



Affidavit #1 of S. Dubo
Sworn November 7, 2023

COURT FILE NO. VLC-S-S-234019
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE RECEIVERSHIP OF
BEYOND THE GRAPE ON PREMISE WINEMAKING LTD.

AND

BUSINESS DEVELOPMENT BANK OF CANADA

PLAINTIFF

BEYOND THE GRAPE ON PREMISE WINEMAKING LTD.
FRASER MILLS FERMENTATION COMPANY LTD.
IAN DONALD MACKERRICHER
MICHAEL EDWARD DRUCE
DANIEL JOSEPH PARENT
STEPHEN PAUL SHELDON
WARREN TODD BOYER

DEFENDANTS

AFFIDAVIT

I, Sherryl Dubo, of #401-121 5th Avenue, in the City of Kamloops, British Columbia, MAKE OATH AND SAY THAT:

1. I am a partner at McMillan Dubo LLP, solicitors for the Plaintiff, and as such have personal knowledge of the matters and facts herein deposed to except where stated to be on information and belief and where so stated do verily believe the same to be true.
2. Attached as Exhibit "A" hereto is an Addendum to Asset Purchase Agreement dated November 1, 2023, between Chris Walton and Ian MacKerricher as Buyer and BDO Canada Limited in its capacity as Court Appointed receiver of Beyond the Grape on Premise Winemaking Ltd.

SWORN BEFORE ME at the City of Kamloops, in the Province of British Columbia, on November 7, 2023.

A Commissioner for taking Affidavits in the Province of British Columbia.

Jessica Fisher
Barrister & Solicitor
McMILLAN DUBO LLP
{00247662.} #401-121 5th AVENUE
KAMLOOPS, BC V2C 0M1



SHERRYL DUBO

ADDENDUM TO ASSET PURCHASE AGREEMENT

Between

Chris Walton & Ian MacKerricher, as Buyer
and

**BDO Canada Limited, in its capacity as Court Appointed Receiver of
Beyond the Grape On Premises Winemaking Ltd.
and not in its personal or corporate capacity, as Seller**

Dated October 12, 2023

The undersigned hereby agree to amend the above-referenced Agreement as follows:

1. The Buyer has incorporated Train Wreck Brewing Ltd., a new B.C. company, for the purchase of the Transferred Assets. Chris Walton and Ian MacKerricher as Buyer hereby jointly assign this Agreement to Train Wreck Brewing Ltd. as their nominee and as Buyer, and Train Wreck Brewing Ltd. hereby accepts the assignment as nominee and Buyer under the terms of this Agreement. Notwithstanding such assignment, and in accordance with section 13.7 of this Agreement, Chris Walton and Ian MacKerricher acknowledge and agree they remain personally bound by this Agreement and liable to the Seller under the terms and conditions of this Agreement as Buyer.
2. All other terms of the Agreement remain unchanged and in full force and effect.

This Addendum is made effective November 1, 2023:

**BDO Canada Limited in its capacity as
Court Appointed Receiver of Beyond the
Grape On Premises Winemaking Ltd. and
not in its personal or corporate capacity**

Per: Chris Bowra
Name: Chris Bowra
Title: Vice President

This is Exhibit " A " referred to in the
affidavit of S. Dubo

Sworn before me at Kamloops
In the Province of British Columbia
this 7 day of November 2023

[Signature]
A Commissioner for taking Affidavits within British Columbia

Chris Walton

DocuSigned by:
[Signature]
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Train Weck Brewing Ltd.

DocuSigned by:
[Signature]
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Per: _____
Name: Chris Walton
Title: Director

Ian MacKerricher

DocuSigned by:
[Signature]
FA9CF41842914AA...

DocuSigned by:
[Signature]
FA9CF41842914AA...

Per: _____
Name: Ian MacKerricher
Title: Director

We have the authority to bind the company.

IN THE SUPREME COURT OF BRITISH COLUMBIA
In the Matter of the Receivership of
BEYOND THE GRAPE ON PREMISE WINEMAKING LTD.

BETWEEN:

BUSINESS DEVELOPMENT BANK OF CANADA

Plaintiff

- and -

BEYOND THE GRAPE ON PREMISE WINEMAKING LTD.
FRASER MILLS FERMENTATION COMPANY LTD.
IAN DONALD MACKERRICHER
MICHAEL EDWARD DRUCE
DANIEL JOSEPH PARENT
STEPHEN PAUL SHELDON
WARREN TODD BOYER

Defendants

AFFIDAVIT

FILE NO. 4701-107

SAD/lt

MCMILLAN DUBO LLP
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