



This is the 1<sup>st</sup> affidavit  
of Xintai Liu in this case  
and was made on 13/DEC/2023

No. H-230320  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

LANYARD INVESTMENTS INC. AS GENERAL PARTNER OF LFC  
KESEF-B21 LIMITED PARTNERSHIP  
FISGARD CAPITAL CORPORATION

PETITIONERS

AND:

AC NANAIMO INVESTMENT GP LTD.  
AC NANAIMO INVESTMENT LIMITED PARTNERSHIP  
AC NANAIMO NOMINEE LTD. formerly known as ANSEN  
NANAIMO 26 DEVELOPMENT BARE TRUSTEE LTD.  
COROMANDEL HOLDINGS LTD.  
ZHEN YU ZHONG also known as ZHENYU ZHONG  
JUN CHAO MO also known as JUNCHAO MO  
ALIGN BC PROPERTIES CORP. formerly known as  
VIVAGRAND DEVELOPMENT CORP.  
ZHONG LIANG  
XINTAI LIU  
YING LIANG  
CHENMING LI  
JOHN DOE

ALL TENANTS OR OCCUPIERS OF THE SUBJECT LANDS AND PREMISES

RESPONDENTS

**AFFIDAVIT**

I, **XINTAI LIU**, of 4351 Erwin Drive, West Vancouver, Vancouver, BC, Businessperson,  
SWEAR (OR AFFIRM) THAT:

1. I am a respondent in this proceeding, and I hold an undivided 40/60 interest in the mortgage and assignment of rents granted by AC Nanaimo Nominee Ltd. and registered against title to the lands which are the subject matter of this proceeding on April 11, 2022 under registration numbers CA9849655 and CA9849656 (the "**Mortgage**"). As such have personal knowledge of the matters herein deposed to, except those facts which I say are based upon information and belief and as to those facts I verily believe them to be true. I am authorized to swear this affidavit on behalf of


the other parties who hold an interest in the Mortgage, being the respondents Ying Liang and Chenming Li (together with myself, the “**Lenders**”).

2. Pursuant to a Loan Agreement dated April 11, 2022 (the “**Loan Agreement**”), the Lenders agreed to advance a loan in the principal amount of \$6,000,000 to the respondents, AC Nanaimo Investment Limited Partnership, AC Nanaimo Nominee Ltd., and AC Nanaimo Investment GP Ltd. (the “**Borrowers**”), subject to and in accordance with the terms thereof.

3. The obligations of the Borrowers to the Lenders pursuant to the Loan Agreement were secured by, among other things, the Mortgage.

4. As of September 20, 2023, the total amount owing to the Lenders and secured by the Mortgage was \$6,643,394.94. Interest and costs continue to accrue on that amount in accordance with the terms of the Loan Agreement and the Mortgage.

SWORN BEFORE ME at Vancouver,  
British Columbia, on 13/DEC/2023.

  
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A Commissioner for taking Affidavits within  
British Columbia

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XINTAI LIU