

This is Affidavit #1 of Cindy Dixon in this proceeding and was made on January 31, 2024

No. S-229607
Vancouver Registry



IN THE SUPREME COURT OF BRITISH COLUMBIA

MITSUBISHI HC CAPITAL CANADA INC.

Petitioner

– and –

VIC VAN ISLE CONSTRUCTION LTD., VVI CONSTRUCTION LTD., AND
LORTAP ENTERPRISES LTD.

Respondents

IN THE SUPREME COURT OF BRITISH COLUMBIA
IN BANKRUPTCY AND INSOLVENCY

IN THE MATTER OF THE RECEIVERSHIP OF
VIC VAN ISLE CONSTRUCTION LTD., VVI CONSTRUCTION LTD., AND
LORTAP ENTERPRISES LTD.

AFFIDAVIT #1 OF CINDY DIXON

I, Cindy Dixon, Paralegal, of 1200-200 Burrard Street, Vancouver, British Columbia, HEREBY SWEAR THAT:

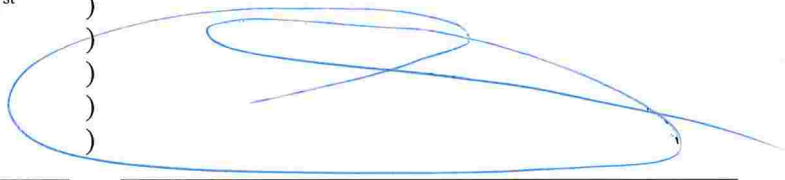
1. I am a paralegal at Borden Ladner Gervais LLP (“BLG”), counsel to Western Surety Company (“Western”), a secured creditor of the Respondents, and a money judgment Creditor of James Gordon Hampton (“Hampton”), and as such have personal knowledge of the facts deposed to in this Affidavit, except where stated to be based upon information and belief, in which case I believe both the information and the resulting statements to be true and accurate.
2. Attached and marked as **Exhibit “A”** to this Affidavit is a true copy of the Order of Justice Donegan made January 18, 2024 (the “**Order**”) in Supreme Court of British Columbia Kamloops Registry action No. S62013.
3. The Order grants Western judgment against Hampton in the amount of \$585,010.17 plus contractual interest in the amount of \$38,170.71 and costs in the amount of \$1,454.88.

4. Attached and marked as **Exhibit "B"** to this Affidavit is a true copy of the Personal Property Registry search for Hampton conducted by BLG on January 30, 2024 (the "**PPSA Search**"). The PPSA Search shows there are financing statements registered in favour of two secured parties purporting to have security over all present and after acquired personal property of Hampton.

SWORN BEFORE ME at the City of Vancouver,)
in the Province of British Columbia, on this 31st)
day of January, 2024.)
)
)
)




A Commissioner for taking Affidavits for British
Columbia



CINDY DIXON

RYAN M. LAITY
Barrister & Solicitor
BORDEN LADNER GERVAIS LLP
1200 Waterfront Centre, 200 Burrard Street
P.O. Box 48600, Vancouver, Canada V7X 1T2
604-632-3544

This is **Exhibit "A"** referred to in **Affidavit #1**
Of **Cindy Dixon** made before me
on January 31, 2024



A Commissioner for taking Affidavits
for British Columbia



No. S62013
Kamloops Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN

WESTERN SURETY COMPANY

PLAINTIFF

AND

VVI CONSTRUCTION LTD., LORTAP ENTERPRISES LTD.,
BRUCE LEONARD WALKER, KENNETH LEWIS
HENDRICKSON, JAMES GORDON HAMPTON AND VIC
VAN ISLE CONSTRUCTION LTD.

DEFENDANTS

ORDER MADE AFTER APPLICATION

BEFORE THE HONOURABLE
JUSTICE DONEGAN

)
)
)

18/JAN/2024


ON THE APPLICATION of the Plaintiff Western Surety Company ("**Western Surety**") coming on for hearing at the courthouse at 223 – 455 Columbia Street, Kamloops, BC, by MS Teams on December 18, 2023, AND WITHOUT NOTICE TO the Defendant James Gordon Hampton ("**Hampton**"), AND ON HEARING Amy Laverdure, counsel for the plaintiff, AND ON READING the materials filed herein; and judgment being reserved until this date;

THIS COURT ORDERS that:

1. Western Surety be granted judgment against Hampton, in default of a Response to Civil Claim.
2. Hampton shall pay to Western Surety the amount of \$585,010.17, plus contractual interest in the amount of \$38,170.71, on account of debt.

3. Hampton shall pay to Western Surety costs in the amount of \$1,454.88.

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



Signature of Amy Laverdure,
counsel for the plaintiff Western Surety Company

By the Court

Registry

No. S-62013
Kamloops Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN

WESTERN SURETY COMPANY

PLAINTIFF

AND

VVI CONSTRUCTION LTD., LORTAP ENTERPRISES LTD., BRUCE LEONARD
WALKER, KENNETH LEWIS HENDRICKSON, JAMES GORDON HAMPTON
AND VIC VAN ISLE CONSTRUCTION LTD.

DEFENDANTS

ORDER MADE AFTER APPLICATION

BORDEN LADNER GERVAIS LLP
1200 Waterfront Centre
200 Burrard Street
P.O. Box 48600
Vancouver, British Columbia V7X 1T2
Telephone: (604) 687-5744
Attn: Amy Laverdure

This is **Exhibit "B"** referred to in **Affidavit #1**
Of **Cindy Dixon** made before me
on January 31, 2024

A handwritten signature in blue ink, appearing to read 'M. J. [unclear]', is written over a horizontal line.

A Commissioner for taking Affidavits
for British Columbia

PERSONAL PROPERTY REGISTRY SEARCH RESULT

BC Registries and Online Services

Individual Debtor - "Hampton, James Gordon"

Search Date and Time: January 30, 2024 at 3:48:12 pm Pacific time
Account Name: BORDEN LADNER GERVAIS LLP (VANCOUVER)
Folio Number: 013722.000149

TABLE OF CONTENTS

2 Matches in 2 Registrations in Report

Exact Matches: 2 (*)

Total Search Report Pages: 5

	Base Registration	Base Registration Date	Debtor Name	Birth Date	Page
1	119783Q	January 5, 2024	* HAMPTON, JAMES GORDON		2
2	147934Q	January 22, 2024	* HAMPTON, JAMES GORDON		4

Base Registration Number: 119783Q

Registration Description: PPSA SECURITY AGREEMENT
Act: PERSONAL PROPERTY SECURITY ACT
Base Registration Date and Time: January 5, 2024 at 10:36:32 am Pacific time
Current Expiry Date and Time: January 5, 2029 at 11:59:59 pm Pacific time
 Expiry date includes subsequent registered renewal(s)
Trust Indenture: No

CURRENT REGISTRATION INFORMATION

(as of January 30, 2024 at 3:48:12 pm Pacific time)

Secured Party Information

**NORTHBRIDGE GENERAL
INSURANCE CORPORATION**

Address

105 ADELAIDE STREET WEST
TORONTO ON
M5H 1P9 Canada

Debtor Information

HAMPTON, JAMES GORDON

Address

4456 AIRPORT WAY
REVELSTOKE BC
V0E 2S3 Canada

Birthdate

HENDRICKSON, KENNETH LEWIS

Address

7940 TRONSON ROAD
VERNON BC
V1H 1C6 Canada

Birthdate

WALKER, BRUCE LEONARD

Address

1240 INDUSTRIAL ROAD
KELOWNA BC
V1Z 1G5 Canada

Birthdate



Vehicle Collateral

None

General Collateral

Base Registration General Collateral:

ALL OF THE DEBTORS' PRESENT AND AFTER-ACQUIRED PERSONAL PROPERTY; ALL PROCEEDS INCLUDING ACCOUNTS, MONEY, CHATTEL PAPER, INTANGIBLES, GOODS, DOCUMENTS OF TITLE, INSTRUMENTS, INVESTMENT PROPERTY, SUBSTITUTIONS, CROPS, LICENCES, TRADE INS, INSURANCE PROCEEDS AND ANY OTHER FORM OF PROCEEDS

Original Registering Party

BORDEN LADNER GERVAIS LLP (M. BORGO)

Address

22 ADELAIDE STREET WEST
TORONTO ON
M5H 4E3 Canada

Base Registration Number: 147934Q

Registration Description: CROWN CHARGE FILED PURSUANT TO PROVINCIAL SALES TAX ACT
Act: MISCELLANEOUS REGISTRATIONS ACT
Base Registration Date and Time: January 22, 2024 at 3:56:36 pm Pacific time
Current Expiry Date and Time: Never

CURRENT REGISTRATION INFORMATION

(as of January 30, 2024 at 3:48:12 pm Pacific time)

Secured Party Information

**RECEIVABLES MANAGEMENT
OFFICE - TARA KLINGSPOHN**

Address

1802 DOUGLAS STREET, 6TH FLOOR
VICTORIA BC
V8T 4K6 Canada

Debtor Information

HAMPTON, JAMES GORDON

Address

4456 AIRPORT WAY
REVELSTOKE BC
V0E 2S3 Canada

Birthdate

Vehicle Collateral

None

General Collateral

Base Registration General Collateral:

All the debtor's present and after acquired personal property, including but not restricted to machinery, equipment, furniture, fixtures and receivables.



PERSONAL PROPERTY REGISTRY SEARCH RESULT

BC Registries and Online Services

Original Registering Party

MINISTRY OF FINANCE

Address

1802 DOUGLAS ST
PO BOX 9445
VICTORIA BC
V8T 4K6 Canada

No. S-229607
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1200 Waterfront Centre - 200 Burrard Street
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Telephone: (604) 687-5744
Attn: Ryan Laity