



No. H230802
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., 1498280
B.C. 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 TREASURY BAY HK
LIMITED

RESPONDENTS

ORDER MADE AFTER APPLICATION

BEFORE)
) THE HONOURABLE MADAM JUSTICE
) FITZPATRICK : 15 July 2025

ON THE APPLICATION OF the Petitioner, Bank of Montreal, coming on for hearing at Vancouver, British Columbia on July 15, 2025, and on hearing Kibben Jackson and Roy Cotton-O'Brien, counsel for the Petitioner, and those other counsel listed on **Schedule "A"** hereto; AND UPON READING the material filed, including Affidavit #1 of Peter Mullin made October 17, 2023 ("**Mullin Affidavit #1**") and Affidavit #3 of Peter Mullin made July 2, 2025.

THIS COURT ORDERS that:

1. Pursuant to Paragraph 3 of the Order of Madam Justice Fitzpatrick entered on December 18, 2024 (the "**Discharge Order**"), Fasken Martineau DuMoulin LLP ("**Fasken**") is hereby authorized to pay out from the Surplus Funds (as defined in the Discharge Order) held in Fasken's trust account such amounts as are necessary to satisfy the obligations of the Respondent Haro-Thurlow Street Limited Partnership to the Bank of Montreal

(the "**Bank**") in respect of the Bank's reasonable legal costs incurred in relation to the enforcement and preservation of the Bank's rights and remedies under the Loan Agreement (as defined in Mullin Affidavit #1) and related security agreements, plus interest thereon in accordance with the terms of the Loan Agreement, including the Bank's reasonable legal costs incurred in relation to its application for this order.

2. Following payment out from the Surplus Funds as set in Paragraph 1 of this order, all remaining Surplus Funds held in Fasken's trust account shall be paid into court to the credit of this proceeding and held pending further order of this court.
3. The need for endorsement of this order by counsel appearing at this hearing other than counsel for the Bank is hereby dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

For

Signature of

☐ Party ☒ Lawyer for Petitioner



KIBBEN JACKSON

BY THE COURT



REGISTRAR

CHECKED

KM

SCHEDULE "A"

List of Counsel and Individuals Appearing

Counsel / Individual	Party Represented
Scott Dawson	Forseed Haro Holdings Ltd.
Karen Carteri	Terrapoint Developments Ltd.

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ORDER MADE AFTER APPLICATION

FASKEN MARTINEAU DUMOULIN LLP

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