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COURT FILE NUMBER: 2403 00813

COURT: COURT OF KING'S BENCH OF ALBERTA

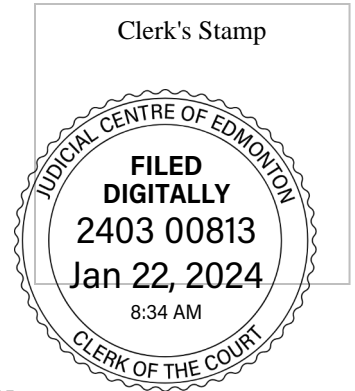
JUDICIAL CENTRE: EDMONTON

PLAINTIFF: JASPER SUMMERLEA SHOPPING CENTER LTD., by its Court-appointed Receiver and Manager, MNP LTD.

DEFENDANTS: JUDY PING CHEN, also known as JUDY CHEN, KIN MIN LEE, JOHN DOE, JANE DOE, ABC CORPORATION, and ROYAL BANK OF CANADA

DOCUMENT: **ATTACHMENT ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT: **PARLEE McLAWS LLP**  
1700 Enbridge Centre  
10175-101 Street NW  
Edmonton, Alberta T5J 0H3  
Attention: Steven A. Rohatyn  
Phone: (780) 423-8177  
Fax: (780) 423-2870  
File No: 839-64/SRO



**DATE ON WHICH ORDER WAS PRONOUNCED: January 19, 2024**

**LOCATION WHERE ORDER WAS PRONOUNCED: Edmonton, Alberta**

**NAME OF JUSTICE WHO MADE THIS ORDER: J.J. Gill**

**UPON** the *ex parte* application of the Plaintiff; **AND UPON** reading the Amended Statement of Claim; **AND UPON** reading the Receiver's First, Second, Third, and Fourth Reports to the Court, to be filed in Court File No. 2303 12261; **AND UPON** reading the Brief filed in support of this Application; **AND UPON** hearing the submissions of counsel for the Plaintiff; **AND UPON** being satisfied that there is a reasonable likelihood that the Plaintiff's claim against Judy Ping Chen, also known as Judy Chen (hereinafter, the "**Chen Defendant**") will be established; **AND UPON** being satisfied that there are reasonable grounds for believing that the Chen Defendant has assets in Alberta; **AND UPON** being satisfied that there are reasonable grounds for believing that the Chen

Defendant is dealing, or is likely to deal with her exigible property otherwise than for the purposes of meeting her reasonable and ordinary business or living expenses and in a manner that would be likely to seriously hinder the Plaintiff in the enforcement of a judgment against her; **AND UPON** being satisfied that there are reasonable ground for believing that there is a risk that the Chen Defendant's assets will be dissipated or removed before any judgment in this Action is awarded or satisfied; **AND UPON** noting the undertaking of the Plaintiff to abide by any Order this Court may make concerning damages arising from the enforcement of this Order in the form attached as Schedule "A"; **AND UPON** considering Part 3 of the *Civil Enforcement Act*, RSA 2000, c-15, as amended; **AND UPON** being satisfied that the granting of this Order is warranted on an *ex parte* basis;

**IT IS HEREBY ORDERED THAT:**

**Freezing Order**

1. Other than as permitted by this Order, the Chen Defendant is restrained from directly, or indirectly, by any means whatsoever, dealing with, transferring, mortgaging, charging, using, disposing of, creating an interest in or doing anything to any "exigible property" (as defined in the *Civil Enforcement Act* and associated regulations), other than employment income, including, without limitation, any things, rights or interests in things, anything regarded in law or equity as property or as an interest in property, any right or interest that can be transferred for value from one person to another, any right, including a contingent or future right, to be paid money or receive any other kind of property, and any cause of action in which the Chen Defendant has any interest, other in the ordinary course and for living expenses not to exceed the monthly amount of \$ 10,000.00 or to pay legal fees incurred as a result of this Action pending any further Order of this Court.
2. The prohibition set out in paragraph 1 applies to all of the Chen Defendant's assets, whether in the Chen Defendant's own name or not, and whether solely or jointly owned, including but not limited to:
  - (a) any bank, investment or other account at any bank, financial or other institution including without limitation those accounts outlined in the attached Schedule "B";
  - (b) any motor vehicle, trailer, or other vehicle registered to the Chen Defendant including without limitation those vehicles outlined in the attached Schedule "B";
  - (c) any real property in which the Chen Defendant has any interest including without limitation the real property outlined in the attached Schedule "B";
  - (d) any and all other personal property of any description whatsoever; and

- (e) any and all share certificates, negotiable instruments and the like.
3. Without limiting the scope of paragraph 1, the Chen Defendant is further prohibited from dealing with or using in any manner any secured credit, including but not limited to any credit card, loan, or line of credit, for which payment is secured against any personal or real property in which the Chen Defendant has any interest, pending further Order of this Court.

### **Third Parties**

4. Any person or entity with notice of this Order is prohibited from directly, or indirectly, by any means whatsoever, dealing with, transferring, mortgaging, charging, using, disposing of, creating an interest in or doing anything to any "exigible property" (as defined in the *Civil Enforcement Act* and associated regulations) in which the Chen Defendant has any interest.
5. Subject to paragraph 1, any branch(es) of the banks, financial institutions or other financial entities that is (are) served with a copy of this Order is (are) enjoined from disbursing or dealing with any funds or assets deposited in all accounts, including without limiting the generality of the foregoing, safety deposit box(es), investments, loans or other customer accounts held in the Chen Defendant's name or such accounts in which the Chen Defendant is authorized to conduct transactions.
6. Notwithstanding paragraph 1, any branch(es) of the banks, financial institutions or other financial entities that is (are) served with a copy of this Order is (are) enjoined from disbursing or dealing with any funds or assets deposited in all accounts, including without limiting the generality of the foregoing, safety deposit box(es), investments, loans or other customer accounts held in the Chen Defendant's name or such accounts in which the Chen Defendant is authorized to conduct transactions, which received a deposit in the amount of \$460,000.00 on or about November 6, 2023.
7. Any branch(es) of the banks, financial institutions or other financial entities that is (are) served with a copy of this Order that know(s) or become(s) aware of any safety deposit box(es) held by or on behalf of the Chen Defendant is (are) directed to forthwith advise counsel for the Plaintiff of the location of such safety deposit box(es) and provide counsel for the Plaintiff, or such other person as authorized to act on behalf of the Plaintiff, with access to such safety deposit box(es), including without limitation, access to the contents of such safety deposit box(es).

### **Disclosure of Assets**

8. The Chen Defendant shall forthwith, and in any event within fifteen (15) days of service of this Order, deliver to counsel for the Plaintiff sworn evidence of the nature and location of all of her assets, wheresoever located, including assets held on her behalf or in trust for her, assets held jointly by her with some other party, assets in which she holds any interest and assets that she holds in trust for any other party. This evidence shall be presented using

Form 13 or Form 14, as applicable, of Schedule 4 to the *Civil Enforcement Regulation*, AR 265/96.

9. The Chen Defendant shall provide a monthly accounting of living expenses to counsel for the Plaintiff, and to the Court.

### **Exceptions to this Order**

10. Notwithstanding the provisions herein, counsel for the Plaintiff and the Chen Defendant may, by written agreement signed by all parties, temporarily or permanently exclude specified "exigible property" from the effect of this Order.

### **Duration of this Order**

11. Unless this Order is varied or discharged by a further Order of this Court, this Order will remain in force up to and including February 9, 2024, unless the Order is extended on application on notice to the Chen Defendant.
12. This Order will cease to have effect if the Chen Defendant provides sufficient alternative security in a form and amount as determined by this Court or agreed to by the Plaintiff and the Chen Defendant.

### **Enforcement of this Order**

13. The Chen Defendant, and any person who has possession or control of any exigible property in which the Chen Defendant has any interest, shall, upon demand by Counsel for the Plaintiff, deliver that property up to any civil enforcement agent as retained by the Plaintiff for the purposes of enforcement of this Order.
14. On request of Counsel for the Plaintiff, the Clerk of the Court is authorized and directed to issue garnishee summons as may be requested respecting any exigible property in which the Chen Defendant has any interest.
15. This Order may be registered with the Personal Property Registry.
16. The Registrar for the South Alberta Land Registration District and the Registrar for the North Alberta Land Registration District shall, pursuant to s. 2(e) of the *Name Search Regulation*, Alta Reg 207/1999:
  - (a) At the Plaintiff's request, conduct name searches upon the names Judy Chen and Judy Ping Chen; and
  - (b) Cause a copy of this Order to be registered against title to lands owned in whole or in part, whether directly or indirectly, by and in the name of Judy Chen or Judy Ping Chen, including but not limited to those lands described in the attached Schedule "B".

**No Writ Proceedings**

17. Pursuant to s. 24(2) of the *Civil Enforcement Act*, until such time as this Order terminates no writ proceedings against any property that is subject to this Order shall be commenced or continued without leave of the Court, which shall be obtained on notice to the Plaintiff pursuant to paragraph 16.

**Variation or Discharge of this Order**

18. Any interested person may apply to the Court at any time to vary or discharge this Order on giving no less than 24 hours' notice to the Plaintiff's solicitor of his or her intention to do so, but this Order will remain in force until further Order even if such an application is pending.
19. All applications to vary or discharge this Order or arising out of the issuance or enforcement of this Order, shall be heard by the Judge who issued this Order unless otherwise directed by the Judge.
20. Costs of this application may be spoken to upon further application before this Court.

**Miscellaneous**

21. The Plaintiff's reliance in support of its Application for this Order upon the First, Second, Third, and Fourth Reports of the Receiver, to be filed in Court File No. 2303 12261, is hereby authorized.

  
\_\_\_\_\_  
Justice of the Court of King's Bench of Alberta

**Schedule "A" – Undertaking as to Damages**

COURT FILE NUMBER:

Clerk's Stamp

COURT: COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE: EDMONTON

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DEFENDANTS: JUDY PING CHEN, also known as JUDY CHEN, KIN MIN LEE, JOHN DOE, JANE DOE, ABC CORPORATION, and ROYAL BANK OF CANADA

DOCUMENT: **UNDERTAKING BY PLAINTIFF**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT: **PARLEE McLAWS LLP**  
 1700 Enbridge Centre  
 10175–101 Street NW  
 Edmonton, Alberta T5J 0H3  
 Attention: Steven A. Rohatyn  
 Phone: (780) 423-8177  
 Fax: (780) 423-2870  
 File No: 839-64/SRO

Jasper Summerlea Shopping Center Ltd., by its Court appointed Receiver and Manager, MNP Ltd. (the "Receiver"), hereby undertakes to abide by any Order that this Court may make as to damages in the event that the Court is hereafter of the opinion that the defendants impacted by this Order, or any other person served with it, have sustained damages by reason of this Order which the Receiver is liable to pay from the assets under its administration.

DATED at the City of Edmonton, in the Province of Alberta, this \_\_\_\_ day of January, 2024.

JASPER SUMMERLEA SHOPPING CENTER LTD., by its Court-appointed Receiver and Manager, MNP Ltd.

Per: \_\_\_\_\_  
 Kristin Gray, CPA, CA, CIRP, LIT

**SCHEDULE "B"****LIST OF REAL PROPERTY**

<b>Name(s) on Title</b>	<b>Title Number</b>	<b>Legal Description</b>
Judy Ping Chen	102 344 013	PLAN 7923201 BLOCK 62 LOT 47 EXCEPTING THEREOUT ALL MINES AND MINERALS
Judy Ping Chen	102 344 039	PLAN RN 23 (XXXIII) BLOCK 2 LOT 23 EXCEPTING THEREOUT ALL MINES AND MINERALS
Judy Chen	192 074 476	PLAN 1722537 BLOCK 12 LOT 24B EXCEPTING THEREOUT ALL MINES AND MINERALS
Judy Chen	242 002 089	PLAN RN 60 (LX) BLOCK 9 LOT 6 EXCEPTING THEREOUT ALL MINES AND MINERALS