This is the 1st Affidavit of Noor Mann
in this case and was made on February 27, 2025

No. S245481
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND

IN THE MATTER OF THE *COOPERATIVE ASSOCIATION ACT*, S.B.C. 1999, c. 28

AND

IN THE MATTER OF BC TREE FRUITS COOPERATIVE, BC TREE FRUITS INDUSTRIES LIMITED AND GROWERS SUPPLY COMPANY LIMITED

PETITIONERS

# AFFIDAVIT

I, Noor Mann, Barrister and Solicitor, of 1600-925 West Georgia Street, in the City of Vancouver, in the Province of British Columbia, SWEAR THAT:

1. I am an associate with the law firm of Lawson Lundell LLP, solicitors for Novem Pharmaceuticals Inc. ("**Novem**"), as purchaser, and Ocorp Holdings Ltd., as assignee of the Sexsmith Accepted Offer, and as such have personal knowledge of the matters herein deposed to, except where stated to be based on information and belief, in which case I verily believe them to be true.

2. Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Notice of Application filed by the Monitor on February 21, 2025.

3. In connection with Novem's due diligence pursuant to the First Sexsmith PSA, Novem commissioned a Building Assessment Report (the "**Assessment Report**") with respect to the Sexsmith Property from IT Building Consultants in October, 2024, a true copy of which is attached hereto and marked as ***Exhibit "A"***. The Assessment Report notes various deficiencies of the Sexsmith Property, including that "...the buildings, interiors and site are functional but damaged, exhibiting lack of recent maintenance, and below standard maintenance levels for their age and use..."

4. In particular, the Assessment Report notes, among other things, the following critical issues:

   (a) that the asphalt and concrete paving all around the building is in poor condition with significant open cracking and resulting settlements;

   (b) that the building wall systems overall are improperly maintained, with damaged siding, insulation and interior finishes and the panel siding may contain asbestos;

   (c) that there are significant and many tight cracks in the tilt up panels that suggests further evaluation and possible structural and surface sealing repairs may need to be undertaken;

   (d) that because of the extent of building envelope damages due to water ingress at the tilt up panels, professional remediation and sanitization is required to validate worker safety;

   (e) that the exterior railside open walkway roof structure is improperly supported by missing wall joists and is unsafe;

   (f) that the steam boiler casing and piping coverings are likely asbestos containing and a hazard to workers;

   (g) that the CA buildings roof membranes are older tar and gravel type with damages observed;

   (h) that the exterior walls, windows and doors were found to be old to very old in damaged condition with repairs recommended to ensure full function; and

   (i) that there is significant rodent evidence; mould staining; and historic roof leaks that indicate professional remediation is required for the safety of future occupants.

5. Attached and marked hereto as ***Exhibit "B"*** is a quotation from Inflector Environmental Services (the "**Asbestos Removal Quote**") dated November 13, 2024, in the amount of **$747,600**, with respect to asbestos removal at the Sexsmith Property. As set out in the Asbestos Removal Quote, the scope of the work includes, among other things, mobilization, removal of asbestos and the transport and disposable of same in accordance with the *Transportation of Dangerous Goods Regulations* (Canada) and the *Hazardous Waste Regulations* (British Columbia).

6. Attached and marked hereto as ***Exhibit "C"*** is a true copy of a Property Condition Estimate from Craig Hostland, P.Eng, with respect to the Sexsmith Property, indicating estimated repair costs of **$2,576,186**, associated with:

   (a) replacing all exterior joint caulking and repair cracked surfaces;

(b) panel interior insulation and fire protection repair;

(c) tar and gravel roof replacement;

(d) providing support for the railside corridor roof;

(e) asphalt pavement repair; and

(f) ACM piping and boiler remediation.

7. Attached and marked hereto as ***Exhibit "D"*** is a true copy of a mechanical budget provided by Murphy Mechanical, in the amount of **$1,768,294**, with respect to certain non-functional ammonia cooling systems.

8. Attached and marked collectively hereto as ***Exhibit "E"*** are true copies of an estimate from Okanagan Insultation Services in the amount of **$163,264.50**, inclusive of GST, with respect to insultation repair and remediation for the CA building, as well as an estimate from Madge Custom Roofing, in the amount of **$464,667**, inclusive of GST, with respect to roof repairs and bracing and reinforcing the railside corridor ceiling.

9. Based on the foregoing, the repair costs associated with the Sexsmith Property exceed **$5.7 million.**

10. I make this Affidavit in support of the Monitors application to approve the Sexsmith Accepted Offer.

SWORN BEFORE ME at the City of Vancouver, in the Province of British Columbia, this 27 day of February 2025.

A Commissioner for taking Affidavits for British Columbia.

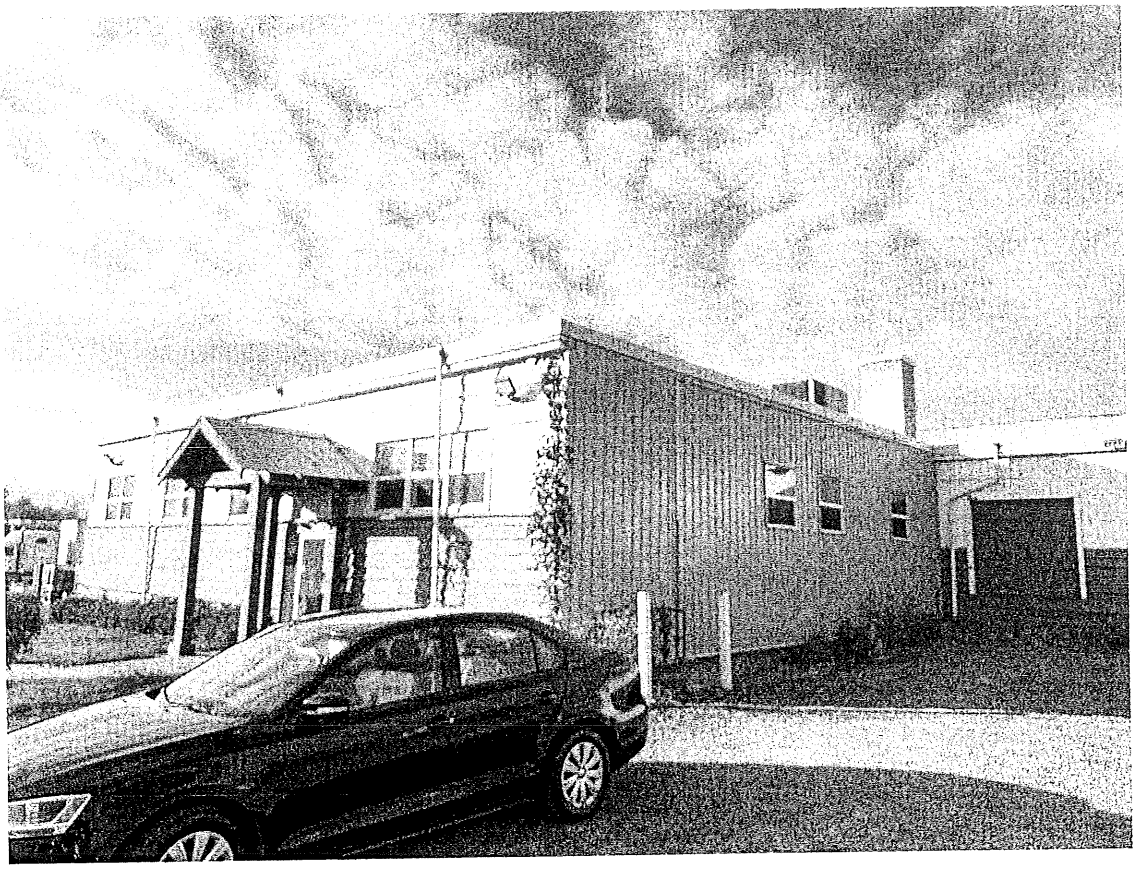
BRYAN C. GIBBONS
*Barrister & Solicitor*
1600 - 925 WEST GEORGIA ST.
VANCOUVER, B.C. V6C 3L2
(604) 685-3456

Noor Mann

This is Exhibit "A" referred to in the affidavit of Noor Mann made before me at Vancouver, B.C., on February 27, 2025.

A Commissioner for taking Affidavits within British Columbia.

# Building Assessment Report



## 3335-3345 Sexsmith Rd.
## Kelowna, BC

October, 2024

## Prepared for:
## Novem Pharma


## By: Inspect IT Building Consultants
## Craig Hostland P. Eng. PhD

# Table of Contents

# 1.0 Executive Summary

## 1.1 General Description

The commercial - industrial buildings are situated in a commercial - industrial area of the City of Kelowna. The buildings are noted as c1982 (approx.) pre-engineered concrete tilt up and wood and steel framed structures on cast in place concrete slab and basement foundations. The cold storage and warehouses spaces were used for fruit packing and storing.

Overall, the buildings, interiors, and site are functional but damaged, exhibiting lack of recent maintenance, and below standard maintenance levels for their age and use due to use. The buildings are in the process of being vacated by the previous owners.

The buildings spaces consist of the offices; supply storage; cold storage; engine rooms; maintenance rooms; and CA rooms. These buildings are in part very specialized with unique useages, equipment, safety related issues, and safety related identifiers which inspector is not qualified to assess.

## 1.2 Overall Condition and critical issues

- The MLS documents indicate the buildings to be dated 1982; but the office and cold rooms are likely much older due to viewing of an electrical panel with glass breakers and viewing a non-functional wood burning steam boiler. We estimate the earliest building may reach back to before the 1960's. Further investigation is recommended prior to closing.

- The asphalt and concrete paving all around the building is in poor condition with significant open cracking and resulting settlements. Timely patching of asphalt cracks would have ensured full function going forward. Substructure and well as asphaltic surface repair is now required.

- The fencing and gates are incomplete and damaged/ leaning. Improve for use and function.

- Remove containers, liquids, staining in dirt that may contain chemicals and hydrocarbons by a qualified professional.

- The foundations and building structures were found to be in functional condition with limited to no visible damages or significant wear and tear other than different methods of repair, improvements, and shoring noted. Patch the open cracks/gaps to reduce water, insect and rodent intrusion. Obtain engineering design documents for the alternately repaired beams and posts and shoring methods viewed prior to closing.

- The building wall systems overall are improperly maintained, with damaged siding, insulation and interior finishes. Seal openings, renew tilt up joint sealing and caulking, and replace/ repair damaged siding to maintain expected heat loss and moisture/ insect and rodent intrusion resistance. The panel siding may be asbestos containing. Shear cracking around door #4 requires structural repair.

- There are significant and many tight cracks in the tilt up panels that suggests further evaluation and possible structural and surface sealing repairs be undertaken prior to closing.

- Because of the extent of building envelope damages due to water ingress at the tilt up panels; professional remediation and sanitization is required to validate worker safety.

- The exterior railside open walkway roof structure is improperly supported by missing wall joists and is unsafe. Correct or seal off immediately.

- The electrical system was generally found to be in good functional condition but with issues denoted in the report including end of life components. Its overall service capacity was difficult to verify. The main MCC is 1600 amp 3 phase. Original transformers were observed. Older

transformers can contain PCBs which are a health hazard. Confirm prior to occupancy. The electrical system requires mapping to understand the full scope of supply and distribution.

- Electrical switchgear observed is of the older type and should be reviewed by a qualified professional prior to closing to confirm replacement timeline.

- The fruit cooling systems include ammonia and nitrogen coolers. The BC Tree Fruits maintainer confirmed all to be fully functional; but inspector found nonfunctional and surface damaged very old ammonia cooling units in the cold rooms. Have fully assessed by a qualified professional prior to closing.

- The roof top office heating and air-conditioning (HVAC) unit was functional. Confirm latest servicing within the last 6 months or have completed prior to closing. The offices were prior heated by a steam system and has come electric baseboard heaters.

- The warehouse spaces are heated with ceiling mounted gas heaters and appear to have been heated prior by hydronic hot water with the piping and fans observed.

- The CA and cold rooms are cooled by ammonia condensers. The rooms were visibly colder but were not tested for full function.

- The steam boiler casing and piping coverings are likely asbestos containing and a hazard to workers. Confirm prior to closing.

- The plumbing system and washrooms overall were found to be in functional condition. The functional electric hot water tanks are mid to end of life condition. Copper piping where viewed were functional but will require replacement likely in the near term due to age or by the property insurer.

- The CA buildings roof membranes are older tar and gravel type with damages observed. These roof membranes have a limited life of 15-20 years. Obtain age from vendor and expect to replace in the near term.

- The cold rooms, and office building roof membranes are commercial grade torch down modified bitumen or SBS type in good functional condition. Expect 10+ years of remaining life. Obtain warranty information from the vendor.

- The lower transition roof is newer EPDM type. Obtain warranty information from the vendor.

- The wood structure of the leanto over the plastic liquid container at the front of the building is not secured to the building and has no cross bracing. Improve for safety. The metal roof has screw sized holes that will cause leaks if not sealed.

- The exterior walls, windows and doors were found to be old to very old in damaged condition with repairs recommended to ensure full function recommended. The older windows are original single and double pane metal type with numerous damaged seals. The offices now have newer vinyl double pane type. The office building main entry is aluminum storefront type in good functional condition.

- The office building offices, corridors, and employee rooms have been improved through general renovation. The washrooms have newer fixtures and flooring.

- The mezzanines are wood structures competently installed. For use, have the building owner provide engineered drawings confirming occupant loading capacities under stamp. Obtain occupant use and load allowances for use by others prior to closing.

- The fire protection system consists of a building sprinkler system, exit lighting and emergency lighting, and updated portable fire extinguishers. Ensure the municipal fire safety reviews are up to date. The incomplete security alarm system was not assessed.

- There are significant rodent evidence; mould staining; and historic roof leaks that indicate professional remediation is required for the safety of future occupants.

- Due to the age of the building, various materials such as drywall mud, vinyl flooring, insulation, board siding can contain asbestos. An environmental audit is recommended prior to closing.

- Interior floor and wall stains and the noted chemical spaces require Hazmat assessment prior to closing for safety.

- The many safety issues for immediate repair before occupancy include: mezzanine guards and rails; stair rails; likely electrical service covers; and trip hazards

The report details are as follows:

### 1.3 Recommendations and Conclusions

The building and components are in useable but damaged condition and have not been fully kept up by the vendor. The buildings structures have been adapted or renovated using other methods and products that require structural engineering verification. Securement of structure is required in part.

The building heating, air conditioning, and plumbing fixtures are older (40+ years). Expect equipment upgrades in the near future and surface (paint/ rust removal) improvements now.

The fire protection system consists of building sprinkler systems, exit lighting and emergency lighting, and updated portable fire extinguishers. Ensure the municipal fire safety reviews are up to date. The incomplete security alarm system was not assessed.

There is significant rodent impact with possible feces observed; possible hydrocarbon/ chemical/mould staining that indicate professional remediation is required for the safety of workers to Worksafe BC requirements.

## 2.0 Introduction

### 2.1 Inspection Authorization

In accordance with the request of Client, we performed a visual, preliminary inspection survey to identify the existing condition and general function of the building offices and warehousing/ storage spaces and components.

This report is intended for the exclusive use of our client. Use of the information contained within the report by any party other than these is not intended and, therefore, we accept no responsibility for such peripheral use.

The components reviewed are as follows:

- Structure/ foundations
- Heating Systems
- Plumbing Systems
- Ventilation Systems
- Insulation/ building envelope
- Electrical System
- Air-conditioning System
- Roofing Systems
- Exterior building Components
- Interior building Components

- Fire Protection Systems
- Perimeter site conditions

### 2.2 Sources of Information

No other sources of information were provided such as the City file and construction drawings. No records were available for review. One site personnel maintainer explained the function of equipment and assisted in entry to the various rooms and roofs.

### 2.3 Site Inspection

Craig Hostland P. Eng., on behalf of Inspect IT Building Consultants, conducted a site inspection on Monday and tuesday, September 9-10, 2024. Client was debriefed on the results of the visual inspection on site.

## 3.0 Scope and Methodology

### 3.1 Visual Inspection Limitations

The visual inspection is based on a limited survey of the exterior, roof, and interior of the buildings using general commercial building inspection means and methods as a general guide for this preliminary building inspection. As such our work scope is limited, but sufficient to provide an overview of the general condition of the buildings and components. This is not an appraisal or depreciation assessment.

We base our evaluation of the HVAC, plumbing and electrical equipment on direct observation of the condition of the equipment and checking for general functionality only. Not all of the buildings' equipment were operated or assessed during the inspection.

In our review of the buildings, we completed a visual inspection of the exterior envelope from ground level (due to height/ access limitations). We entered the building spaces and viewed visible areas. We walked the various roofs except for the trailer and sloping shed roofs.

We did not carry out any evaluation of the level of code compliance of the buildings or site. Such evaluation is properly the domain of the municipal inspectors and code specialists. However, we may use the BC Building Code, municipal bylaws, or Fire Code for reference from time to time in an unofficial capacity where we might find that helpful within our professional skillset.

### 3.2 Assumptions and Limitations

We carried out our preliminary building inspection on September 9-10. The weather was sunny and warm, approximately 24° C. Our survey was a visual assessment of the exterior and interior of the buildings from ground or floor level and by walking the building perimeter. The nature of the preliminary building inspection does not require us to enter or survey hidden spaces to evaluate their condition or the condition of equipment contained in them. We kept a safe distance from operating equipment. In this case we did access the available areas and the appropriate comments and photos are included in the report. We do this to have a better appreciation of the structural components, look for leaks in the roofing or building envelope, and observe in the function (not performance) of the HVAC equipment.

The intent of the inspection was to determine areas of visually obvious damage, end of life condition, or excessive deterioration and to generally determine the overall sufficiency of the building and the primary components for function, but not to ascertain the quality or extent of sufficiency of any specific component of the development. We have not carried out a design analysis of the structures or other components. Our comments are not a guarantee or warranty of any aspect of the future condition of the buildings and their components.

Our inspection was limited to components that were readily visible and not obstructed by furniture, equipment and storage, finishes, vegetation, etc., by walk around, including the site adjacent and asphalt parking to the building only.

The inspection report is based on the condition of the building existing and apparent as of the time and date of the Inspection. Not all conditions may be apparent on the inspection date due to weather conditions, inoperable systems, or inaccessibility of areas of the building.

Inferences in reporting may be drawn which cannot be confirmed by direct observation. Clues and symptoms often do not reveal the extent or severity of problems; therefore the inspection and report may help to reduce risk but cannot eliminate such risk not does the inspector or our firm assume such risk.

We are neither responsible nor liable for the non-discovery of any patent or latent defect in materials, workmanship, or other condition of the property or any other problems which may occur or may become evident after the inspection time and date.

Our report is limited to describing the general condition of the buildings, site, and improvements. Market evaluations, land surveys and formal environmental assessments are to be carried out by others.

## 4.0 Site Description

### 4.1 Geographic Location

The property is located on a site in an industrial area of northern Kelowna, BC

### 4.2 Topography

The site is generally flat and open exposed to weather.

### 4.3 Adjacent Property

The adjacent properties appear to be similarly zoned but with varied industrial and commercial uses.

### 4.4 Site Services

The site is serviced by utility electrical and natural gas services, phone lines, municipal water and sanitary sewer from the City of Kelowna. A gas service meter was observed. The frontage roadway (Sexsmith) is paved without sidewalks, with minimal streetlighting. Police and Fire Protection services are provided by the City. A propane tank was found on site enclosed by fencing.

### 4.5 Site Improvements

The land consists of the buildings, gravel and concrete/asphalt paved surfaces, in a fenced area adjacent to the new bike and walk "rail trail". Extensive parking is provided at the front of the building.

4.5.1 The parking and front driving area consists of broken asphalt covered with uneven surfaces. Parking requirements are not assessed. The surface wear and tear is not typical for its age. The asphalt paving is in poor condition with significant open cracking and resulting settlements. Timely patching of asphalt cracks would have ensured full function going forward. Substructure and well as asphaltic surface repair is now required.

4.5.2 The fencing and gates consisting of metal post and wire mesh are damaged in part. Improve for safety, use and function.

4.5.3 Walking and concrete driving surfaces are significantly cracked/ broken and a trip hazard at numerous locations. Improve for safety.

4.5.4 Remove site debris for chemical and fire safety considerations.

4.5.5 Confirm ownership of the propane tank and its replacement timeline (tanks have end dates).

## 5.0 Building Structure and Envelope

### 5.1 Description

The buildings are comprised of tilt up concrete, wood and steel post and beam, and wood framing. They vary in age from approximately 40-70 years old based on materials observed. The buildings are founded on cast in place concrete slab on grade or cast in place concrete basements with wood and steel post and beam structures.

Building design/ fabrication drawings were not provided or a City file search conducted to ascertain certification of their design or installation. The building should have been designed according to the applicable British Columbia Building Code for their ages. Usually there is no enforceable requirement to upgrade to current standards unless there is a significant change in use and occupancy.

Our service included a visual inspection of the exterior of the buildings, the visible parts of the foundations, and the adjacent perimeter ground works. We entered the buildings and examined the exterior and interior walls, the wall/floor interface and cast inplace concrete floor. We visually examined the underside of the ceilings and roof where visible and visually inspected the roofs by walking them.

We then examined the mezzanine structures which are dimensional lumber constructed.

### 5.2 Observations and Discussion

5.2.1 There were no significant signs of ground settlement affecting the buildings' structures or moisture intrusion from adjacent ground water noted other than open cracking in the north wall of the office building a minor moisture staining and efflorescence in one area of the basement.

5.2.2 Patch/ repair vertical foundation cracking in the office foundation north wall.

5.2.3 We reviewed the building structures visually from the ground, looking at the condition of the metal and wood components, checking connectors, looking for damage, twisting or excessive deflections in the steel and wood structures. The visible parts of the structures overall appeared sound, except where noted in the report.

5.2.4 There are significant and many tight cracks in the tilt up panels that suggests further evaluation and possible structural and surface sealing repairs be undertaken prior to closing.

5.2.5 In one area between the CA buildings and the cold storage room #10 was newer installed temporary wood shoring at the basement and main floor levels. Ensure the work was conducted under engineering rigor and that the scope issue has been properly addressed with an engineering signoff.

5.2.6 The at grade concrete slabs are lightly cracked but found to be fully functional for the activities being undertaken. No significant ground or structural settlement were observed; but localized uneven at joints can be a trip hazard. Ground down where foot traffic is expected. This may also affect the running ability of the moving equipment/ forklifts.

5.2.7 The building roof structure is wood framed on wood and metal support beams and wood reinforced trusses where exposed to view. The CA building roof structures were concealed from view to assess.

5.2.8 The exterior concrete tilt up panels exhibit a significant amount of shrink and movement cracking and failed joints. This has caused water/air/insect ingress and damage to the interior exposed insulation surfaces. These joints require full renewal and the interior insulation repaired promptly.

5.2.9 The wood siding exhibits significant surface damage from weather and age.

5.2.10 The exterior wood and metal door exhibit visible damages due to use. Replacement would be necessary for proper sealing and full function.

5.2.11 The wood framed building envelope consists of wood and cement panel siding on likely 2x4 wood studs and likely thin batt insulation. Expect the wood framed segments to have substandard vapour and air barrier membranes due to age. Exterior gaps and cracks will allow for insect and water ingress. Sealing all gaps and cracks is highly recommended now with seasonal maintenance.

5.2.12 The windows are original single pane wood and metal windows with double pane vinyl type newer windows for the office building. with evidence of glazing and seal failure. Old windows will leak air and water from time to time and double pane seals will fail regularly.

5.2.13 The mezzanine structures are substantial and appear to be well installed if not engineered. Obtain design and permits for occupancy and usage capacity. Otherwise, design analysis is required to verify design loading and occupant use and storage capacity. Occupant capacity will also be determined by the fire code. Refer to the fire Marshall or an Architect for determination.

## 6.0 Electrical

### 6.1 Description

The electrical service is overhead power pole provided with pole mounted transformers. Its overall service capacity was difficult to verify. The main MCC is 1600 amp 3 phase. Original transformers were observed. Older transformers can contain PCBs which are a health hazard. Confirm prior to occupancy. The electrical system requires mapping to understand the full scope of supply and distribution. The service is metered and 3 phase xx00 amp. The main service in the electrical room was interlocked from access. The electrical shutoffs at various locations are in functional condition. Ground and bonding cabling was evident. One panel in the office building basement is

We activated a number of switches and plugs and reviewed the electrical panels which were found to be in good working order. Electrical diagnostics were not conducted.

Lighting is a combination of old fluorescent and low efficiency bulb/ incandescent type. Review to determine own needs and lighting levels/ efficiencies required for future operations.

We recommend an assessment by Fortis BC to determine cost efficiencies and available grants.

A simple security and fire protection system were observed at several locations, MIRCOM type, but not assessed. Safety tags were up to date.

### 6.2 Observations and Discussion

6.2.1 While detailed load calculations were not performed, this service appears to be adequate for the present usage.

6.2.2 The distribution panels are accessible, and most circuits are labelled clearly. Panel covers were not removed due to the high power conditions.

6.2.3 The electrical switchgear is the older type (perhaps over 50 years) and should be reviewed by a qualified professional prior to closing to confirm replacement timeline. Several panels utilize glass breakers which are now a likely safety hazard. Expect to replace.

6.2.4 The various buildings and overall service capacity were difficult to verify. The main MCC is 1600 amp 3 phase. The electrical system requires mapping to understand the full scope of supply and distribution.

6.2.5 Original transformers were observed. Older transformers can contain PCBs which are a health hazard. Confirm prior to occupancy.

6.2.6 Representative samples of accessible wiring were examined, and electrical outlets and switches were spot tested in the areas inspected. The general condition is considered to be satisfactory and functional for an old industrial setting except that lighting was minimal, some plugs were loose, and some covers were loose or missing.

6.2.7 Improving exterior plugs and all plugs at sinks to GFCI type is highly recommended.

6.2.8 Several electrical panels in the office/warehouse building basements are end of safe life condition with glass fuses. Recommend early replacement.

6.2.9 Some light fixtures and plug covers were missing and damaged. Repair for safe occupancy. All lighting should be upgraded to LED low energy type for cost savings.

6.2.10 Have the security system verified for need and capacity.

## 7.0 Heating, Ventilation and Air Conditioning

### 7.1 Description

Heating is provided in the warehouse area by ceiling mounted gas fired furnaces with no air conditioning. The warehouse basement storage areas have no heating other than a ceiling mounted gas fired unit by the old boiler. The office building main floor is heated and cooled with a rooftop HVAC unit and electric baseboards with the adjacent workshop utilizing ceiling mounted gas heaters. The basement has no heating, ventilation or cooling observed. The CA and cold storage spaces are cooled only using ammonia. An old cooling tower was observed at roof level.

The CA and cold storage rooms were cold during the inspection. The local maintainer confirmed function, but it is recommended that a third party assessment be completed prior to closing, including the nitrogen and oxygen removal system.

### 7.2 Observations and Discussion

7.2.1 While detailed heat gain calculations were not performed, minimal performance issues are suspected with heating capacity to the offices and warehousing but expect heating issues in the coolest days of winter. We did not fully run the main office cooling unit but occupants noted the space remained cool on the hottest of summer days.

7.2.2 Expect the rooftop HVAC and ceiling mounted gas fired unit heaters and cooling tower to be replaced in the near term due to age and visual condition. Obtain service records prior to closing.

7.2.3 The old fan units and hot water piping from the old boiler likely should be removed.

7.2.4 Numerous ammonia cooling systems were not functional or decommissioned per building maintainer. Client to confirm their requirements in relation to the capacity of those remaining cooling systems prior to closing.

## 8.0 Plumbing

### 8.1 Description

All visible supply and waste plumbing were examined and observed as functional and not leaking. The water lines were generally copper and plumbing lines ABS and steel.

The hot water heating at the washrooms and sinks of the operating spaces is provided by regular size and very small mid-aged electric hot water tanks that appear to be 10+/- years old.

Irrigation piping was observed at the front of the office building but was not tested or its scope determined. Recommend further evaluation by a qualified professional as to extent and function prior to closing.

### 8.2 Observations & Discussion

8.2.1 Plumbing fixtures were tested, and all were found to be operating satisfactorily where installed. No leaks were detected.

8.2.2 Water pressure was strong throughout the operating space fixtures.

8.2.3 The entrance steel piped fire protection piping and the domestic water copper piping were viewed and operated. The pressure side was just under 100 psi and the plumbing side under 40 psi.

8.2.4 An open wet sump was observed in the warehousing basement. The water was inky black. The sump should be cleaned of any hydrocarbons, chemicals and mud/silt and confirmed operational.

## 9.0 Roofing

### 9.1 Description

The building roofing membranes were walked. There was no visible water leaking inside the building but leaks from tar and gravel roofs are to be expected and possibly are occurring. Short term patching of the roof as required is a typical solution, but replacement with commercial grade roll roofing is to be expected.

The roofs drains generally to internal hard piped drains with overflow ports in the parapets. The drainage system appears functional.

### 9.2 Observations & Discussion

9.2.1 The CA buildings roof membranes are older tar and gravel type with damages observed. These roof membranes have a limited life of 15-20 years. Obtain age from vendor and expect to replace in the near term.

9.2.2 The cold rooms, and office building roof membranes are commercial grade torch down modified bitumen or SBS type in good functional condition. Expect 10+ years of remaining life. Obtain warranty information from the vendor.

9.2.3 The lower transition roof is newer EPDM type. Obtain warranty information from the vendor.

9.2.4 The wood structure of the leanto over the plastic liquid container and at the front of the building are not secured to the building and have no cross bracing. Improve for safety. The metal roof has screw sized holes that will cause leaks if not sealed.

9.2.5 There are various low spots on the flat roofs that pond water. Staining was observed. Ponding over 24 hours after a rain is to be addressed by RCABC. Adding central roof drains are recommended.

9.2.6 There appears to be no significant roof level insulation or insulating value.

9.2.7 Parapet flashings butt joints require caulking renewal now and seasonally.

9.2.8 Gutters and down pipes require improvement to ensure water runoff is away from the building to reduce water ingress. Repair damaged inground piping.

## 10.0 Fire Protection

### 10.1 Description

Building fire protection consists of exit lighting, emergency lighting and portable fire extinguishers. The buildings are also sprinklered, except for the trailer and storage shed.

### 10.2 Observations & Discussion

10.2.1 Ensure through the Fire Marshall's office that the latest fire safety measures are provided in this building.

10.2.2 One or more fire hydrants are installed nearby.

10.2.3 Fire protection equipment servicing is up to date.

10.2.4 Updated smoke and heat detection may be a requirement or is suggested for safety. It is worthy of note that the Fire Marshall has the authority to require upgrading at any time.

## 11.0 Interior

### 11.1 Description

The main floor offices contain updated finishes to a good standard. The rest of the buildings spaces are older warehouse quality, fit and finish.

### 11.2 Observations and Discussion

11.2.1 Most warehousing interior surfaces exhibit surface damages consistent with heavy traffic and warehouse operations and roof leaks. Improvements are necessary.

11.2.2 The stairs and upper mezzanines guards and rails do not meet building occupancy safety standards and require improvement to meet safety requirements for usage or lock off the mezzanines from traffic.

11.2.3 Office ceiling tile is falling down in spots. Resecure to structure behind.

11.2.4 The

## 12.0 Insulation

### 12.10 Description

Commercial/ industrial buildings historically have minimal requirements for insulation levels and extent of building envelope design as presented in these buildings.

## 13.0 Indoor Air Quality and Environmental

This scope has been excluded by client; but due to various serious issues, it behooves inspector to advise on the following environmental issues: There was evidence of active mould growth; the building age requires us to state Worksafe BC considers buildings older than 1992 to contain asbestos. Airborne asbestos can cause lung cancer and the building should be assessed prior to closing and addressed prior to occupancy through environmental audit and professional remediation as required; there is possible rodent or bird/bat feces in a CA room which can contain harmful pathogens. Professional remediation is required prior to occupancy. Many rodent traps were observed. The technician who accompanied us stated that at least mice are brought in with fruit deliveries.

We recommend the office ducted ventilation system be sanitized and then operated continuously during working hours with the air filter increased to a pleated paper type, minimum MERV 6 (MERV 11 recommended) to reduce harmful micro-particles, carbon, and road vehicle toxins.

## 14.0 Closing Comments

This report provides you with an overview of the existing condition of the major components of the building and site.

We find in general the industrial buildings to be poorly maintained with environmental and physical hazards that require redress prior to closing or prior to occupancy. The main floor office space is newer updated. A building fire safety review should be undertaken by the fire Marshall to confirm up to date safety conditions, prior to closing.

Should you have any questions, please do not hesitate to contact us.

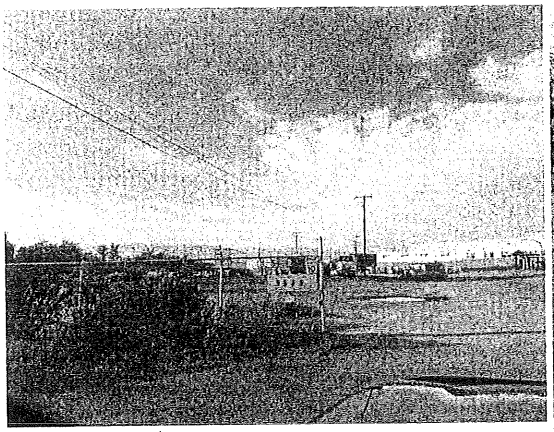
*Craig Hostland P. Eng. PhD*

Craig Hostland, P. Eng PhD
Inspect IT Commercial Building Inspections

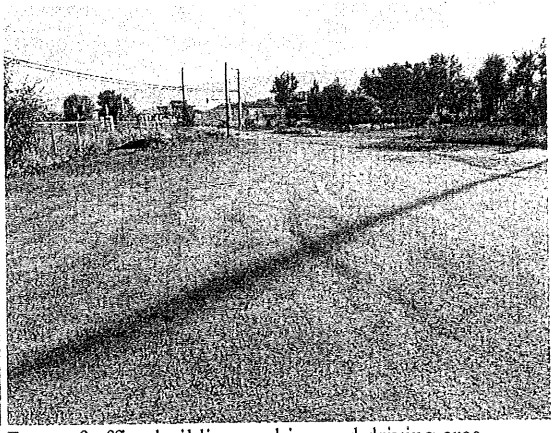
## Appendices

Appendix A Photos
Appendix B MLS information

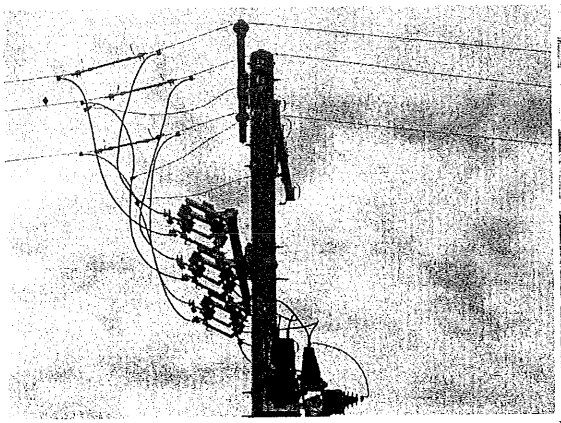
# APPENDIX A



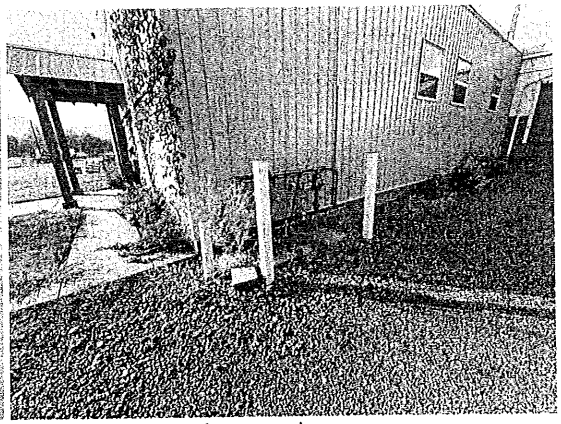
Entrance onto the property



Front of office building parking and driving area

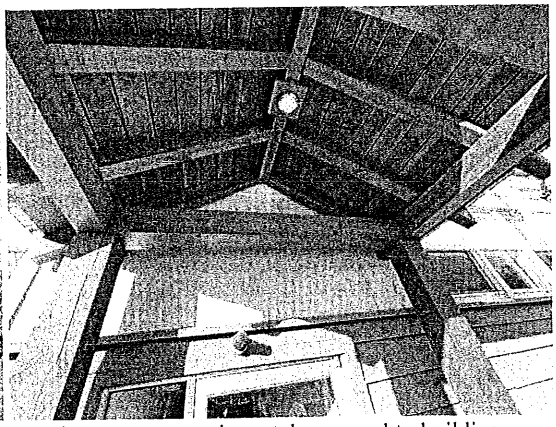


Overhead power services

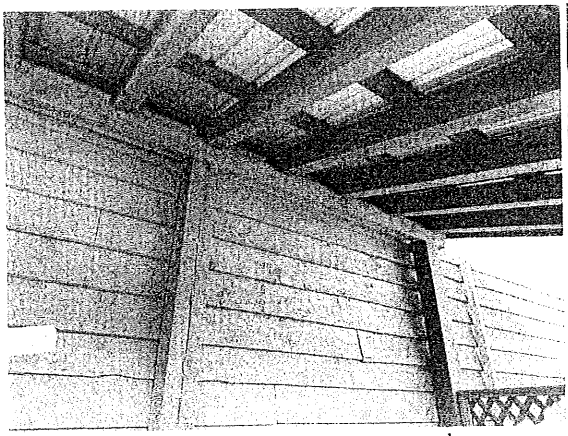


Underground natural gas service

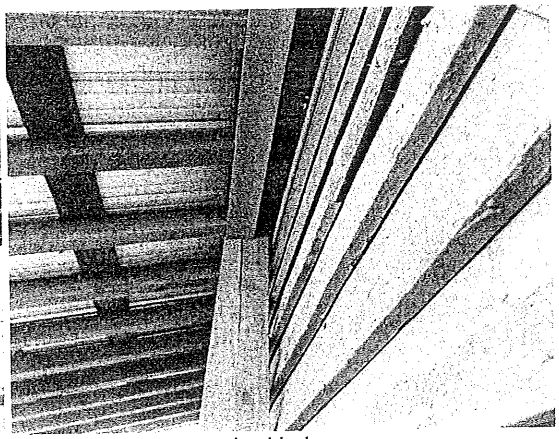
Newer storefront secure aluminum entrance.



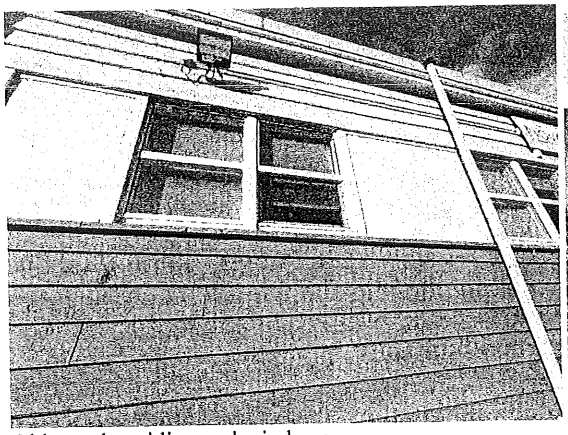
Wood structure not adequately secured to building



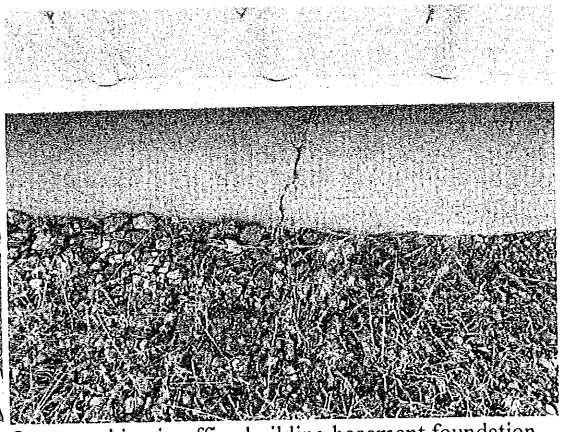
Leanto metal roof wood structure not secured



Metal roof has screw sized holes

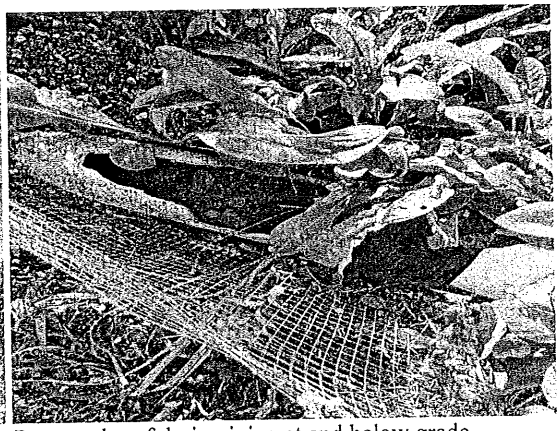


Old weather siding and windows

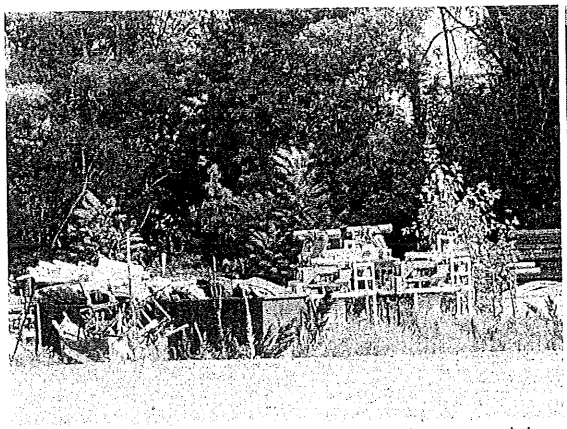


Open cracking in office building basement foundation

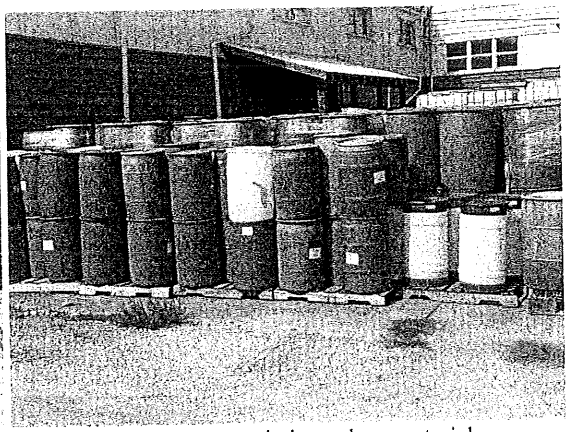
Roof runoff downpipes (RWL) require extension



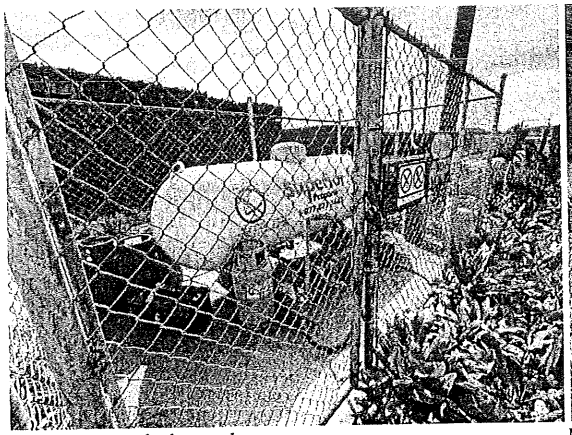
Damaged roof drain piping at and below grade



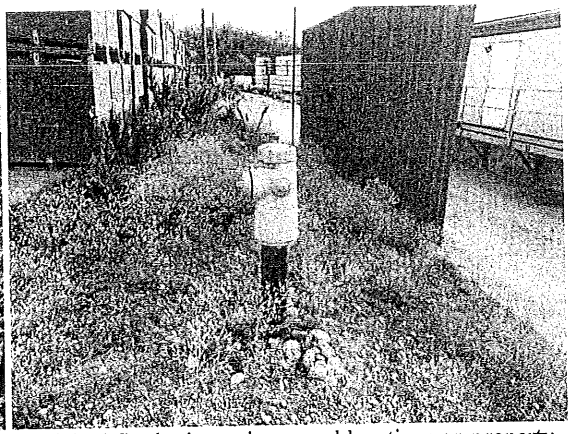
Site debris/ materials may contain hazardous materials



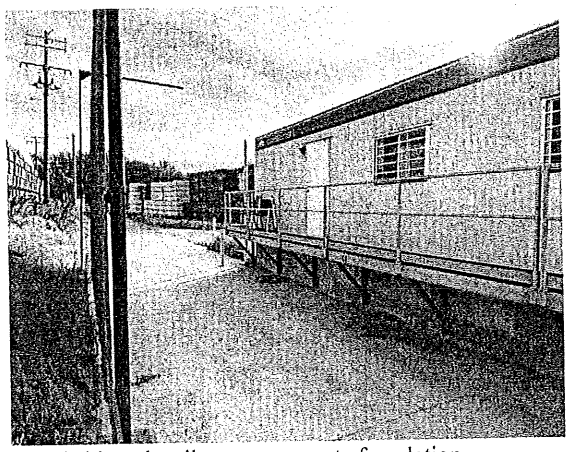
Site containers may contain hazardous materials



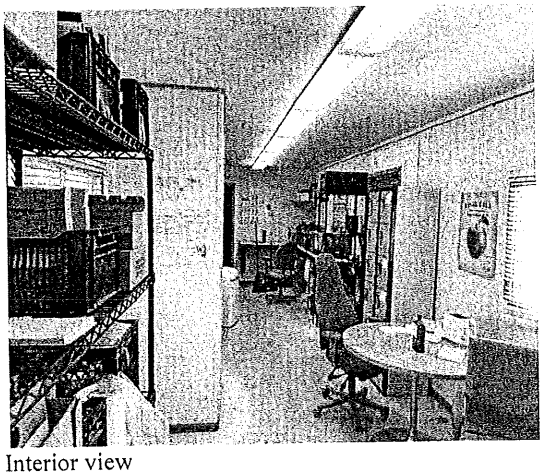
Propane supply by tank.



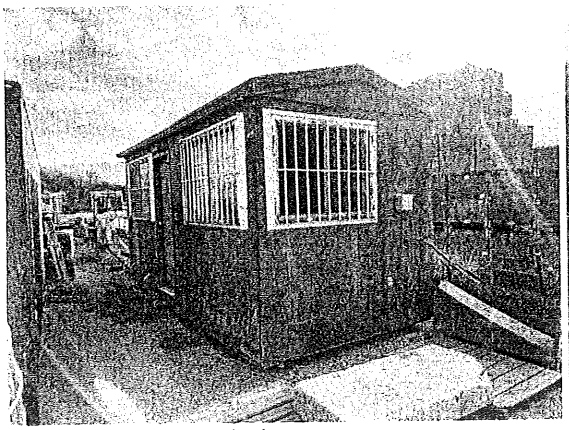
Municipal fire hydrants in several locations on property



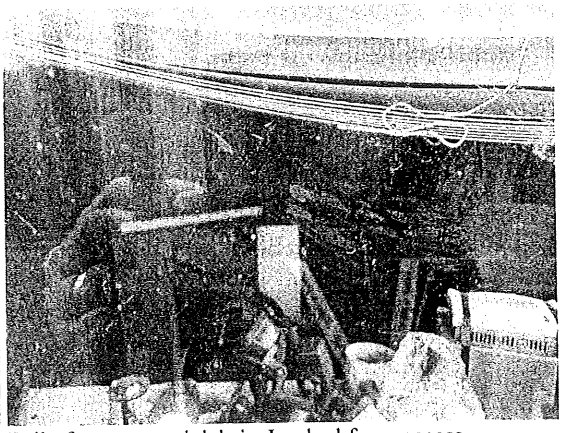
Metal skinned trailer on a concrete foundation



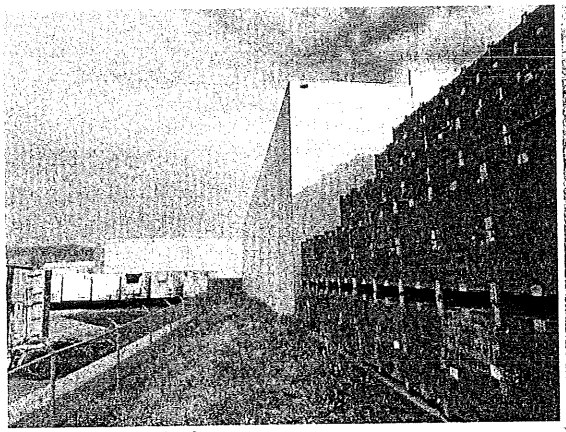
Interior view



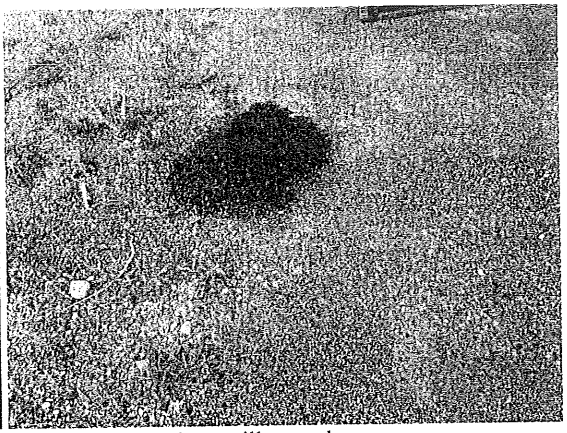
Old damaged storage shed



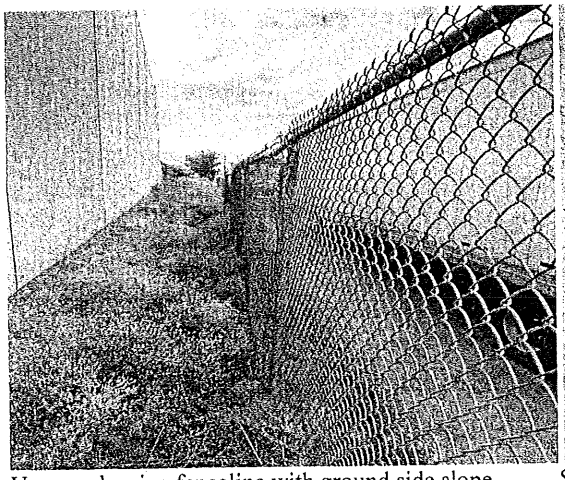
Full of storage and debris. Locked from access.



Soouth west end of property



Possible hydrocarbon spills noted

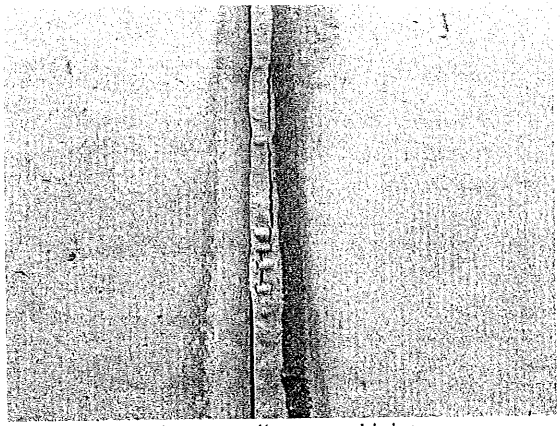


Uneven, leaning fenceline with ground side slope

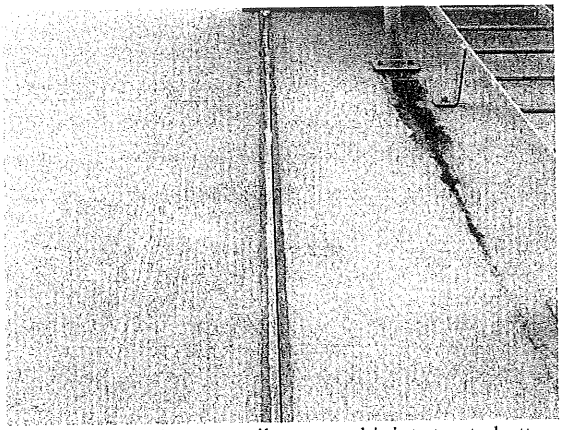
Significant joint/ sealant failure at tilt up panel connection

Visible cracking in tilt up panel

Visible corner cracking in tilt up panel.

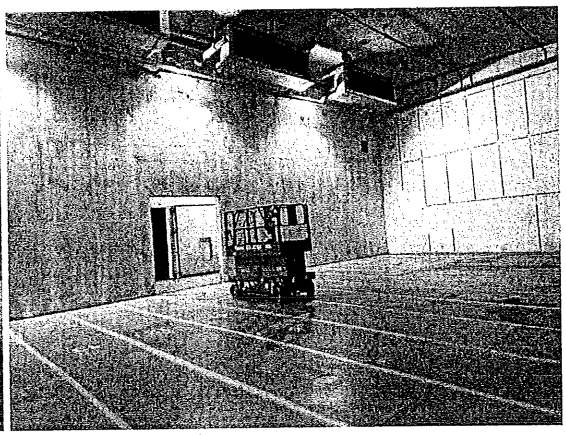


Poor gasket seal at most tilt up panel joints

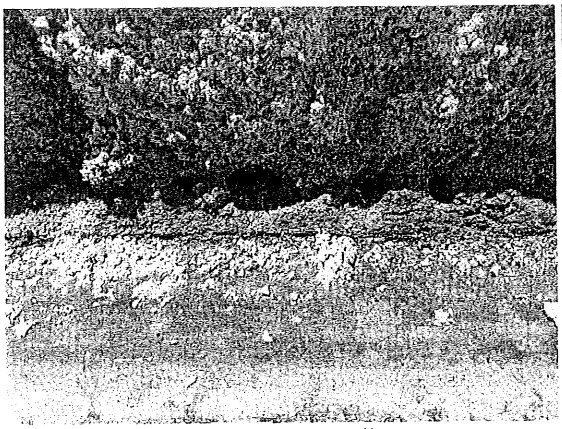


Poor gasket seal at most tilt up panel joints top to bottom

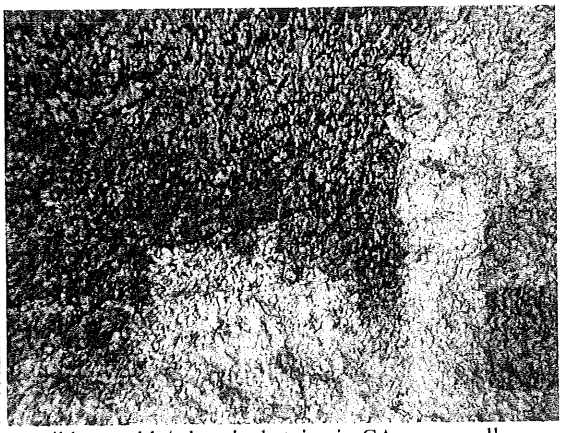
Non-standard guard openings and open structures



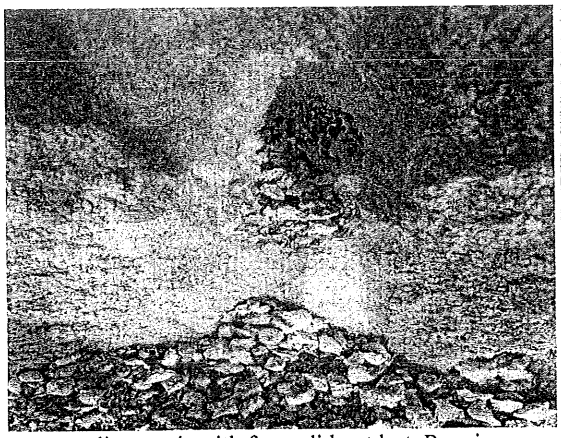
CA unit under repair.



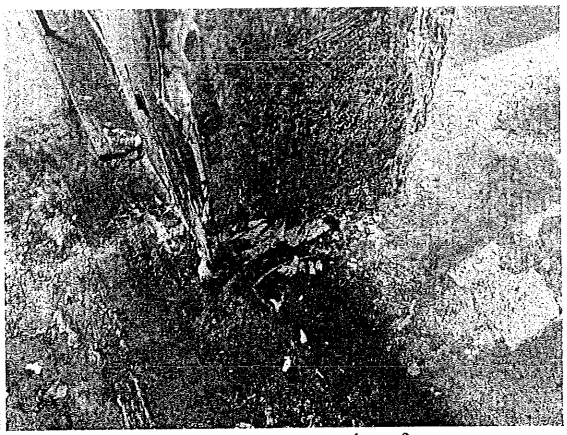
Possible rodent impact CA room walls



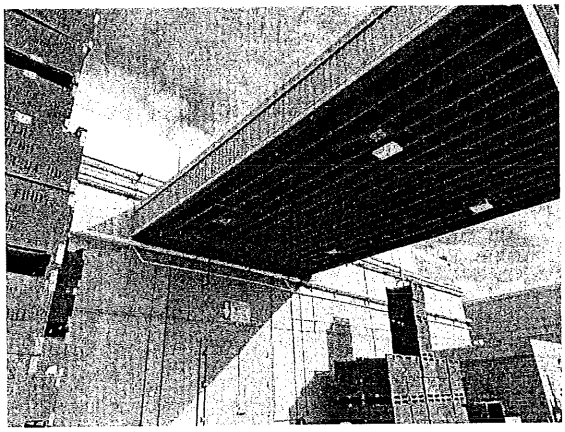
Possible moulds/ chemical stains in CA room walls



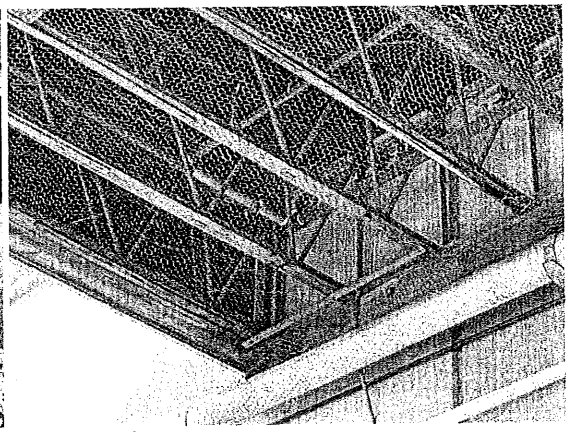
Poor quality repair with foam did not last. Repair



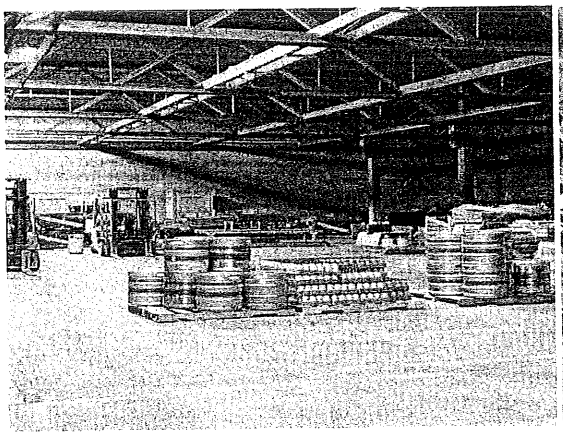
Heavy staining all CA room entry door frames



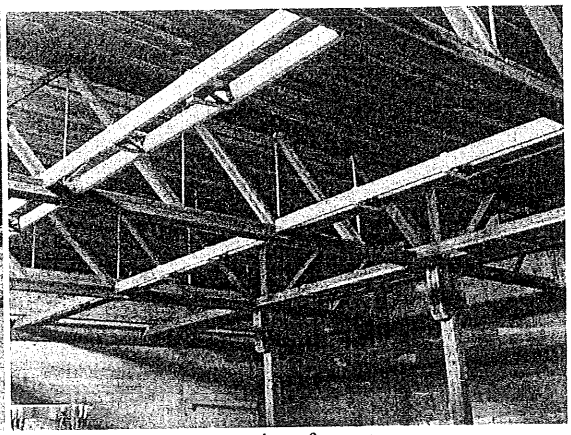
Loading roof



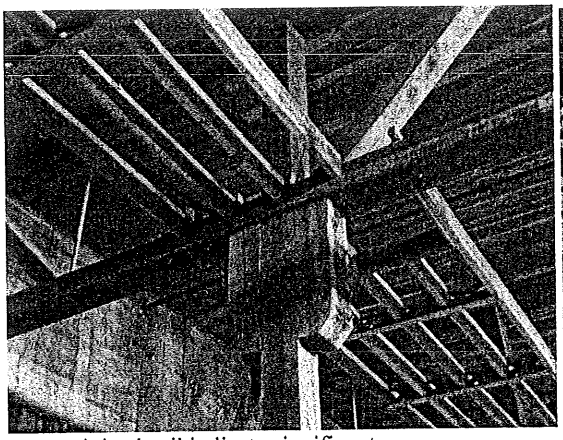
Loading roof structure



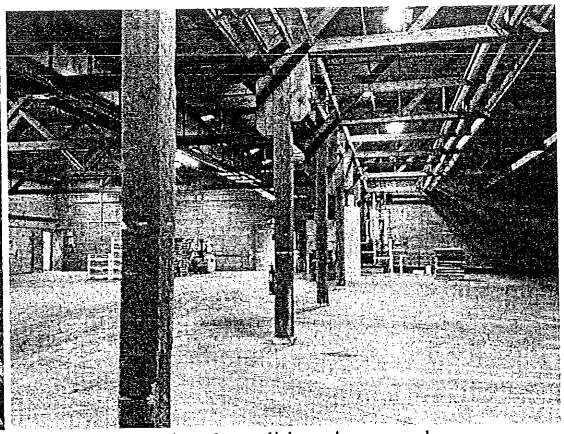
Cold storage rooms.



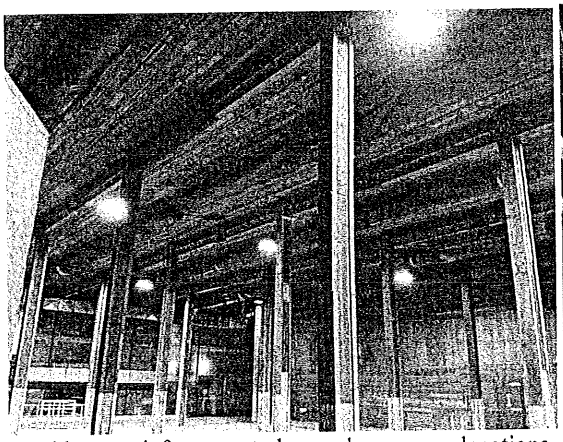
Cold storage rooms wood roof structure



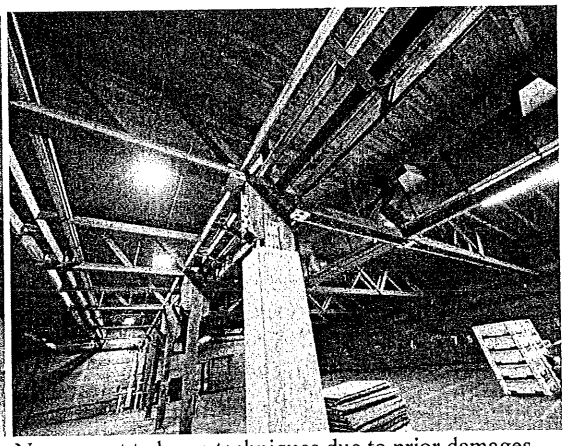
Post to joist detail indicate significant age



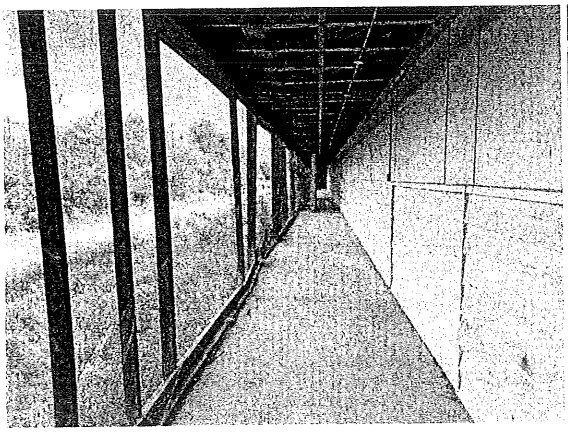
Rough but functional conditions in general.



Steel beam reinforcement observed numerous locations

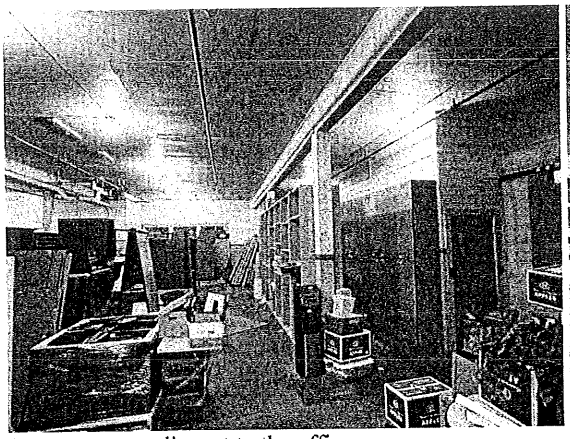


Newer post to beam techniques due to prior damages

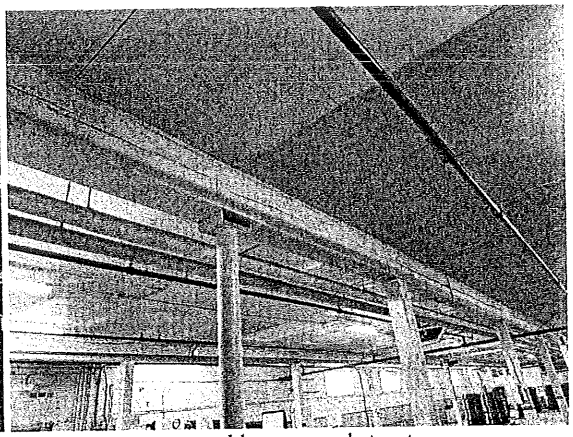


Rail side walk.

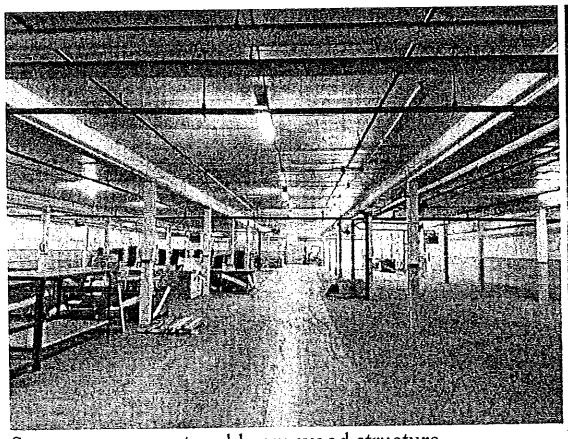
Rail side walk roof is not properly supported now.



Storage room adjacent to the offices

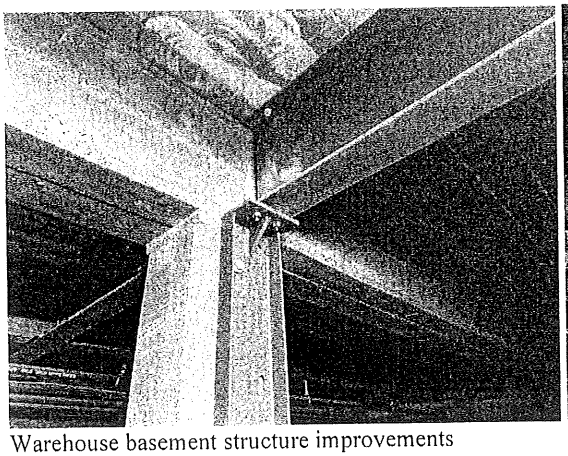


Storage room post and beam wood structure

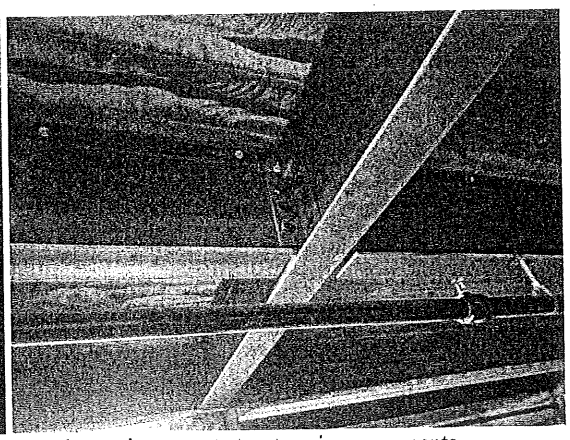


Storage room post and beam wood structure

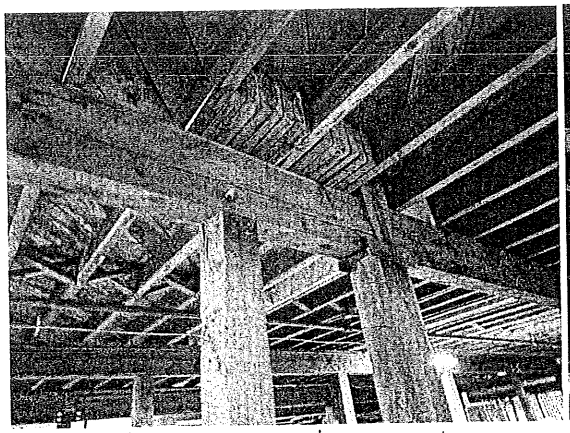
Warehouse and office basement post and beam structure



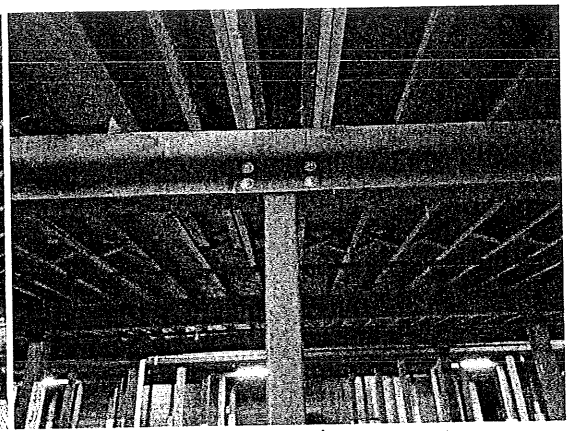
Warehouse basement structure improvements



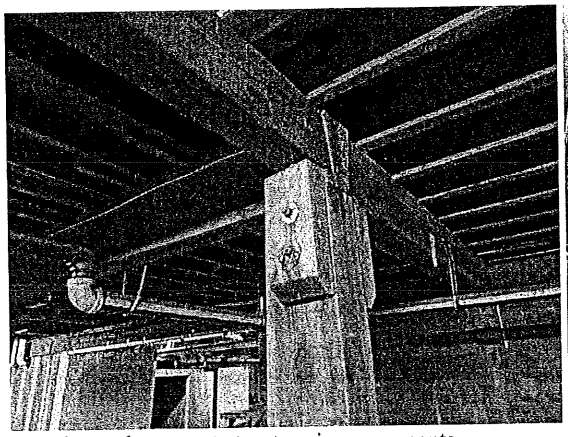
Warehouse basement structure improvements



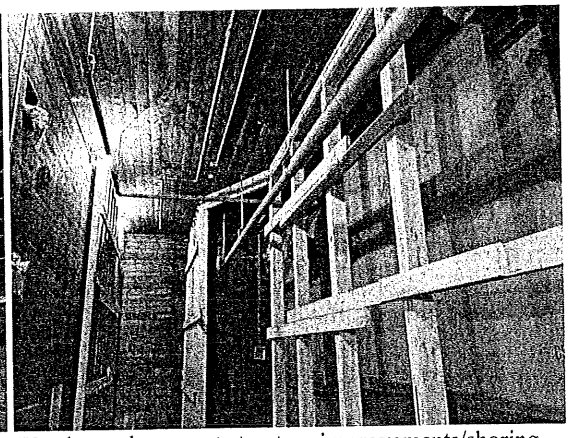
Warehouse basement structure improvements



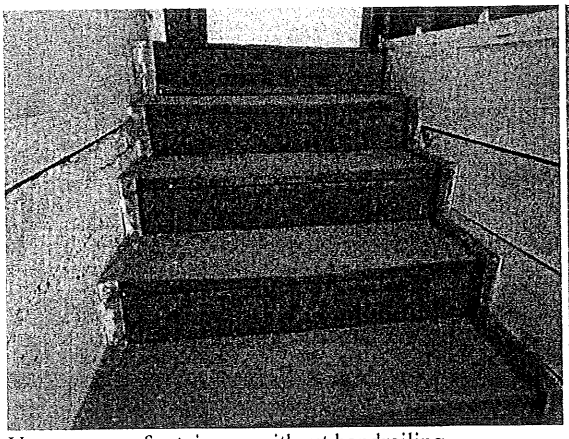
Warehouse basement structure improvements



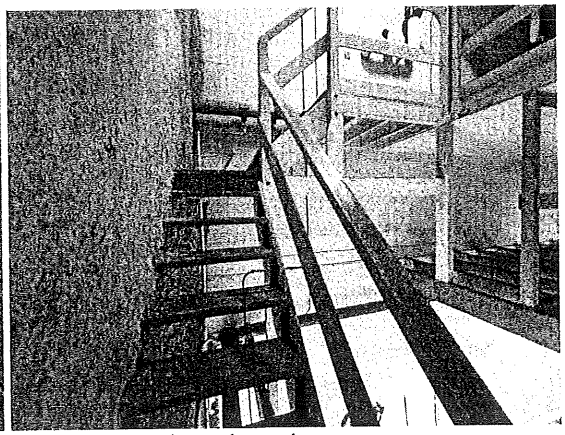
Warehouse basement structure improvements



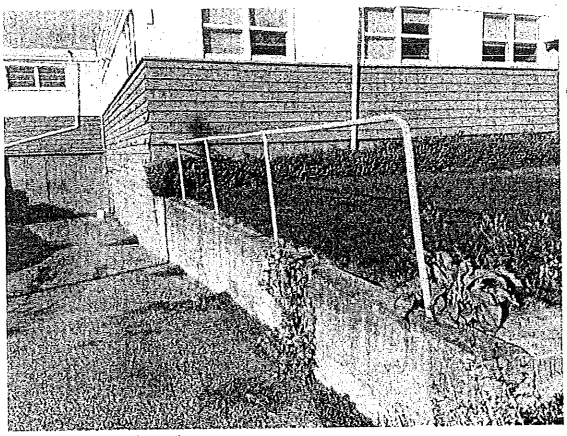
Warehouse basement structure improvements/shoring



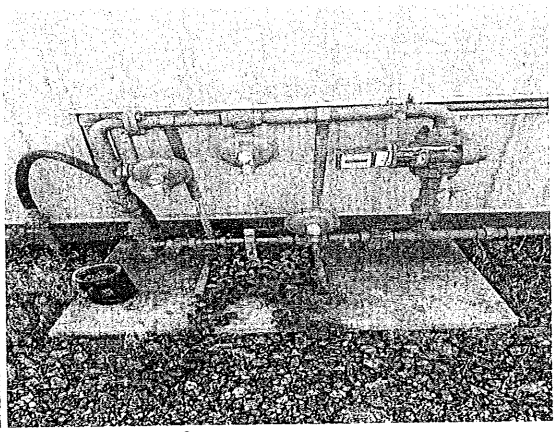
Uneven, unsafe stairway without handrailing



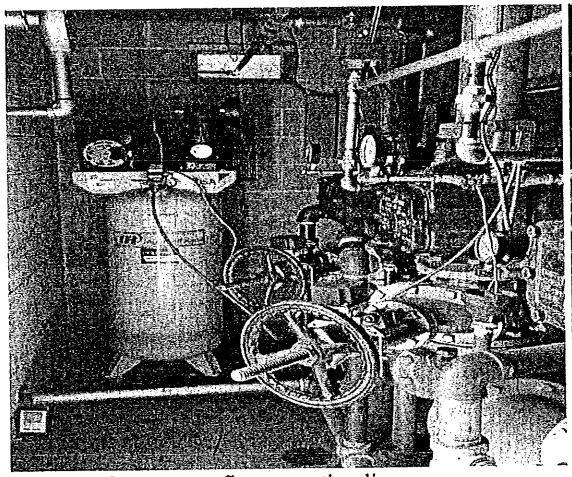
Unsafe open stairs and guards



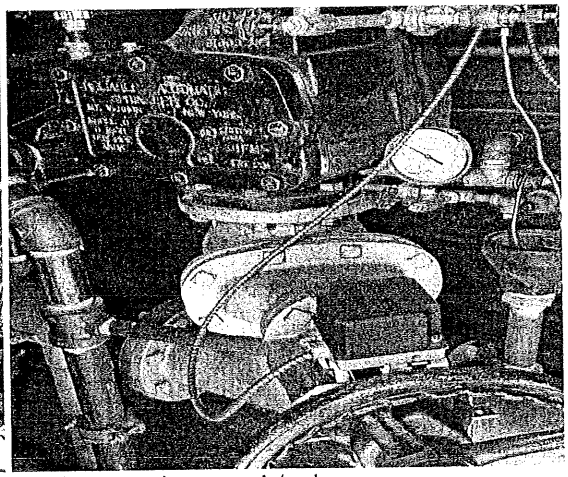
Unsafe guard at drop



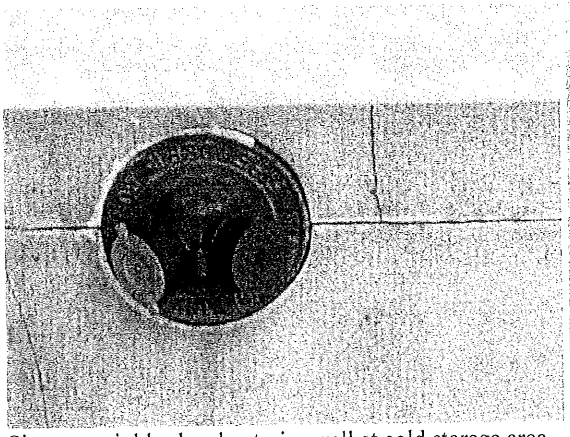
Newer gas meter for property



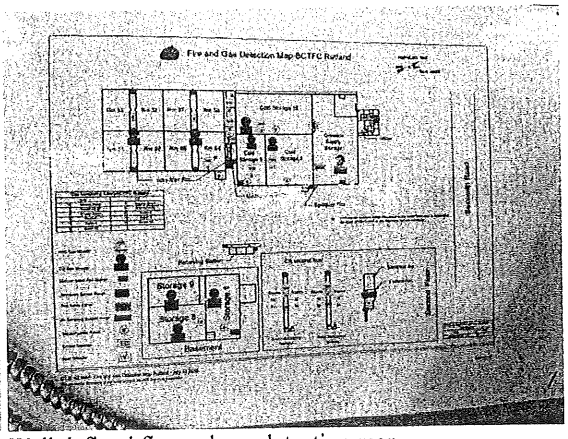
Typical of numerous fire protection lines



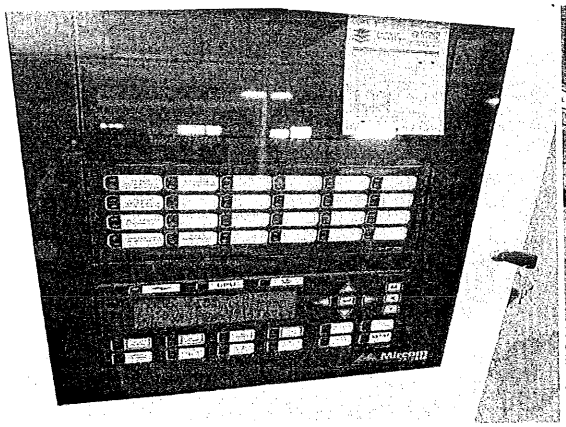
and fire protection controls/ valves



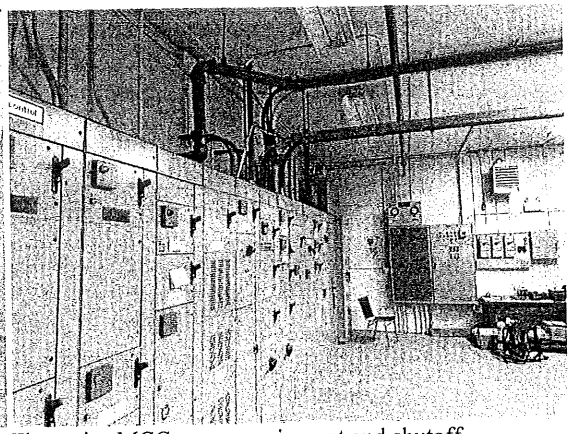
Simese sprinkler head exterior wall at cold storage area



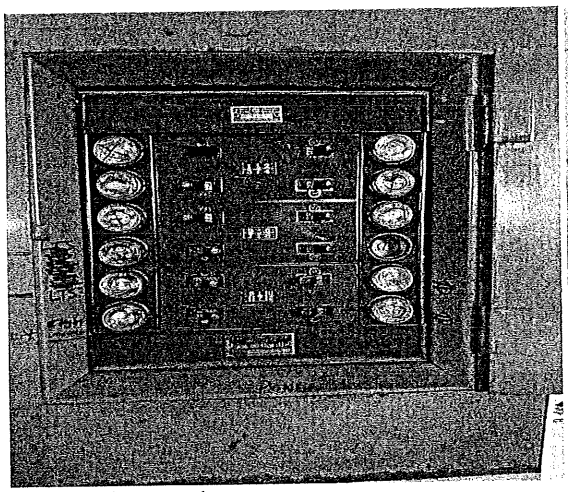
Well defined fire and gas detection map



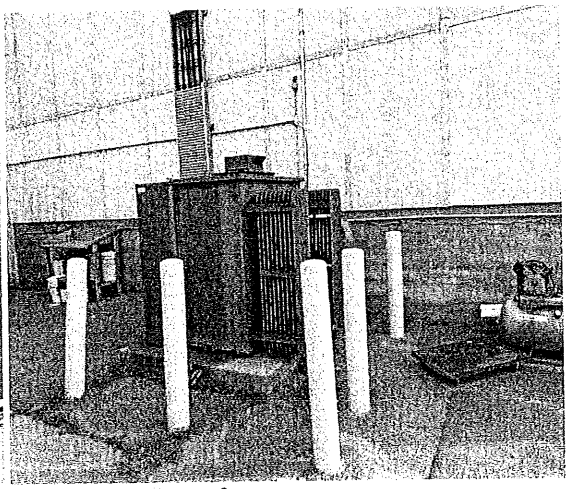
Mirtone fire protection control panels



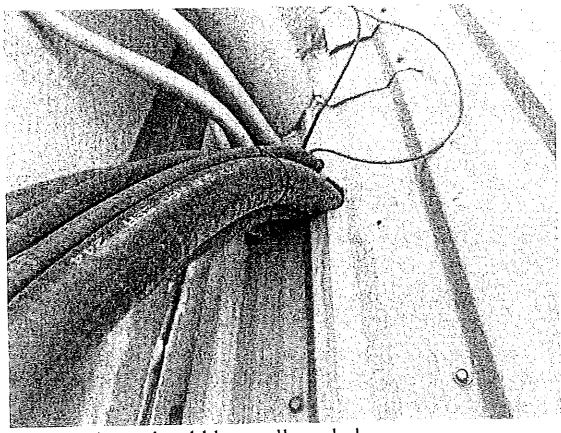
The major MCC room, equipment and shutoff



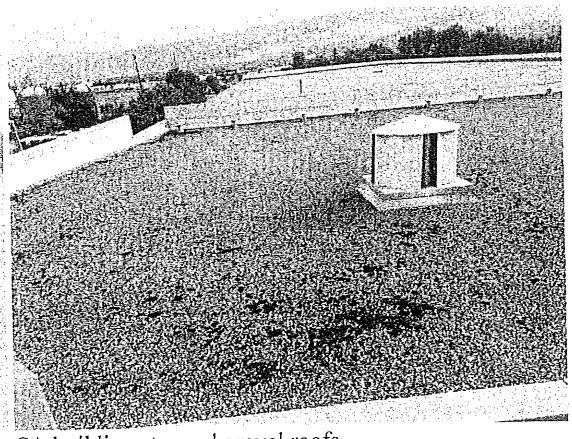
Outdated fuse panel



Likely outdated transformer

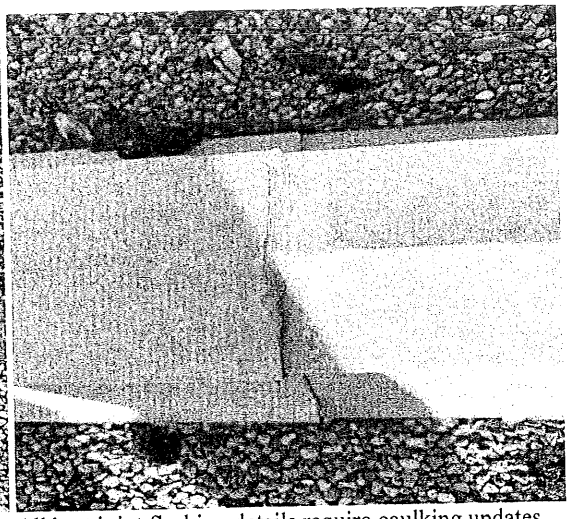


All openings should be caulk sealed

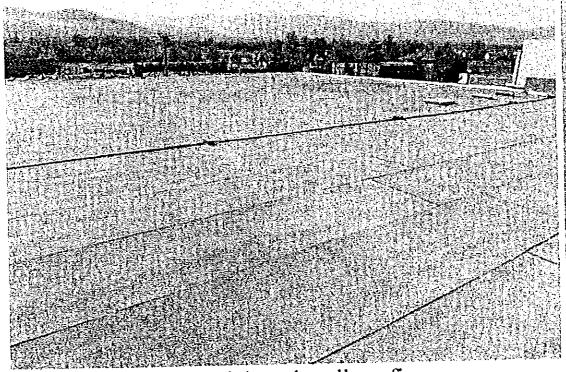


CA buildings tar and gravel roofs

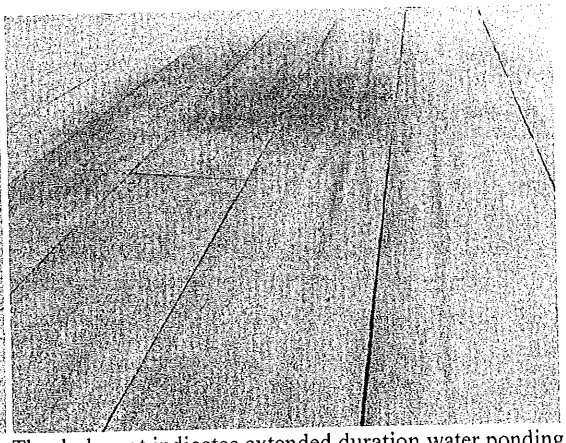
Localized tar paper exposure and likely roof leak



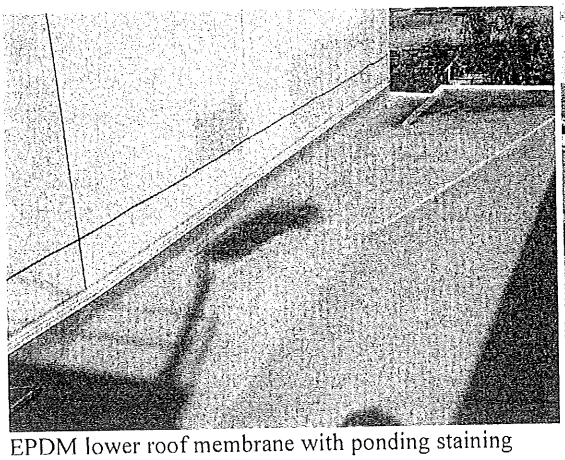
All butt joint flashing details require caulking updates.



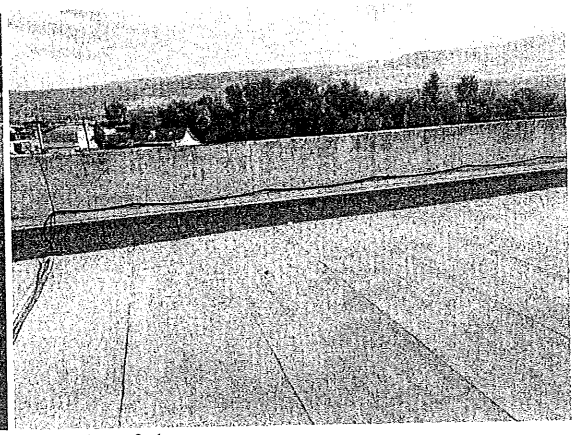
Torch down commercial grade roll roofing



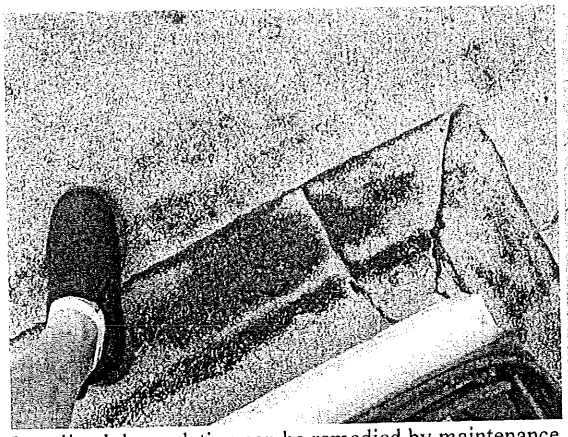
The dark spot indicates extended duration water ponding



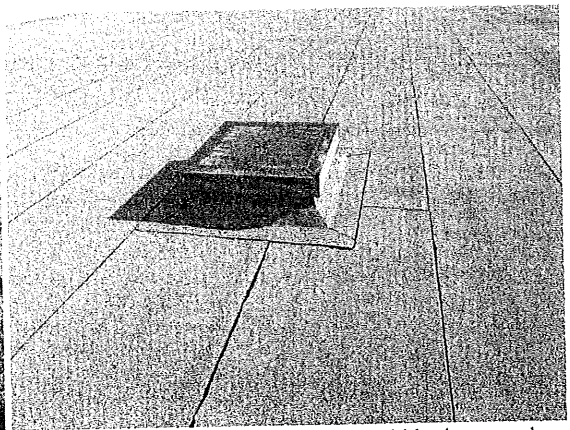
EPDM lower roof membrane with ponding staining



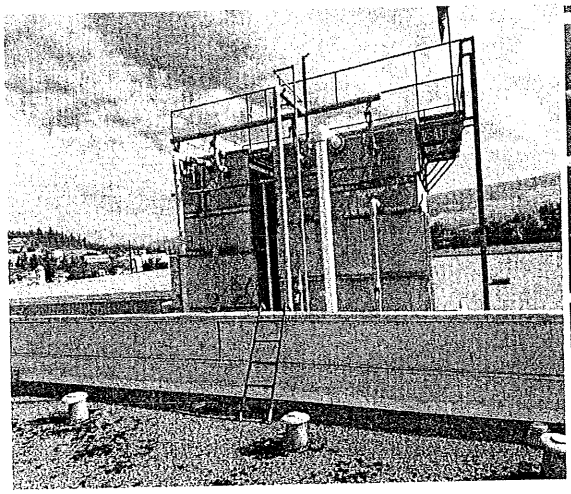
General roof photo



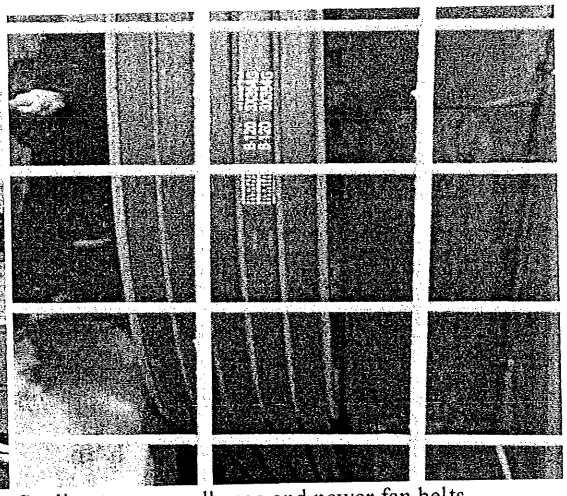
Localized degraulation can be remedied by maintenance



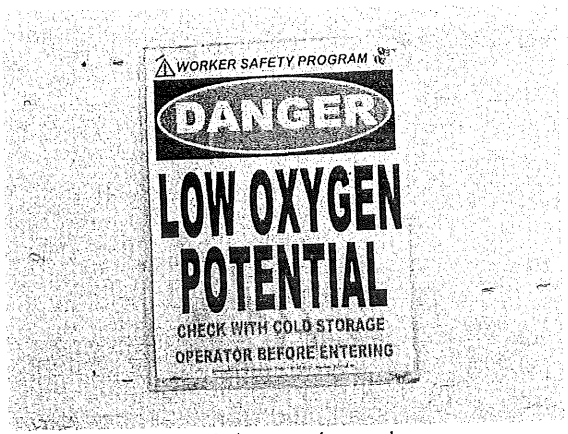
General roof photo. Metal cover should be improved.



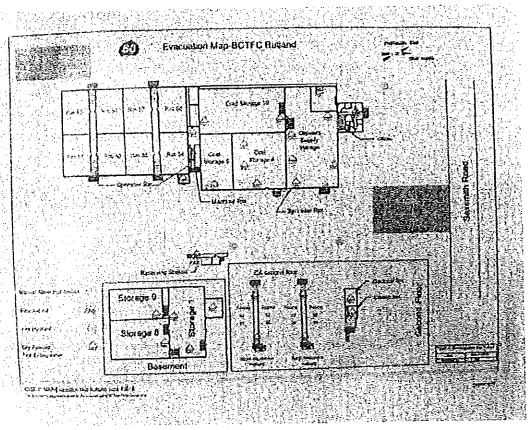
Cooling tower



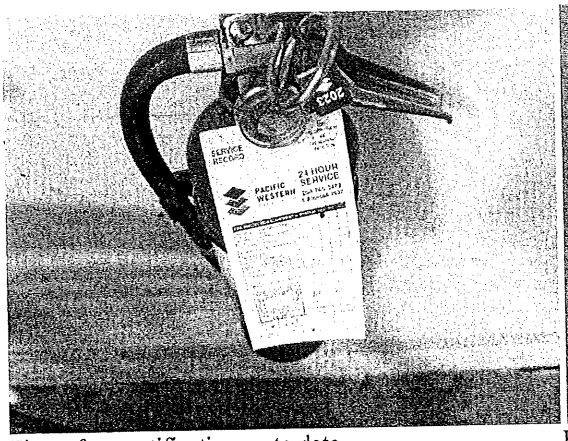
Cooling tower scroll cage and newer fan belts




Typical safety related signage observed

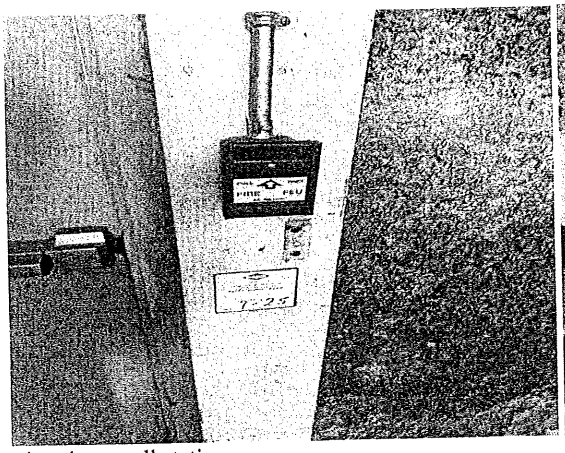



Evacuation guide noted

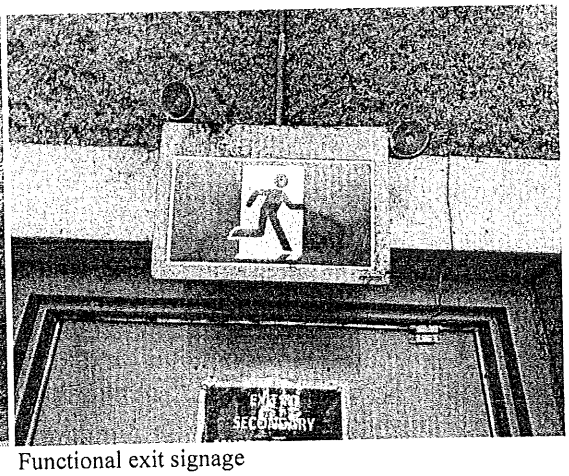



Fire safety certification up to date

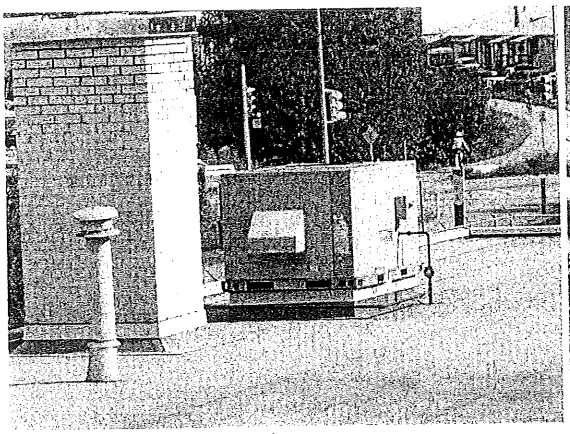

Fire sprinkler guide



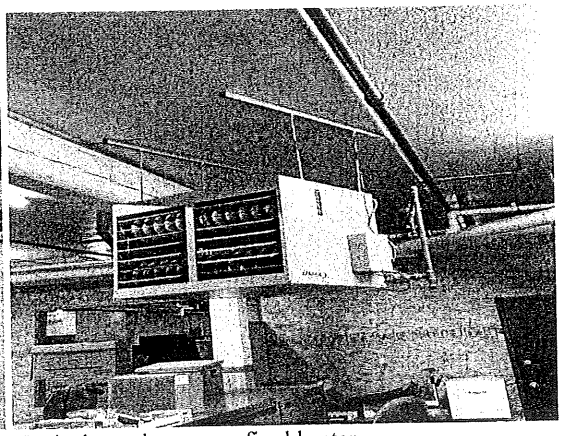
Fire alarm pull station



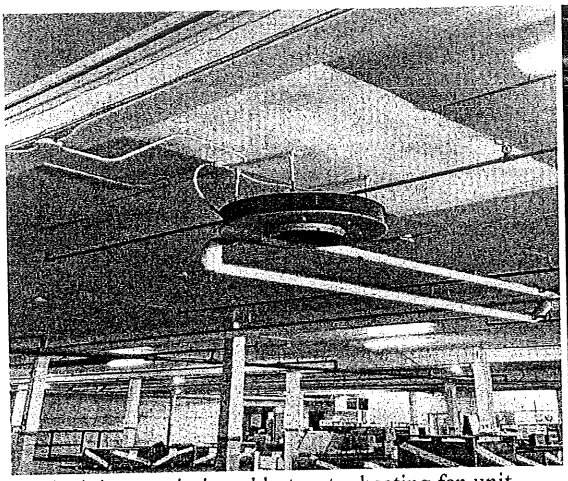
Functional exit signage



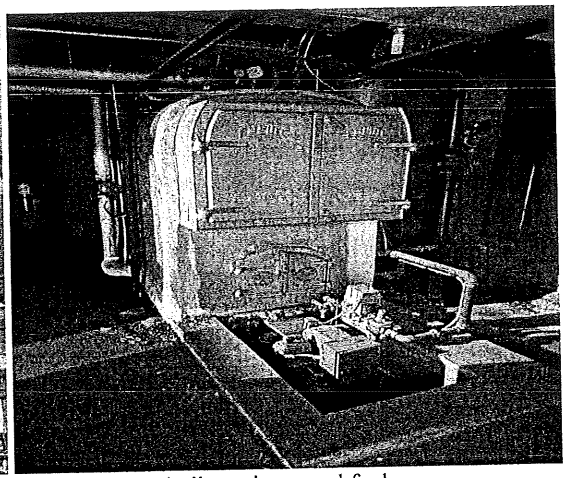
Office gas fired HVAC unit



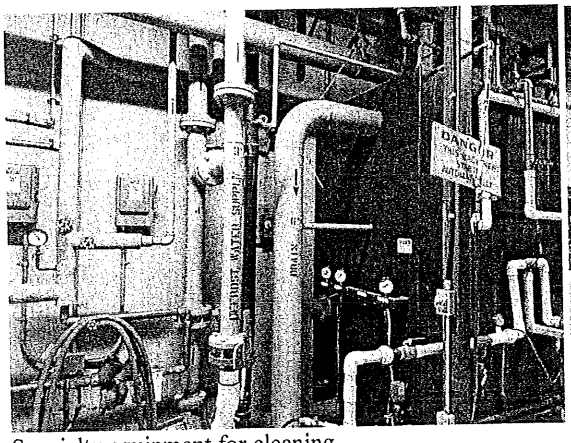
Typical warehouse gas fired heater



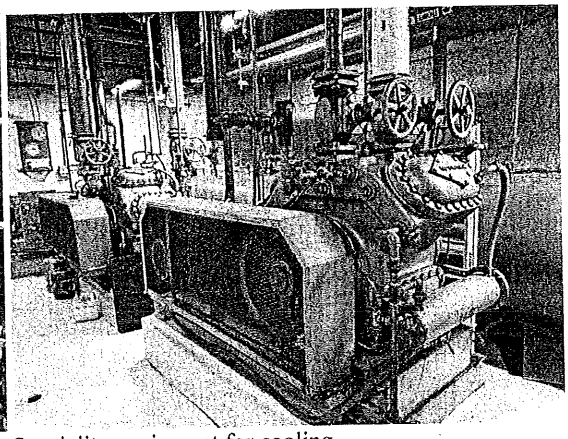
Typical decommissioned hot water heating fan unit



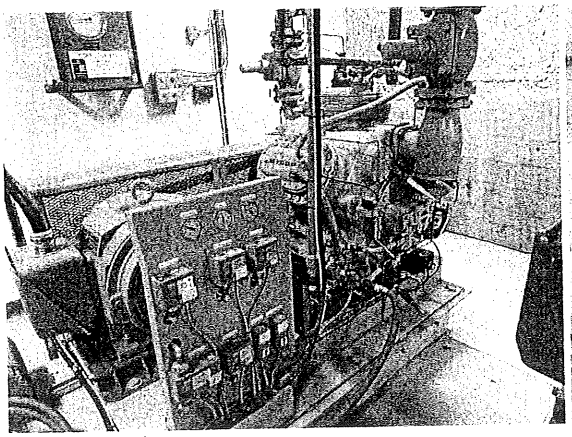
Original steam boiler using wood fuel



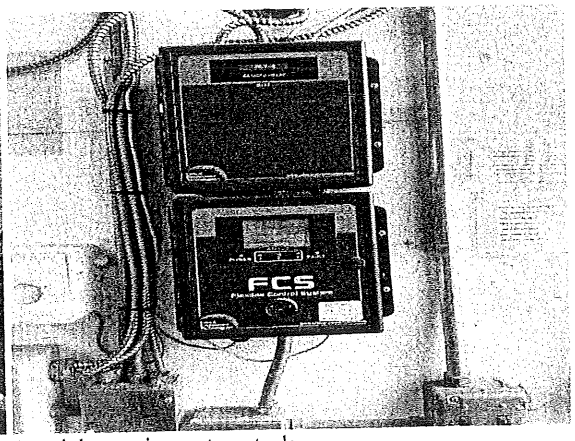
Specialty equipment for cleaning



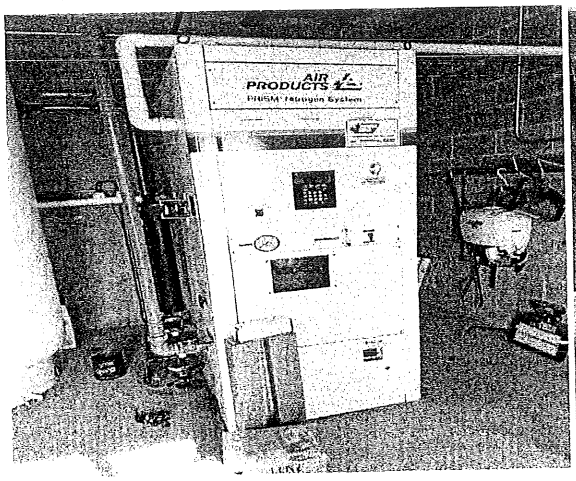
Speciality equipment for cooling



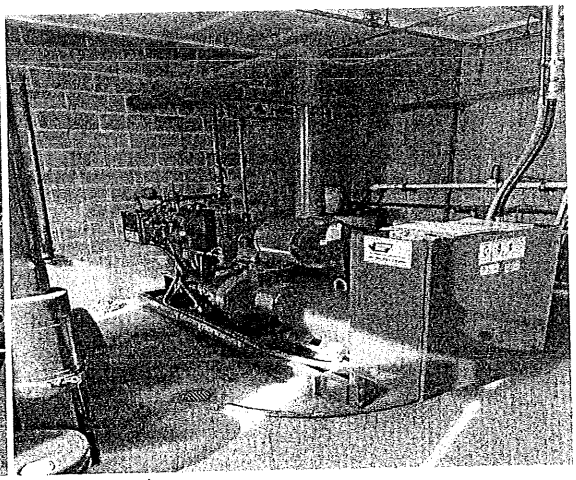
Specialty equipment



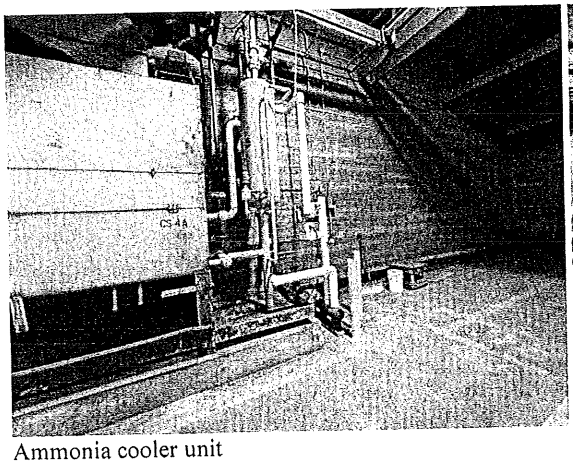

Specialty equipment controls



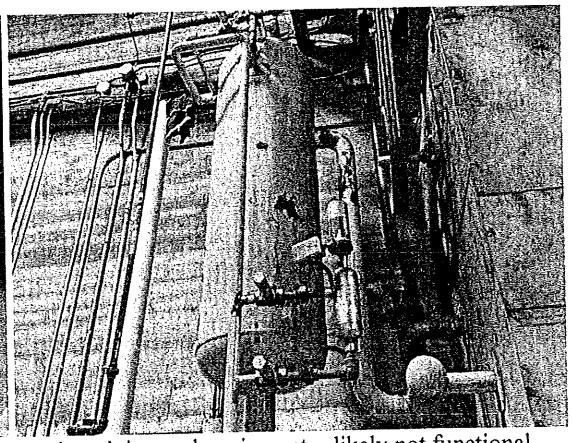

Speciality equipment



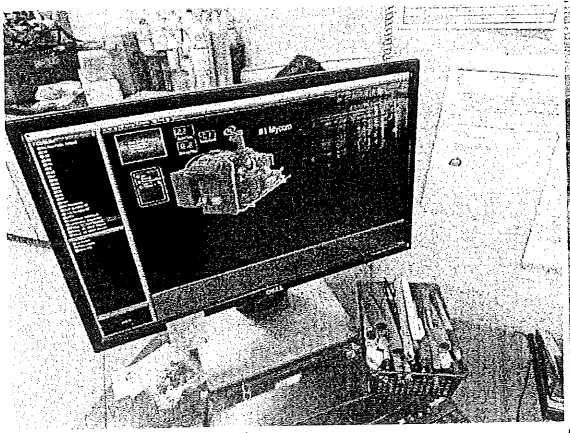
Specialty equipment



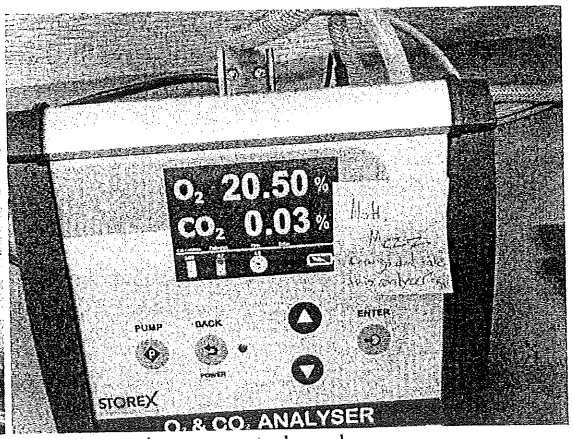
Ammonia cooler unit



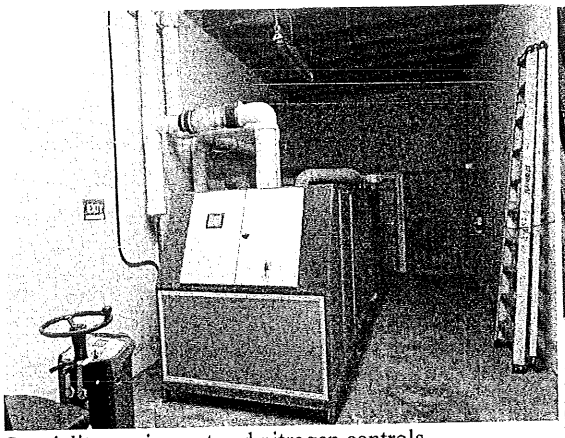
Rusting piping and equipment – likely not functional



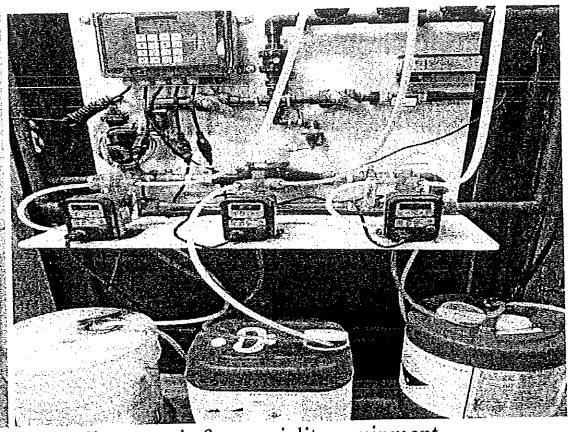
Specialty equipment software



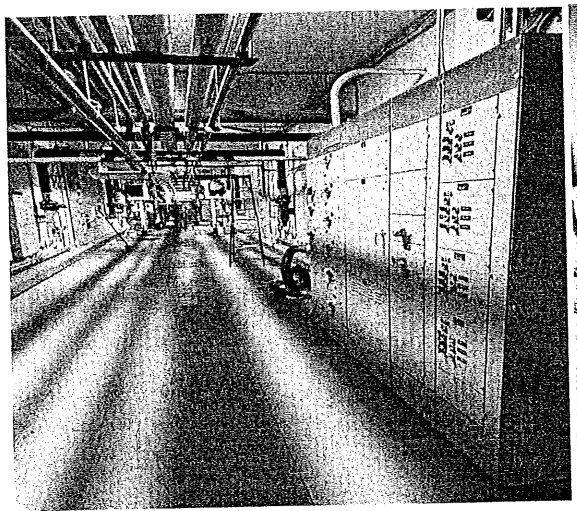

Speciality equipment controls analyser



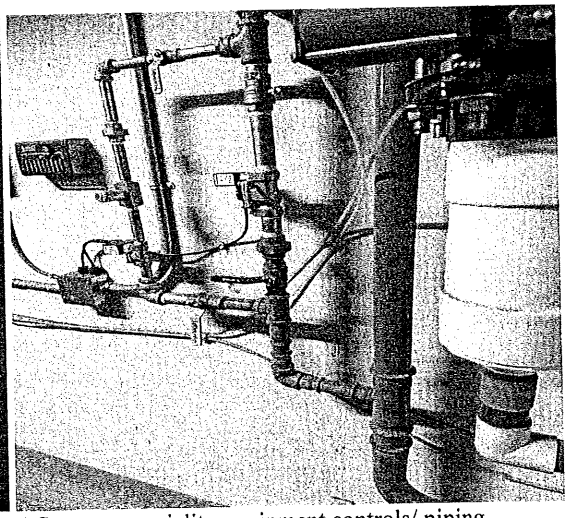
Speciality equipment and nitrogen controls



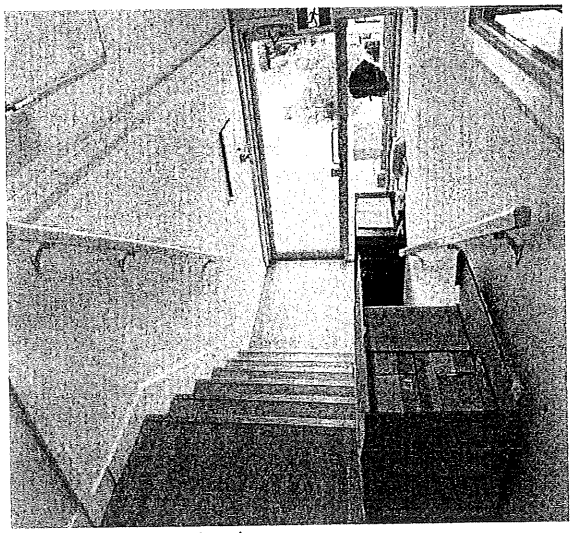
Hydraulic controls for speciality equipment



AC rooms speciality equipment

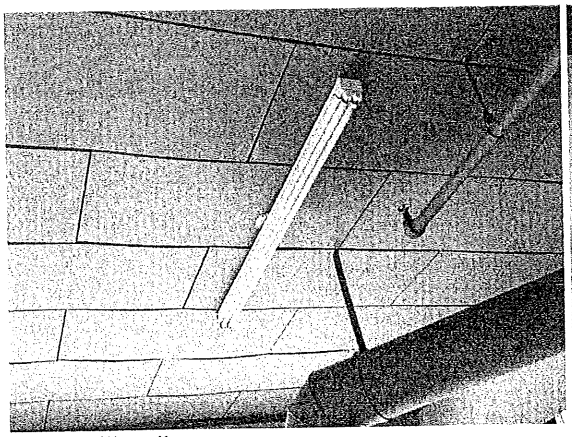


AC rooms speciality equipment controls/ piping

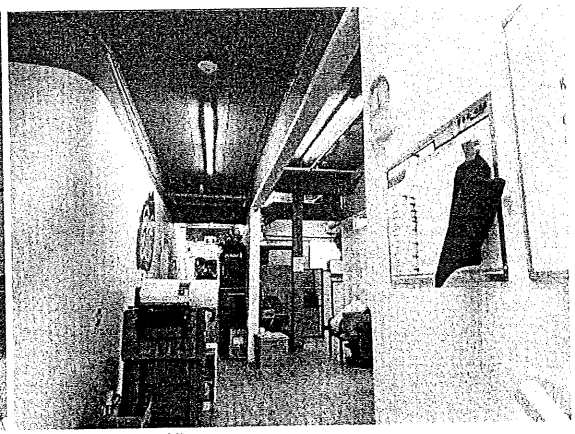


Office entrance and stairs

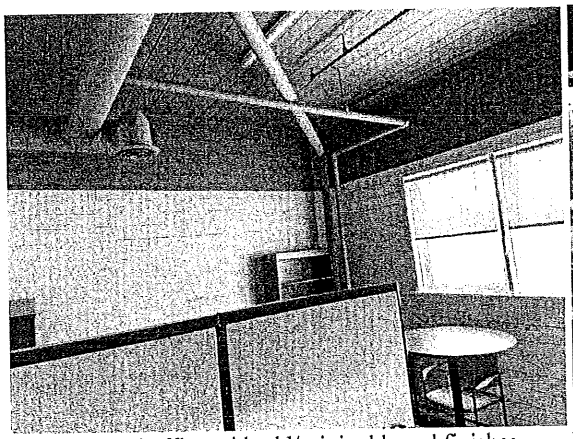
Office communcations and controls centre



Loose ceiling tiles



Well finished office spaces



Well finished office with old/original board finishes

Newer double pane vinyl office windows.

This is Exhibit "B" referred to in the affidavit of Noor Mann made before me at Vancouver, B.C. on February 27, 2025.

A Commissioner for taking Affidavits within British Columbia.

Inflector
ENVIRONMENTAL SERVICES

ALBERTA
4318 76 Ave. NW Edmonton, AB T6B 2H8

# *Quotation*

November 13th, 2024

**SENT VIA EMAIL**

**Attention:** **Colin Davison <Colin@novempharma.com>**

**RE:** **Asbestos Abatement**
**3335 – 3345 Sexsmith Rd, Kelowna, BC V1X 7T5**
**Inflector Tender No.: T24110023**

We are pleased to provide our Quotation for the above-mentioned project as per the Drawings, Hazardous Materials, Asbestos and Lead Material Survey conducted Healthy Homes IAQ dated October 2nd, 2024, Asbestos PLM Report conducted by Eurofins EPK Built Environment Testing LLC dated September 25th/27th, 2024, Mould Report conducted by Eurofins EPK Built Environment Testing LLC dated September 24th, 2024, and the following scope of work.

## 1.0 Scope of Work

- Mobilize to site.
- Conduct the removal and disposal of the asbestos containing boiler insulation, pipe insulation and associated jacketing and debris from the Boiler Room following High-risk Procedures.
  - **Total +/- 500 ft²**
- Conduct the removal and disposal of the asbestos containing gaskets applied to impact flanges throughout the Building following Low-risk Procedures.
  - **Total 100 Ea.**
- Conduct the removal and disposal of the asbestos containing packing material within bell and spigot joints throughout the Building following Low-risk Procedures.
  - **Total 30 Ea.**
- Conduct the removal and disposal of the asbestos containing roll-on asphalt from the roof following Low-risk Procedures.
  - **Total +/- 20,000 ft²**
- Conduct the removal and disposal of the asbestos containing tar and gravel from the roof following Low-risk Procedures.
  - **Total +/- 1,500 ft²**
- Conduct the removal and disposal of the asbestos containing pipe insulation and associated elbows from various locations following Moderate-risk glove-bag Procedures.
  - **Total +/- 900 ft**
  - **Total 107 Ea.**
- Conduct the removal and disposal of the asbestos containing white mastic from Room 5 by use of chemical removal following Low-risk Procedures.

- **Total +/- 30 ft²**

- Conduct the removal and disposal of the asbestos containing accumulator tank insulation from the Engine Room following High-risk Procedures.
  - **Total +/- 100 ft²**
- Conduct the removal and disposal of the sink and associated asbestos containing mastic undercoat from the Electrical Room following Low-risk Procedures.
  - **Total 1 Ea.**
- Conduct the removal and disposal of the asbestos containing boiler insulation from the Boiler Room following High-risk Procedures.
  - **Total +/- 150 ft²**
- Conduct the removal and disposal of the asbestos containing vinyl floor tiles from the Receiving Office following Low-risk Procedures.
  - **Total +/- 225 ft²**
- Conduct the removal and disposal of the asbestos containing vermiculite from concrete block wall cavities within the Water Treatment Room (Loc. 1) and the walls separating the Cold Storage Rooms and Mechanical Spaces following High-risk Procedures.
  - **Total +/- 10,000 ft²**
- Conduct the removal and disposal of the asbestos containing transite/cement board applied to interior walls within the Water Treatment Room (Loc. 1), the Water Services Room (Loc. 7), and the Exterior following Low-risk Procedures.
  - **Total +/- 13,000 ft²**
- Conduct a thorough cleaning of the Project Areas by use of HEPA-vacuuming and damp-wiping.
- Demobilize from site.
- **All work to be performed in strict accordance with Environmental Protection Act (Canada), Transportation of Dangerous Goods Act, 1992 (Canada), WorkSafeBC Occupational Health and Safety Regulation, and other legislation and regulations which apply to the performance of asbestos control work.**

## 2.0 Exclusions

- Work not mentioned in the above scope of work.
- Repairs, reinstatements and/or new work.
- Maneuvering of furniture, appliances, equipment, etc.
- Quantities exceeding the above mentioned.
- Removal and disposal of unforeseen, unidentified, addition layers, and/or presumed hazardous materials not mentioned in the above scope of work.
- Cut & cap of mechanical and electrical items.
- Third-party Consulting Services and Engineering.
- Temporary hard hoarding, shoring, supports, protection, weather protection, road/sidewalk cleaning, power, water, offices, washrooms, trailers, fencing, and security.
- Demolition required for abatement scope of work.

## 3.0 Project Notes

- Quotation accounts for 1 Mobilization.
- Work to be completed during regular hours.
- All electrical and/or mechanical to be cut, capped, and made safe by ***OTHERS*** prior to Inflector commencing work.
- Prior to commencing utility demolition, the General Contractor and Licensed Trades must make reasonable efforts to identify and trace all utility services, ensure all exposed utilities are clearly marked as ***LIVE*** or ***DEAD***, ensure air gapping of utilities at regular intervals, purge all residuals, and complete an on-site documented verification check with an ***INFLECTOR*** representative present.
- Any required scanning and x-rays to be completed and documented by ***OTHERS*** prior to Inflector mobilizing to site.
- Any damage from Abatement and/or demolition activities are to be repaired and/or replaced by ***OTHERS***.
- All equipment, furniture, etc. to be removed from work area by ***OTHERS*** prior to Inflector commencing work.
- All locations of work are to be clearly marked by General Contractor or Others prior to Inflector commencing work.
- Power & Water to be supplied by ***OTHERS.***
- If required, third party air monitoring and inspection shall be completed by ***OTHERS*** and is NOT included in this Quotation.
- 72 hours' notice is required for filing the NOP before the start of the Project.
- Any delays due to contractors or consultants will be tracked and charged back to the client or General Contractor.
- All washroom facilities required for duration of project to be provided by others.
- Clear access shall be provided to the work with necessary space for loading and unloading waste and materials to and from the site.

## 4.0 Waste Disposal

- All hazardous waste shall be transported in strict accordance with the Transportation of Dangerous Goods Regulations and the HAZARDOUS WASTE REGULATION BC, B.C. Reg. 63/88.

## 5.0 Proposal to Include

- Mobilization/Health and Safety Plan;
- Consumable Remediation Supplies include but not limited to, HEPA filters, vacuum bags, 6-mil poly, waste containers or bags;
- Remediation Equipment include but not limited to, HEPA vacuum units, ladders, etc.;
- Waste disposal fees; Environmental Liability Insurance;
- Vehicle support (mobilization, maintenance, and fuel);
- Management and Personnel: Trained, remediation technicians,
- Project management, project supervision by remediation Supervisor.

## 6.0 Pricing Breakdown

Our cost to complete the above-mentioned scope of work: **$ 747,600.00**

- **All pricing is subject to applicable taxes.**
- **Quotation is valid for 60 days after the closing date.**
- **Payment Terms - 30 days.**
- **Quotation is only valid after there has been a site visit.**
- **Quotation is based on unamended CCA-1 (2008) or unamended CCA 19 (2011).**

Should you require further information or have any questions please feel free to contact us immediately.

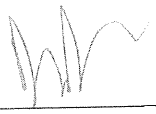
At this time we would like to thank you for the opportunity to provide you with our Quotation. We look forward to working with you.

**INFLECTOR ENVIRONMENTAL SERVICES**

Dustin Nichol C.E.T
Chief Estimator

Kyle McCarney
Regional Manager

This is Exhibit "C" referred to in the affidavit of Noor Mann made before me at Vancouver, B.C., on February 27, 2025.



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Commercial Building Inspection Services
-Property Condition Assessments
-Major defect assessment
-Project Management services
-Depreciation reporting
-Engineering review and reporting

Inspect IT™

Head office
BOX 30096
GLENPARK PO
KELOWNA BC V1V 2M4
Phone: (250) 862 6400
Email: info@inspectit.org

October 8, 2024

Novem Pharmaceuticals
Kelowna BC

By e-mail: Lawrence.magny@novempharma.com

Re: Class D Estimate from Property Condition Assessment 3335-3345 Sexsmith Kelowna BC

Dear Sir,

Per discussions with Jason, we have reviewed the following scopes of work identified in our property condition assessment and offer budget replacement/ repair costs for your consideration. Although using costing reference documents such as RS Means for budgeting purposes is useful, obtaining formal quotes is much more accurate. Luckily I was able to scope the work and secure quotes in this time period for most of the work. Please find below the results.

**Tilt up panel exterior caulking.**

We have found a well-established local contractor, Plan B, who does tilt up construction can do this work. Due to the age of the buildings we have priced replacement of all exterior caulking. We met Plan B on site so their can budget the work accurately.

Their budget to replace all exterior joint caulking and repair the cracked surfaces for the tilt up CA buildings is **$ 1,752,094 incl GST.**
**$1,668,661 + GST**

**Tilt up panel interior insulation and fire protection repair.**

We met Okanagan Insulation services on site and the quote of $ is based on repair of the visible damages and missing insulation except for two of the CA rooms that are full of apples to view. So we've added 15% to the quantification to take that into account . The Fire proofing in the quote is a different product which we can address with you at the time of need and OIS is contacting their associate firm for that quote so we can compare costs.

Their quote is $163,265 including GST plus the 15% estimate for the 2 inaccessible store room **$ 188,000 incl GST.**

**Tar and gravel roof replacement.**

The tar and gravel roof area of approximately 42,000 sf over the CA storage rooms and roof overhang is showing end of life condition. The remaining MBM/SBS and EPDM roof membranes do not show end of life condition and have not been priced to replace.

We have worked with Madge roofing on a number of projects over the years and based on drawings and photos they estimate the replacement of Tar and gravel roofing with 2 ply MBM / SBS product to be $ **464,667 incl GST**.

**Railside corridor roof support.**

The corridor exterior wall system has been partially removed which reduces the carrying capacity of the roof. The simplest solution is to reinstall wall studs were missing and cross bracing one side to provide a diaphragm against lateral movement.

150 ft of exposed wall. Reinforced with 2x6 framing and metal cross bracing. **$7,500 - $ 9,500 incl GST**
(RS Means)

**Asphalt pavement repair.**

Repair is considered for excessively broken asphalt surfaces. There are large areas of dirt and concrete surfacing not addressed in this budget. We have obtained unit pricing. Cota Top Coat is a well-respected local asphalt paving repair company. Based on photos and my quantities they provided the unit pricing which I deem reasonable.

| | | | | | |
|---|---|---|---|---|---|
| Full asphalt damage replacement | 800 sf x 6.00 | $ 4,800 | | | |
| Thin asphalt damage replacement | 1200 sf x 5.00 | $ 6,000 | | | |
| Crack filling | 1800 x 0.65 | $ 1,170 | + GST | rounded | **$ 13,000 incl GST** |

**ACM piping and boiler remediation**

We requested a quote from Onside Restoration our preferred remediation contractor for the work we do in the environmental field. Based on the 2018 APEX hazmat asbestos quantities for the ACM boiler, pipe, and elbow materials from the decommissioned steam/ hot water system, they set a price of $ 22,000 - $ 25,000 + GST.

**$ 23,000 - $26,250 incl GST**

| | | |
|---|---|---|
| Subtotal impact of damaged/ incomplete works | | **$ 2,453,511 incl GST** |
| Project management services (coord/sched/approvals | 5% | **$ 122,675 incl GST** |
| **Total cost to repair/ replace** | | **$ 2,576,186 incl GST** |

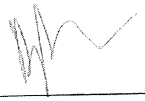
If you have any questions, please be in contact.

Sincerely,

Craig Hostland P. Eng. FEC PhD

Attachments: backup and quotes

This is Exhibit "D" referred to in the affidavit of Noor Mann made before me at Vancouver, B.C., on February 27, 2025.



A Commissioner for taking Affidavits within British Columbia.

BRENDEN MURPHY
OWNER/OPERATOR
MURPHY MECHANICAL
INDUSTRIAL REFRIGERATION
250-864-4666
KELOWNA BC V1Y 5X5

# Mechanical Budget

848 sutherland ave, Kelowna BC V1Y 5X5 Ph 250-864-4666

Owner: Novem Pharma
Date: 2024.11.01
Job/PO: Sexsmith rd
City: Kelowna BC
Address:

We are pleased to submit our mechanical lump sum price $ 1,768,294.00

Mechanical: $ 1,768,294.00

Included:

Supply and installation of 3 systems for 3 rooms 100 tons each
1 condenser and 6 evaporators per room
mechanical startups

Not Included:

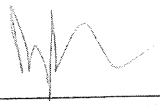
Controls tie in to EXISTING BMS system on any equiptment
cladding of any refrigerant lines
Electrical & fire sprinklers, Firestopping, Patching, Painting, Scanning, Concrete for thrust blocks, Coring & Cutting
Engineering Costs (Mechanical, Seismic, Electrical) City fees or meter costs
Excavation Interior & Exterior
Gargabage/ Recycling material
Due to market volitility pricing can not be garaunteed

GST $88,414.70

Sincerely

Brenden Murphy
Murphy Mechanical Ltd.

This is Exhibit "E" referred to in the affidavit of Noor Mann made before me at Vancouver, B.C., on February 27, 2025.



A Commissioner for taking Affidavits within British Columbia.

# ESTIMATE

Oct 4 2024

OKANAGAN INSULATION SERVICES

254 Totom Ave
Kelowna, BC, V1X 5W6
Phone: 250-491-5818
Email: info@okinsulation.ca
GST: 82986 4610 RT0001

| | |
|---|---|
| TAKE OFF TYPE: | On Site |
| ESTIMATOR: | Scott Belsey |

| | |
|---|---|
| RECEIVER: | Novem Pharmaceuticals Inc. CO Healthy Ho |
| P.O. NUMBER: | |
| JOB ADDRESS: | 3335 Sexsmith Rd<br>Kelowna, BC V1X 7T5 |
| C/O: | |
| PHONE: | 778-363-2088 |
| EMAIL: | craig@inspectit.org |

| DESCRIPTION: SUPPLY & INSTALL | | | |
|---|---|---|---|
| LOCATION | R-VALUE | PRODUCT | PRICE |
| Coolers with uninsulated walls | 3" | Polyurethane (2lbs Closed-Cell) Spray Foam | |
| DC315 Over all newly installed foam | | | |
| Hibar repairs | | | |
| Lift Rental | | | |
| | | EXCLUDES THE 2 OCCUPIED UNITS | |
| | | MAIN SUBTOTAL: | $100,075.00 |

| OPTIONS & EXTRAS | | |
|---|---|---|
| DESCRIPTION | NOT INCLUDED | INCLUDED |
| I was unable to access 2 coolers, cost will be $10.46/sf for foam and fire protection | | |
| | | |
| | | |
| | | |
| | | |
| | OPTIONS & EXTRAS SUBTOTAL: | $0.00 |

| INCLUSIONS: | |
|---|---|
| Foam Windows & Doors | ☐ |
| Poly (6 Mil) & Seal | ☐ |
| Caulk to Code | ☐ |
| Soffit Chutes Vents | ☐ |

| EXCLUSIONS & NOTES: |
|---|
| |
| |
| |
| |

**TERMS, CONDITIONS & IMPORTANT SAFETY INFO:**

1. All persons without proper respiratory equipment **MUST** stay out of the worksite
2. **NO ENTRY TO PROPERTY FOR 24 HRS AFTER SPRAY FOAM APPLICATION**
3. Spray foamed areas in habitable spaces must be covered by an approved thermal barrier (ex.1/2" drywall, non-flammable DC 315 paint, mineral fiber batts) which is **NOT** included in the price,unless specified
4. Prices **DO NOT** include any spray foam for any plumbing or ducting installed in an exterior wall, exterior ceiling or garage ceiling under living space, unless specified
5. Prices **DO NOT** include any Firestopping or Firecaulking, unless specified
6. The jobsite must be clean and clear of storage and debris when our crews arrive
7. Call-Back fees may apply if jobsite is not ready at agreed upon time
8. Prices are valid for 30 days from the date on estimate

| | |
|---|---|
| MAIN SUBTOTAL | $100,075.00 |
| OPTIONS & EXTRAS | $55,415.00 |
| FINAL SUBTOTAL | $155,490.00 |
| 5% GST | $7,774.50 |
| **TOTAL** | $163,264.50 |

| | |
|---|---|
| PAYMENT TERMS | Due on Completion |

CUSTOMER APPROVAL: _____ DATE: _____

# QUOTE

Madge Custom Roofing Ltd.,
684 Fitzpatrick Road
Kelowna, BC V1X 5E1, Canada
(250) 765-1180
Info@madgeroofing.com

**Sales Representative**
Chris Romano
(250) 859-0374
chris@madgeroofing.com

MADGE CUSTOM ROOFING
Quality You Can Trust

***Novem Pharmaceuticals Inc., Inspect IT***

**Estimate #** 106045

**Date** 2024-10-03

*BC*

***Project Location:***
***F-3335 Sexsmith Road (BC Tree Fruits)***

10 Year Workmanship Warranty. (Excluding Repairs)
Full Liability Insurance Including Torch On / Hot Application Coverage.
COR Certified safety program.

| Description | Qty | Amount |
|---|---|---|
| To a dry and ready Substrate: Structurally Sloped Plywood (By others)<br><br>Remove and Haul Away Existing System<br><br>Supply and Install.<br><br>2 Ply SBS Membrane<br>Assembly: Mechanically attached SBS base to field, adhered SBS base to upturns, thermally adhered SBS cap sheet.<br>Remove and Replace All Vents.<br><br>Warranty: 10 year manufacturer product, 10 year contractor labour.<br><br>Exclusions:<br>All new carpentry and structural work (deck, curbs, parapets) to be supplied and installed by others.<br><br>Conditions: Our price is based on a single mobilization and we have made no allowance for work during winter conditions. | 1.00 | $414,910.00 |
| Option:<br>-Remove Existing Metal, Manufacture and Install 24 GA Custom Metal Parapet Cap Flashing. Standard Colour Options. | 1.00 | $27,630.00 |

**Invoices Due Upon Receipt.**
Deposit may be required.
Credit on approved accounts only.
GST # 75776 4519
Quote valid for 30 days from date issued.

| | |
|---|---|
| **Sub Total** | $442,540.00 |
| **GST on Sales (5.0000 %)** | $22,127.00 |
| **Total** | $464,667.00 |

## NOTES

Conditions / Preparation of Work:
1. On roof replacement projects our price is based on the tear off, removal and disposal of 1 roofing layer, unless specified otherwise above. Additional costs may be incurred for additional layers of removal and disposal.
2. Includes protection of building, property and landscaping from damages resulting by our own labour operations. Madge Custom Roofing is not responsible for damages caused by disposal bins or delivery trucks operated by third parties.
3. It's our goal to remove all debris in our scope of work from the property without causing any damage to surrounding decks and shrubs. Tarps and plywood may be used for additional protection during roof installation.
4. Madge Custom Roofing may not be responsible for sudden or unforeseen acts of nature that would or may cause damage to building while under construction.

No. S245481
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND

IN THE MATTER OF THE *COOPERATIVE ASSOCIATION ACT*, S.B.C. 1999, c. 28

AND

IN THE MATTER OF BC TREE FRUITS COOPERATIVE, BC TREE FRUITS INDUSTRIES LIMITED AND GROWERS SUPPLY COMPANY LIMITED

PETITIONERS

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**AFFIDAVIT**

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LAWSON LUNDELL LLP
Suite 1600 Cathedral Place
925 West Georgia Street,
Vancouver BC V6C 3L2
Phone: 604-685-3456
Attention: Bryan C. Gibbons