

12/11

No. _____
Kamloops Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA AS REPRESENTED BY THE BRITISH COLUMBIA ASSETS AND LAND CORPORATION and the ATTORNEY GENERAL OF BRITISH COLUMBIA

PLAINTIFFS

AND

SUN PEAKS RESORT CORPORATION, JANICE BILLY, SARAH DENAULT, AMANDA SOPER, NICOLE MANUEL, JOHN DOE, JANE DOE and PERSONS UNKNOWN acting in concert with them

DEFENDANTS

WRIT OF SUMMONS

Name and address of the Plaintiffs:

The British Columbia Lands and Assets Corporation

c/o Kamloops Regional Lands Office
145 - 3rd Avenue, Floor 3,
Kamloops, British Columbia V2C 3M1
Telephone: (250) 377-7000
Facsimile: (250) 377-7036

The Attorney General of British Columbia

c/o Ministry of Attorney General, Legal Services Branch
P.O. Box 9225, Stn Prov Govt
1175 Douglas Street, 5th Floor
Victoria, British Columbia V8W 9J7
Telephone: (250) 356-8848
Facsimile: (250) 387 - 0343

Name and address of each Defendant:

Sun Peaks Resort Corporation
1280 Alpine Road
Sun Peaks, British Columbia V2C 5M8

And to its Solicitor:

John J.L. Hunter
Davis & Company
Barristers and Solicitors
2800 Park Place
666 Burrard Street
Vancouver, BC V6C 2Z7

Janice Billy, Amanda Soper, Nicole Manuel, John Doe, Jane Doe & other persons
unknown

Addresses unknown

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom, Canada and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

To the Defendant(s):

TAKE NOTICE that this action has been commenced against you by the Plaintiffs for the claims set out in this Writ.

IF YOU INTEND TO DEFEND this action, or if you have a set off or counterclaim which you wish to have taken into account at the trial, **YOU MUST**

- (a) **GIVE NOTICE** of your intention by filing a form entitled "Appearance" in the above Registry of this Court, at the address shown below, within the Time for Appearance provided for below and **YOU MUST ALSO DELIVER** a copy of the Appearance to the Plaintiffs' address for delivery, which is set out in this Writ, and
- (b) if a Statement of Claim is provided with this Writ of Summons, or is later served on or delivered to you, **FILE** a Statement of Defence in the above Registry of this Court within the Time for Defence provided for below and **DELIVER** a copy of the Statement of Defence to the Plaintiffs' address for delivery.

YOU OR YOUR SOLICITOR may file the Appearance and the Statement of Defence. You may obtain a form of Appearance at the Registry.

JUDGMENT MAY BE TAKEN AGAINST YOU IF

- (a) **YOU FAIL** to file the Appearance within the Time for Appearance provided for below, or
- (b) **YOU FAIL** to file the Statement of Defence within the Time for Defence provided for below.

TIME FOR APPEARANCE

If this Writ is served on a person in British Columbia, the time for appearance by that person is 7 days from the service (not including the day of service).

If this Writ is served on a person outside British Columbia, the time for appearance by that person after service, is 21 days in the case of a person residing anywhere within Canada, 28 days in the case of a person residing in the United States of America, and 42 days in the case of a person residing elsewhere.

[or, if the time for appearance has been set by order of the court, within that time.]

TIME FOR DEFENCE

A Statement of Defence must be filed and delivered to the Plaintiffs within 14 days after the later of

- (a) the time that the Statement of Claim is served on you (whether with this writ of summons or otherwise) or is delivered to you in accordance with the Rules of Court, and
- (b) the end of the Time for Appearance provided for above.

[or, if the time for defence has been set by order of the court, within that time.]

- (1) The address of the Registry is:

***Kamloops Court Registry
223 - 455 Columbia Street
Kamloops, British Columbia V2C 6K4
Telephone: (250) 828-4344
Facsimile: (250) 828-4332***

(2) The **ADDRESS FOR DELIVERY** is:

c/o Ministry of Attorney General, Legal Services Branch
P.O. Box 9280, Stn Prov Govt
1175 Douglas Street, 5th Floor
Victoria, British Columbia V8W 2E1
Telephone: (250) 387 - 0319
Facsimile: (250) 387 - 0343
Attention: **LISA J. MROZINSKI**


(3) The name and office address of the Plaintiffs' solicitor is:

Ministry of Attorney General, Legal Services Branch
P.O. Box 9225, Stn Prov Govt
1175 Douglas , 5th Floor
Victoria, British Columbia V8W 9J1
Telephone: (250) 387-0319

ENDORSEMENT

See attached Statement of Claim

DATED: November 20, 2001


Lisa J. Mrozinski
Solicitor for the Plaintiffs

THIS WRIT OF SUMMONS is filed by Lisa J. Mrozinski, of the Legal Services Branch, Ministry of Attorney General, P.O. Box 9280, Stn Prov Govt, 5th Floor, 1175 Douglas Street, Victoria, British Columbia V8W 9J7. Telephone: (250) 356-8848