

This is the 1<sup>st</sup> Affidavit of Gui Hua (Jenny) Hu in this case and was made on September 19, 2023

No. S-236214 Vancouver Registry

#### IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

1392752 B.C. LTD.

**PETITIONER** 

AND:

SKEENA SAWMILLS LTD. SKEENA BIOENERGY LTD. ROC HOLDINGS LTD.

RESPONDENTS

#### **AFFIDAVIT**

I, Gui Hua (Jenny) Hu, CPA, CGA, of 1518 – 1030 West Georgia Street, Vancouver in the Province of British Columbia, SWEAR THAT:

- 1. I am the Chief Financial Officer for the Respondents, Skeena Sawmills Ltd. ("Sawmills") and Skeena Bioenergy Ltd. ("Bioenergy"), and as such have personal knowledge of the matters herein deposed to. I am authorized to make this Affidavit on behalf of Sawmills and Bioenergy in order to provide a financial update since the filing of the Petition in these proceedings.
- 2. For the purpose of this Affidavit, I adopt the definitions as set out in the Petition, unless otherwise defined herein.

#### **Additional Lien Claimants**

3. Since the filing of the Petition on September 8, 2023, the following entities have filed charges against Sawmills in the British Columbia Personal Property Registry pursuant to the *Forestry Service Providers Protection Act*:

- (a) L & J Logging Ltd. ("L&J"), whose charge consists of \$157,443.12 on account of overdue fees as of September 6, 2023 for the supply of harvesting services and equipment;
- (b) D.R Holtom Ltd. ("**Holtom**"), whose charge consists of \$191,582.71 owing on account of overdue fees as of September 6, 2023 for the provision of services to Sawmills;
- (c) Daudet Creek Contracting Ltd. ("**Daudet**"), whose charge consists of \$2,035.201.23, on account of fees as of September 14, 2023, for the provision of services to Sawmills;
- (d) Silvicon Services Inc. ("Silvicon"), whose charge consists of all forest products of Sawmills; and
- (e) K'alii Aks Timber Corporation ("K'alii"), whose charge consists of all forest products of Sawmills.

Attached hereto and marked collectively as **Exhibit "A"** are letters from counsel of L&J, Holtom and Daudet advising of the above noted charges as well as the BC PPR search results showing the registrations by Silvicon and K'alii.

#### **Expiring Insurance**

4. Sawmills cannot afford to renew its commercial insurance policy, which expires on September 30, 2023, as a result of insurance premiums exceeding \$500,000. Attached and marked hereto as **Exhibit "B"** is a summary of Sawmills' current insurance policy from BFL Canada Risk and Insurance Services Inc.

#### **Potential Termination of Critical IT Services**

5. As a result of Sawmills' inability to make payments to its IT consulting and maintenance service provider, TCSI Consulting Ltd. ("TCSI"), TSCI has threatened to immediately halt all IT support to Sawmills. Attached hereto and marked as Exhibit "C" is an email from Chris Colborne, owner and COO of TCSI, advising of TCSI's intention to halt services.

#### **Unpaid Employee Arrears and CRA Source Deductions**

6. Based on my review of Sawmills and Bioenergy's records, I estimate that as of September 20, 2023, Sawmills and Bioenergy will have incurred arrears on account of employee obligations and Canada Revenue Agency ("CRA") source deductions in the estimated aggregate amount of \$624,780.72. This number is an estimate only and is exclusive of any severance obligations. Attached and marked hereto as Exhibit "D" is a summary of estimated employee and CRA arrears.

#### **Accounts Receivable**

7. As at September 13, 2023, the book value of the Skeena Entities' accounts receivables is approximately \$837,000, after converting certain receivables from US currency to Canadian currency. As noted in the Petition, minimal accounts receivable collection is anticipated in the coming weeks. Attached and marked hereto as **Exhibit "E"** is a summary of the Skeena Entities' accounts receivable as at September 13, 2023.

#### **Estimated Market Value of Remaining Inventory**

8. As at September 18, 2023, the market value for Sawmills' remaining inventory is estimated at \$600,000. The market value for Bioenergy's remaining inventory is negligible, and estimated at only \$7,000.

#### **Disconnection of Gas Services**

9. Today, Pacific Northern Gas advised me that it intends to immediately disconnect gas services to Bioenergy as a result of Bioenergy's failure to pay its outstanding balance owing to Pacific Northern Gas.

SWORN BEFORE ME at the City of Vancouver, in the Province of British Columbia, this 19th day of September, 2023.

A Commissioner for taking Affidavits for British Columbia.

GUI HUA (JENNY) HU

NOOR MANN
Barrister & Solicitor
1600 - 925 WEST GEORGIA ST.
VANCOUVER, B.C. V6C 3L2
(604) 685-3456



300–1497 Marine Drive West Vancouver, BC Canada V7T1B8

tel 604.925.0672 fax 604.925.8984 www.mcleanarmstrong.com

September 8, 2023

VIA REGISTERED MAIL

Skeena Sawmills Ltd. c/o 1600 Cathedral Place 925 West Georgia Street Vancouver, BC V6C 3L2

Attention: TO WHOM IT MAY CONCERN

Dear Sirs/Mesdames:

A Commissioner for taking Affidavits within British Columbia.

Re:

L & J Logging Ltd.

Forestry Service Providers Protection Act, SBC 2010, c. 16 (the "Act")

Service of Notice of Liens and Charges

We are legal counsel for L & J Logging Ltd. ("L & J"). This letter is delivered in accordance with section 24(1)(c)(ii) of the Act to the registered office of Skeena Sawmills Ltd.

This letter constitutes notice as required under section 23(1) of the Act, on behalf of L & J, of its registration in the Personal Property Security Registry of the following liens and charges:

Charge Registration Number	Lien Registration Number
771821P	771796P

Copies of records of registration of the charge and lien are enclosed.

The amount of \$157,443.12 owing consists of fees overdue on September 6, 2023 for supply of harvesting services and equipment.

Page 2 of 2

If you have any questions, please contact the writer.

Yours truly,

McLean & Armstrong LLP

Per-

Vince Aldridge

vince@mcleanarmstrong.com

Encls.



#### FORESTRY SERVICE PROVIDERS PROTECTION ACT

# Base Registration Number: 771796P

**Base Registration Date and Time:** 

**Registration Length:** 

2 Years

**Current Expiry Date and Time:** 

September 6, 2025 at 11:59:59 pm Pacific time

September 6, 2023 at 12:02:24 pm Pacific time

Folio Number:

4065-002

**Secured Party Information** 

L & J LOGGING LTD.

**Address** 

PO BOX 65 STN MAIN

**TERRACE BC** V8G 4A2 Canada

**Debtor Information** 

SKEENA SAWMILLS LTD.

**Address** 

5330 HWY 16 W **TERRACE BC** V8G 0C6 Canada

**Vehicle Collateral** 

None

**General Collateral** 

**Base Registration General Collateral:** 

Forest Products.

**Registering Party Information** 

**MCLEAN & ARMSTRONG** 

**Address** 





FORESTRY SERVICE PROVIDERS PROTECTION ACT

September 6, 2023 at 12:07:25 pm Pacific time

# Base Registration Number: 771821P

**Base Registration Date and Time:** 

Registration Length:

2 Years

**Current Expiry Date and Time:** 

September 6, 2025 at 11:59:59 pm Pacific time

Folio Number:

4065-002

**Secured Party Information** 

L & J LOGGING LTD.

**Address** 

PO BOX 65 STN MAIN

TERRACE BC V8G 4A2 Canada

**Debtor Information** 

SKEENA SAWMILLS LTD.

**Address** 

5330 HWY 16 W TERRACE BC V8G 0C6 Canada

**Vehicle Collateral** 

None

**General Collateral** 

**Base Registration General Collateral:** 

Forest Products.

**Registering Party Information** 

**MCLEAN & ARMSTRONG** 

**Address** 





300–1497 Marine Drive West Vancouver, BC Canada V7T1B8

tel 604.925.0672 fax 604.925.8984 www.mcleanarmstrong.com

September 8, 2023

VIA REGISTERED MAIL

Skeena Sawmills Ltd. c/o 1600 Cathedral Place 925 West Georgia Street Vancouver, BC V6C 3L2

Attention: TO WHOM IT MAY CONCERN

Dear Sirs/Mesdames:

Re:

D.R. Holtom Ltd.

Forestry Service Providers Protection Act, SBC 2010, c. 16 (the "Act")

Service of Notice of Liens and Charges

We are legal counsel for D.R. Holtom Ltd. ("DR"). This letter is delivered in accordance with section 24(1)(c)(ii) of the Act to the registered office of Skeena Sawmills Ltd.

This letter constitutes notice as required under section 23(1) of the Act, on behalf of DR, of its registration in the Personal Property Security Registry of the following liens and charges:

Charge Registration Number	Lien Registration Number
777418P	777413P

Copies of records of registration of the charge and lien are enclosed.

The amount of \$191,582.71 owing consists of fees overdue on September 6, 2023 for the provision of services to a forest products owner.



#### FORESTRY SERVICE PROVIDERS PROTECTION ACT

# Base Registration Number: 777413P

**Base Registration Date and Time:** 

September 8, 2023 at 1:03:06 pm Pacific time

**Registration Length:** 

2 Years

**Current Expiry Date and Time:** 

September 8, 2025 at 11:59:59 pm Pacific time

Folio Number:

4067-002

#### **Secured Party Information**

D. R. HOLTOM LTD.

**Address** 

3065 RIVER DRIVE TERRACE BC V8G 3P6 Canada

#### **Debtor Information**

SKEENA SAWMILLS LTD.

**Address** 

5330 HWY 16 W TERRACE BC V8G 0C6 Canada

#### **Vehicle Collateral**

None

#### **General Collateral**

**Base Registration General Collateral:** 

Forest products.

#### **Registering Party Information**

**MCLEAN & ARMSTRONG** 

Address





#### FORESTRY SERVICE PROVIDERS PROTECTION ACT

# **Base Registration Number: 777418P**

**Base Registration Date and Time:** 

Registration Length:

2 Years

**Current Expiry Date and Time:** 

September 8, 2025 at 11:59:59 pm Pacific time

Folio Number:

4067-002

September 8, 2023 at 1:07:23 pm Pacific time

**Secured Party Information** 

D. R. HOLTOM LTD.

**Address** 

3065 RIVER DRIVE TERRACE BC V8G 3P6 Canada

**Debtor Information** 

SKEENA SAWMILLS LTD.

**Address** 

5330 HWY 16 W TERRACE BC V8G 0C6 Canada

**Vehicle Collateral** 

None

**General Collateral** 

**Base Registration General Collateral:** 

Forest products.

**Registering Party Information** 

**MCLEAN & ARMSTRONG** 

**Address** 





300-1497 Marine Drive West Vancouver, BC Canada V7T1B8

tel 604.925.0672 fax 604.925.8984 www.mcleanarmstrong.com

September 14, 2023

VIA REGISTERED MAIL

Skeena Sawmills Ltd. c/o 1600 Cathedral Place 925 West Georgia Street Vancouver, BC V6C 3L2

**Attention: TO WHOM IT MAY CONCERN** 

Dear Sirs/Mesdames:

Daudet Creek Contracting Ltd. Re:

Forestry Service Providers Protection Act, SBC 2010, c. 16 (the "Act")

Service of Notice of Liens and Charges

We are legal counsel for Daudet Creek Contracting Ltd. ("Daudet"). This letter is delivered in accordance with section 24(1)(c)(ii) of the Act to the registered office of Skeena Sawmills Ltd.

This letter constitutes notice as required under section 23(1) of the Act, on behalf of Daudet, of its registration in the Personal Property Security Registry of the following liens and charges:

Charge Registration Number	Lien Registration Number
788843P	788822P
788895P	788873P
788941P	788922P
788978P	788955P

Copies of records of registration of the charge and lien are enclosed.

The amount owing on September 14, 2023 consists of the following fees totalling \$2,035,201.23:

1)	Road Building	\$1,828,937.91	788822P & 788843P
2)	Road Maintenance	\$127,377.72	788873P & 788895P
3)	Road Maintenance	\$57,418.27	788922P & 788941P
4)	Hauling Services	\$21,467.33	788955P & 788978P
,	<u> </u>	\$2,035,201,23	

<u>04,033,401.43</u>

Page 2 of 2

If you have any questions, please contact the writer.

Yours truly,

McLean & Armstrong LLP

Per-

Vince Aldridge

vince@mcleanarmstrong.com

Encls.



#### FORESTRY SERVICE PROVIDERS PROTECTION ACT

# **Base Registration Number: 788843P**

**Base Registration Date and Time:** 

September 14, 2023 at 1:22:38 pm Pacific time

**Registration Length:** 

2 Years

**Current Expiry Date and Time:** 

September 14, 2025 at 11:59:59 pm Pacific time

Folio Number:

3067-001

**Secured Party Information** 

DAUDET CREEK CONTRACTING LTD.

**Address** 

2234 FOREST AVENUE

TERRACE BC V8C 2S2 Canada

**Debtor Information** 

SKEENA SAWMILLS LTD.

**Address** 

5330 HWY 16 W TERRACE BC V8G 0C6 Canada

**Vehicle Collateral** 

None

**General Collateral** 

**Base Registration General Collateral:** 

Forest products.

**Registering Party Information** 

**MCLEAN & ARMSTRONG** 

**Address** 





#### FORESTRY SERVICE PROVIDERS PROTECTION ACT

# Base Registration Number: 788895P

**Base Registration Date and Time:** 

September 14, 2023 at 1:34:19 pm Pacific time

**Registration Length:** 

2 Years

**Current Expiry Date and Time:** 

September 14, 2025 at 11:59:59 pm Pacific time

Folio Number:

3607-001

**Secured Party Information** 

DAUDET CREEK CONTRACTING LTD.

**Address** 

2234 FOREST AVENUE

TERRACE BC V8C 2S2 Canada

**Debtor Information** 

SKEENA SAWMILLS LTD.

**Address** 

5330 HWY 16 W TERRACE BC V8G 0C6 Canada

**Vehicle Collateral** 

None

**General Collateral** 

**Base Registration General Collateral:** 

Forest products.

**Registering Party Information** 

**MCLEAN & ARMSTRONG** 

**Address** 





#### FORESTRY SERVICE PROVIDERS PROTECTION ACT

# **Base Registration Number: 788941P**

**Base Registration Date and Time:** 

September 14, 2023 at 1:45:48 pm Pacific time

**Registration Length:** 

2 Years

**Current Expiry Date and Time:** 

September 14, 2025 at 11:59:59 pm Pacific time

Folio Number:

3607-001

**Secured Party Information** 

DAUDET CREEK CONTRACTING LTD.

**Address** 

2234 FOREST AVENUE

TERRACE BC V8C 2S2 Canada

**Debtor Information** 

SKEENA SAWMILLS LTD.

**Address** 

5330 HWY 16 W TERRACE BC V8G 0C6 Canada

**Vehicle Collateral** 

None

**General Collateral** 

**Base Registration General Collateral:** 

Forest products.

**Registering Party Information** 

**MCLEAN & ARMSTRONG** 

**Address** 





#### FORESTRY SERVICE PROVIDERS PROTECTION ACT

# **Base Registration Number: 788978P**

**Base Registration Date and Time:** 

September 14, 2023 at 1:55:48 pm Pacific time

**Registration Length:** 

2 Years

**Current Expiry Date and Time:** 

September 14, 2025 at 11:59:59 pm Pacific time

Folio Number:

3607-001

**Secured Party Information** 

DAUDET CREEK CONTRACTING LTD.

Address

2234 FOREST AVENUE

TERRACE BC V8C 2S2 Canada

**Debtor Information** 

SKEENA SAWMILLS LTD.

**Address** 

5330 HWY 16 W TERRACE BC V8G 0C6 Canada

**Vehicle Collateral** 

None

**General Collateral** 

**Base Registration General Collateral:** 

Forest products.

**Registering Party Information** 

**MCLEAN & ARMSTRONG** 

**Address** 





#### FORESTRY SERVICE PROVIDERS PROTECTION ACT

# **Base Registration Number: 788822P**

**Base Registration Date and Time:** 

September 14, 2023 at 1:18:07 pm Pacific time

**Registration Length:** 

2 Years

**Current Expiry Date and Time:** 

September 14, 2025 at 11:59:59 pm Pacific time

Folio Number:

3607-001

**Secured Party Information** 

DAUDET CREEK CONTRACTING LTD.

**Address** 

2234 FOREST AVENUE

TERRACE BC V8C 2S2 Canada

**Debtor Information** 

SKEENA SAWMILLS LTD.

**Address** 

5330 HWY 16 W TERRACE BC V8G 0C6 Canada

**Vehicle Collateral** 

None

**General Collateral** 

**Base Registration General Collateral:** 

Forest products.

**Registering Party Information** 

**MCLEAN & ARMSTRONG** 

**Address** 





#### FORESTRY SERVICE PROVIDERS PROTECTION ACT

# **Base Registration Number: 788873P**

**Base Registration Date and Time:** 

September 14, 2023 at 1:29:00 pm Pacific time

Registration Length:

2 Years

**Current Expiry Date and Time:** 

September 14, 2025 at 11:59:59 pm Pacific time

Folio Number:

3607-001

**Secured Party Information** 

DAUDET CREEK CONTRACTING LTD.

**Address** 

2234 FOREST AVENUE

TERRACE BC V8C 2S2 Canada

**Debtor Information** 

SKEENA SAWMILLS LTD.

**Address** 

5330 HWY 16 W TERRACE BC V8G 0C6 Canada

**Vehicle Collateral** 

None

**General Collateral** 

**Base Registration General Collateral:** 

Forest products.

**Registering Party Information** 

**MCLEAN & ARMSTRONG** 

**Address** 





#### FORESTRY SERVICE PROVIDERS PROTECTION ACT

# Base Registration Number: 788922P

**Base Registration Date and Time:** 

September 14, 2023 at 1:41:12 pm Pacific time

**Registration Length:** 

2 Years

**Current Expiry Date and Time:** 

September 14, 2025 at 11:59:59 pm Pacific time

**Folio Number:** 

3607-001

**Secured Party Information** 

DAUDET CREEK CONTRACTING LTD.

**Address** 

2234 FOREST AVENUE

TERRACE BC V8C 2S2 Canada

**Debtor Information** 

SKEENA SAWMILLS LTD.

Address

5330 HWY 16 W TERRACE BC V8G 0C6 Canada

**Vehicle Collateral** 

None

**General Collateral** 

**Base Registration General Collateral:** 

Forest products.

**Registering Party Information** 

**MCLEAN & ARMSTRONG** 

**Address** 





#### FORESTRY SERVICE PROVIDERS PROTECTION ACT

# Base Registration Number: 788955P

**Base Registration Date and Time:** 

September 14, 2023 at 1:49:32 pm Pacific time

**Registration Length:** 

2 Years

**Current Expiry Date and Time:** 

September 14, 2025 at 11:59:59 pm Pacific time

Folio Number:

3607-001

**Secured Party Information** 

DAUDET CREEK CONTRACTING LTD.

**Address** 

2234 FOREST AVENUE

TERRACE BC V8C 2S2 Canada

**Debtor Information** 

SKEENA SAWMILLS LTD.

**Address** 

5330 HWY 16 W TERRACE BC V8G 0C6 Canada

**Vehicle Collateral** 

None

**General Collateral** 

**Base Registration General Collateral:** 

Forest products.

**Registering Party Information** 

**MCLEAN & ARMSTRONG** 

**Address** 





**BC** Registries and Online Services

# Registration Number - "795469P"

Search Date and Time:

September 19, 2023 at 9:46:16 am Pacific time

Account Name: Folio Number:

LAWSON LUNDELL 110360-168504

#### **TABLE OF CONTENTS**

1 Match in 1 Registration in Report

Exact Matches: 1 (\*)

Total Search Report Pages: 3

	Base Registration	Base Registration Date	Registration Type Pa	age
1	<u>* 795469P</u>	September 18, 2023	FORESTRY - CONTRACTOR LIEN	2





**BC** Registries and Online Services

# **Base Registration Number: 795469P**

Registration Description: FORESTRY - CONTRACTOR LIEN

Act: FORESTRY SERVICE PROVIDERS PROTECTION ACT

**Base Registration Date and Time:** September 18, 2023 at 4:59:49 pm Pacific time

Current Expiry Date and Time: September 18, 2025 at 11:59:59 pm Pacific time

Expiry date includes subsequent registered renewal(s)

#### **CURRENT REGISTRATION INFORMATION**

(as of September 19, 2023 at 9:46:16 am Pacific time)

#### **Secured Party Information**

SILVICON SERVICES INC. Address

3560 VICTORIA DRIVE

SMITHERS BC V0J 2N0 Canada

#### **Debtor Information**

SKEENA SAWMILLS LTD. Address

5330 HWY 16 W TERRACE BC V8G 0C6 Canada

#### **Vehicle Collateral**

None

#### **General Collateral**

**Base Registration General Collateral:** 

ALL "FOREST PRODUCTS" OF THE DEBTOR, INCLUDING FOREST PRODUCTS ACQUIRED BY THE DEBTOR AFTER "SERVICES" WERE PROVIDED FROM THE SECURED PARTY TO THE DEBTOR. WORDS IN QUOTATIONS HAVE THE MEANINGS ASCRIBED TO THEM IN THE FORESTRY SERVICE PROVIDERS PROTECTION ACT S.B.C. 2010, C.16.





**BC** Registries and Online Services

# **Original Registering Party**

YCO CORPORATE INVESTMENTS LTD.

#### **Address**

EDWARDS KENNY & BRAY LLP SUITE 1900 1040 WEST GEORGIA ST VANCOUVER BC V6E 4H3 Canada





**BC** Registries and Online Services

# Registration Number - "795470P"

Search Date and Time:

September 19, 2023 at 9:46:56 am Pacific time

Account Name: Folio Number:

LAWSON LUNDELL 110360-168504

#### **TABLE OF CONTENTS**

1 Match in 1 Registration in Report

Exact Matches: 1 (\*)

Total Search Report Pages: 3

	Base Registration	Base Registration Date	Registration Type P	Page
1	<u>* 795470P</u>	September 18, 2023	FORESTRY - CONTRACTOR LIEN	2





**BC** Registries and Online Services

# **Base Registration Number: 795470P**

Registration Description: FORESTRY - CONTRACTOR LIEN

Act: FORESTRY SERVICE PROVIDERS PROTECTION ACT

Base Registration Date and Time: September 18, 2023 at 5:00:35 pm Pacific time

Current Expiry Date and Time: September 18, 2025 at 11:59:59 pm Pacific time

Expiry date includes subsequent registered renewal(s)

#### **CURRENT REGISTRATION INFORMATION**

(as of September 19, 2023 at 9:46:56 am Pacific time)

#### **Secured Party Information**

K'ALII AKS TIMBER CORPORATION Address

4714 TAIT AVENUE GITLAXT'AAMIKS BC VOJ 1A0 Canada

#### **Debtor Information**

SKEENA SAWMILLS LTD. Address

5330 HWY 16 W

TERRACE BC V8G 0C6 Canada

#### **Vehicle Collateral**

None

#### **General Collateral**

**Base Registration General Collateral:** 

ALL "FOREST PRODUCTS" OF THE DEBTOR, INCLUDING FOREST PRODUCTS ACQUIRED BY THE DEBTOR AFTER "SERVICES" WERE PROVIDED FROM THE SECURED PARTY TO THE DEBTOR. WORDS IN QUOTATIONS HAVE THE MEANINGS ASCRIBED TO THEM IN THE FORESTRY SERVICE PROVIDERS PROTECTION ACT S.B.C. 2010, C.16.





**BC** Registries and Online Services

# **Original Registering Party**

YCO CORPORATE INVESTMENTS LTD.

#### **Address**

EDWARDS KENNY & BRAY LLP SUITE 1900 1040 WEST GEORGIA ST VANCOUVER BC V6E 4H3 Canada





1177 West Hastings Street, Suite 200, Vancouver, BC V6E 2K3 T. (604) 669-9600 | 1 (866) 669-9602 | F. (604) 683-9316

October 5, 2022

Jenny Hu **Skeena Sawmills Ltd.** Suite 1518 - 1030 West Georgia Street Vancouver, BC V6E 2Y3

Subject: 2022-2023 Commercial Renewal

Dear Jenny:

We are pleased to enclose the following policy documentation:

#### Property (Sawmill & Non-Mill) - Policy No. CBC1952599

- Endorsements No. 3, 4 & 8 Effective September 13, 2022 Evidencing the addition of the TX X250M, S-GC-47531, Value: \$300,000. The additional premium for this endorsement is \$122.
- Cover Note VAN-22-53823, which outlines the coverages, limits, and deductibles for the policy term from September 30, 2022 to September 30, 2023.
- Disclosure Notice under the Financial Institutions Act for the change of Insurer from Royal & Sun Alliance Insurance Company of Canada to Intact Insurance Company.
- The premium for this renewal is \$454,315.

#### Commercial General Liability - Policy No. BFL00665

- Cover Note VAN-22-53824, which outline the coverages, limits, and deductibles for the policy term from September 30, 2022 to September 30, 2023.
- The premium for this renewal is \$29,800 + \$250 Policy Fee

#### Equipment Breakdown - Policy No. 81745740

- Cover Note VAN-22-53825, which outline the coverages, limits, and deductibles for the policy term from September 30, 2022 to September 30, 2023.
- The premium for this renewal is \$9,838.

#### Stock Through Put - Policy No. TBA

- Cover Note VAN-22-53826, which outline the coverages, limits, and deductibles for the policy term from September 30, 2022 to September 30, 2023.
- The premium for this renewal is \$27,500.

#### <u>Invoices</u>

- Invoice No. 567291 in the total amount of \$122. Premiums are due and payable upon receipt of the Invoice.
- Invoice No. 566825 in the total amount of \$521,703. Premiums are due and payable upon receipt of the Invoice.

We are currently working with the financing providers to secure competitive financing rates and will provide a quote once obtained.

A Commissioner for taking Affidavits within British Columbia.



1177 West Hastings Street, Suite 200, Vancouver, BC V6E 2K3 T. (604) 669-9600 | 1 (866) 669-9602 | F. (604) 683-9316

October 4, 2022 Page 2 of 2

Updated Certificates of Insurance have been enclosed for distribution.

We recommend that you review the enclosed documentation carefully to ensure that you are familiar with the terms and conditions contained therein, and report to us as soon as possible any errors, omissions or corrections required.

As brokers, we are bound to remind you that insurance transactions between an Insured and an Insurer are based on good faith. To safeguard your insurance coverage and comply with policy conditions, you have an obligation, for the entire policy period, to promptly notify your Insurer of all changes relevant to the risk which might affect the Insurer's decisions as to coverage and premium. Please be aware that if you do not disclose all such information, Insurers may have the right to void the policy in its entirety, or sections thereof, which may lead to claims not being covered. Please advise us of any material change so that we may notify your Insurer accordingly.

Thank you for allowing **BFL CANADA** the opportunity to look after your insurance needs. Please review the enclosed and should you require any changes or have any questions, please do not hesitate to contact us.

Sincerely,

BFL CANADA Risk and Insurance Services Inc.

Randy Nobbs

Vice-President, Client Executive Direct Line: (778) 329-4171 Email: rnobbs@bflcanada.ca

This is Exhibit "\_C\_" referred to in the affidavit of Gui Hua (Jenny) Hu made before me at Vancouver, B.C., on September 4, 2023.

A Commissioner for taking Affidavits within British Columbia.

From: Chris Colborne < <a href="mailto:chris@tcsiconsulting.ca">Chris@tcsiconsulting.ca</a> Sent: Wednesday, September 13, 2023 6:54 PM To: Jenny Hu <a href="mailto:september13">Jenny Hu@skeenasawmills.com</a>

Cc: Greg Demille < Greg. Demille@skeenasawmills.com >; Linda McColman < Linda. McColMan@skeenasawmills.com >;

Tracy Huang <a href="mailto:Tracy.Huang@skeenasawmills.com">Tracy.Huang@skeenasawmills.com</a>; Tom Burbee <a href="mailto:TomBurbee">TomBurbee</a> <a href="mai

< Gareth@tcsiconsulting.ca>

Subject: Re: EXT - RE: First payment delay

Hi Jenny and Greg,

Unfortunately Monday has come and gone and again, no communication.

To further the problem, I'm now seeing in the paper that SSM and affiliates are facing bankruptcy.

TCSI has worked tirelessly to keep all of Skeena's businesses functioning from a technical stand point, of which pretty much every aspect touches technology.

Without guarantee of recouping your outstanding debt we must immediately halt all services to SSM. If you can provide the full outstanding amount owed to us we will to continue support you at full contract level with week by week upfront payments.

If you cannot service any of this debt immediately then we will be forced to halt services without handover.

Please respond to this email with the utmost urgency.

Regards

**Chris Colborne** 

Owner, COO, Wearer of All Hats

778-620-2142

chris@tcsiconsulting.ca
Office: 778-634-3705

4734 Park Ave, Terrace, BC V8G 1W1

www.tcsiconsulting.ca

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On Sep 6, 2023, at 6:58 PM, Jenny Hu < Jenny. Hu@skeenasawmills.com > wrote:

Hi Chris,

Understood your frustration, and we will do better in future communicating with you beforehand.

Our business has been going through a tough time right now and cash has been tight and looks the same for the next few weeks too – you probably have heard about the temporary lay offs effective tomorrow at both the sawmill and pellet plant....

We are trying our best to map out the way forward. The service TCSI provides us is essential to us, and our plan will always include you / your team.

Again, I will provide an update next Monday for the payment. Have a good night.

Kind regards,

Jenny Hu, CPA CGA
Chief Financial Officer
Skeena Sawmills Ltd. | Skeena BioEnergy Ltd.
Jenny.hu@skeenasawmills.com
778-883-0366

From: Chris Colborne < <a href="mailto:Chris@tcsiconsulting.ca">Chris@tcsiconsulting.ca</a> Sent: Wednesday, September 6, 2023 12:42 PM

To: Jenny Hu < <a href="mailto:Jenny.Hu@skeenasawmills.com">Jenny Hu < Lindsay.Moyle@skeenasawmills.com</a> Lindsay Moyle < <a href="mailto:Lindsay.Moyle@skeenasawmills.com">Lindsay.Moyle@skeenasawmills.com</a>

Cc: Greg Demille < Greg. Demille@skeenasawmills.com >; Linda McColman

<<u>Linda.McColMan@skeenasawmills.com</u>>; Karie DaPonte <<u>Karie.DaPonte@skeenasawmills.com</u>>; Tom Burbee <<u>tom@tcsiconsulting.ca</u>>; Christy Colborne <<u>Christy@tcsiconsulting.ca</u>>; Julie Rauschenberger <<u>Julie@tcsiconsulting.ca</u>>

Subject: RE: EXT - RE: First payment delay

Importance: High

Hi Jenny,

As previously discussed, IF there are difficulties, and an agreed payment is unable to be made. What matters most is communication *beforehand*. Open communication keeps everyone honest and is far more helpful and keeps the frustrations at bay.

Is there an estimated timeframe for next week, and will the funds available meet the previously agreed payment amounts?

How will it affect the September timeframe for payment? Considering that this will be, technically, an August payment?

Thanks Chris



**Chris Colborne** 

Owner, COO, Wearer of All Hats 778-620-2142

chris@tcsiconsulting.ca
Office: 778-634-3705
4734 Park Ave, Terrace, BC, V8G 1W1
www.tcsiconsulting.ca

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From: Jenny Hu < <u>Jenny.Hu@skeenasawmills.com</u>>
Sent: Wednesday, September 6, 2023 12:31 PM

To: Chris Colborne < <a href="mailto:Chris@tcsiconsulting.ca">Chris@tcsiconsulting.ca</a>; Lindsay Moyle < <a href="mailto:Lindsay.Moyle@skeenasawmills.com">Lindsay.Moyle@skeenasawmills.com</a>

Cc: Greg Demille < Greg. Demille@skeenasawmills.com >; Linda McColman

<<u>Linda.McColMan@skeenasawmills.com</u>>; Karie DaPonte <<u>Karie.DaPonte@skeenasawmills.com</u>>; Tom

Burbee < tom@tcsiconsulting.ca >; Christy Colborne < Christy@tcsiconsulting.ca >

Subject: RE: EXT - RE: First payment delay

Hi Chris,

We've been having delays in getting the funding, so haven't been able to keep up with our commitments with our vendors including you and I'm truly sorry about that....

I understand you are important business partners to us. We are now expecting some funds to come in next week and will provide you with an update next Monday.

Kind regards,

Jenny Hu, CPA CGA

Chief Financial Officer
Skeena Sawmills Ltd. | Skeena BioEnergy Ltd.
Jenny.hu@skeenasawmills.com

778-883-0366

From: Chris Colborne < <a href="mailto:Chris@tcsiconsulting.ca">Chris@tcsiconsulting.ca</a> Sent: Wednesday, September 6, 2023 10:53 AM

To: Lindsay Moyle < Lindsay. Moyle@skeenasawmills.com >

Cc: Jenny Hu < Jenny. Hu@skeenasawmills.com >; Greg Demille < Greg. Demille@skeenasawmills.com >;

Linda McColman <Linda.McColMan@skeenasawmills.com>; Karie DaPonte

<Karie.DaPonte@skeenasawmills.com>; Tom Burbee <tom@tcsiconsulting.ca>; Christy Colborne

<Christy@tcsiconsulting.ca>

Subject: RE: EXT - RE: First payment delay

Importance: High

Hi Lindsay,

Just reaching out as we haven't received the agreed payment for August?

Last payment we've received is July 28th

Can you please advise?

Chris



Chris Colborne

Owner, COO, Wearer of All Hats 778-620-2142

chris@tcsiconsulting.ca Office: 778-634-3705 4734 Park Ave, Terrace, BC, V8G 1W1 www.tcsiconsulting.ca

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From: Lindsay Moyle < Lindsay. Moyle@skeenasawmills.com >

Sent: Monday, June 19, 2023 10:30 AM
To: Chris Colborne < Chris@tcsiconsulting.ca>

Cc: Jenny Hu < Jenny. Hu@skeenasawmills.com>; Greg Demille < Greg. Demille@skeenasawmills.com>;

Linda McColman <Linda.McColMan@skeenasawmills.com>; Karie DaPonte

<Karie.DaPonte@skeenasawmills.com>; Tom Burbee <tom@tc.si>; Christy Colborne

<Christy@tcsiconsulting.ca>

Subject: RE: EXT - RE: First payment delay

Hi Chris.

We have had a look and will get that sent out to you today, sorry for the delay and thanks very much for the message to let me know.

Lindsay

#### Lindsay Moyle (he/him), MBA, CPA, CGA

Corporate Controller

Skeena Sawmills Ltd. | Skeena Bioenergy Ltd.

Cell 778-675-7490 | email lindsay.moyle@skeenasawmills.com
Operations: 5330 and 5402 Highway 16 West, Terrace BC V8G 0C6
Corporate: 1518-1030 West Georgia Street, Vancouver BC V6E 2Y3





From: Chris Colborne < <a href="mailto:Chris@tcsiconsulting.ca">Chris@tcsiconsulting.ca</a>>

Sent: Friday, June 16, 2023 5:36 PM

To: Lindsay Moyle < Lindsay. Moyle@skeenasawmills.com >

Cc: Jenny Hu <Jenny.Hu@skeenasawmills.com>; Greg Demille <Greg.Demille@skeenasawmills.com>;

Linda McColman <Linda.McColMan@skeenasawmills.com>; Karie DaPonte

<<u>Karie.DaPonte@skeenasawmills.com</u>>; Tom Burbee <<u>tom@tc.si</u>>; Christy Colborne <<u>Christy@tcsiconsulting.ca</u>>

Subject: RE: EXT - RE: First payment delay

Hi Lindsay, Just following up as I haven't seen the May payment go in yet. Thanks Chris



Chris Colborne

Owner, COO, Wearer of All Hats 778-620-2142 chris@tcsiconsulting.ca Office: 778-634-3705 4734 Park Ave, Terrace, BC, V8G 1W1 www.tcsiconsulting.ca

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From: Lindsay Moyle < Lindsay. Moyle@skeenasawmills.com >

Sent: Thursday, June 8, 2023 3:21 PM

To: Chris Colborne < Chris@tcsiconsulting.ca>

Cc: Jenny Hu < Jenny. Hu@skeenasawmills.com >; Greg Demille < Greg. Demille@skeenasawmills.com >;

Linda McColman <Linda.McColMan@skeenasawmills.com>; Karie DaPonte

< <u>Karie.DaPonte@skeenasawmills.com</u>> **Subject:** RE: EXT - RE: First payment delay

Yes, that's right

From: Chris Colborne < Chris@tcsiconsulting.ca>

Sent: Thursday, June 8, 2023 3:21 PM

To: Lindsay Moyle <Lindsay.Moyle@skeenasawmills.com>

Cc: Jenny Hu <<u>Jenny.Hu@skeenasawmills.com</u>>; Greg Demille <<u>Greg.Demille@skeenasawmills.com</u>>;

Linda McColman < Linda.McColMan@skeenasawmills.com >; Karie DaPonte

< <u>Karie.DaPonte@skeenasawmills.com</u> > **Subject:** RE: EXT - RE: First payment delay

Hi Lindsay,

Just so its clear, the first payment will be for tomorrow June 9th – the May payment will be June 16th?

Thanks Chris



**Chris Colborne** 

Owner, COO, Wearer of All Hats 778-620-2142 chris@tcsiconsulting.ca Office: 778-634-3705 4734 Park Ave, Terrace, BC, V8G 1W1 www.tcsiconsulting.ca

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From: Lindsay Moyle <Lindsay.Moyle@skeenasawmills.com>

Sent: Thursday, June 8, 2023 3:17 PM

To: Chris Colborne < <a href="mailto:Chris@tcsiconsulting.ca">Chris@tcsiconsulting.ca</a>>

Cc: Jenny Hu <Jenny.Hu@skeenasawmills.com>; Greg Demille <Greg.Demille@skeenasawmills.com>;

Linda McColman < Linda. McColMan@skeenasawmills.com >; Karie DaPonte

< <u>Karie.DaPonte@skeenasawmills.com</u>>
Subject: RE: EXT - RE: First payment delay

Hi Chris,

One clarification, we will be paying the May invoice next Friday, not tomorrow. Sorry for misleading you.

Lindsay

# Lindsay Moyle (he/him), MBA, CPA, CGA

Corporate Controller

Skeena Sawmills Ltd. | Skeena Bioenergy Ltd.

Cell 778-675-7490 | email <u>lindsay.moyle@skeenasawmills.com</u> Operations: 5330 and 5402 Highway 16 West, Terrace BC V8G 0C6 Corporate: 1518-1030 West Georgia Street, Vancouver BC V6E 2Y3





From: Chris Colborne < Chris@tcsiconsulting.ca>

**Sent:** Thursday, June 8, 2023 2:39 PM

To: Lindsay Moyle < Lindsay. Moyle@skeenasawmills.com >

Cc: Jenny Hu < Jenny. Hu@skeenasawmills.com >; Greg Demille < Greg. Demille@skeenasawmills.com >;

Linda McColman < Linda.McColMan@skeenasawmills.com >; Karie DaPonte

#### <Karie.DaPonte@skeenasawmills.com>

Subject: RE: EXT - RE: First payment delay

Thanks Lindsay,

That's awesome!! Glad to hear things are working out for you guys, we will certainly appreciate getting things settled going forward.

Have a great day!

chris



**Chris Colborne** 

Owner, COO, Wearer of All Hats 778-620-2142

chris@tcsiconsulting.ca

Office: 778-634-3705

4734 Park Ave, Terrace, BC, V8G 1W1

www.tcsiconsulting.ca

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From: Lindsay Moyle <Lindsay.Moyle@skeenasawmills.com>

Sent: Thursday, June 8, 2023 2:30 PM

To: Chris Colborne < Chris@tcsiconsulting.ca>

Cc: Jenny Hu < Jenny. Hu@skeenasawmills.com >; Greg Demille < Greg. Demille@skeenasawmills.com >;

Linda McColman < Linda. McColMan@skeenasawmills.com >; Karie DaPonte

< <u>Karie.DaPonte@skeenasawmills.com</u> > **Subject:** RE: EXT - RE: First payment delay

Yes, and we're paying your May bill as well.

Thanks,

Lindsay

# Lindsay Moyle (he/him), MBA, CPA, CGA

**Corporate Controller** 

Skeena Sawmills Ltd. | Skeena Bioenergy Ltd.

Cell 778-675-7490 | email <u>lindsay.moyle@skeenasawmills.com</u>

Operations: 5330 and 5402 Highway 16 West, Terrace BC V8G 0C6 Corporate: 1518-1030 West Georgia Street, Vancouver BC V6E 2Y3





From: Chris Colborne < Chris@tcsiconsulting.ca>

Sent: Thursday, June 8, 2023 2:29 PM

To: Lindsay Moyle < Lindsay. Moyle@skeenasawmills.com >

Cc: Jenny Hu <Jenny.Hu@skeenasawmills.com>; Greg Demille <Greg.Demille@skeenasawmills.com>

Subject: EXT - RE: First payment delay

Hi Lindsay,

Just checking in, you had mentioned that things would be delayed until this Friday (June 9<sup>th</sup>) I just wanted to check and see how that is coming along? Can we expect the first payment tomorrow?

Thanks! Chris



Chris Colborne

Owner, COO, Wearer of All Hats 778-620-2142

chris@tcsiconsulting.ca
Office: 778-634-3705
4734 Park Ave, Terrace, BC, V8G 1W1
www.tcsiconsulting.ca

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From: Lindsay Moyle <Lindsay.Moyle@skeenasawmills.com>

Sent: Wednesday, May 24, 2023 1:35 PM
To: Chris Colborne < Chris@tcsiconsulting.ca>

Cc: Jenny Hu <Jenny.Hu@skeenasawmills.com>; Greg Demille <Greg.Demille@skeenasawmills.com>

Subject: First payment delay

Good afternoon Chris,

I regret to inform you that our first payment to you will be delayed by two weeks, to the week ending Jun 9.

We have opened our log scales and are starting our mills in a few weeks. The startup funding we need for this has been coming in slower than expected, and as a result we won't be able to pay towards our debt with you for two weeks. The three payments after that are still expected to be paid on time.

Please accept my sincere apologies for this situation,

Lindsay

# Lindsay Moyle (he/him), MBA, CPA, CGA

**Corporate Controller** 

Skeena Sawmills Ltd. | Skeena Bioenergy Ltd.

Cell 778-675-7490 | email lindsay.moyle@skeenasawmills.com
Operations: 5330 and 5402 Highway 16 West, Terrace BC V8G 0C6
Corporate: 1518-1030 West Georgia Street, Vancouver BC V6E 2Y3





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This is Exhibit "D" referred to in the affidavit of Gui Hua (Jenny) Hu made before me at Vancouver, B.C., on September 4, 2023.

A Commissioner for taking Affidavits within British Columbia.

	CRA remittance for Sep 1st pay	CRA remittance for Sep 15th pay	Net Pay Sep 18-20 EST	CRA remittance for Sep 18- 20 pay EST	Vac Accrual	RRSP	EE expenses unpaid	Union due (EE portion)	Pension (EE portion)	LTD (EE Portion)
SSM Salary	30,944.03	17,436.08	7,481.75	3,206.46	206,160.00	86,361.48	4,893.59	Tarian de		
SSM Hourly	21,580.51	20,939.61	17,619.70	7,551.30	70,000.00		A March	22,849.50	27,488.29	3385.15
BIO Sal/Hrly BIO Houly	9,083.58	10,101.44	1,385.45	593.76	30,719.04	25,000.00				
Total	61,608.12	48,477.13	26,486.89	11,351.53	306,879.04	111,361.48	4,893.59	22,849.50	27,488.29	3,385.15
624,780.72		147,923.67				423,134.11			53,722.94	

Customer ID	Customer Name	Currency	Sum of Total
ASPIND	Aspire Industries	CAD	91,051.05
ETERIV	Eternal River Enterprises Ltd.	USD	(50,000.00)
FORWOO	Forest Wood PTE Ltd.	USD	7,625.10
JIAWOO	JIALIHUA WOODS	USD	66,968.00
JUSCUT	Just Cut It Sawmilling	CAD	29,669.94
KALAKS	K'Alii Aks Timber Corporation	CAD	1,806.00
KITFLP	Kitselas Forestry LP	CAD	1,162.35
LAKLUM	Lake Drive Lumber	CAD	187,542.69
NORTHPAC	NorthPac Forestry Group (ATC)	CAD	111,657.69
RIZBRI	Rizhao Bright Future Trading Co., Ltd.	USD	92,440.71
TRAPAC	Trans Pacific Trading Ltd	CAD	31,123.91
TRAPUS	Trans-Pacific Trading Ltd - US Account	USD	116,989.51
ZHEMAT	Zhejiang Materials Industry Senhua Group Co. Ltd	USD	(2,554.20)

This is Exhibit " referred to in the affidavit of Gui Hua (Jenny) Hu made before me at Vancouver, B.C., on September 19, 2023.

A Commissioner for taking Affidavits within British Columbia.

# IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

1392752 B.C. LTD.

PETITIONER

AND:

SKEENA SAWMILLS LTD. SKEENA BIOENERGY LTD. ROC HOLDINGS LTD. RESPONDENTS

# AFFIDAVIT



Suite 1600 Cathedral Place 925 West Georgia Street, Vancouver BC V6C 3L2 Phone: 604-685-3456

Attention: Bryan C. Gibbons bgibbons@lawsonlundell.com