



NO. S149050
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

0805652 B.C. Ltd., 0805663 B.C. Ltd., 0805658 B.C. Ltd.,
0801660 B.C. Ltd., 0795671 B.C. Ltd., Bill Fong Investments Ltd.,
Chang Wei Tile Ltd., Super Tile & Construction Ltd., and Shun
Chi Company Ltd.

PLAINTIFFS

AND:

Siu Mui Wong (also known as Debbie Wong), Siu Kon Soo (also
known as Bonnie Soo), D&E Arctic Investments Inc. and 1300302
Alberta Inc.

DEFENDANTS

NOTICE OF APPLICATION

Name of Applicant: MNP Ltd. (the “Receiver” or the “Applicant”), in its capacity as receiver, without security, of certain assets undertakings and property of Siu Mui “Debbie” Wong (“Ms. Wong”), Siu Kon “Bonnie” Soo (“Ms. Soo”), Origin Business Park Inc. formerly known as Wheatland Industrial Park Inc., 1300302 Alberta Inc. and D & E Arctic Investments Inc. (the “Debtors” or the “Defendants”)

To:

Plaintiffs, 0805652 B.C. Ltd., 0805663 B.C. Ltd., 0805658 B.C. Ltd. and Shun Chi Company Ltd. #93 W 28 th Ave Vancouver, BC V5Y 2K7 <u>bettywu7925@gmail.com</u>	Plaintiffs, 0801660 B.C. Ltd., 0795671 B.C. Ltd. 10822 Finlayson Drive Richmond, BC V6X 1W9 <u>isayml@icloud.com</u> <u>i_leung@shaw.ca</u>
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Plaintiff, Bill Fong Investment Ltd.

432-56th Avenue East
Vancouver, BC V5X 1R4

Bill.h.fong@gmail.com

Plaintiff, Moon Siu Enterprises Ltd.

1312 East 28th Avenue
Vancouver, BC V5V 2R1

doublecolourtile@hotmail.com

Non-Party, Collin Wong Barrister & Solicitor & Notary Public

Box 16, 9911 – 104 Street
Edmonton, AB T5K 0Z2

office@collinwong.ca

Non-Party, Canadian Imperial Bank of Commerce,

20069 64 Avenue,
Langley, BC V2Y 1M9

Non-Party, Gulf & Fraser Fishermen's Credit Union

500-6456 176 Street, Surrey,
BC V3S 4G3

Plaintiff, Super Tile & Construction Ltd. and Chang Wei Tile Ltd.

75 E, 56th Avenue
Vancouver, BC
V5X 1P7

doublecolourtile@hotmail.com

Defendants, Siu Mui (Debbie) Wong, Siu Kon (Bonnie) Soo, D&E Artic Investments Inc. and 1300302 Alberta Inc.

c/o Owen Bird Law Corporation
P.O. Box 49130
Three Bentall Centre
2900-595 Burrard Street
Vancouver, BC V7X 1J5
(Attention: Terence Yu)

tyu@owenbird.com

Non-Party, Vancouver City Savings Credit Union,

100 – 20055 Willowbrook Drive,
Langley, BC V2Y 2T5

Unit H 120 – 15795 Croydon Drive,
Surrey, BC V3S 2L6

Non-Party, Toronto-Dominion Bank,

900 West King Edward,
Vancouver, BC V5Z 2E2

2100-3779 Sexsmith Road,
Richmond, BC V6X 3Z9

Non-Party, HSBC Bank Canada

681 Main Street,
Vancouver, BC V6A 2V4

Non-Party, Royal Bank of Canada

400 Main Street,
Vancouver, BC V6A 2T5

611 - 650 West 41st Avenue,
Vancouver, BC V5Z 2M9

2208 West 41st Avenue,
Vancouver, BC V6M 1Z8

17931 56th Avenue,
Surrey, BC V3S 1E2

TAKE NOTICE that an application will be made by the Applicant to Chief Justice Hinkson at the Courthouse at 800 Smithe Street, in the City of Vancouver, in the Province of British Columbia on Monday, the 30th day of May, 2022 at 9:15 a.m. before the Honourable Chief Justice Hinkson for the orders set out in Part 1 below.

Part 1: ORDERS SOUGHT

1. An Order that the Mareva order originally pronounced on December 2, 2014 (the “**Mareva Order**”) be varied such that it no longer applies to any funds belonging to the Defendants in the accounts listed in Schedule “A” of this application (the “**Accounts**”).
2. An order that the Mareva Order be varied such that it no longer applies to sale proceeds of \$38,543.10 from the sale of 11456 Jasper Avenue presently held in the trust account of Collin Wong Barrister & Solicitor & Notary Public (the “**Jasper Avenue Proceeds**”).

Part 2: FACTUAL BASIS**Overview**

1. The Receiver was appointed by the Court to assist the British Columbia Securities Commission with the orderly recovery and distribution of funds to investors who were defrauded by the Defendants. The liability and sanctions decisions are available on CanLII at *Re Wong*, 2016 BCSECCOM 208 (Liability Decision) and *Re Wong*, 2017 BCSECCOM 57 (Sanctions Decision).

The Receivership

2. On October 3, 2019, the Commission sought and obtained an order appointing MNP Ltd. as the Receiver, without security, of certain assets, undertakings, and property of the Debtors (the “**Receivership Order**”) in *British Columbia Securities Commission v. Siu Mui “Debbie” Wong et al*, SCBC Vancouver Registry No. S198522.

3. On August 27, 2021, the Receiver sought and obtained an order amending the Receivership Order (the “**Amended Receivership Order**”). The Receiver has realized on the Debtors’ interests in a number of the assets listed in Schedule “B” of the Amended Receivership Order, including:
 - a. Ms. Wong and Ms. Soo’s interest in net sale proceeds held by Owen Bird Law Corporation in connection with the sale of a property located at 33136 Dewdney Trunk Road, Mission, BC;
 - b. Ms. Wong’s half interest in a property located at 16863 58A Avenue, Surrey, BC;
 - c. Ms. Wong and Ms. Soo’s 3/16th interest in 25141 Dewdney Trunk Road, Maple Ridge, BC; and
 - d. Ms. Wong’s interest in proceeds of sale from certain lands located in Rocky View, Alberta.
4. The Receiver is the process of realizing on the remaining assets, including but not limited to funds in the Accounts and the Jasper Avenue Proceeds.

Affidavit #2 of Patty Wood, sworn on March 10, 2022, Ex. A.
Affidavit #3 of Patty Wood, sworn on March 28, 2022, Ex. A and Ex. B.

History of the Mareva Order

5. On December 2, 2014, Chief Justice Hinkson granted the plaintiffs’ application for the Mareva Order.
6. The Mareva Order was extended to January 28, 2015.
7. On January 28, 2015, Chief Justice Hinkson ordered that the Mareva Order would remain in force and effect until further order of this Honourable Court, without prejudice to the defendants’ right to apply to vary or set aside the Mareva Order on two clear days’ notice.
8. By way of Orders granted on December 4, 2020 and June 14, 2021, the Mareva Order was varied such that it no longer applied to Ms. Soo and Ms. Wong’s interest in the real properties included in the Receivership or the proceeds resulting from the sales of those properties.

Status of the Action

9. On September 7, 2017, the plaintiffs in this action brought an application seeking that the trial of this action be heard concurrently with the trial of action S-134693. The application was dismissed. The reasons for judgment are available on CanLII at *Wheatland Industrial Park v. Soo*, 2017 BCSC 2109.
10. Between October 11, 2018 and November 16, 2018, the plaintiffs each filed notices of intention to act in person in this action and provided addresses for delivery of documents.

11. There have been no filings by the plaintiffs in this action since November 16, 2018.

Part 3 LEGAL BASIS

1. The Applicant has standing to bring this application in the action. The Applicant specifically relies on Paragraph 4 of the Amended Receivership Order, which reads in part as follows:

4. The Receiver is empowered and authorized, but not obligated, to act at once in respect of the Property and, without in any way limiting the generality of the foregoing, the Receiver is expressly empowered and authorized to do any of the following in relation to the Property where the Receiver considers it necessary and desirable:

...

(j) to initiate, manage and direct all legal proceedings now pending or hereinafter pending (including appeals or applications for judicial receiver) relating to the Property or the Receiver, including, initiating, prosecuting, continuing, defending, settling or compromising;

2. The Amended and Restated Receivership Order defines the word "Property" in part as follows: "Any of the Debtors' interests in the funds and accounts identified on Schedule "B" hereto, whether legal or beneficial, and whether held singly or jointly with any other person."
3. The Accounts and the Jasper Avenue Proceeds are listed in Schedule "B" of the Amended Receivership Order.

Part 4: MATERIAL TO BE RELIED ON

1. The pleadings and processes filed herein;
2. Affidavit #1 of Patty Wood, sworn on May 31, 2021;
3. Affidavit #2 of Patty Wood, sworn on March 10, 2022;
4. Affidavit #3 of Patty Wood, sworn March 28, 2022; and
5. Such further materials that counsel may advise and this Honourable Court may accept.

The Applicant estimates that the application will take 10 minutes.

- This matter is within the jurisdiction of a Master.
- This matter is not within the jurisdiction of a Master.

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to this Notice of Application, you must, within 5 business days after service of this Notice of

Application or, if this application is brought under Rule 9-7, within 8 business days after service of this Notice of Application.

- (a) file an Application Response in Form 33,
- (b) file the original of every affidavit, and every other document, that
 - (i) you intend to refer to at the hearing of this application, and
 - (ii) has not already been filed in the proceeding, and
- (c) serve on the applicant 2 copies of the following, and on every other party of record one copy of the following:
 - (i) a copy of the filed Application Response;
 - (ii) a copy of each of the filed affidavits and other documents that you intend to refer to at the hearing of this application and that has not already been served on that person;
 - (iii) if this application is brought under Rule 9-7, any notice that you are required to give under Rule 9-7(9).

Dated at the City of Vancouver, in the Province of British Columbia, this 11th day of May, 2022.


Lawson Lundell LLP
Solicitors for the Applicant

Filed by:
William L. Roberts and Joel Schachter
Lawson Lundell LLP
1600 – 925 West Georgia Street
Vancouver, British Columbia, V6C 3L2
Telephone: 604-685-3456
Fax: 604-669-1620
Email for Application: wroberts@lawsonlundell.com / jschachter@lawsonlundell.com

SCHEDULE "A"

Financial Institution	Branch Address	Account Number	Account holders
Royal Bank of Canada	400 Main Street, Vancouver	07120-5000914	Debbie Wong
Royal Bank of Canada	400 Main Street, Vancouver, B.C.	07120-5522321	Debbie Wong
Royal Bank of Canada	400 Main Street, Vancouver, BC	07120-5522339	Debbie Wong
Royal Bank of Canada	400 Main Street, Vancouver, BC	07120-5526959	Debbie Wong
HSBC Bank Canada	608 Main Street, Vancouver, BC	5079744 (RRSP)	Debbie Wong
HSBC Bank Canada	608 Main Street, Vancouver, BC	6Y-D6Y9-S (Invest Direct RRSP)	Debbie Wong
Royal Bank of Canada	400 Main Street, Vancouver, BC	044944726 (RESP)	Debbie Wong
Royal Bank of Canada	400 Main Street, Vancouver, BC	884758822 (RESP)	Debbie Wong
Vancouver City Savings Credit Union	Unit H120-15795 Croydon Drive, Surrey, BC	14233 (Branch 70)	Debbie Wong
CIBC Account No.	20069 64 Avenue, Langley, BC	00720-7588836	Debbie Wong
The Toronto-Dominion Bank		91940 004 91945246385	1342565 Alberta Inc.
Royal Bank of Canada	400 Main Street, Vancouver, BC	7120-5524988	Bonnie Soo
Royal Bank of Canada	2208 West 41 st Avenue, Vancouver, BC	06800-5266051	Bonnie Soo
Vancouver City Savings Credit Union	100 – 20055 Willowbrook Drive, Langley, BC	191700 (Branch 23)	Bonnie Soo
Royal Bank of Canada	17931 56th Avenue, Surrey, BC	01110 7003908 (USD Personal	Bonnie Soo

		Account)	
Royal Bank of Canada	400 Main Street, Vancouver, BC	07120 5522339	Bonnie Soo
Royal Bank of Canada	400 Main Street, Vancouver, BC	07120 5526959	Bonnie Soo
Royal Bank of Canada	400 Main Street, Vancouver, BC	01110 5001185	Bonnie Soo
Royal Bank of Canada	400 Main Street, Vancouver, BC	02880-5164348	Bonnie Soo
Royal Bank of Canada	400 Main Street, Vancouver, BC	07120 5039938	Bonnie Soo
The Toronto-Dominion Bank	900 West King Edward, Vancouver, BC	9466 6326743	Bonnie Soo
The Toronto-Dominion Bank	900 West King Edward Avenue, Vancouver, BC	9466 6332522	Bonnie Soo
G&F Financial Group	500 – 6456 176 th Street, Surrey, B.C.	100010410506	Siu Mui Wong
Royal Bank of Canada	Unknown	26686955	Bonnie Soo
Royal Bank of Canada	400 Main Street, Vancouver, BC	07120 5046834	Debbie Wong
Royal Bank of Canada	400 Main Street, Vancouver, BC	07120 5462015	Debbie Wong
Royal Bank of Canada	17931 56th Avenue, Surrey, BC	01110 0754786	Debbie Wong
Royal Bank of Canada	17931 56th Avenue, Surrey, BC	01110 4502514	Debbie Wong
Royal Bank of Canada	17931 56th Avenue, Surrey, BC	01110 5056197	Debbie Wong
Royal Bank of Canada	17931 56th Avenue,	01110 5060371	Debbie Wong

	Surrey, BC		
Royal Bank of Canada	17931 56th Avenue, Surrey, BC	01110 7024581	Debbie Wong
Royal Bank of Canada	17931 56th Avenue, Surrey, BC	01110 7003908	Debbie Wong
Royal Bank of Canada	17931 56th Avenue, Surrey, BC	01110 8500001	Bonnie Soo
Royal Bank of Canada	611 - 650 West 41st Avenue, Vancouver, BC	07360 5127162	Debbie Wong
HSBC Bank Canada	681 Main Street, Vancouver, BC	080 148271-150	Debbie Wong
HSBC Bank Canada	681 Main Street, Vancouver, BC	080 061990-150	Debbie Wong
HSBC Bank Canada	681 Main Street, Vancouver, BC	080 061990-203	Debbie Wong
HSBC Bank Canada	681 Main Street, Vancouver, BC	320-891178-001	1300302 Alberta Inc.
HSBC Bank Canada	681 Main Street, Vancouver, BC	320-891178-002	1300302 Alberta Inc.
Toronto Dominion Bank	2100 – 3779 Sexsmith Road, Richmond, BC V6X 3Z9	9713 6375420	Debbie Wong

To be completed by the court only:

Order made

in the terms requested in paragraphs _____
of Part 1 of this Notice of Application

with the following variations and additional terms:

Date:

Signature of Judge Master

APPENDIX

The following information is provided for data collection purposes only and is of no legal effect.

THIS APPLICATION INVOLVES THE FOLLOWING:

- none of the above: variation of Mareva injunction

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PLAINTIFFS

AND:

Siu Mui Wong (also known as Debbie
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Bonnie Soo), et al.

DEFENDANTS

NOTICE OF APPLICATION



Barristers & Solicitors
1600 Cathedral Place
925 West Georgia Street
Vancouver, British Columbia
V6C 3L2

Phone: (604) 685-3456

Attention: William L. Roberts and Joel Schachter