

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

**MITSUBISHI HC CAPITAL CANADA INC.**

PETITIONER

AND:

**VIC VAN ISLE CONSTRUCTION LTD., VVI CONSTRUCTION LTD., AND LORTAP ENTERPRISES LTD.**

RESPONDENTS

**IN THE SUPREME COURT OF BRITISH COLUMBIA  
IN BANKRUPTCY AND INSOLVENCY**

**IN THE MATTER OF THE RECEIVERSHIP OF  
VIC VAN ISLE CONSTRUCTION LTD., VVI CONSTRUCTION LTD., AND  
LORTAP ENTERPRISES LTD.**

**ORDER MADE AFTER APPLICATION**

**APPROVAL OF FINAL DISTRIBUTION AND DISCHARGE**

BEFORE THE HONOURABLE

	)	
	)	
	)	February 2, 2024
	)	
	)	

**THE APPLICATION** of BDO Canada Limited, in its capacity as Court-appointed Receiver (the “**Receiver**”) of the assets, undertakings and properties of Vic Van Isle Construction Ltd., VVI Construction Ltd., and Lortap Enterprises Ltd. (collectively, the “**Debtors**”) coming on for hearing at the Courthouse at 800 Smithe Street, Vancouver, British Columbia, on the 1<sup>st</sup> day of February, 2024;

**AND ON HEARING** James W. Reid, counsel for the Receiver, and those other counsel listed on **Schedule “A”** hereto;

**AND UPON READING** the material filed, including the Third Report of the Receiver dated January 18, 2024 (the “**Third Report**”);

**THIS COURT ORDERS AND DECLARES THAT:**

1. Service of notice of this Application and supporting materials is hereby declared to be good and sufficient, no other person is required to have been served with notice of this application and time for service of this application is abridged to that actually given.

2. The Receiver is hereby permitted to make a distribution, from the receipts held by the Receiver, to Mitsubishi HC Capital Canada, Inc. in an amount not to exceed \$25,000.00.
3. The Receiver shall pay into the Supreme Court of British Columbia in Action No. S-229607 the remainder of the funds held by the Receiver at the conclusion of these proceedings.
4. The activities and conduct of the Receiver, as set out in the Third Report and the previous reports filed in this proceeding, are hereby ratified and approved.
5. The fees and disbursements of the Receiver and its legal counsel, Miller Thomson LLP ("**Miller Thomson**"), as set out in the Affidavit of Chris Bowra, sworn January 18, 2024, and the Affidavit of James W. Reid, sworn January 22, 2024, are hereby approved.
6. Upon payment of the amounts set out in paragraphs 2-5 hereof and upon the Receiver filing a certificate, substantially in the form attached as **Schedule "B"**, certifying that it has completed the remaining outstanding activities described in the Third Report, the Receiver shall be discharged as Receiver of the assets, undertaking and property of the Debtors, provided that notwithstanding its discharge herein: (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein; and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of BDO Canada Limited in its capacity as Receiver.
7. This Court hereby requests the aid and recognition of any court, tribunal, regulatory or administrative body, wherever located, to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order.
8. The Receiver or any other party have liberty to apply for such further or other directions or relief as may be necessary or desirable to give effect to this Order.

**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:**

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Signature of James W. Reid  
Lawyer for the Receiver

**BY THE COURT**

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Registrar

**SCHEDULE A  
TO APPROVAL OF FINAL DISTRIBUTION AND DISCHARGE**

**COUNSEL LIST**

<b>Counsel Name</b>	<b>Party Represented</b>

**SCHEDULE B  
TO APPROVAL OF FINAL DISTRIBUTION AND DISCHARGE**

No. S-229607

VANCOUVER REGISTRY

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**RECEIVER'S DISCHARGE CERTIFICATE**

**WHEREAS** pursuant to the Order of the Honourable \_\_\_\_\_ made February 2, 2024 (the "Distribution and Discharge Order"), BDO Canada Limited, in its capacity as Court-appointed Receiver (the "Receiver") of the assets, undertakings and properties of Vic Van Isle Construction Ltd., VVI Construction Ltd., and Lortap Enterprises Ltd. (collectively, the "Debtors") was discharged as Receiver with such discharge to be effective upon the Receiver filing with this Court certifying that the Receiver has completed the administration of the estate.

**THE UNDERSIGNED HEREBY CERTIFIES as follows:**

1. The Receiver has complied with the Distribution and Discharge Order.
2. The Receiver has completed all other matters that are incidental to the termination of these proceedings and the discharge of the Receiver.

**NOW THEREFORE AS A RESULT OF THE FORGOING**, the Receiver is entitled to be fully and completely discharged in accordance with the terms of the Distribution and Discharge Order and relieved of any further powers or duties as Receiver in these proceedings.

**THIS RECEIVER'S DISCHARGE CERTIFICATE** is made and filed by the Receiver in accordance with paragraph 6 of the Distribution and Discharge Order.

**BDO Canada Limited** in its capacity as the Receiver of Vic Van Isle Construction Ltd., VVI Construction Ltd, and Lortap Enterprises Ltd. and not in its personal or corporate capacity

Per: \_\_\_\_\_

Chris Bowra, CPA, CA, CIRP, LIT  
Vice President

No. S-229607  
Vancouver Registry

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VIC VAN ISLE CONSTRUCTION LTD., VVI  
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**ORDER MADE AFTER APPLICATION**

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