

LAWSON LUNDELL LLP

Barristers & Solicitors
1600 Cathedral Place
925 West Georgia Street
Vancouver, British Columbia
Canada V6C 3L2

BANK OF MONTREAL
595 BARRARD STREET
VANCOUVER, BC
V7X 1L7

7698

DATE: 02-20-2012
MM-DD-YYYY

s.17, s.22

\$

s.17, s.22

PAY
TO THE
ORDER OF

DIRECTOR OF CIVIL FORFEITURE

LAWSON LUNDELL LLP - TRUST ACCOUNT

PER

PER

⑈007698⑈ ⑆00040⑈001⑈

1081.0000

2011-735

J.

AGREEMENT

RECITALS AND CONSIDERATION

WHEREAS the Director of Civil Forfeiture (the "Director") is plaintiff in an action in the Supreme Court of British Columbia, Vancouver Registry Number S116467 (the "Action") *in rem* against property belonging to Hong Sun and Jixu Sun (together, the "Defendants"), a 2010 Orange Lamborghini Gallardo with British Columbia Licence Plate 133 RBT and Bearing VIN# ZHWGC7AJ4ALA09817 (the "Vehicle");

WHEREAS the Defendants have sold the Vehicle for the sum of ^{s.22} (the "Funds"), and the Funds are being held by Lawson Lundell LLP in an interest-bearing trust account pursuant to the Order of the Honourable Justice Johnston in the Action, dated October 28, 2011; and

WHEREAS the Director and the Defendants ^{s.17, s.22}

AND IN CONSIDERATION FOR the Mutual Covenants and Warranties contained herein

The Director and the Defendants hereby agree:

INTERPRETATION

1. In this Agreement:

- a. The "Action" means the action in the Supreme Court of British Columbia, Vancouver Registry Number S116467;
- b. "Claims" includes actions, causes of action, claims, suits, complaints, or proceedings of any nature or kind whatsoever, whether at law or at equity or by statute, whether subrogated or not, whether known or unknown against a person or *in rem* against property or an interest in property;
- c. The "Director" means the Director of Civil Forfeiture appointed pursuant to the *Civil Forfeiture Act*, S.B.C. 2005, c. 29 (the "*Act*"), as amended, or any equivalent office or body under any successor legislation, and includes any successors, servants, employees, agents, assigns and insurers of the Director;

- d. The "Funds" means the monies paid into the Lawson Lundell LLP interest-bearing trust account pursuant to the Order of the Honourable Justice Johnston, dated October 28, 2011.
- e. "now" means at the date of execution of this Agreement
- f. "The Parties" means the Director and the Defendants, Hong Sun and Jixu Sun.
- g. "Privies" in relation to a party to this Agreement includes successors, servants, employees, agents, assigns, insurers, administrators, executors and heirs.
- h. The "Defendants" means Hong Sun and Jixu Sun;
- i. The "Settlement Amount" is s.17, s.22 in Canadian currency payable by trust cheque, certified cheque or money order.
- j. s.17, s.22
- k. The "Vehicle" means the a 2010 Orange Lamborghini Gallardo with British Columbia Licence Plate 133 RBT and Bearing VIN# ZHWGC7AJ4ALA09817 that is the subject of the Action between the Director and the Defendants.

2. For the purpose of this Agreement, an employee or servant of Her Majesty the Queen in right of the Province of British Columbia who reports to the Director or his successor is considered an employee of the Director and the same applies, *mutatis mutandis*, to any other public body.

PAYMENT AND ENTRY OF CONSENT ORDER

- 3. The Defendants agree to pay the Minister of Finance c/o the Director the Settlement Amount from the Funds, to be delivered to counsel for the Director, within ten (10) business days of this Agreement being duly executed.
- 4. Upon receipt of the Settlement Amount, the Director will forthwith notify counsel for the Defendants,
- 5. Upon notice to the Defendants that the Settlement Amount has been received by the Director:
 - a. the Parties agree to instruct their counsel to execute a Consent Order in the form attached as "Appendix A" and counsel for the Director shall file the executed Consent Order in the Action; and

- b. the Director shall provide consent in writing authorizing the payment of the remainder of the Funds to the Defendants.

RELEASE

6. The Director, on behalf of himself and his Privies, s.17, s.22

7. The Parties acknowledge and agree that the facts in respect of which this Agreement are made s.17, s.22

8. It is expressly understood and agreed that the consideration paid to the Director pursuant to this Agreement is s.17, s.22

9. Except to enforce this Agreement, it is expressly understood and agreed that for the consideration expressed herein, the Director agrees s.17, s.22
-

CONFIDENTIALITY

10. The Parties agree not to disclose the payment of or the Settlement Amount, or any documents or information revealing the payment of or the Settlement Agreement to anyone other than their lawyers and delegates without:

- a. the written consent of the Parties;
- b. further court order; or
- c. as otherwise required by law.

WARRANTIES

11. The Parties warrant that:

- a. they have consulted with their lawyers and reviewed this Agreement with them;
- b. they execute this Agreement of their own free will; and
- c. they have not been influenced in executing this Agreement by any representations or statements other than as contained in this Agreement.

12. The Parties mutually acknowledge that the other Parties rely on these warranties.

MISCELLANEOUS

13. This Agreement may be executed in two or more counterparts and all such executed counterparts shall constitute one and the same document. All such counterparts may be delivered by fax or any electronic form.

14. This Agreement contains the entire agreement between the Parties.

15. This Agreement shall be interpreted in accordance with the laws of British Columbia.

Dated in the Province of British Columbia, this 2 day of FEBRUARY, 2012.

SIGNED SEALED AND DELIVERED

in the presence of:

s.15, s.19

Name

PO BOX 9234 STN PROV GOVT
Address

PUBLIC SERVANT
Occupation


SIGNED SEALED AND DELIVERED

in the presence of:

Name

Address

Occupation



Director of Civil Forfeiture

Jixu Sun

Hong Sun

DEPOSIT FORM

INSTRUCTIONS: Complete this form for Deposits made by Govnment Offices to Government Agents. See Finacial Administration Procedures (Charpter 8) for additional intruction. PLEASE TYPE OR PRINT CLEARLY						BATCH NO.		1. DOC. CONTROL NO. <div style="text-align: center; font-weight: bold; color: red; font-size: 1.2em;">1508 27664</div>			
2. MINISTRY AND BRANCH <div style="text-align: center; font-weight: bold;">PSSG - Civil Forfeiture Office</div>						3. GOV'T AGENT SUB-ISSUER NO		4. FISCAL YEAR <div style="text-align: center; font-weight: bold;">2012</div>		5. DATE PREPARED YYYY MM DD <div style="text-align: center; font-weight: bold;">2012 03 20</div>	
6. CONTACT NAME <div style="text-align: center; color: red;">s.15, s.19</div>								7. CONTACT PHONE NO. <div style="text-align: center; font-weight: bold;">356-1560</div>			
8. DEPOSIT DETAILS <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>CANADIAN</p> <p>BILL-COIN X5</p> <p>CHEQUE & MONEY ORDERS X10</p> <p>CHEQUE & MONEY ORDERS X20</p> <p>U.S. CHEQUE & MONEY ORDERS X50</p> </div> <div style="width: 45%;"> <p>AMOUNT</p> <p style="text-align: center; color: red;">s.17, s.22</p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">BILLS</th> <th style="text-align: right;">RATE</th> </tr> <tr> <td style="text-align: center;">X</td> <td style="text-align: right;">=</td> </tr> </table> </div> <div style="width: 45%;"> <p style="text-align: center;">COIN</p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">CHEQUES</th> <th style="text-align: right;">RATE</th> </tr> <tr> <td style="text-align: center;">X</td> <td style="text-align: right;">=</td> </tr> </table> </div> <div style="width: 45%;"> <p style="text-align: center;">COIN</p> </div> </div> <div style="margin-top: 10px;"> <p style="text-align: right; font-weight: bold;">TOTAL</p> <div style="display: flex; align-items: center;"> ➡ <div style="border-bottom: 3px double black; flex-grow: 1;"></div> </div> </div>				BILLS	RATE	X	=	CHEQUES	RATE	X	=
BILLS	RATE										
X	=										
CHEQUES	RATE										
X	=										

2011-735
Luxury Racers

THIS CHECK CONTAINS A SECURITY FEATURE. TO VERIFY, VISIT WWW.BANKOFMONTREAL.COM/SECURITY

LAWSON LUNDELL LLP

Barristers & Solicitors
1600 Cathedral Place
925 West Georgia Street
Vancouver, British Columbia
Canada V6C 3L2

BANK OF MONTREAL
595 BURNARD STREET
VANCOUVER, BC
V7X 1L7

7719

DATE: 03-02-2012
MM-DD-YYYY

s.17, s.22

s.17, s.22

LAWSON LUNDELL LLP TRUST ACCOUNT

PAY MINISTER OF FINANCE
TO THE
ORDER OF

PER

PER

⑈007719⑈ ⑆00040⑈001⑆

1084⑈685⑈



s.22

s.22



s.22

Page 9 **\$22,500.00**
JAG-2013-00951

January 31, 2012

DELIVERED

Peter J. Roberts
T: (604) 631-9158
F: (604) 641-4400
proberts@lawsonlundell.com

Ministry of Attorney General
Legal Services Branch
PO Box 9280 Stn. Prov. Govt
Victoria, BC V8W 9J7

Attention: Johnny Van Camp

Dear Sir:

**Re: Director of Civil Forfeiture v. Dan Na Zhu, Xio Bo Wang, et al
Vancouver Supreme Court Registry No. S116467**


1600 Cathedral Place
925 West Georgia Street
Vancouver, British Columbia
Canada V6C 3L2
Telephone 604 685 3456
Facsimile 604 669 1620
www.lawsonlundell.com

Please find enclosed an originally endorsed copy of the Consent Order with respect to the above noted matter.

We trust you will find everything in order, please advise if you have any questions.

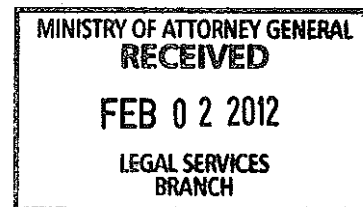
Yours very truly,

LAWSON LUNDELL LLP



Peter J. Roberts

Vancouver
Calgary
Yellowknife



PJR/vws
Enc.

AGREEMENT

RECITALS AND CONSIDERATION

WHEREAS the Director of Civil Forfeiture (the “Director”) is plaintiff in an action in the Supreme Court of British Columbia, Vancouver Registry Number S116467 (the “Action”) *in rem* against property belonging to Hong Sun and Jixu Sun (together, the “Defendants”), a 2010 Orange Lamborghini Gallardo with British Columbia Licence Plate 133 RBT and Bearing VIN# ZHWGC7AJ4ALA09817 (the “Vehicle”);

WHEREAS the Defendants have sold the Vehicle for the sum of ^{s.22} (the “Funds”), and the Funds are being held by Lawson Lundell LLP in an interest-bearing trust account pursuant to the Order of the Honourable Justice Johnston in the Action, dated October 28, 2011; and

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14. This Agreement contains the entire agreement between the Parties.

15. This Agreement shall be interpreted in accordance with the laws of British Columbia.

Dated in the Province of British Columbia, this _____ day of _____, 2012.

SIGNED SEALED AND DELIVERED)
in the presence of:)

Name)

Address)

Occupation)

Director of Civil Forfeiture

SIGNED SEALED AND DELIVERED)
in the presence of:)

Name)

Jixu Sun

Address)

Hong Sun

Occupation)

JAG:EX

From: Morley, Gareth JAG:EX
Sent: Thursday, November 15, 2012 4:07 PM
To: 'karen@karenbastow.com'
Cc: Van Camp, Johnny JAG:EX; s.15, s.19 JAG:EX
Subject: Blue Lamborghini

We have the cheque in our Vancouver office. Unfortunately, it is a personal cheque and not drawn on a trust account. We will have to get it to Victoria and then see if it clears. This may take until the end of next week.

J. Gareth Morley
Barrister & Solicitor
Legal Services Branch, Ministry of Justice
Telephone: s.17
Facsimilie: 250 953-4348

Mailing Address:
PO Box 9280 Stn Prov Govt
Victoria, BC V8W 9J7

Location: 1001 Douglas Street, Victoria

This communication (both the message and any attachments) is confidential and may be protected by solicitor-client privilege. It is intended only for the use of the person or persons to whom it is addressed. Any distribution, copying, or other use by anyone else is strictly prohibited. If you have received this communication in error, please destroy the email message and any attachments immediately and notify me by telephone or by email. Thank you and my apologies for any inconvenience.

s.15, s.19

JAG:EX

From: s.15, s.19 JAG:EX
Sent: Thursday, November 29, 2012 3:47 PM
To: Morley, Gareth JAG:EX; Van Camp, Johnny JAG:EX; s.15, s.19 JAG:EX
Cc: s.15, s.19 JAG:EX
Subject: CFO 2011-739, Lamborghini



Fwd: Lamborghini

s.15, s.19

Karen Bastow is asking for her chq (see above), but Gareth would like to know that the deposit below has cleared. I've asked Finance, and advised to wait 10 days, and if no NSF, then it is safe to assume deposit was good.

10 working days takes us to Dec 6, so I'd suggest it might be OK to cut the chq to defense counsel then?



2011-739 Deposit
Form (\$22,500...

For your consideration,

s.15, s.19

Executive Admin Assistant | Civil Forfeiture Office
T 250.356.1560 | F 250.356.1092

From: Wong, George JAG:EX
Sent: Wednesday, November 28, 2012 11:55 AM
To: s.15, s.19 JAG:EX
Subject: Emailing: PRODownload.htm



PRODownload.h
tm

Hi s.15, s.19 it was deposited to the bank on Nov 22/12 so it probably has not gone thru the banking system if it is being returned as NSF . Usually safe period is approx 10 working days.
George

s.15, s.19

JAG:EX

From: s.19, s.15 AG:EX
Sent: Tuesday, November 20, 2012 2:37 PM
To: s.15, s.19 JAG:EX
Cc: JAG:EX
Subject: chq for \$22,500

s.15, s.19

Just handed to me from Katie, for the 2010 Lamborghini in file 739. Chq to be deposited? Safe?

s.15, s.19

Executive Administrative Assistant | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.356.1560 | F 250.356.1092

s.15, s.19

This email may contain confidential and/or privileged information. If you are not the intended recipient or have received this email in error, please notify the sender immediately and destroy this mail. Any unauthorized copying, disclosure or distribution of the material in this email is forbidden.

JAG:EX

From: Morley, Gareth AG:EX
Sent: Tuesday, December 13, 2011 3:39 PM
To: 'mail@src-law.com'
Cc: s.15, s.19 SG:EX; Van Camp, Johnny AG:EX
Subject: Director of Civil Forfeiture v. ZHU, Da Na; Grey Aston Martin -- WITHOUT PREJUDICE
EXCEPT AS TO COSTS

Dear Mr. Chamberlain,

I mentioned at the end of the cross-examinations on Friday that I would contact you today. I am writing to propose consent dismissal of this action against your client and her vehicle without costs. I have some concerns about
s.22

However, my client sees the litigation risks concerning the amount of evidence of any personal involvement in racing and would prefer to focus on the individuals who were clearly racing.

The Plaintiff Director of Civil Forfeiture reserves the right to bring this offer to the attention of the court for consideration in relation to costs after the court has pronounced judgment on all other issues in this proceeding.

Yours truly,

Gareth Morley
Barrister & Solicitor

JAG:EX

From: Van Camp, Johnny JAG:EX
Sent: Thursday, August 16, 2012 3:22 PM
To: 'karen@karenbastow.com'
Cc: Morley, Gareth JAG:EX
Subject: DoCF v. Luxury Racers - Rejected Order and Amended NoCC

Ms. Bastow,

Unfortunately, the registry has rejected the form of consent order that we submitted dismissing the claim as against the Nissan GTR. I will call the registry to see what can be done without having to appear in court and advise if we need to turn our minds to appearing in court.

I trust you will agree that we will have to resubmit our pleadings before the trial in this matter. Indeed this would be prudent now that we have a clearer picture of what the issues are, and who the actual defendants should be for the trial in November, 2012. Because a trial has been set down, we will need a court order to amend the pleadings.

I attach for your consideration a form of our proposed amended notice of civil claim. Please advise if your clients are agreeable, and I will send a form of consent order for your consideration. As you may know, the threshold for amending pleadings is low. I would like to avoid an application if possible, so please advise of your client's position by 4:00PM on Monday, August 20, 2012. If your client's are not amenable, please advise of your list of dates for an application to amend the pleadings in September, 2012.

Yours truly,



0000300-BI93BD8
2FZL120-FFWCG6..

Johnny Van Camp

Lawyer, Ministry of Justice
Legal Services Branch
5th Fl., 1001 Douglas Street
PO Box 9280 Stn Prov Govt
Victoria, BC V8W 9J7
Phone: (250) 952-9191
Fax: (250) 387-4002
Email: Johnny.VanCamp@gov.bc.ca

Note: This message, including any attachments to it, is confidential and subject to solicitor-client privilege. In keeping with the Standards of Conduct for Public Service Employees, it is not to be disclosed outside of provincial government without prior written approval from the Legal Services Branch, Ministry of Attorney General. If you are not the intended recipient, please notify the sender immediately and do not copy or disclose the contents of this message to any other person.

JAG:EX

From: Van Camp, Johnny AG:EX
Sent: Wednesday, February 8, 2012 2:41 PM
To: 'karen@karenbastow.com'; 'Peter Roberts'
Cc: Morley, Gareth AG:EX; Kitchen, Laura AG:EX
Subject: DoCF v. Luxury Racers (Yin Chung Wang and White Mercedes)

Dear Counsel,

Please find enclosed a copy of the entered order dismissing the Director's claim against the white Mercedes.

Ms. Bastow, please advise who will be picking up the vehicle. The person must have authorization from the registered owner and a valid driver's licence.

My client has instructed that he will hold the vehicle for up to seven (7) days [until February 15, 2012] free of charge. Thereafter the Director will charge the prevailing ICBC rates for storage of \$19.80/day.

Yours truly,



Order (filed) -
Luxury.pdf

Johnny Van Camp

Lawyer, Ministry of Attorney General
Legal Services Branch
5th Fl., 1001 Douglas Street
PO Box 9280 Stn Prov Govt
Victoria, BC V8W 9J7
Phone: (250) 952-9191
Fax: (250) 387-4002
Email: Johnny.VanCamp@gov.bc.ca

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JAG:EX

From: Peck, Rick A SSBC:EX
Sent: Tuesday, December 6, 2011 1:20 PM
To: s.15, s.19 SG:EX
Subject: FW: Orange Lamborghini

Hi s.15,
s.19

Sorry almost forgot about this one but I'm sure you would have reminded me. Total amount owing AIR for impound, storage, and transportation costs paid by AIR on your behalf is \$1,929.16. I will have Ellen prepare a JV and send to your office. Any idea when Vancouver Lamborghini plan on picking up this unit?

Talk to you soon

Thanks
Rick

From: s.15, s.19 SG:EX
Sent: Tuesday, November 29, 2011 4:19 PM
To: Peck, Rick A SSBC:EX
Cc: Van Camp, Johnny AG:EX
Subject: Orange Lamborghini

Hi Rick,

Further to my VM, Lamborghini Vancouver made an offer which has been accepted by all parties^{s.22} They will make arrangements to move the vehicle or pick it up once the registration papers are completed. If there are any questions about whether they are complete, you can speak to me or if you can't locate me, Johnny. I hope it's ok that I have put them in touch with you, it makes the most sense.

To the second part of my message, we would like to get the remaining vehicles assessed. I've spoken to a fellow with Coast Auto Appraisals named Carey, 604 722 0275. The cost is \$250 + HST per vehicle. He said he can get there within the next week and have a report to us 7-10 days after that. He seemed competent enough but if you know of another individual who'd you prefer, please go with your gut. Could you please have someone call Carey (or another) and arrange to get them in to view the vehicles asap? Please let me know if you have any questions or comments about this course of action, I'm always pleased to get your input.

Finally, can you please produce a final accounting of costs to date for the towing and storage of the Lamborghini? Please also include the current per diem for storage. We need to forward that to the Defendants within the next week or so.

And finally, thank you in advance for your continued assistance with this matter!

Cheers,

JAG:EX

From: Morley, Gareth JAG:EX
Sent: Thursday, November 29, 2012 2:33 PM
To: s.15, s.19 JAG:EX
Subject: Fwd: Lamborghini

Any word?

Sent from my iPhone

Begin forwarded message:

From: karen bastow <karen@karenbastow.com>
Date: 29 November, 2012 2:18:35 PM PST
To: "Morley, Gareth JAG:EX" <Gareth.Morley@gov.bc.ca>, "Karen Bastow" <karen@karenbastow.com>
Subject: Lamborghini
Reply-To: "karen@karenbastow.com" <karen@karenbastow.com>

Has the cheque cleared? Can you send instructions for pick-up?

sent from BB, excuse typos, shortness, Rogers not cheap

Page 24 redacted for the following reason:

s.16

JAG:EX

From: Morley, Gareth JAG:EX
Sent: Thursday, November 15, 2012 3:33 PM
To: s.15, s.19 JAG:EX; Van Camp, Johnny JAG:EX
Subject: Lamborghini FW: Cheque from Karen Bastow's Office
Attachments: Chq.pdf

The Vancouver office received a cheque to the Minister of Finance from s.22 for \$22, 500.
s.14

J. Gareth Morley
Barrister & Solicitor
Legal Services Branch, Ministry of Justice
Telephone: s.17
Facsimilie: 250 953-4348

Mailing Address:
PO Box 9280 Stn Prov Govt
Victoria, BC V8W 9J7

Location: 1001 Douglas Street, Victoria

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From: Joanes, Charlene JAG:EX
Sent: Thursday, November 15, 2012 3:30 PM
To: Morley, Gareth JAG:EX; Ross, Eva L C JAG:EX
Subject: RE: Cheque from Karen Bastow's Office

Attached.

Charlene Joanes
Legal Secretary to Robert G. Payne, Eva Ross and Keith Evans
Ministry of Justice - Legal Services Branch
1301 - 865 Hornby Street
Vancouver, BC V6Z 2G3
Direct: s.17
Fax: (604) 660-3833

From: Morley, Gareth JAG:EX
Sent: Thursday, November 15, 2012 3:21 PM
To: Joanes, Charlene JAG:EX; Ross, Eva L C JAG:EX
Subject: RE: Cheque from Karen Bastow's Office

Please send me a scan. That would be great.

J. Gareth Morley
Barrister & Solicitor
Legal Services Branch, Ministry of Justice
Telephone: s.17
Facsimilie: 250 953-4348

Mailing Address:
PO Box 9280 Stn Prov Govt
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From: Joanes, Charlene JAG:EX
Sent: Thursday, November 15, 2012 3:20 PM
To: Morley, Gareth JAG:EX; Ross, Eva L C JAG:EX
Subject: RE: Cheque from Karen Bastow's Office

The cheque is for \$22,500.00. I will send it out by Purolator. I can send you a scan of it if you would like?

Charlene Joanes

Legal Secretary to Robert G. Payne, Eva Ross and Keith Evans
Ministry of Justice - Legal Services Branch
1301 - 865 Hornby Street
Vancouver, BC V6Z 2G3
Direct: s.17
Fax: (604) 660-3833

From: Morley, Gareth JAG:EX
Sent: Thursday, November 15, 2012 3:18 PM
To: Ross, Eva L C JAG:EX; Joanes, Charlene JAG:EX
Subject: RE: Cheque from Karen Bastow's Office

Thanks. Charlene, can you open it and confirm how much it is?

J. Gareth Morley
Barrister & Solicitor
Legal Services Branch, Ministry of Justice
Telephone: s.17
Facsimilie: 250 953-4348

Mailing Address:
PO Box 9280 Stn Prov Govt
Victoria, BC V8W 9J7

Location: 1001 Douglas Street, Victoria

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From: Ross, Eva L C JAG:EX
Sent: Thursday, November 15, 2012 3:18 PM
To: Joanes, Charlene JAG:EX
Cc: Morley, Gareth JAG:EX
Subject: FW: Cheque from Karen Bastow's Office

Gareth is expecting it, Charlene. Can you please courier it to him?

Gareth, Karen's issues with Canada Post have remarkably resolved themselves in very short order. It's magic.

From: Joanes, Charlene JAG:EX
Sent: Thursday, November 15, 2012 3:16 PM
To: Ross, Eva L C JAG:EX
Subject: Cheque from Karen Bastow's Office

Hi Eva

A cheque was dropped off for you today from Karen Bastow's office by a woman name ^{s.22} I am not sure if you were expecting this or not? I don't know if it is work related or not so I have not opened the envelope.

Let me know if you need me to do anything.

Thank You

Charlene Joanes

Legal Secretary to Robert G. Payne, Eva Ross and Keith Evans
Ministry of Justice - Legal Services Branch
1301 - 865 Hornby Street
Vancouver, BC V6Z 2G3
Direct: ^{s.17}
Fax: (604) 660-3833

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Page 29 redacted for the following reason:

s.16

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s.14

Page 33 redacted for the following reason:

s.15, s.19

JAG:EX

From: s.15,s.19 JAG:EX
Sent: Thursday, December 13, 2012 9:09 AM
To: s.15, s.19 JAG:EX
Subject: RE: chq for \$22,500

Hi, sorry this took so long.. got lost behind some emails. I didn't know how to check on the system so I went down to Finance yesterday. They printed out the Account Analysis Detail and it showed the money was deposited.

Thanks,

s.15,s.19

Program Assistant | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1

T s.15, s.17, s.19 | F 250.356.1092

s.15, s.19

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From: s.15,s.19 JAG:EX
Sent: Tuesday, December 4, 2012 11:04 AM
To: s.15, s.19 JAG:EX
Subject: FW: chq for \$22,500

Hi s.15 s.19 can you follow up and see if this is cleared?

Civil Forfeiture Office
Ministry of Justice

From: s.15, s.19 JAG:EX
Sent: Tuesday, November 20, 2012 2:41 PM
To: s.15, s.19 JAG:EX
Cc: Morley, Gareth JAG:EX
Subject: RE: chq for \$22,500

s.15, s.19 please deposit immediately and please notify me as soon as it clears.

Gareth, we found the missing cheque....

Civil Forfeiture Office
Ministry of Justice

From: s.15, s.19 JAG:EX
Sent: Tuesday, November 20, 2012 2:37 PM
To: s.15, s.19 JAG:EX

Cc: s.15, s.19 JAG:EX

Subject: chq for \$22,500

s.15, s.19

Just handed to me from Katie, for the 2010 Lamborghini in file 739.

s.15, s.19

Executive Administrative Assistant | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.356.1560 | F 250.356.1092

s.15, s.19

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JAG:EX

From: Morley, Gareth AG:EX
Sent: Wednesday, December 14, 2011 10:03 AM
To: 'mail@src-law.com'
Cc: s.15, s.19 SG:EX; Van Camp, Johnny AG:EX
Subject: RE: Director of Civil Forfeiture v. ZHU, Da Na; Grey Aston Martin -- WITHOUT PREJUDICE EXCEPT AS TO COSTS

Dear Mr. Chamberlain,

Thank you for your voice message stating that Ms. Zhu agrees to dismissal without costs. Please provide the name of the person who will pick it up, and we will instruct AIR to release it. Your client or s.22 can arrange for pick up by calling Rick Peck at (604) 501-8218 once this has been done. The person picking it up will need ID.

Yours truly,

J. Gareth Morley
Barrister & Solicitor
Legal Services Branch, Ministry of Attorney General
Telephone: s.17
Facsimilie: 250 387-4002

Mailing Address:
PO Box 9280 Stn Prov Govt
Victoria, BC V8W 9J7

Location: 1001 Douglas Street, Victoria

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From: Morley, Gareth AG:EX
Sent: Tuesday, December 13, 2011 3:39 PM
To: 'mail@src-law.com'
Cc: s.15, s.19 SG:EX; Van Camp, Johnny AG:EX
Subject: Director of Civil Forfeiture v. ZHU, Da Na; Grey Aston Martin -- WITHOUT PREJUDICE EXCEPT AS TO COSTS

Dear Mr. Chamberlain,

I mentioned at the end of the cross-examinations on Friday that I would contact you today. I am writing to propose consent dismissal of this action against your client and her vehicle without costs. I have some concerns about s.22

However, my client sees the litigation risks concerning the amount of evidence of any personal involvement in racing and would prefer to focus on the individuals who were clearly racing.

The Plaintiff Director of Civil Forfeiture reserves the right to bring this offer to the attention of the court for consideration in relation to costs after the court has pronounced judgment on all other issues in this proceeding.

Yours truly,

JAG:EX

From: Morley, Gareth AG:EX
Sent: Friday, January 20, 2012 10:20 AM
To: 'karen@karenbastow.com'
Cc: Van Camp, Johnny AG:EX; s.15, s.19 SG:EX
Subject: Re: In a trial

Ok.

What we propose on the Mercedes is discontinue, which would mean taxable costs and disbursements. We could discuss what these would be, but for filing an RTC (note that the IPO hearing is not recoverable because unsuccessful), it would not be very much. There is no scenario in which your client would receive the costs of fighting his driving suspension in this action.

If you want to move faster by consent dismissal, our position is still no costs. That is the deal Ms. Zhu accepted.

This is without prejudice.

----- Original Message -----

From: karen [<mailto:karen@karenbastow.com>]
Sent: Friday, January 20, 2012 10:13 AM
To: Morley, Gareth AG:EX
Subject: In a trial

sent from BB, excuse typos, shortness, Rogers not cheap

JAG:EX

From: Morley, Gareth AG:EX
Sent: Monday, January 23, 2012 8:32 AM
To: 'karen@karenbastow.com'; Van Camp, Johnny AG:EX; s.15, s.19 SG:EX
Subject: Re: Luxury Cars Mercedes MLS

Karen,

Once we have the order with your signature, we have no trouble releasing the vehicle. While I agree that none of the other defendants' consent is really necessary, it may be simpler for registry purposes. But there is no need to delay return of the car.

On discoveries, we will need to schedule these in March, especially in light of Justice Johnston's admonition to get on with things.

Cst Lichtman is not an officer or employee of the Director, so he cannot be put forward for discovery. However, we have no objection to pre-trial examination of him as a witness. It's not clear what purpose this would serve, so we reserve our right to object to inclusion in costs should the defendants succeed.

I cannot give you a position on a hearing a point of law until I know what the question is. Our general experience is that all legal issues are more efficiently dealt with at trial.

Gareth

----- Original Message -----

From: karen@karenbastow.com [<mailto:karen@karenbastow.com>]
Sent: Friday, January 20, 2012 08:47 PM
To: Morley, Gareth AG:EX; karen@karenbastow.com <karen@karenbastow.com>
Subject: Luxury Cars Mercedes MLS

Gareth:

I have signed the consent order on the Mercedes and I will mail it to you on Monday for you to sign.

Do we really need everyone else to sign? I do not understand why they have to as they don't have any interest, legal or otherwise, in whether my client's Mercedes gets returned.

As for the other cards, my clients have s.22

I am going to review the evidence that was heard at the discoveries conducted by Chamberlain on the Aston Martin and then I will send you a

letter.

Then I would like to discover Cst. Lichtman.

Let me know when he would be available.

The driver of the Lamborghini is s.22

s.22

The driver of the Nissan is s.22

s.22

If we can't make any headway, I would like to do a reference on a question of law, as I take the position that you should not be able to seize my client's car under the Civil Forfeiture Act on suspicion of speeding or street-racing. I expect I will have to do an amendment to my Response to Civil Claim adding in the sections of the MVA that govern speeding or street racing.

I can argue that sometime in March if we can get a date. I expect I would be about half a day.

Alternatively, we can set down some discoveries.

Okay Gareth, have a good weekend.

Ksren

s.15, s.19

JAG:EX

From: Van Camp, Johnny AG:EX
Sent: Wednesday, February 8, 2012 8:43 AM
To: s.15, s.19 SG:EX
Subject: RE: Merc SLS

s.15, s.19

It took a while for us to get the order back fully signed by Roberts and Bastow. I think this had to do with the fact that Roberts was in trial for some time.

The order has been submitted and we are waiting for it to be entered and returned. If I recall correctly, she has 21 days from the date of entry to pick up the car. So it will be a while yet.

Thanks,

Johnny Van Camp

Lawyer, Ministry of Attorney General
Legal Services Branch
5th Fl., 1001 Douglas Street
PO Box 9280 Stn Prov Govt
Victoria, BC V8W 9J7
Phone: (250) 952-9191
Fax: (250) 387-4002
Email: Johnny.VanCamp@gov.bc.ca

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From: s.15, s.19 SG:EX
Sent: Tuesday, February 7, 2012 8:54 AM
To: Van Camp, Johnny AG:EX
Cc: s.15, s.19 SG:EX
Subject: Merc SLS

Hi Johnny, what is the status of this discontinuance? At what point can we start charging them ICBC storage rates?

s.15, s.19

Civil Forfeiture Office | Ministry of Public Safety and Solicitor General

PO Box 9234 Stn Prov Govt Victoria BC V8W 9J1
Direct: s.15, s.17, s.19 | Fax: 250 356-1092

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JOURNAL VOUCHER

PAGE 1 CONTROL ENTITY &
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3 ISSUING CLIENT Labour, Citizen's Services and Open Government Asset Investment Recovery		4 CONTACT NAME/PHONE NUMBER Ellen Dixon 952-5067		5 DESCRIPTION OF JOURNAL ENTRY JV40913440 Admin.Charges			6 FISCAL YEAR 2012	7 GROUP DATE Y M D 2012
9. NAME OF ACCOUNT/REASON FOR TRANSACTION Include names if for travel advance Attach supporting documents		10. CLIENT CODE	11 RESP CENTRE / EXP. ORG	12 ACCOUNT NUMBER / TASK	13 STD. OBJECT / EXP. TYPE	14 PROJECT	15 VENDOR CODE / NAME REGULAR	16 DEBIT (CREDIT) AMOUNT
Admin. Charges/Storage/Impound	307	15716	10545	8523	1500000	502377	1,929.16	
Transportation Costs	067	32P04	35102	8526	3200000	502377	-1,929.16	
Lamborghini Gallardo 2010								
ISSUING CLIENT AUTHORITY (SPENDING OR REVENUE)		18 SIGNATURE 		Rick Peck		31/12/2011		1,929.16
PROCESSING AUTHORITY (ISSUING CLIENT)		21 SIGNATURE 		22 PRINT NAME Ellen Dixon		31/12/2011		
RECEIVING CLIENT AUTHORITY (SPENDING OR REVENUE)		24 SIGNATURE		25 PRINT NAME		26 CONTACT NAME / PHONE NO.		-1,929.16

Dixon, Ellen SSBC:EX

From: Peck, Rick A SSBC:EX
Sent: Tuesday, December 6, 2011 1:26 PM
To: Dixon, Ellen SSBC:EX
Cc: Pennykid, Sue SSBC:EX
Subject: FW: Orange Lamborghini - ADR A001919

Hi Ellen,

As per my email below to ^{s.15,}_{s.19}, can you please prepare a separate JV for the handling of costs on behalf of CF for this vehicle that is going to be returned to Vancouver Lamborghini.

Thanks
Rick

From: Peck, Rick A SSBC:EX
Sent: Tuesday, December 6, 2011 1:20 PM
To: ^{s.15, s.19} SG:EX
Subject: FW: Orange Lamborghini

Hi ^{s.15,}_{s.19}

Sorry almost forgot about this one but I'm sure you would have reminded me. Total amount owing AIR for impound, storage, and transportation costs paid by AIR on your behalf is \$1,929.16. I will have Ellen prepare a JV and send to your office. Any idea when Vancouver Lamborghini plan on picking up this unit?

Talk to you soon

Thanks
Rick

2011-739