



NO. KEL-S-S-122417
KELOWNA REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SATHER RANCH LTD.

PLAINTIFF

AND:

JOSEPH WAYNE PALMER SATHER

DEFENDANT

ORDER MADE AFTER APPLICATION

BEFORE THE HONOURABLE)	MONDAY, THE 11 th
ASSOCIATE JUDGE SCHWARTZ)	DAY OF AUGUST, 2025.

ON THE APPLICATION of the Plaintiff, Sather Ranch Ltd., coming on for hearing at the Courthouse 1355 Water Street, in the City of Kelowna, in the Province of British Columbia on Monday, August 11, 2025, and on hearing Scott R. Andersen, counsel for the Plaintiff, and the Defendant, Joseph Wayne Palmer Sather, (the “**Judgment Debtor**”) appearing on his own behalf; AND UPON READING the materials filed herein; AND UPON the Judgment Debtor failing to show cause why its interest in the lands and premises situate, lying and being in the City of Penticton, more particularly known and described as:

PID: 002-215-594
DISTRICT LOT 2514S SIMILKAMEEN DIVISION YALE DISTRICT
(the “**Property**”)

should not be sold to satisfy the Plaintiff/Judgment Creditor’s judgment;

THIS COURT ORDERS that:

1. the Report of the Registrar made herein on July 8, 2025 be and is hereby confirmed;

2. the requirements of sections 100 and 101 of the *Court Order Enforcement Act* be and are hereby dispensed with;
3. the Property be offered for sale by private sale, free and clear of all encumbrances except the reservations and conditions in the original grant thereof from the Crown;
4. C. Cheveldave & Associates Ltd, in its capacity as the Court Appointed Receiver of The Plaintiff Sather Ranch Ltd., have exclusive conduct of the sale and be at liberty to list the Lands for sale and to do all things reasonably incidental thereto, including paying to any real estate agent or firm retained by C. Cheveldave & Associates Ltd pursuant to this Order a commission of not more than 7% of the first \$100,000 and 2.5% on the balance of the gross selling price, plus GST, that commission to be paid from the proceeds of the sale;
5. Any person or persons in possession of the Lands, including any tenant or tenants, shall, permit any duly authorized agent of C. Cheveldave & Associates Ltd to inspect or appraise the Lands and show the Lands to prospective purchasers on any day including Sundays and statutory holidays, and to post signs on the Lands indicating that the Lands are offered for sale;
6. Any sale shall be subject to the approval of this Honourable Court unless agreed to in writing by all parties;
7. The Plaintiff will be entitled to recover the costs of this application from the sale proceeds of the Lands if there are sufficient proceeds and from Joseph Wayne Palmer Sather if the sale proceeds are insufficient to pay the costs;

8. This Order is subject to any Order made by the Court of Appeal in Court of Appeal Action Number CA49175.
9. The approval as to the form of this Order by the Defendant Joseph Wayne Palmer Sather be and is hereby dispensed with.

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:



Scott R. Andersen
COUNSEL FOR THE PLAINTIFF

BY THE COURT

REGISTRAR

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Phone: (604) 685-3456
Attention: Scott R. Andersen

File No. 36622-148976