



No. H-230802
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

BANK OF MONTREAL

PETITIONER

AND

HARO-THURLOW STREET PROJECT LIMITED PARTNERSHIP,
HARO AND THURLOW GP LTD., HARLOW HOLDINGS LTD., 1104227 B.C. LTD.,
CLOUDBREAK HOLDINGS LTD., CM (CANADA) ASSET MANAGEMENT CO. LTD.,
FORSEED HARO HOLDINGS LTD., 1115830 B.C. LTD., TERRAPOINT DEVELOPMENTS
LTD., KANG YU ZOU, WEI DONG, WEI ZOU, XIA YU and
TREASURE BAY HK LIMITED

RESPONDENTS

RESPONSE TO PETITION

Filed by: Treasure Bay HK Limited (“**Treasure Bay**” or the “**petition respondent**”)

THIS IS A RESPONSE TO the petition filed October 23, 2023.

Part 1: ORDERS CONSENTED TO

The petition respondent consents to the granting of the orders set out in the following paragraphs of Part 1 of the petition: NIL

Part 2: ORDERS OPPOSED

The petition respondent opposes the granting of the orders set out in paragraphs NIL of Part 1 of the petition.

Part 3: ORDERS ON WHICH NO POSITION IS TAKEN

The petition respondent takes no position on the granting of the orders set out in paragraphs 1 - 23 of Part 1 of the petition, but wishes to be advised of all applications to be made by the

Petitioner in this matter at which time it reserves the right to reconsider its position in light of all the circumstances at that time.

Part 4: FACTUAL BASIS

1. On November 15, 2021, Treasure Bay registered a certificate of pending litigation in the New Westminster Land Title Office under registration number CA9504577 against title to the Harlow Lands (as defined in the Petition) in respect of its claims for, among other things, an equitable mortgage charging the Harlow Lands, as detailed in its Notice of Civil Claim filed November 12, 2021 in Vancouver Registry, Action No. S-219889 (the "**Action**").
2. Treasure Bay's claims in the Action remain pending as at the date of this Response to Petition.

Part 5: LEGAL BASIS

1. The *Supreme Court Civil Rules*, the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3, s. 243, the *Law and Equity Act*, RSBC 1996, c 253 and the common law relating to the appointment of receivers.
2. Such further and other legal basis as counsel may advise and this Honourable Court may permit.

Part 6: MATERIAL TO BE RELIED ON

1. Such material(s) as counsel may advise and this Honourable Court may permit.

The petition respondents estimate that the application will take 15 minutes.

Date: December 6, 2023



Signature of lawyer for the petition
respondent
Daniel Shouldice

Petition respondents' address for service:

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Name of the petition respondents' lawyer, if any:

Daniel Shouldice