YANG et al.**
Respondents

Court File No. CV-21-00672880-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT
TORONTO

ORDER

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Lawyers for the Court Appointed Receiver,
BDO Canada Limited

File Number: 21C0752

RCP-F 4C (September 1, 2020)

BAO YING CAO et al.
Applicants

-and- **XIAODONG YANG et al.**
Respondents

Court File No. CV-21-00672880-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT
TORONTO

MOTION RECORD
(RETURNABLE AUGUST 4, 2023)

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File Number: 21C0752

RCP-F 4C (September 1, 2020)