
From: tina zanetti [mailto:tinaz@shaw.ca]

Sent: Friday, September 12, 2008 10:47 AM

To: 'SCameron@lsbc.org'

Subject: RE: Public "Private" Information Against Martin Wirick section 336 of the CCC

Friday, September 12, 2008

Hello Mr. Cameron,

Albeit Mr. Wirick no longer is a member of the bar, nonetheless the LSBC wittingly laundered 42.1 Million in compensation for Mr. Wirick's 300 fraudulent transactions. Thus the LSBC, including all members, ought to demand that Wirick be charged with criminal breach of trust, in order to keep the integrity of an already damaged profession. Further Wirick ought to be charged for his 300 fraudulent transactions and for the almost \$80 Million in mortgage fraud, as oppose to only 30 fraudulent transactions and for only \$30 Million in mortgage fraud.

In so far as Mr. Gaffney is concerned, you have had the chance on many occasions to investigate Mr. Keith Oliver and Mr. William Cadman but rather than proceed with an investigation and an audit, you claim that both lawyers' are without any wrongdoing -- thus basically the LSBC is willfully blind to all the evidence against both members.

It is disconcerting when the President of the LSBC Mr. Hunter is quoted to say in the newspaper that, *the Law Society has stepped up its auditing of lawyer's trust accounts and directed its members to advise the society when financial institutions take undue time providing mortgage discharges.*

Mr. Oliver has not taxed his costs and he sees no harm in keeping any money owed to Mr. Gaffney to himself, which is contrary to the Order of Mr. Justice Crawford, in particular at paragraph 9, of which I attach a copy.

Further, by direction of Mr. Keith Oliver, CIBC, where Mr. Gaffney holds his mortgage, won't provide Mr. Gaffney with the full pay out of his mortgage and any particulars that CIBC ought to have in its possession.

Subsequently, it is apparent to any reasonable person knowledgeable about the facts that both Mr. Oliver and Mr. Cadman were not able to obtain for their clients' a loan with TD Bank, as alleged in the electronic filing at the LTO of December 14, 2007. In fact, it is apparent that TD Bank did not loan any money to the alleged buyers going by the names of Brent Tremain and Mariana Oviendo Ovando for the property at 312-450 Bromley Street .

Thus Mr. Cameron it begs the question, since no financial institutions loaned any money to the alleged buyers of Mr. Gaffney's property, and since Mr. Oliver and Mr. Cadman insists that the mortgage of Mr. Gaffney was paid out to CIBC in December of 2007 in the amount of close to \$134,000, than where was the money coming from and who paid it out?

Alternatively, in the event you insist in believing what member Keith Oliver is conveying to you, than why are you not directing him to tax his costs and pay out the money he holds in his trust account to Mr. Gaffney, as per the court order of Justice Crawford? Or are you mistakenly relying on a rogue lawyer who eventually will slip further and bring more shame to the LSBC, like Martin Wirick did and subsequently taint your own credibility? I ask you Mr. Cameron do you believe that Mr. Oliver or any of those lawyers, who act criminally, worth it at the end?

It is the business of the LSBC and you Mr. Cameron in particular, being that you are the Director of Professional Regulation for the Law Society, to investigate and audit the trust account of both Mr. Keith Oliver and Mr. Cadman. Failing to investigate and audit both lawyers' trust account, leads any reasonable person to conclude that the LSBC is in fact itself in need of investigation by an outside public body from a different province.

In the meantime, Martin Wirick, who is is criminally charged with half of the crimes he committed and was not charged for a criminal breach of trust, which he would have pled guilty for, since he already admitted to it in his sworn declaration in connection with his bankruptcy, continues in making the justice system in British Columbia look flawed and inadequate.

4/29/2009

Tina Zanetti

From: SCameron@lsbc.org [mailto:SCameron@lsbc.org]
Sent: Monday, September 08, 2008 3:52 PM
To: tinaz@shaw.ca
Subject: RE: Public "Private" Information Against Martin Wirick section 336 of the CCC

Ms. Zanetti... You are correct that I am the Director of Professional Regulation for the Law Society. In that capacity I have responsibility for the oversight of our complaints handling and discipline process and procedure.

If you have a specific complaint to make regarding a current member of the Law Society you are welcome to provide details in support of your concerns and the Law Society will respond to you.

I am not able to assist you with your queries respecting Mr. Wirick who as you know is a disbarred member.

If Mr. Gaffney has outstanding concerns about a lawyer he should bring them to our attention.

Yours truly,

Stuart Cameron.

Stuart Cameron
 Director of Professional Regulation
 The Law Society of British Columbia
 845 Cambie St , Vancouver BC V6B 4Z9
 Direct Line: (604) 443-5764
 Fax: (604) 605-5399
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 This e-mail is privileged and confidential, and any use of it by an unintended recipient is prohibited. If you received this e-mail in error, please e-mail it back to me immediately and delete it from your system. Thank you.

From: tina zanetti [mailto:tinaz@shaw.ca]
Sent: Monday, September 08, 2008 11:40 AM
To: Stuart Cameron
Subject: RE: Public "Private" Information Against Martin Wirick section 336 of the CCC

Hello Mr. Cameron,

Since you have not assumed Mr. Daisley's duties at the Law Society, can you at least be so kind as to provide the name of the lawyer who did or is the position vacant? If the position is vacant, who is filling in until the LSBC elects or appoints someone?

In the meantime Mr. Cameron the email below regarding Mr. Wirick, does not only concern only one member of the LSBC but also concerns others including yourself. Thus you ought to answer to my inquiry since you are part of the Management Board and in charge of answering to the public regarding the conduct of some members of the bar ---the Professional Conduct and Discipline.

I would appreciate to know what you Mr. Cameron think of my position taken as a public person who has been involved with the case of Mr. Harold Gaffney on a pro bono basis and witnessed the LSBC turn a blind eye to the lawyers engaged in property fraud.

Tina Zanetti

From: SCameron@lsbc.org [mailto:SCameron@lsbc.org]
Sent: Monday, September 08, 2008 10:59 AM
To: tinaz@shaw.ca
Subject: RE: Public "Private" Information Against Martin Wirick section 336 of the CCC

Dear Ms. Zanetti:

I have not assumed Mr. Daisley's duties at the Law Society and I will therefore not be responding to your inquiry.

Stuart Cameron.

From: tina zanetti [mailto:tinaz@shaw.ca]
Sent: Friday, September 05, 2008 6:35 AM
To: Stuart Cameron
Subject: FW: Public "Private" Information Against Martin Wirick section 336 of the CCC

Hi Mr. Cameron,

I understand that Mr. Brad Daisley is no longer with the LSBC as the manager for public relations that in fact you may have taken his position. If this is so, would you please take the time to read the email below as it concerns the LSBC and to please also forward this email to Brad Daisley who tried to cover up for Mr. Wirick last year when he was quoted to say in Mr. Philip Slayton's book that Mr. Wirick did not benefit from his 300 transactions.

The question to ask Mr. Cameron is, how is the Crown and A-G and the LSBC rationalize the use of public funds to engage in a bogus prosecution that is lame at best and in all probability cannot succeed?

Let me know Mr. Cameron what you think of my position as a public person who has been involved with the case of Mr. Harold Gaffney on a pro bono basis and witnessed the LSBC turn a blind eye to the lawyers engaged in property fraud.

Tina Zanetti

From: tina zanetti [mailto:tinaz@shaw.ca]
Sent: Tuesday, September 02, 2008 7:42 AM
To: the Hon. Wally Oppal ; 'AG CSB WEBMAIL, A' ; ' allan.seckel@gov.bc.ca ' ; ' tmcgee@lsbc.org ' ; ' jhunter@lsbc.org ' ; ' bdaisley@lsbc.org ' ; ' gturriff@lsbc.org ' ; ' idonaldson@lsbc.org ' ; ' gridgway@lsbc.org ' ; ' afong@lsbc..org '
Cc: ' philipslyton@hotmail.com ' ; ' cward@cameronward.com ' ; ' rafe@rafeonline.com ' ; ' wallace-gilby-craig@shaw.ca ' ; ' mike.farnworth.mla@leg.bc.ca ' ; ' citizen@justice4you.org ' ; ' charlie@straight.com ' ; ' nicholson.r@parl.gc.ca ' ; ' letters@globeandmail.com ' ; ' letters@thegazette.canwest..com ' ; ' weststar@telus.net ' ; ' afineblit@lawsociety.mb.ca ' ; ' c_smith@straight.com ' ; ' egreenspon@globeandmail.com ' ; ' globalnews.tor@globaltv.com ' ; ' imulgrew@png.canwest.com ' ; ' jflaherty@fin.gc.ca '
Subject: Public "Private" Information Against Martin Wirick section 336 of the CCC

Tuesday, September 02, 2008

Re: Public "Private" Information, From a Concern Canadian Citizen, Against Martin Wirick Pursuant to Section 504 and 507.1 of the *Criminal Code of Canada*,

Hello to the Hon. A-G Wally Oppal and Hello to all concerned,

1. On August 27, 2008, David Baines of the Vancouver Sun wrote an article entitled, *Two charged in \$30 million fraud scheme Ex-lawyer, real estate developer arrested on multiple counts.*

<http://www.canada.com/vancouver/news/story.html?id=1273e20e-8b7a-492a-9a84-6d45c800947> He reported that Martin Wirick and Tarsem Singh Gill were charged on August 25th, 2008, with two counts of fraud and theft against 77 different homeowners, and two counts of fraud and theft against lenders in 30 different loan transactions, notwithstanding the fact that, Martin Wirick did some 300 separate transactions against lenders, over a three year period, for his client Tarsem Singh Gill, as found in Mr. Justice Jon Sigurdson's Reasons for Judgment dated August 3, 2004 and as reported in various newspapers and legal documents.

2. David Baines further reported that, the total amount of money alleged to have been unlawfully taken from homeowners and lenders exceeds \$ 30 Million and that the biggest victim is the B.C. Law Society ("LSBC") by virtue of the fact that it paid out over \$ 40 Million in compensation, notwithstanding the fact that Martin Wirick had allegedly taken from homeowners and lenders close to \$80 Million, as found in the Benchers' Bulletin, issue No. 5, November-December, 2005.

3. I suppose the Attorney General of BC Wally Oppal, former B.C. Court of Appeal Judge and being most likely partial to Tarsem Singh Gill, by virtue of his ethnic background, is of the mind that since the LSBC has wittingly laundered for the benefit of Wirick and Gill over \$ 42.1 Million in compensation, as reported in the Benchers Bulletin issue No. 2 May 2007 at page 22. --- and not \$38.4 Million as reported by David Baines, that Wirick and Gill are off the hook for the \$ 42.1 Million plus in mortgage fraud, and should only be charged for the balance of the fraud, which comes to a total of \$30 Million.

4. An informed person would surely say that the whole story is highly suspicious by virtue of the fact that the RCMP special investigation unit, the Vancouver Police and the Provincial Crown together have taken six years to charge both Wirick and Gill, with charges that are bound to fail. I say this because while Wirick most likely profited from his scam, there is no way to prove that he stole \$80 Million or in this case \$30 Million, unless the police found the money at Wirick's home and even then it could be argued that it was not Wirick's money. --- I am reminded of the case of *Regina v. Glen Hehn* wherein the provincial Crown once again could not prove beyond a reasonable doubt that the cocaine found in the locker of Mr. Hen belonged to him.

5. In fact, some people in the legal profession seem to have anticipated Wirick being charged with theft, such for example, retired lawyer by the name of Philip Slayton, whose book was published one year ago, entitled, *Lawyers Gone Bad: Money, Sex and Madness in Canada's Legal Profession*. He wrote a full chapter on Wirick, entitled, "*Law Practice to Pet Food*" Page 179 to 192. Mr. Slayton appears to have gone out of his way, as if he was being dictated on what to write regarding Wirick's fall from being a member of the bar to work in a pet food shop. As a result, Slayton tried to make the case for Wirick, prior to any anticipated charges being laid against him, by writing, "there is no evidence that Wirick derived any personal economic benefit (other than \$600,000 in legal fees over the whole period).

6. Slayton went on quoting Brad Daisley, a public relations officer for the LSBC, wherein he said, "in the forensic audit and in the special fund compensation cases, we have found no evidence that Mr. Wirick profited for his misappropriations".

7. An informed person would surely say that it is self serving and questionable as to how Mr. Slayton and Mr. Daisley both obtained the knowledge that Wirick did not profit from the fraud he committed, nonetheless, both men have made the case last year that charging Wirick with theft alone without section 336 would not succeed.

8. Surely the A-G and the Crown were aware of the position taken by the LSBC prior to laying the charges. In effect, if the Crown and the A-G were serious in seeking justice for the victims and sending a message out to other lawyers who intend to use their position of trust to defraud people, they would have

charged Wirick with Criminal Breach of Trust under s. 336 of the *Criminal Code*. I refer to, **R vs. Skalbani** [1997] 3 S.C.R. 995 • (1997), 120 C.C.C. (3d) 217 • (1997), 11 C.R. (5th) 292.

9. To further make the case, Wirick, in a sworn Statutory Declaration, as set out in his Statement of Affairs, in connection with his bankruptcy, stated that he passed the money he received on undertakings to his client Gill, and as a result Wirick had completed the offence as set out in s. 336 of the *Criminal Code*. The following is the exact declaration that Wirick made in connection with his bankruptcy, of which I attach a copy:

"Failing to payout mortgages pursuant to my undertakings, but instead paying monies to my client on his promise to pay out the mortgages but who failed to do so".

10. The undertaking of Wirick for being assigned as a bankrupt is as follows:

"I, Martin Keith Wirick, do swear that this statement is to the best of my knowledge a full, true and complete statement of my affairs on the 9th day of July 2002 and fully discloses all property of every description that is in my possession or that may devolve on me in accordance with s. 67 of the Act."

11. Thus suffice to say, an informed person would surely say that all the elements for criminal breach of trust is in place to convict Wirick however an informed person would also say that it does not see how Gill could be guilty of any offence. Wirick failed in his undertaking to discharge the mortgages and the fact that the Crown failed to charge him with criminal breach of trust leads any reasonable person to conclude that the persons to whom Wirick had given his undertakings profited from Wirick's breach of trust and the persons involved with Wirick are most likely other members of the bar -- This would explain as to why Wirick is not charged with an offence that has all the elements to succeed without a reasonable doubt and which could lead Wirick in jail for some time.

12. In Canada, the authorities in order to give the appearance that they are upholding the laws, as opposed to aiding and abetting criminals, will often times charge accused with a lesser offence, especially accused like Wirick, who was once a member of their organization, because it is too troublesome for them to keep everyone honest, such as in this case, wherein the A-G and Crown minimized the crime from 300 fraudulent transactions to 30 fraudulent transactions and from \$80 Million in mortgage fraud to \$30 Million in theft.

13. It appears that the members of the bar, including the Crown and A-G have all congratulated themselves, as Mr. John Hunter, president of the LSBC did, in claiming that no one lost their homes. Mr. Hunter is of the mind that since the LSBC paid out some of the fraud it did not damage the economy, it did not damage the treasury of this province and of this country and in fact, according to him, we should perhaps consider thinking of giving a medal to Wirick and send him on his way.

14. However unlike what Mr. Hunter is trying to convey to the public, in truth, an informed person would say that Wirick has singlehandedly changed the insurance provided by the law society wherein a person defrauded by a lawyer was protected and would not lose money. Now the LSBC has moved to limit payouts on account of lawyer fraud to \$300,000 per transaction, with a cumulative cap of \$17.5 million in any one year. Prior to Wirick's scandal there were no limits.

15. This fraudulent behaviour is comparative to some years ago when condominiums were guaranteed by Builders funds of B.C. The workmanship was so bad that the fund ran out quickly because no one was upholding the laws.

16. David Baines of the Vancouver Sun further wrote in his article of August 27, 2008 that, the

president of the LSBC John Hunter said that the law society directed its members to advise the society when financial institutions take undue time providing mortgage discharges - a procedural weakness that Wirick and Gill used to advance their alleged scheme. What Mr. Baines is failing to report is that Wirick singlehandedly also changed the Land Title Office ("LTO"). The LSBC became the custodian of the LTO soon thereafter the Wirick scandal and soon after electronic filing was introduced for lawyers and notaries wherein transfer documents with alleged signatures of buyers are now kept in lawyers' office, including mortgage documents. The LSBC has in fact loosen up the board for the little pigs to go out and play some more.

17. In fact, there is a case at this time at the BC Supreme Court, *Gaffney vs. Gaffney*, wherein Mr. Gaffney was ordered out of his home on December 14, 2007, by Mr. Justice Grant Burnyeat, without proof of the sale of his property, in an attempt to induce a foreclosure for the purpose of assisting lawyers in their scheme of fraud, which began with a bogus assignment into bankruptcy by the wife of Mr. Gaffney.

18. To date, CIBC and the lawyers, Keith Oliver and William Cadman, have refused to provide Mr. Gaffney with particulars of his mortgage discharge, which he is entitled to, and to date no certificate of sale has been sworn and filed in court by Mrs. Gaffney, wife of Harold Gaffney, as required by Rule 43 (6) of the Supreme Court Rules. There is no indication that Mr. Gaffney's property was sold to two first time buyers, going by the names of Mariana Oviendo Ovando and Brent Tremain and albeit transfer papers were filed electronically at the LTO by William Cadman on December 14, 2007, without the need of his clients' signatures, there is no indication to date that TD Bank loaned any money to the alleged buyers, but there is plenty of indication that lawyers, Keith Oliver and William Cadman have inveigled the courts in British Columbia all the way to the Supreme Court of Canada, and inveigled CIBC and anyone else on their trail, for the purpose of defrauding Mr. Gaffney of his property, while trying to benefit from their scam. --Mr. Gaffney is still paying his monthly mortgage to CIBC in form of money orders --

19. The LSBC has been notified and apprised of the situation regarding Mr. Gaffney, a 77 year old man, wherein no mortgage discharge has been provided by CIBC and by the lawyers. The LSBC has further been notified and apprised that Keith Oliver is keeping trust money for himself and not complying with the order of Mr. Justice Robert Crawford. Thus while Mr. Hunter wants David Baines and the public to believe that the LSBC is above board and not letting lawyers get away with fraud, in truth the LSBC is clearly an organization protecting its members and not the public at large, otherwise the likes of Keith Oliver -- the new Martin Wirick -- would be arrested and criminally charged by the authorities of this province.

20. In the monopoly of newspapers there is no serious investigative reporting, as shown in the article of August 27. Newspapers are linked with the A-G, the Crown, the Law Society, Judiciary, law enforcement and the Mandarins. An informed person would surely say that it seems like we are living in Nigeria wherein everyone has a price in that country.

21. I say this because the last article on Wirick was on August 19, 2006 written by Ian Mulgrew of the Vancouver Sun, entitled, *Massive fraud may leave law society on hook Society unlikely to get a dime from lawyer who misappropriated funds*. By virtue of his article, it became apparent to me that the newspaper was not reporting any further new development with the matter of Martin Wirick thus in 2007, I contacted the editor of the Vancouver Sun Patricia Graham and journalist David Baines by email and provided them with evidence, showing that Wirick was given an absolute discharge from his bankruptcy, by consenting to a judgment of \$500,000 in favour of the trustee E. Sands & Associates, notwithstanding the fact that the entered order of Justice Jon Sigurdson was a consent judgment of \$ 500,000 in favour of the LSBC, wherein Sigurdson J. had stated that, "perhaps the only way Mr. Wirick will ever pay anything to the law society is if he wins the lottery".

22. The lawyer acting for the LSBC, Christopher Ramsay of Fraser Milner Casgrain ("FMC"), turned a blind eye to the fraud committed on the court, as he allegedly informed the LSBC that the entered Order of Sigurdson, J., made in respect to the payment of \$500,000, was properly payable to the trustee in bankruptcy rather than to the law society. Based on the bankruptcy law, in order for a bankrupt to obtain an absolute discharge from bankruptcy, he or she must pay the trustee's fees, which Sigurdson J. was aware of but nonetheless ordered the consent judgment in favour of the LSBC because in his opinion Wirick would not get absolute discharge from his bankruptcy -- whether the consent judgment was payable to the LSBC or the trustee -- since Justice Sigurdson was of the mind that the only way Wirick would pay anything is if he wins the lottery. However rather than following legal procedures in going back before Justice Sigurdson prior in entering the Order of the court, Christopher Ramsay acted as though he was the judge and as a result singlehandedly over turned the entered order of Sigurdson J. -- Ramsay was evidently eager in assisting Wirick in obtaining an absolute discharge by paying the trustee his fees. -- It is apparent that Ramsay was no longer acting for the LSBC but rather for Wirick and for E Sands & Associates, to the detriment of all members of the LSBC and of the public.

23. No one said what the total bill was for the trustee's fees and no one asked how much it was, including the journalists who were apprised of this information. It was all done in secrecy behind closed doors. However Christopher Ramsay and the LSBC knew or must have known that Wirick had money to pay the trustee's fees since the LSBC turned a blind eye to Ramsay's action in overturning the entered Order of the judge.

24. The joke was on the court and on the members of the bar. Wirick was able to defraud all of his lenders of 300 different transactions which amounted to \$80 Million plus, and turned around and declared bankruptcy while members of the bar had to foot the bill for his fraud. The LSBC supported and condone Wirick's action since they continue to claim that Wirick did not profit from the fraud and that no one lost their homes, which is untrue. Ruby Mills, an octogenarian, was perhaps one of Martin Wirick's first victims and unfortunately she was also a victim of Madam Justice Wendy Baker who had been a lawyer for Davis and Co. and for CIBC, a subsidiary of Firstline Trust Co. -- *Firstline Trust Co. v. Mills*, 2000 BCSC 226 <http://www.canlii.org/en/bc/bcsc/doc/2000/2000bcsc226/2000bcsc226.pdf>

25. Wirick, like many fraudsters, such as and not limited to, Sheila Gaffney, of *Gaffney vs. Gaffney*, use the bankruptcy proceedings to obtain the most powerful injunction in law referred to as a stay, notwithstanding the fact that everyone seems to benefit from fraudulent bankruptcies, such as the bankrupt, the trustees, the lawyers, the courts, and the Office of the Superintendent of Bankruptcy, save the rest of the population.

26. It was reported in the National Post in 2006, that, Toronto lawyer by the name of Peter Shoniker boasted that he could move \$1-million a week out of the country and told his criminal associates that he would pay off Canada Revenue Agency officials to avoid detection. Thus, it is not unreasonable that the \$ 80 Million dollars is somewhere off shore or else it sits in some properties around the city of Vancouver BC waiting to be turned into clean money or else it has already been flipped into clean money and shipped elsewhere.

27. Lawyers in Canada are part of a big brotherhood and lawyers and judges do stick together to cover up crimes committed by one of their members. In effect, lawyers have a much easier time in committing crimes of property against people because they are never questioned by any Canadian institutions and law enforcement. Lawyers are given unlimited protection by the bar and as a result lawyers can do just about anything with their licence, short of killing.

28. The only reasonable explanation in not charging Martin Wirick with criminal breach of trust and not charging him for some of the 300 separate transactions against lenders, over a three year period, for

his client Tarsem Singh Gill, as found in Mr. Justice Jon Sigurdson's Reasons for Judgment dated August 3, 2004 -- which amounted to \$80 Million -- is, inter alia, the bar acting in a self-protective mode, as it does not want to see one of their own serving a prison term of 10 years, which 336 calls for. By failing to not charge Wirick with section 336 of the CCC, gives a clear indication that the Provincial A-G and Crown of this province are not serious about crime and certainly not serious about law and order.

29. It is evident to any reasonable person that we are going the way of Nigeria wherein the absence of the rule of law, the absence of an impartial judiciary and a disinterested legal system and a Parliament that attorns to corruption from within, is causing concerns for other countries that Canada is a hindrance and is making it difficult for a successful globalization of commerce to occur. -- With the new rules that Mr. Justice Donald Brenner of the Supreme Court of BC expects to implement in year 2010 is further erosion of our democracy and more corruption within the system.

30. It's time to bring someone like Elliot Ness to British Columbia to clean out the corruption because we have our own serious problems regarding our democracy and regarding organized crime that evidently has taken over, inter alia, our institutions.

I can only hope that the Crown and A-G of this province will have the back bones to seriously consider charging Martin Wirick with s. 336 of the CCC.

I await your immediate response.

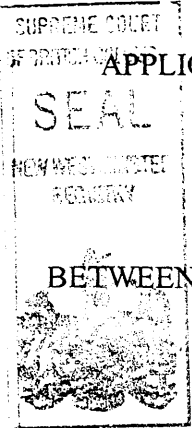
Tina Zanetti

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NO. S102880
NEW WESTMINSTER REGISTRY

IN THE MATTER OF THE PARTITION OF PROPERTY ACT, AND IN THE



APPLICATION BY SHIELA GAFFNEY FOR THE SALE OF #312 - 450 BROMLEY STREET
COQUITLAM, B.C.

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SHIELA FRANCES GAFFNEY

PETITIONER

AND:

HAROLD CECIL GAFFNEY

RESPONDENT

ORDER

BEFORE THE HONOURABLE) TUESDAY, THE 22nd DAY
MR. JUSTICE CRAWFORD) OF MAY, 2007

THE PETITION of the Plaintiff and the Application of the Respondent to adjourn the Petition and the Application of the Respondent to Appeal the Adjournalment granted by Master Keighley on the 11th day of April, 2007, setting the hearing of the Petition to the 25th day of April, 2007, having come on before me on the 25th day of April, 2007, and upon the matter coming back before the Court to settle the terms of the Order on the 22nd day of May, 2007, at the City of New Westminster, in the Province of British Columbia, AND UPON HEARING R. KEITH OLIVER, Esq. of counsel for the Petitioner and the Respondent appearing with his Spokesperson Tina Zanetti;

THIS COURT ORDERS;

- 1 The Respondent's motion to adjourn the hearing of the Petition is Dismissed;
- 2 The Respondent's Appeal of the Order of Master Keighley made april 11, 2007, adjourning the hearing of the Petition to April 25th, 2007, is dismissed;
- 3 Partition and Sale of the property located at #312, 450 Bromley Street, in the City of Coquitlam, Province of British Columbia, and more particularly described as:

PID 015-726-339
STRATA LOT 36, DISTRICT LOT 113 GROUP 1, NWD, STRATA PLAN NW3181,


together with an interest in the common property in proportion to the unit entitlement of the Strata Lot.;
- 4 The Petitioner Shiela Frances Gaffney have exclusive conduct of sale of the above described property, such conduct to commence immediately this Order becomes effective, as set out below;
- 5 The operation of this Order will be suspended pending the outcome of the Respondent's application to the court of Appeal, in Court of Appeal file no. CA034717, presently scheduled for hearing June 20th, 2007, and this Order becomes effective immediately upon the outcome of that Appeal being determined in the Petitioner's favour;
- 6 If the Respondent's Appeal is determined in the Respondent's favour, he will have liberty to apply to this Court for a further Order;
- 7 Once marketing of the subject property begins, the Petitioner or the sales agent shall give the Respondent 4 days notice of any showings of the subject property, and all such showings will take place between 10:00 a.m. and 5:00 p.m. Monday to Friday, but no more than three hours at any one time;
- 8 Any offer obtained under the Petitioner's conduct of sale of the subject property is to be approved by this Court;
- 9 The proceeds of sale, after payment of the registered financial charges, taxes and Real Estate Commission, are to be divided, one-half to the Petitioner and one-half to the Respondent;

10 The Petitioner shall have her costs of the above noted orders at scale B, which costs shall be deducted from the Respondent's share of the proceeds of sale;

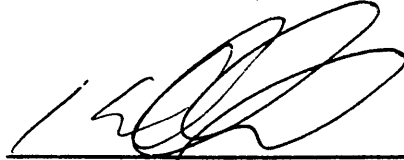
11 There shall be no costs of the Application of May 22nd, 2007;

12 The signature of the Respondent, Harold Cecil Gaffney on this Order shall be dispensed with.

Crawford, J.
BY THE COURT


Registrar

APPROVED AS TO FORM:


R. KEITH OLIVER, ESQ.
Counsel for the Plaintiff

Vol 920 Fol 18
ENTERED
AUG -2 2007
NEW WESTMINSTER
REGISTRY