



This is the 1st affidavit  
of Shari Abrams in this case and  
was made on April 20, 2022

No. S1813807  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA  
IN BANKRUPTCY AND INSOLVENCY**

IN THE MATTER OF THE PART XIII OF THE  
BANKRUPTCY AND INSOLVENCY ACT, R.S.C. 1985, C. B-6,  
AS AMENDED

AND

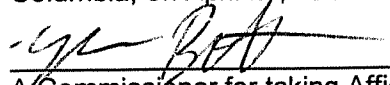
IN THE MATTER OF MASAHIKO NISHIYAMA  
BANKRUPT UNDER THE LAWS OF JAPAN

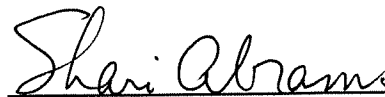
**AFFIDAVIT**

I, Shari Abrams, Legal Administrative Assistant of 2800 Park Place, 666 Burrard Street, Vancouver, British Columbia, SWEAR THAT:

1. I am a legal administrative assistant employed by DLA Piper (Canada) LLP, solicitors for the Receiver and Trustee in this action, and therefore have personal knowledge of the matters herein after deposed, except where stated to be based on information and believe, and where so stated I do verily believe the same to be true.
2. Unless otherwise indicated, in this Affidavit I have used the same definitions as used in the Notice of Application of the Trustee and the Receiver.
3. Attached hereto and marked as **Exhibit "A"** are true copies of emails received from Mr. Nishiyama and Ms. Kinoshita on April 18, 2022.
4. Attached hereto and marked as **Exhibit "B"** a true copy of a letter dated April 13, 2022 addressed to Mr. Nishiyama and Ms. Kinoshita.

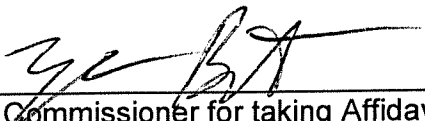
SWORN BEFORE ME at Vancouver, British Columbia, on April 20, 2022.

  
A Commissioner for taking Affidavits for  
British Columbia.

  
**SHARI ABRAMS**

**MEGHAN BELLSTEDT**  
Barrister & Solicitor  
**DLA Piper (Canada) LLP**  
666 Burrard Street, Suite 2800  
Vancouver, BC V6C 2Z7  
CAN: 403.407.481  
604.687.9444

This is **Exhibit "A"** referred to in the Affidavit of Shari Abrams sworn before me at Vancouver, British Columbia on this the 20th day of April, 2022.

  
\_\_\_\_\_  
A Commissioner for taking Affidavits for  
British Columbia

**MEGHAN BELLSTEDT**  
*Barrister & Solicitor*  
**DLA Piper (Canada) LLP**  
666 Burrard Street, Suite 2800  
Vancouver, BC V6C 2Z7  
604.687.9444

**Yang, Dannis**

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**From:** 株式会社 ヴェルジェ代表取締役 木下初美 <verger.814@gmail.com>  
**Sent:** Monday, April 18, 2022 5:34 PM  
**To:** Bradshaw, Jeffrey  
**Cc:** Toru Maruyama  
**Subject:** [EXTERNAL] VLC-S-S-162298 THE RESOLUTION AND COLLECTION CORPORATION / NISHIYAMA, Masahiko

**DLA Piper (Canada) LLP ALERT:** This is an external email. Do not click links or open attachments unless you recognize the sender's email address and know the content is safe.

Mr. Jeffrey Bradshaw

I am Masahiko Nishiyama. I would like to request the hearing scheduled on April 21 and 22 at the Supreme Court of British Columbia to be adjourned for Three weeks.  
The reason for this request is I am still looking for a counselor in this matter.

Regards,

Masahiko Nishiyama  
[verger.814@gmail.com](mailto:verger.814@gmail.com)

**Yang, Dannis**

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**From:** Total Produce Verger Co., Ltd. HATSUM KINOSHITA <verger.823@gmail.com>  
**Sent:** Monday, April 18, 2022 5:38 PM  
**To:** Bradshaw, Jeffrey  
**Cc:** Toru Maruyama  
**Subject:** [EXTERNAL] VLC-S-S-162298 THE RESOLUTION AND COLLECTION CORPORATION / NISHIYAMA, Masahiko

**DLA Piper (Canada) LLP ALERT:** This is an external email. Do not click links or open attachments unless you recognize the sender's email address and know the content is safe.

Mr. Jeffrey Bradshaw

I am Hatsumi Kinoshita.

I would like to request the hearing scheduled on April 21 and 22 at the Supreme Court of British Columbia to be adjourned for Three weeks.

The reason for this request is I am still looking for a counselor in this matter.

Regards,

Hatsumi Kinoshita.  
[verger.823@gmail.com](mailto:verger.823@gmail.com)

## Yang, Dannis

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**From:** 株式会社 ヴェルジェ代表取締役 木下初美 <verger.814@gmail.com>  
**Sent:** Monday, April 18, 2022 5:34 PM  
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**Cc:** Toru Maruyama  
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Mr. Robert Richardson

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Regards,

Masahiko Nishiyama  
[verger.814@gmail.com](mailto:verger.814@gmail.com)

**Yang, Dannis**

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Mr. Robert Richardson

I am Hatsumi Kinoshita.

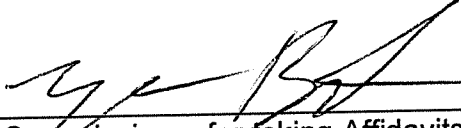
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The reason for this request is I am still looking for a counselor in this matter.

Regards,

Hatsumi Kinoshita.  
[verger.823@gmail.com](mailto:verger.823@gmail.com)

This is **Exhibit "B"** referred to in the Affidavit of Shari Abrams sworn before me at Vancouver, British Columbia on this the 20th day of April, 2022.

  
A Commissioner for taking Affidavits for  
British Columbia

**MEGHAN BELLSTEDT**  
*Barrister & Solicitor*  
**DLA Piper (Canada) LLP**  
666 Burrard Street, Suite 2800  
Vancouver, BC V6C 2Z7  
604.687.9444



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T +1 604.643.2941  
F +1 604.605.3714

April 19, 2022

FILE NUMBER: 105288-00001

**DELIVERED BY EMAIL**

Masahiko Nishiyama and Hatsumi Kinoshita  
520-0817 Showa-Cho 13-36  
Otsu City, Shiga  
Japan

Dear Sir/Madam:

**Re: In the Matter of Masahiko Nishiyama, Bankrupt under the Laws of Japan; SCBC No. S1813807 Vancouver Registry  
The Resolution and Collection Corporation v Masahiko Nishiyama; SCBC No. S162298  
Vancouver Registry**

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We are in receipt of your emails dated April 18, 2022.

The Receiver does not consent to the adjournment. The Receiver has spoken with RCC's counsel and they also do not consent to an adjournment. We will attach this exchange of correspondence to an affidavit and file it with the Court. We will then bring this to the attention of the Court at the start of the hearing on April 21, 2022.

Sincerely,  
DLA Piper (Canada) LLP  
Per:

*Jeffrey Bradshaw*

Jeffrey D. Bradshaw

JDB:day  
Enclosure

No. S1813807  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA  
IN BANKRUPTCY AND INSOLVENCY**

IN THE MATTER OF THE PART XIII OF THE  
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IN THE MATTER OF THE MASAHIKO NISHIYAMA  
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**AFFIDAVIT**

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DLA Piper (Canada) LLP  
Barristers & Solicitors  
2800 Park Place  
666 Burrard Street  
Vancouver, BC V6C 2Z7

Tel. No. 604.687.9444  
Fax No. 604.687.1612

File No.: 105288-00001

AGM/day