



Affidavit #1 of Emma Dougan  
Made December 11<sup>th</sup>, 2020

NO. *Court File No.* **VLC-S-S-2013202**  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

NORTHSTAR OWNERS CORPORATION

PETITIONER

AND:

RICHARD BURTON LAW, RENEE ALLISON LAW  
(AND OTHERS AS PER SCHEDULE A OF PETITION)

RESPONDENTS

**AFFIDAVIT**

I, Emma Dougan, care of 1400 – 1125 Howe Street, Vancouver, British Columbia, MAKE OATH  
AND SAY THAT:

1. I am a legal assistant at Citadel Law Corporation and as such have personal knowledge of the facts hereinafter deposed to save and except where stated to be upon information and belief and where so stated I verily believe them to be true.
2. I am authorized to swear this affidavit on behalf of the Petitioners.

**Strata Lot 30**

3. Now produced and shown to me and marked as **Exhibit "A"** to this my Affidavit is a true copy of the Head Lease for Strata Lot 30 dated June 17<sup>th</sup>, 1999, and registered in the Vancouver Land Title Office on August 30<sup>th</sup>, 1999, under number BN233651 against title to Strata Lot 30

("SL30").

4. Now produced and shown to me and marked collectively as **Exhibit "B"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL30 of the Respondents, Jill Bargh:

- a. Freehold Transfer documents/Title search results from the Land Title Office;
- b. Sublease granted by Northstar registered as charge BX568427;
- c. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

5. Now produced and shown to me and marked collectively as **Exhibit "C"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL30 of the Respondents, Robert Allen Lane Jr. & Merrilee Lin Lane:

- a. Freehold Transfer documents;
- b. Sublease granted by Northstar Owners Corporation registered as charge BN267679;
- c. Application for Duplicate Certificate of Title dated August 10<sup>th</sup>, 1999 and registered BN267680;
- d. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

6. Now produced and shown to me and marked collectively as **Exhibit "D"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL30 of the Respondents, Richard Burton Law & Renee Allison Law:

- a. Freehold Transfer documents;
- b. Application for Duplicate Certificate of Title dated August 18<sup>th</sup>, 1999 and registered BN267668;
- c. Sublease granted by Northstar Owners Corporation registered as charge BN267667.
- d. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

### **Strata Lot 31**

7. Now produced and shown to me and marked as **Exhibit "E"** to this my Affidavit is a true copy of the Head Lease for Strata Lot 31 dated June 17<sup>th</sup>, 1999, and registered in the Vancouver Land Title Office on April 25<sup>th</sup>, 2002, under number BT137290, against title to Strata Lot 31 ("SL31").

8. Now produced and shown to me and marked collectively as **Exhibit "F"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL31 of the Respondents, Robert Malcolm Barger & Sheila Lavern Barger:

- a. Freehold Transfer documents & Title search from the Land Titles Office;
- b. Sublease granted by Northstar Owners Corporation registered as charge BT331426;
- c. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

9. Now produced and shown to me and marked collectively as **Exhibit "G"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL31 of the Respondents, Daniel Eugene Elliott & Pamela Sue Elliott;

- a. Freehold Transfer documents;
- b. Sublease granted by Northstar Owners Corporation registered as charge BT248723;
- c. Demand letter and Aged Trial Balance by Owner;

10. Now produced and shown to me and marked collectively as **Exhibit "H"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL31 of the Respondents, William Ray Miller & Michelle Lee Miller:

- a. Freehold Transfer documents;
- b. Sublease granted by Northstar Owners Corporation registered as charge BV100499;
- c. Mortgage in favour of Whiski Jack Resorts Ltd. dated March 1<sup>st</sup>, 2003 and registered BV100500;

- d. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

11. Now produced and shown to me and marked collectively as **Exhibit "I"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL31 of the Respondents, Alex Gregory Neil & Linda Sue Neil;

- a. Freehold Transfer documents;
- b. Application for Duplicate Certificate of Title dated April 13<sup>th</sup>, 2002 and registered BT222741;
- c. Sublease granted by Northstar Owners Corporation registered as charge BT222740;
- d. Contact Report dated March 27<sup>th</sup>, 2014;
- e. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

12. Now produced and shown to me and marked collectively as **Exhibit "J"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL31 of the Respondents, Harlan Neil Sullivan & Debra Lee Sullivan;

- a. Freehold Transfer documents;
- b. Sublease granted by Northstar Owners Corporation registered as charge BT340596;
- c. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

### **Strata Lot 39**

13. Now produced and shown to me and marked as **Exhibit "K"** to this my Affidavit is a true copy of the Head Lease for Strata Lot 39 dated June 17<sup>th</sup>, 1999, and registered in the Vancouver Land Title Office on May 31<sup>st</sup>, 2000, under number BP124610, against title to Strata Lot 39 ("SL39").

14. Now produced and shown to me and marked collectively as **Exhibit "L"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL39 of the Respondents, Sterling Owens Blackheart & Lara Marin;

- a. Freehold Transfer documents;
- b. Mortgage in favour of Whiski Jack Resort Ltd. filed August 17<sup>th</sup>, 2000 and registered

BP195058;

- c. Sublease granted by Northstar Owners Corporation registered as charge BP195057;
- d. Letters from Whiski Jack Resorts Ltd. to Sterling Blackheart & Lara Marin dated August 1<sup>st</sup>, 2006;
- e. Contact Reports;
- f. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

15. Now produced and shown to me and marked collectively as **Exhibit "M"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL39 of the Respondents, Stella Dirks;

- a. Title search results from the Land Title Office;
- b. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

16. Now produced and shown to me and marked collectively as **Exhibit "N"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL39 of the Respondents, Craig Allen Elliot & Kelle Lynn Elliot;

- a. Freehold Transfer documents;
- b. Mortgage in favour of Whiski Jack Resorts Ltd. dated February 17<sup>th</sup>, 2000 and registered BP129312;
- c. Sublease granted by Irmgard Regehr registered as charge BW062946;
- d. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

17. Now produced and shown to me and marked collectively as **Exhibit "O"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL39 of the Respondent, John Fitzpatrick;

- a. Freehold Transfer documents;
- b. Sublease granted by Northstar Owners Corporation registered as charge BR034165;
- c. Letter and enclosures from Northstar Owners Corp. President to John Fitzpatrick dated

June 20<sup>th</sup>, 2016;

- d. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

18. Now produced and shown to me and marked collectively as **Exhibit "P"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL39 of the Respondents, Thomas Paul Lyons & Diane Marie Lyons;

- a. Title search results from the Land Title Office;
- b. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

19. Now produced and shown to me and marked collectively as **Exhibit "Q"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL39 of the Respondent, Michael Marks:

- a. Freehold Transfer documents;
- b. Sublease granted by Northstar Owners Corporation registered as charge CA1814960;
- c. Contact Report;
- d. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

#### **Strata Lot 41**

20. Now produced and shown to me and marked as **Exhibit "R"** to this my Affidavit is a true copy of the Head Lease for Strata Lot 41 dated June 17<sup>th</sup>, 1999, and registered in the Vancouver Land Title Office on August 15<sup>th</sup>, 2000, under number BP193492, against title to Strata Lot 41 ("SL41").

21. Now produced and shown to me and marked collectively as **Exhibit "S"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL41 of the Respondents, Brian Marc Adamson & Brenda Anne Adamson;

- a. Title search results from the Land Title Office;
- b. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

22. Now produced and shown to me and marked collectively as **Exhibit "T"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL41 of the Respondents, Steven Patrick Carroll & Jill Lynn Carroll;

- a. Title search results from the Land Title Office;
- b. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

23. Now produced and shown to me and marked collectively as **Exhibit "U"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL41 of the Respondents, Mary Anne Theodora Theresa Stenner;

- a. Title search results from the Land Title Office;
- b. Demand letter dated March 20<sup>th</sup>, 2020;

24. Now produced and shown to me and marked collectively as **Exhibit "V"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL41 of the Respondents, Kevin Eugene Trapane & Shannon Dale Trapane;

- a. Title search results from the Land Title Office;
- b. Demand letter dated March 20<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

#### **Strata Lot 46**

25. Now produced and shown to me and marked as **Exhibit "W"** to this my Affidavit is a true copy of the Head Lease for Strata Lot 46 dated June 17<sup>th</sup>, 1999, and registered in the Vancouver Land Title Office on May 1<sup>st</sup>, 2003 under number BR104339, against title to Strata Lot 46 ("SL46").

26. Now produced and shown to me and marked collectively as **Exhibit "X"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL46 of the Respondents, Chris Carter Brady & Margaret Beatrice Grace Brady;

- a. Freehold Transfer documents;
- b. Sublease granted by Northstar Owners Corporation registered as charge BR156767;
- c. Demand letter dated June 8<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

27. Now produced and shown to me and marked collectively as **Exhibit "Y"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL46 of the Respondents, Alan Philip Green;

- a. Title search results from the Land Title Office;
- b. Demand letter dated June 8<sup>th</sup>, 2020 and Aged Trial Balance by Owner

28. Now produced and shown to me and marked collectively as **Exhibit "Z"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL46 of the Respondents, Adrienne Marie Marks & Brenton Coy Marks;

- a. Freehold Transfer documents;
- b. Sublease granted by Northstar Owners Corporation registered as charge CA4911304;
- c. Transfer Back Agreement dated December 8<sup>th</sup>, 2015;
- d. Demand letter dated June 8<sup>th</sup>, 2020 and Aged Trial Balance by Owner

29. Now produced and shown to me and marked collectively as **Exhibit "AA"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL46 of the Respondents, Alan Ray Spurgeon & Jay Brian Schober;

- a. Title search results from the Land Title Office;
- b. Demand letter dated June 8<sup>th</sup>, 2020 and Aged Trial Balance by Owner

30. Now produced and shown to me and marked collectively as **Exhibit "BB"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in



SL46 of the Respondents, Richard Hunter Stenson and Marina Stenson;

- a. Freehold Transfer documents/Title search results from the Land Title Office;
- b. Sublease granted by Northstar Owners Corporation registered as charge BR156796;
- c. Application for Duplicate Certificate of Title dated February 22<sup>nd</sup>, 2001 and registered BR156797;
- d. Demand letter dated June 8<sup>th</sup>, 2020 and Aged Trial Balance by Owner

31. Now produced and shown to me and marked collectively as **Exhibit "CC"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL46 of the Respondents, John William Wallace;

- a. Freehold Transfer documents;
- b. Sublease granted by Northstar Owners Corporation registered as charge BR156808;
- c. Mortgage in favour of Whiski Jack Resorts Ltd. dated February 16<sup>th</sup>, 2001 and registered BR156809;
- d. Demand letter dated June 8<sup>th</sup>, 2020 and Aged Trial Balance by Owner

### **Strata Lot 52**

32. Now produced and shown to me and marked as **Exhibit "DD"** to this my Affidavit is a true copy of the Head Lease for Strata Lot 52 dated June 17<sup>th</sup>, 1999, and registered in the Vancouver Land Title Office on September 10<sup>th</sup>, 2002 under number BT329964 against title to Strata Lot 52 ("SL52").

33. Now produced and shown to me and marked collectively as **Exhibit "EE"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL52 of the Respondents, Gary Bill Adams & Donna Marie Adams;

- a. Freehold Transfer documents/Title search results from the Land Title Office;
- b. Sublease granted by Northstar Owners Corporation registered as charge BV180637;

- c. Application for Certificate of Title dated March 28<sup>th</sup>, 2003 and registered BV180367A;
- d. Demand letter dated June 8<sup>th</sup>, 2020 and Aged Trial Balance by Owner;
- e. Letter and enclosures received from owners dated July 7<sup>th</sup>, 2020

34. Now produced and shown to me and marked collectively as **Exhibit “FF”** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL52 of the Respondents, Hien Duy Nguyen & Ngan Kim Nguyen;

- a. Freehold Transfer documents/Title search results from the Land Title Office;
- b. Sublease granted by Northstar Owners Corporation registered as charge BT338253;
- c. Demand letter dated June 8<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

35. Now produced and shown to me and marked collectively as **Exhibit “GG”** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL52 of the Respondents, Keith Duane Pope & Carol Lee Pope;

- a. Freehold Transfer documents;
- b. Sublease granted by Northstar Owners Corporation registered as charge BT340622;
- c. Application for Certificate of Duplicate Title dated March 19<sup>th</sup>, 2002 and registered BT340623;
- d. Demand letter dated June 8<sup>th</sup>, 2020 and Aged Trial Balance by Owner;
- e. Email chain dated October 5<sup>th</sup>, 2015 to September 29<sup>th</sup>, 2015;

36. Now produced and shown to me and marked collectively as **Exhibit “HH”** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL52 of the Respondents, Loren Gene Stueckle & Cynthia Lee Stueckle;

- a. Freehold Transfer documents;
- b. Mortgage in favour of Whiski Jack Resorts Ltd. dated September 21<sup>st</sup>, 2002 and registered BT373454;
- c. Sublease granted by Northstar Owners Corporation registered as charge BT373453;

- d. Demand letter dated June 8<sup>th</sup>, 2020 and Aged Trial Balance by Owner;

**Strata Lot 58**

37. Now produced and shown to me and marked as **Exhibit "II"** to this my Affidavit is a true copy of the Head Lease for Strata Lot 58 dated June 17<sup>th</sup>, 1999, and registered in the Vancouver Land Title Office on June 6<sup>th</sup>, 2002 under number BT195875A against title to Strata Lot 58 ("SL58").

38. Now produced and shown to me and marked collectively as **Exhibit "JJ"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL58 of the Respondents, Kenneth Scott Caswell & Pamela Lynn Caswell;

- a. Freehold Transfer documents;
- b. Sublease granted by Northstar Owners Corporation registered as charge BT443800;
- c. Demand letter dated June 8<sup>th</sup>, 2020 and Aged Trial Balance by Owner

39. Now produced and shown to me and marked collectively as **Exhibit "KK"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL58 of the Respondents, Joseph John Conley & Christina Johnson Conley;

- a. Freehold Transfer documents;
- b. Sublease granted by Northstar Owners Corporation registered as charge BT354415;
- c. Application for Duplicate Certificate of Title dated July 24<sup>th</sup>, 2002 and registered BT355416;
- d. Demand letter dated June 9<sup>th</sup>, 2020 and Aged Trial Balance by Owner

40. Now produced and shown to me and marked collectively as **Exhibit "LL"** to this my Affidavit are true copies of the following documents with respect to the undivided 1/51 interest in SL58 of the Respondents, Paula Dianne Foster & William Louis Foster;

- a. Freehold Transfer documents/Title search results from the Land Title Office;
- b. Sublease granted by Northstar Owners Corporation registered as charge BT200592;

