

NEW WESTMINSTER

JUN - 2 2008

CIVIL REGISTRY

Amended pursuant to Supreme Court Rule 24 (1) (a)

No. S108622

New Westminster Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

RAQUEL HERNANDEZ LAZO

Plaintiff

AND:

SILAU HOLDINGS LTD. (INC. NO. 0775964) and
ED SYLVAN

Defendant(s)

AMENDED STATEMENT OF CLAIM

1. The Plaintiff is a businessperson and resides at the City of Kamloops, in the Province of British Columbia.
2. The Defendant SILAU HOLDINGS LTD is a company incorporated under the laws of the Province of British Columbia under incorporation number 0775966 and having a registered office at 1200-200 Burrard Street, in the City of Vancouver, in the Province of British Columbia, V7X 1T2
3. The Defendant ED SYLVAN is a Businessman and resides at 1406-1199 Seymour Street, in the City of Vancouver, in the Province of British Columbia, V6B 1K3 and is the sole director of the Defendant Silau Holdings Ltd.
4. The Plaintiff's claim is against the Defendants for the repayment of all monies advanced by the Plaintiff to the Defendants in the amount of \$250,000.00 plus interest thereon and for the Plaintiff has demanded payment of the sum afore said by the Defendant has refused to pay that sum or any part thereof.
5. The Plaintiff advanced to the Defendant Silau Holdings Ltd and to the Defendant Ed Sylvan the sum of \$250,000.00 as a down payment for the purchase by the Defendant Silau Holdings Ltd of the lands and premises legally described as:

P.I.D. 024 531 227

Lot B (see BN141779) Block 3 District Lot 486
Group 1, NWD, Plan 3960. (the "lands")

6. The Defendant Silau Holdings Ltd. granted to the Plaintiff a Promissory Note dated May 15, 2007 in the principal amount of \$150,000.00 plus interest thereon at the rate of 6% per annum which note was payable within 30 days of demand. The Plaintiff has demanded payment of the sum afore said by the Defendant has refused to pay that sum or any part thereof.
7. As further consideration for the monies advanced by the Plaintiff to the Defendants the Defendant Ed Sylvan agreed to transfer to the Plaintiff 50% of all of the issued shares of the Defendant Silau Holdings Ltd. At all material times it was the intention of the Plaintiff and the Defendants that the Defendant Ed Sylvan should hold 50% of the issued and outstanding shares in the capital of the Defendant Silau Holdings Ltd. in trust for the Plaintiff.
8. The Defendant Silau Holdings Ltd. completed the purchase of the lands on June 1, 2007.
9. The Plaintiff has demanded that the Defendants issue the shares in the Defendant Silau Holdings Ltd. to the Plaintiff as agreed but the Defendants have refused or neglected to do so.
10. The Plaintiff has demanded payment of the sum of \$250,000.00 from the Defendants but the Defendants have refused or neglected to pay that sum or any part thereof.

WHEREFORE the Plaintiff Claims as follows:

(a) a Certificate of Pending Litigation against the Lands described as:

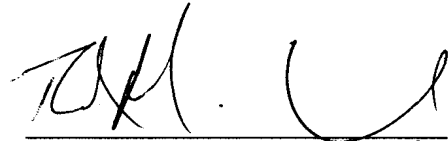
P.I.D. 024 531 227
Lot B (see BN 141779) Block 3 District Lot 486 NWD Plan 3960
(the "Lands");

- (b) an order declaring that the Defendant Ed Sylvan holds 50% of the issued and outstanding shares in the capital of the Defendant Silau Holdings Ltd. in trust for the Plaintiff;
- (c) an order transferring and conveying to the Plaintiff 50% of the issued and outstanding shares in the capital of the Defendant Silau Holdings Ltd.;
- (d) an account of the property subject to the trust;

- (e) an account of the rents, profits, dividends, interests, monies and income received by the Defendants in respect of the property subject to the trust;
- (f) an order declaring that the Plaintiff has a beneficial interest in and to the Lands and that the Defendants hold these lands in trust for the Plaintiff;
- (g) judgment against the Defendants in the amount of \$250,000.00;
- (h) Interest at the rate of 6% per cent per annum from May 15, 2007 to the date of payment; and
- (i) the costs of this action.

Place of trial: New Westminster, British Columbia.

Dated:



Rod McLeod
Solicitor for the Plaintiff
101 Oak Road
Kamloops, B.C.
V2B 1K5
(250) 376-0620

THIS STATEMENT OF CLAIM is made by Rod McLeod, Barrister and Solicitor, whose place of business and address for delivery is 101 Oak Road, Kamloops, BC V2B 1K5.