



No. S2012112
Vancouver Registry

In the Supreme Court of British Columbia

Between

EDWARD BROWN, SHARON E. WALKER, NANCY MCLEOD,
ROBERT SAITO and DEREK ZEISMAN

Petitioners

and

RICHARD BROUSSEAU, MONECA KOLVYN, ELIZA OLSON and
PORSHA KARI-ANN VON KISH

Respondents

ORDER MADE AFTER APPLICATION

BEFORE THE HONOURABLE JUSTICE 2/February/2021
AHMAD

ON THE APPLICATION of the petitioners, Edward Brown, Sharon E. Walker, Nancy McLeod, Robert Saito and Derek Zeisman (the "**Petitioners**") coming on for hearing at 800 Smithe Street, Vancouver, British Columbia on 15/December/2020 by telephone and on hearing Thomas J. Moran and Nathan Jones, counsel for the Petitioners, and Nigel L. Trevethan and JoAnne Barnum, counsel for the respondents, Richard Brousseau, Moneca Kolvyn, Eliza Olson and Porsha Kari-Ann Von Kish (the "**Respondents**"); AND ON READING the Petition to the Court, Affidavit #1 of Edward Brown affirmed November 13, 2020, Affidavit #1 of Alana McMullen affirmed November 13, 2020, Affidavit # 1 of Sharon Walker affirmed December 8, 2020, Affidavit #1 of Richard Brousseau made December 6, 2020, Affidavit #2 of Moneca Kolvyn made December 6, 2020, Affidavit #2 of Eliza Olson made December 7, 2020, and Affidavit #1 of Porsha Kari-Ann Von Kish made December 7, 2020; and judgment being reserved to this date,

THIS COURT ORDERS that:

1. The motion put forward by Ms. Von Kish at the meeting of the board of directors of the Burns Bog Conservation Society (the "**Society**") on June 25, 2020 for the removal of the Petitioners as directors of the Society is invalid and of no force or effect;
2. The board of directors of the Society consists of Ms. Walker, Mr. Brown, Ms. McLeod, Mr. Saito, Mr. Zeisman, Ms. Von Kish, Ms. Kolvyn, Ms. Olson, and Mr. Brousseau (the "**Board**"), pending the next election of directors at the next annual general meeting ("**AGM**");

3. The notice of change of directors filed by the Respondents with BC Registries and Online Services (“**BC Registries**”) on September 21, 2020 is invalid and of no force or effect;
4. The Respondents shall cease and desist from:
 - (a) holding themselves out as the sole directors of the Society, and
 - (b) stating or suggesting that the Petitioners have been removed or terminated as members of the Board;
5. BC Registries shall reactivate the Society’s online account or, in the alternative, the Board shall take steps to reactivate the Society’s online account with BC Registries;
6. Any board meetings held by the Respondents after June 25, 2020 were unauthorized and invalid, and any motions passed or business conducted at any such meetings are of no force or effect;
7. The filings with BC Registries changing the authorized representative for the Society’s Registry Key filed by Ms. Olson and Ms. Von Kish on July 14, 2020 and September 21, 2020 are invalid and of no force or effect;
8. Ms. Wedley is the authorized representative with BC Registries for the Society’s Registry Key;
9. Toronto Dominion Bank shall unfreeze or, in the alternative, the Board shall take steps to unfreeze, the Society’s bank account, and restore the authorized signatories to: Ms. Olson, Ms. Walker, Mr. Saito and Mr. Brown;
10. Vancouver City Savings Credit Union shall unfreeze or, in the alternative, the Board shall take steps to unfreeze, the Society’s bank account, and restore the authorized signatories to: Ms. Walker, Mr. Saito, and Mr. Brown;
11. Canada Post or, in the alternative, the Board, shall take steps to shall restore the Society’s mailing address to: P.O. Box 71040, New Orleans P.O, Delta, BC, V4C 8E7, and release the Society’s mail that is currently being held to that address;
12. The Society shall hold an AGM on or before April 3, 2021, and such AGM shall be held in accordance with the relevant provisions of the *Societies Act*, 2015 SBC, c 18, and the Society’s bylaws;
13. The new membership list approved at the June 25, 2020 meeting of the Board, and attached as Schedule “A”, accurately reflects all new members of the Society for the period between April 24, 2020 and June 25, 2020;
14. The Society shall amend its register of members that existed on June 25, 2020 to add the names of those new members listed at Schedule “A” and, once amended, such

register of members is a true and accurate register of members of the Society as of June 25, 2020;

15. The Respondents shall comply with motions previously carried by the Board, including, but not limited to:
- (a) the motion carried at the June 4, 2020 meeting of the Board prohibiting Ms. Olson from entering the Society's office,
 - (b) the motion carried at the June 4, 2020 meeting of the Board prohibiting Ms. Von Kish and Ms. Kolvyn from entering the Society's office without prior written authorization of the Board, and
 - (c) the motion carried at the April 23, 2020 meeting of the Board removing Ms. Von Kish as the Society's Secretary and replacing her with Ms. McLeod; and
16. The Respondents shall pay the Petitioners' costs of these proceedings at Scale B.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

per: 

Signature of lawyer for the Petitioners
Thomas J. Moran



Signature of lawyer for Respondents
Nigel L. Trevethan

By the Court.

Registrar

SCHEDULE A

Burns Bog Conservation Society New Memberships - 2020

4005 Membership - new

Tax receipts issued

01/24/2020	Bly, Beverley	26.67	
02/06/2020	Karpun, Nikolai		37.33
02/28/2020	Friedmann, Natasha		37.33
03/06/2020	Russell, Dawn	26.67	
03/23/2020	Devota, Sheena		37.33
04/27/2020	Bryce, Laura		37.33
05/02/2020	Gronert, Linda		9.52
05/02/2020	Coldman, Andrew	26.67	
05/09/2020	Atley, Marilyn	26.67	
05/11/2020	Ter Borg, Lynn		53.33
05/11/2020	Sorrenti, Dorothy	26.67	
05/11/2020	Morden, Joanne		37.33
05/11/2020	Mulcahy, Fawn		37.33
05/11/2020	Taylor, Kenneth	26.67	
05/11/2020	Major, George	26.67	
05/13/2020	Howard, Barbara		37.33
05/13/2020	McKinnon, Lorraine	26.67	
05/14/2020	Adolph, Andrew		37.33
05/23/2020	Nasiri, Golnoosh	26.67	
05/24/2020	Zeisman, Cynthia		
05/24/2020	Zeisman, James	26.67	
05/25/2020	Adolph, Valerie	26.67	
05/27/2020	Murray, Candace	26.67	9.52
06/05/2020	Durrant, Christopher		14.29
06/09/2020	Clark, Nancy		14.29
06/09/2020	Partridge, Leo	11.43	
06/09/2020	Howard, Laura	11.43	
06/09/2020	Yeung, Veronica		14.29
06/09/2020	Nasiri, Golnoosh	-15.24	
06/12/2020	Roa, Maricel		14.29
06/12/2020	Eleniak, Byron		14.29
06/12/2020	Hood, Jean	11.43	
06/12/2020	Hood, Phil	11.43	
06/13/2020	Robitaille, Lionel	11.43	
06/13/2020	Christie, Barbara	11.43	
06/14/2020	Rebrec, Angela		14.29
06/14/2020	Rebrec, Milan		14.29
06/14/2020	Chiotakos, Eleftheria	11.43	
06/14/2020	Chiotakos, Sotirios	11.43	
06/14/2020	Subotnick, Shayna	11.43	
06/15/2020	Canty, Douglas		14.29
06/15/2020	Callan, Darryl		14.29
06/15/2020	Minhas, Rajinder		14.29

06/16/2020	Sweeney, Shelley		14.29
06/16/2020	Sweeney, Steve	11.43	
06/17/2020	Ogrodnick, Erikka		14.29
06/18/2020	Borst, Bronson		14.29
06/19/2020	Grabill, Kathleen	11.43	
06/19/2020	Grabill, Harvey	11.43	
06/20/2020	Young, Patty	11.43	
06/20/2020	Tadayon, Borna	11.43	
06/20/2020	Newmark, Clara	11.43	
06/20/2020	Maser, Kevin		14.29
06/20/2020	Flensburg, Tom		14.29
06/20/2020	Para, Kathryn		14.29
06/20/2020	Wright, Gwenda		14.29
06/20/2020	Wright, Dara		14.29
06/21/2020	Flaherty, Lisa		14.29
06/21/2020	Eleniak, Linden	11.43	
06/21/2020	Gaylard, Brett	11.43	
06/21/2020	Ashworth, Beverly	11.43	
06/22/2020	Cloke, Cheney		14.29
06/22/2020	Moryson, Shannon		14.29
06/22/2020	Moryson, Derek		14.29
06/22/2020	Mantei, Alecia		14.29
06/22/2020	Donnet, Jessamyn		14.29
06/22/2020	Coelho, Gin	11.43	
06/22/2020	Demwell, Nancy	11.43	
06/22/2020	Demwell, Patrick	11.43	
06/22/2020	Pavich, Chelsea	11.43	
06/23/2020	Beck, Linda	11.43	
06/23/2020	Maquire, Melinda	11.43	
06/23/2020	Fentiman, Amanda		14.29
06/23/2020	Lamb, Justin		14.29
06/23/2020	Peatt, Russell		14.29
06/23/2020	Grass, Rick		14.29
06/23/2020	Saito, Ellen		14.29
06/23/2020	Saito, Mitsue	11.43	
06/23/2020	Stewart, Albert		14.29
06/24/2020	Kelch, Catherine	11.43	
06/24/2020	Frey, Deborah	11.43	
06/24/2020	Kelch, Chris	11.43	
06/24/2020	Stewart, Heather		14.29
06/24/2020	Kanai, Brenda		14.29
06/24/2020	Kanai, Trevor	11.43	
06/24/2020	Bloomfield, Stuart	11.43	
06/24/2020	Mantei, Jim		14.29
06/24/2020	Clark, Karen	11.43	
06/24/2020	Belec, Barry	11.43	
06/24/2020	Hobby, Beverly	11.43	
06/24/2020	Jack, Deb	11.43	

06/24/2020	Buettner, Ross		14.29
06/24/2020	Buettner, Thomas	11.43	
06/24/2020	Buettner, Charles		14.29
06/24/2020	De Castro, Paulyn		14.29
06/24/2020	Haliburton, Laurie	11.43	
06/24/2020	Payne, Marie	11.43	
06/24/2020	Melland, John J		14.29
06/24/2020	Lee, Kyung Jin		14.29
06/24/2020	Scott, Daniel H		14.29
06/24/2020	Rigaux, George		14.29
06/24/2020	Rigaux, Cate		14.29
06/24/2020	MacKenzie, Thea		14.29
06/24/2020	Zablonsky, Paul		28.57
06/25/2020	Gerunggay, Jesunjan Genieva		14.29
06/25/2020	Corr, Karen Murphy		14.29
06/25/2020	Corr, Philip G.		14.29
06/25/2020	Corr, Gerard J		14.29
06/25/2020	Corr, Maire Tose	11.43	
06/25/2020	Corr, John Morris	11.43	
06/25/2020	Corr, Daniel	11.43	
06/25/2020	Corr, Margaret Adelene	11.43	
06/25/2020	Soderlund, Tanya		14.29
06/25/2020	Dulong, Camille		14.29
06/25/2020	Kamiya, Dennis	11.43	
06/25/2020	Kamiya, Elaine	11.43	
06/25/2020	Lee, Geoffrey	11.43	
06/25/2020	Lee, Ryan	11.43	
06/25/2020	Lee, Kashi	11.43	
06/25/2020	Lee, Bill	11.43	
06/25/2020	Toh, Gabby	11.43	
06/25/2020	Tse, Wendy		14.29
06/25/2020	Merat , Dorsa	11.43	
06/25/2020	Thiessen, Kevin		14.29
06/25/2020	Thiessen, Debbie	11.43	
06/25/2020	Burlacu, Alex		14.29
06/25/2020	Goubej,Wendy		14.29
06/25/2020	Young, Brian		14.29
06/25/2020	Standish, Raquel		14.29
06/25/2020	Young, Ginette		14.29
06/25/2020	Farmer, Frederic		14.29
06/25/2020	Howard, Clayton		14.29
06/25/2020	Rienzuch, Kirsten		14.29
06/25/2020	Saito, Evelyn		14.29
06/25/2020	Saito, Mike		14.29
06/25/2020	Saito, Steven		14.29
06/25/2020	Saito, Stephanie		14.29
06/25/2020	Gray, Stephanie		14.29
06/25/2020	Robinson, Shelley		14.29

06/25/2020	Valente, Tracey		14.29
06/25/2020	Valente, Anibal	11.43	
06/25/2020	Durrant, Bruce	11.43	
06/25/2020	Durrant, Wendy	11.43	
06/25/2020	Holden, Paul		14.29
06/25/2020	Brownell, Joanna		14.29
06/25/2020	Tasaka, Bryan		14.29
06/25/2020	Hickie, Danny		14.29
06/25/2020	Christoffersen, Dora		14.29
06/25/2020	Christoffersen, Rhea	11.43	
06/25/2020	Chiotakos, Angela		14.29
06/25/2020	Appel, Adriana		14.29
06/25/2020	Appel, Natalie	11.43	
06/25/2020	Ozel, Justine		14.29

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Respondents

ORDER MADE AFTER PETITION

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THM/NAJ

Matter# 1001141650