



NO. Court File No. **VLC-S-S-248901**  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

**BETWEEN:**

**MICHAEL LARES**

**PETITIONER**

**AND:**

**PETER VAN DER HEYDEN and FLYING "L" RANCH LTD.**

**RESPONDENTS**

**AFFIDAVIT**

I, **Barbara J. Poth**, legal administrative assistant, at McQuarrie Hunter LLP, #1500, 13450 102<sup>nd</sup> Avenue, Surrey, British Columbia, AFFIRM THAT:

1. I am a legal administrative assistant working under the direction of Royal J. Morton, counsel for the petitioner, and as such I have personal knowledge of the facts and matters hereinafter deposed to.

2. Attached respectively as Exhibits "A" through "O" are true copies of the following documents, which I either sent to the respondent's lawyer, Hall & Larocque LLP., or to the recipients named in the letters, received from these individuals, or retrieved from our file or Mr. Lares' solicitor's file at our firm:

- a) Exhibit "A" is an email chain between Cameron Nicol and Yvan Guy Larocque dated September 23 to October 4, 2024, with the attached draft share purchase agreement;
- b) Exhibit "B" is part of an email chain between Mr. Larocque and Mr. Nicol dated October 4 to October 21, 2024, with the attached draft revised share purchase agreement with track changes;

- c) Exhibit "C" is an email from Dorothy Phan, Legal Administrative Assistant at McQuarrie Hunter, to Mr. Larocque with the attached letter from Mr. Nicol to Mr. Larocque dated October 25, 2024;
- d) Exhibit "D" is an email from April Nguyen, Legal Administrative Assistant at McQuarrie Hunter, to Mr. Larocque with the attached letter from Mr. Nicol to Mr. Larocque dated October 30, 2024, and revised draft share purchase agreement with track changes and draft closing documents;
- e) Exhibit "E" is an email chain from Ms. Nguyen and Mr. Nicol to Mr. Larocque dated October 30, 2024;
- f) Exhibit "F" is an email chain between Ms. Phan, Mr. Nicol, Ms Nguyen, and Mr. Larocque dated October 30 to October 31, 2024, with the attached letter from Mr. Nicol to Mr. Larocque dated October 31, 2024 enclosing a copy of a cheque from McQuarrie Hunter to Larocque Business Law In Trust for \$100,000;
- g) Exhibit "G" is part of an email chain between Ms. Phan, Mr. Nicol, and Mr. Larocque dated October 30 to October 31, 2024 with the attached letter from Mr. Nicol to Mr. Larocque dated October 31, 2024 and the closed documents signed by Michael Lares;
- h) Exhibit "H" is an email from Mr. Nicol to Mr. Larocque dated October 31, 2024;
- i) Exhibit "I" is an email from Mr. Larocque to Mr. Nicol dated November 1, 2024;
- j) Exhibit "J" is an email from Mr. Larocque and Mr. Nicol dated November 4, 2024, with the attached revised share purchase agreement signed by Peter van der Heyden, a revised share purchase agreement with track changes, general security agreements and closing documents signed by Peter van der Heyden;
- k) Exhibit "K" is an email exchange between Mr. Larocque and Mr. Nicol dated November 4, 2024, and the attached email from Mr. Larocque to Mr. Nicol dated November 1, 2024;
- l) Exhibit "L" is part of an email chain between Mr. Larocque and Mr. Nicol dated November 4 to November 5, 2024, with the attached revised draft share purchase agreement with track changes;

- m) Exhibit "M" is part of an email chain between Mr. Larocque and Mr. Nicol dated November 5, 2024;
- n) Exhibit "N" is an email from Mr. Nicol to Mr. Larocque dated November 6, 2024, with the attached copy of the revised draft general security agreement with track changes, revised draft share purchase agreement with track changes and a draft promissory note; and
- o) Exhibit "O" is an email chain between Mr. Larocque and Mr. Nicol dated November 6 to November 14, 2024.

AFFIRMED BEFORE ME at the City of )  
 Surrey, in the Province of British Columbia, )  
 this 19<sup>th</sup> day of December 2024. )

  
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 A Commissioner for taking Affidavits within )  
 the Province of British Columbia )

  
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 BARBARA J. POTH

**BENJAMIN MORLEY**  
 Barrister & Solicitor  
 McQUARRIE HUNTER LLP  
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 Surrey, BC V3T 5X3  
 604.581.7001

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**File No.: 240945**