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COURT FILE NO. 1801-06199

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGART

PLAINTIFF GOLF PROPERTIES OF FLORIDA, LLC

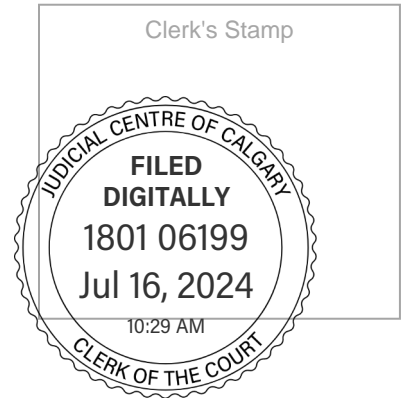
DEFENDANTS LEMKCO FLORIDA, INC. A Florida Corporation and  
JAMES T. KAHANYSHYN

RESPONDENTS HENTOSZ RESOURCES LTD. MICHAEL KAHANYSHYN, MAY  
KAHANYSHYN, JANET SCHULTZ and JAMES KAHANYSHYN

DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT  
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**DATE ON WHICH ORDER WAS PRONOUNCED: July 10, 2024**

**LOCATION OF HEARING OR TRIAL: Calgary, Alberta**

**NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Justice P. R. Jeffrey**

UPON THE APPLICATION of the Applicant, GOLF PROPERTIES OF FLORIDA, LLC; AND UPON having heard representations of the Applicant; AND UPON having read the Application, the Affidavit, and Brief of the Applicant; AND UPON having read the Affidavits of Michael Kahanyshyn and May Kahanyshyn; AND UPON having read the document titled JULY 10 HEARING FINAL CANCELLATION REQUEST of Michael Kahanyshyn, May Kahanyshyn, and JANET SHULTZ and not being persuaded that any of the relief request or alluded to therein had any merit or foundation in law or fair process, even if the allegations of fact therein were sworn, which they were not; AND UPON having been advised of the relief sought by HENTOSZ RESOURCES LTD., MICHAEL KAHANYSHYN, MAY KAHANYSHYN and JANET SHULTZ, in their cross-applications filed May 31, 2023, and August 25, 2023; AND UPON no one appearing for HENTOSZ RESOURCES LTD., MICHAEL KAHANYSHYN, MAY KAHANYSHYN, JANET SHULTZ, JAMES KAHANYSHYN, or any of them alone despite their obvious knowledge of the court hearing date and time; THE CANADA REVENUE AGENCY; AND UPON concluding that


HENTOSZ RESOURCES LTD., MICHAEL KAHANYSHYN, MAY KAHANYSHYN, and JANET SHULTZ have engaged in litigation misconduct;

**IT IS HEREBY ORDERED AND DECLARED THAT:**

1. The time for service of the notice of application for this order (the “Order”) is hereby abridged and deemed good and sufficient and this application is properly returnable today.
2. The registered shares of Hentosz Resources Ltd. which were seized on or about July 22, 2019, were not validly transferred into the Treasury of Hentosz Resources Ltd. pursuant to the Resolution of the Directors of Hentosz Resources Ltd, made effective the 1<sup>st</sup> day of January 2024 and remain validly seized by the Applicant.
3. The Order of Applications Judge Mattis, filed June 4, 2024, did not dismiss the action, nor preclude the Application from moving the matter to the Commercial List, and doing so does not constitute contempt of Court. None of the acts or omissions of the Applicant satisfy the legal test for civil contempt and I declare the allegations of same to have been levelled for ulterior purpose.
4. The Order of Applications Judge Smart, filed April 15, 2024, has not been appealed or set aside, and service of all documentation pursuant to said Order is deemed good and effective.
5. The Order of Justice Nixon, filed March 1, 2019, has not been appealed or set aside, and remains in effect against the Defendants named therein.
6. Hentosz Resources Ltd., Michael Kahanyshyn, May Kahanyshyn, and Janet Shultz (collectively, the “Hentosz Respondents”), lack standing to apply to have the Order of Justice K. Nixon, filed March 1, 2019, varied or set aside.
7. Pursuant to paragraphs 4 and 5 of the Consent Order of Applications Judge Farrington, filed February 22, 2024, the Hentosz Respondents were to advise counsel for the Applicant of their intention to rely on any previously filed applications, cross applications, affidavits, or other written submissions relating to these proceedings by 4:00 p.m. February 20, 2024. The Hentosz Respondents failed to comply with the deadlines mandated by the said Order and therefore the Hentosz Respondents may not rely on

their cross-applications filed May 31, 2023, and August 25, 2023, and the relief sought therein.

8. Pursuant to paragraphs 4(a) and 4(b) of the Order of Applications Judge Mattis granted April 11, 2024, and filed June 4, 2024, which varied paragraphs 2, 3, 6, and 9 of the Consent Order of Applications Judge Farrington, filed February 22, 2024, the Hentosz Respondents were to file and serve any applications, cross-applications or affidavits relating to these proceedings by 4:00 pm, May 17, 2024. Therefore, the Hentosz Respondents may not rely on any applications, cross-applications, or affidavits relating to these proceedings that are either filed or served on the Applicant after May 17, 2024, at 4:00 p.m., save and except for applications, cross-applications or affidavits entailed by paragraph 3 of the Receivership Order of today's date, for the purpose of showing cause why Hentosz Resources Ltd. should not be liquidated.
9. In addition to the directions regarding service set out in the Order of Applications Judge Smart, filed April 15, 2024, service of subsequent documents shall be deemed to be received by James Kahanyshyn 10 days after the Applicant complies with paragraph 2 of that Order, and by sending the documents by text message to 352-293-4786.
10. The Applicant is awarded costs in the amount of \$62,000.00, as against Hentosz Resources Ltd., Michael Kahanyshyn, and May Kahanyshyn, jointly and severally, payable forthwith.

  
The Honourable Justice P. R. Jeffrey