

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

THE HONOURABLE MADAM ) FRIDAY, THE 17<sup>TH</sup>  
 )  
JUSTICE CONWAY ) DAY OF DECEMBER, 2021

IN THE MATTER OF THE *COURTS OF JUSTICE ACT*, R.S.O.  
1990, c. C.43, AS AMENDED

AND IN THE MATTER OF THE ADMINISTRATION  
PROCEEDINGS OF CARRIAGE RIDGE OWNERS  
ASSOCIATION

**CLAIMS PROCESS ORDER**

**THIS MOTION**, made by BDO Canada Limited (“**BDO**”), in its capacity as the Court-appointed receiver (in such capacity, the “**Receiver**”) over all of the assets, properties and undertakings of the Carriage Ridge Owners Association (the “**Applicant**”) and all the lands and premises on which the Applicant operated the Carriage Ridge Resort, appointed by Order of the Court with effect as of January 6, 2021, for an order, *inter alia*, among other things, establishing a claims process to identify and determine claims of members of the Applicant, as well as potential mortgages asserted or assertable against claims of members of the Applicant, was heard this day by Zoom judicial video conference due to the COVID-19 pandemic.

**ON READING** the Notice of Motion dated December 3, 2021, the Sixth Report of the Receiver dated December 3, 2021 (the “**Sixth Report**”) and its appendices, and on hearing the submissions of counsel for the Receiver, counsel for Wyndham Worldwide Corporation, Shell Finco LLC, Carriage Hills Resort Corporation and Carriage Hills Hospitality Inc., counsel for Lori Smith and Bruce Fleming and counsel for David and Phyllis Lennox and the submissions of Christopher Diana, no one else appearing for any other parties on the Service List, although properly served as appears from the affidavit of Christine Doyle sworn December 9, 2021, filed,

## **SERVICE**

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

## **DEFINITIONS AND INTERPRETATION**

2. **THIS COURT ORDERS** that capitalized terms used in this Order shall have the meanings ascribed to them in Schedule “A” to this Order.

3. **THIS COURT ORDERS** that all references as to time herein shall mean local time in Toronto, Ontario, Canada, and any reference to an event occurring on a Business Day shall mean prior to 5:00 p.m. on such Business Day, unless otherwise indicated herein.

4. **THIS COURT ORDERS** that all references to the word “including” shall mean “including without limitation”.

5. **THIS COURT ORDERS** that all references to the singular herein include the plural, the plural include the singular, and any gender includes the other gender.

## **GENERAL PROVISIONS**

6. **THIS COURT ORDERS** that the Receiver is hereby authorized to use its reasonable discretion as to the adequacy of compliance with respect to the terms of this Order, and may, where it is satisfied that a Claim has been adequately proven, waive strict compliance with the requirements of this Order, or request any further documentation from a Person that the Receiver may require in order to enable the Receiver to determine the validity of a Claim.

7. **THIS COURT ORDERS** that the form and substance of each of the Public Notice to Claimants, Notice to Owners, Acknowledgment Form, Mortgage Information, Owner Proof of Claim, Additional Proof of Claim, Acknowledgment Form Instruction Letter, Owner Proof of Claim Instruction Letter, Notice of Revision or Disallowance and Dispute Notice, substantially in the forms attached as Schedules “B”, “C”, “D”, “E”, “F”, “G”, “H”, “I”, “J” and “K” respectively to this Order, together with the digital version thereof where applicable, are hereby approved.

Notwithstanding the foregoing, the Receiver may from time to time make changes to such forms as the Receiver considers necessary or advisable.

### **RECEIVER'S ROLE**

8. **THIS COURT ORDERS** that the Receiver, in addition to its prescribed rights, duties, responsibilities and obligations under the Receivership Order, shall take all actions and fulfill any other roles as are authorized by this Order or incidental thereto including the determination of Claims and referral of any Claim to the Court.

9. **THIS COURT ORDERS** that: (i) in carrying out the terms of this Order, the Receiver shall have all of the protections given to it by the Receivership Order and this Order, (ii) the Receiver shall incur no liability or obligation as a result of carrying out the provisions of this Order, except for and as stipulated herein, except for claims based on gross negligence or wilful misconduct, and (iii) the Receiver shall not be liable for any claims or damages resulting from any errors or omissions in such books, records or information or in any information provided by any Claimant, except for claims based on gross negligence or wilful misconduct.

10. **THIS COURT ORDERS** that

- (a) Subject to the direction and supervision of the court and the Receiver, the appointment of the Claims Agent pursuant to the terms of the Engagement Letter is hereby approved, including, without limitation, the payment of the fees and expenses contemplated thereby;
- (b) the Claims Agent shall not have any liability with respect to any losses, claims, damages or liabilities, of any nature or kind, to any Person from and after the date of this Order except to the extent such losses, claims, damages or liabilities result from the gross negligence or wilful misconduct on the part of the Claims Agent;
- (c) no action or other proceeding shall be commenced directly, or by way of counterclaim, third party claim or otherwise, against or in respect of the Claims Agent, and all rights and remedies of any Person against or in respect of them are hereby stayed and

suspended, except with the written consent of the Claims Agent or with leave of this Court on notice to the Applicant, the Receiver and the Claims Agent;

- (d) the Claims Agent shall comply with all applicable provisions of Canada's private sector privacy laws, including, without limiting the generality of the foregoing, the *Personal Information Protection and Electronic Documents Act* ("**Pipeda**");
- (e) in particular, the Claims Agent must comply with the principles set out in Schedule I of Pipeda with respect to the collection, storage and safeguards in relation to any information recorded or obtained by the Claims Agent from any Claimant with the exception that the Claims Agent shall be permitted to disclose this information to the Receiver, its counsel, the Court or as otherwise directed by the Court; and
- (f) notwithstanding the forgoing and for the avoidance of doubt, the Claims Agent is authorized to collect all Claimant or potential Claimant information contemplated hereby, and all Claimants or potential Claimants who provide information to the Claims Agent are hereby deemed to have consented to the processing of their information for all purposes relating to these Proceedings.

## **NOTICE TO CLAIMANTS**

### **11. THIS COURT ORDERS that:**

- (a) the Receiver shall, on or before January 24, 2022, post a copy of this Order (together with its Schedules) on the Receiver's Website and the website of the Applicant;
- (b) the Receiver shall request that those Owners maintaining social media websites for the purpose of facilitating information in respect of the Receivership Proceedings, post a copy of this Order (together with its Schedules) on such social media websites on or before January 24, 2022, but these owners shall incur no liability as a result of posting this Order (and its Schedules) in compliance with this paragraph (b);

- (c) the Receiver shall, on or before January 24, 2022, post the Public Notice to Claimants in a national newspaper in Canada which may, at the Receiver's discretion, include the Globe and Mail, National Post, or any other publication as the Receiver deems appropriate, which Public Notice to Claimants will call for Claims from the Owners and provide instructions describing how to access the Claims Portal in order to participate in the Claims Process; and
- (d) the Receiver shall deliver, as soon as reasonably possible following receipt of a request therefore, a copy of the Claims Package to any Person claiming to be an Owner and requesting such material, provided such request is received prior to the Claims Bar Date, but the Receiver shall not be responsible if the request is made too late for the Claimant to file an Owner Proof of Claim by the Claims Bar Date in accordance with paragraph 32 of this Order.

12. **THIS COURT ORDERS** that, except as specifically provided for in this Order, the Receiver is not under any obligation to provide notice of this Order to any Person having or asserting a Claim, and all Persons (including Claimants) shall be bound by the Claims Bar Date, this Order, and any notices published in accordance with the terms of this Order, regardless of whether or not they received actual notice, and any steps taken in respect of any Claim, in accordance with this Order.

13. **THIS COURT ORDERS** that neither: (i) the reference to a purported Claim as a "Claim" or a purported Claimant as a "Claimant" in this Order, nor (ii) the delivery of a Notice to Owners or Proofs of Claim by the Receiver to a Person shall constitute an admission by the Receiver of any obligation to any Person.

#### **OWNER CLAIMS**

14. **THIS COURT ORDERS** that each Owner's interest in the Real Property shall be treated as if it were held as tenants in common and each Owner of a partial or whole interest in an Interval shall be required to individually confirm or dispute their interest.

15. **THIS COURT ORDERS** that the Receiver shall cause the Claims Agent, no later than January 24, 2022, to send an Owner Package via email to every Owner that has provided a working email address and to every other Owner that has not provided a working email address by regular mail to the last address known to the Receiver from the records of the Applicant, as the same may have been updated or corrected during the course of the Proceedings by, or at the request of, such Owners, including through the Owner Outreach.

16. **THIS COURT ORDERS** that the Receiver shall not be required to cause the Claims Agent to send an Owner Package to an address of an Owner which has proven to be inaccurate by way of previously returned mail during the Proceedings.

17. **THIS COURT ORDERS** that the Owner Package shall include a Notice to Owners which shall contain a unique login id to be used in the Claims Portal and a written Acknowledgment Form. The Claims Portal and Acknowledgment Form shall contain an identical acknowledgment by the Receiver of each individual Owner Claim. Each Owner Claim is based on the Receiver's reconciliation of the ownership interests of the Ridge Resort and shall set out the Owner Information in relation to such Owner Claim.

18. **THIS COURT ORDERS** that the acknowledgment by the Receiver of an Owner Claim is subject to the outcome of any Request for Amendment or Owner Proof of Claim received from another Claimant in respect of the same Interval.

19. **THIS COURT ORDERS** that each Owner is required to confirm or dispute the Owner Information in order to be eligible for a distribution from the Applicant's estate.

20. **THIS COURT ORDERS** that each Owner is also required to make a declaration of residency for tax purposes in order to be eligible for a distribution from the Applicant's estate.

21. **THIS COURT ORDERS** that any Owner who disagrees with the Owner Information must complete a Request for Amendment in the Claims Portal or in writing and provide all supporting documentation to the Receiver. In the event that an Owner intends to submit a Request for Amendment in writing, then such Owner shall deliver same by ordinary mail, courier, personal delivery or electronic or digital transmission so that such Request for Amendment is actually

received by the Claims Agent by the Claims Bar Date or such later date as the Receiver may agree in writing or the Court may order.

22. **THIS COURT ORDERS** that, in the case of any Request for Amendment, the Receiver and/or the Claims Agent (a) shall review and consider the Request for Amendment, and (b) may accept the amendments requested, or the Receiver may revise or disallow them by way of Notice of Revision or Disallowance.

23. **THIS COURT ORDERS** that, unless the Owner Information is confirmed in the Claims Portal or in writing, or a Request for Amendment is completed in the Claims Portal or received by the Claims Agent in writing on or before the Claims Bar Date, such Owner shall not be eligible for a distribution from the Applicant's estate. In the event that the Owner Information is confirmed, it shall be final and binding on the Owner, and may be relied upon by the Receiver in valuing the Owner Claim for all purposes, and the Owner shall be barred from making any Claim inconsistent with the information contained in the Owner Information.

#### **MORTGAGE INFORMATION**

24. **THIS COURT ORDERS** that, together with the Owners Package and where applicable, the Receiver shall cause the Claims Agent, no later than January 24, 2022, to send a Mortgage Package via email to every Owner with an outstanding mortgage that has provided a working email address and to every other Owner with an outstanding mortgage that has not provided a working email address by regular mail to the last address known to the Receiver from the records of the Applicant, as the same may have been updated or corrected during the course of the Proceedings by, or at the request of, such Owners, including through the Owner Outreach.

25. **THIS COURT ORDERS** that the Receiver shall not be required to cause the Claims Agent to send a Mortgage Package to an address of an Owner which has proven to be inaccurate by way of previously returned mail during the Proceedings.

26. **THIS COURT ORDERS** that the Mortgage Information shall be deemed confirmed in all respects by the Owner unless the Owner elects to complete a Mortgage Amendment in the Claims Portal or in writing and provides all supporting documentation which, in turn, shall be provided to

the Mortgagee with a copy to the Receiver. In the event that an Owner intends to submit a Request for Mortgage Amendment in writing, then such Owner shall deliver same by ordinary mail, courier, personal delivery or electronic or digital transmission so that such Request for Mortgage Amendment is actually received by the Claims Agent by the Claims Bar Date or such later date as the Receiver may agree in writing or the Court may order.

27. **THIS COURT ORDERS** that, unless a Request for Mortgage Amendment is completed in the Claims Portal or delivered to the Claims Agent on or before the Claims Bar Date, the Mortgage Information therein shall be final and binding on the Owner, and may be relied upon by the Receiver for distribution purposes.

### **PROOFS OF CLAIM**

28. **THIS COURT ORDERS** that any party believing itself to be an Owner, other than those entitled to receive a Notice to Owners, shall file with the Claims Agent an Owner Proof of Claim within the time periods herein stipulated.

29. **THIS COURT ORDERS** that any Owner who wishes to assert a Claim on the basis of facts and circumstances other than those set out in the Owner Information or a Request for Amendment shall file an Additional Proof of Claim.

### **PROVISION OF ADDITIONAL INFORMATION**

30. **THIS COURT ORDERS** that, in addition to confirmation or revision of the Owner Information and Mortgage Information (where applicable), each Owner shall be required to provide the following information as soon as possible after receipt of the Notice to Owners:

- (a) any missing or incorrect Owner Information; and
- (b) the names and addresses (including email addresses) of all other Owners of the subject Interval to the extent known.

31. **THIS COURT ORDERS** that any Owner may be requested to provide any reasonable additional information to the Receiver and/or the Claims Agent to substantiate their Claim or any



Request for Amendment or Mortgage Amendment, as the case may be. The Receiver and/or the Claims Agent shall accept the reasonable evidence of an Owner's change in marital status which may include a Decree Nisi or separation agreement.

#### **DEADLINE FOR FILING REQUEST FOR AMENDMENT OR PROOFS OF CLAIM**

32. **THIS COURT ORDERS** that all Requests for Amendment, together with supporting documentation in respect of such Claim, must be filed in the Claims Portal or filed in writing with the Claims Agent by ordinary mail, courier, personal delivery or electronic or digital transmission, so that such Request for Amendment and supporting documentation is actually received by the Claims Agent by no later than the Claims Bar Date.

33. **THIS COURT ORDERS** that all Proofs of Claim, together with supporting documentation in respect of such Claim, must be filed with the Claims Agent by ordinary mail, courier, personal delivery or electronic or digital transmission, so that such Proofs of Claim are actually received by the Claims Agent by no later than the Claims Bar Date.

#### **CLAIMS BAR DATE**

34. **THIS COURT ORDERS** that any Claimant that does not confirm the Owner Information, deliver a Request for Amendment or deliver a Proof of Claim, together with supporting documentation in respect of such Claim, on or before the Claims Bar Date (a) shall be and is hereby forever barred from asserting or enforcing any Claim against the Applicant and all such Claims shall be forever extinguished; (b) shall not be entitled to receive any distributions from the Applicant's estate; and (c) shall not be entitled to any further notice in, and shall not be entitled to participate as a creditor in, the Receivership Proceedings.

35. **THIS COURT ORDERS** that, subject to further order of the Court, the Claims Bar Date shall be 5:00 p.m. (Toronto Time) on April 11, 2022, but the Receiver may, at its sole discretion, extend the date generally or in individual cases. If the Claims Bar Date is extended generally, the Receiver shall post notice of the extension on the Case Website.

**DETERMINATION OF CLAIMS**

36. **THIS COURT ORDERS** that, subject to the terms of this Order, the Receiver and/or the Claims Agent shall review all Requests for Amendment and Proofs of Claim (and any supporting documentation) filed on or before the Claims Bar Date and may accept, revise, or disallow (in whole or in part) the Owner Information set out in any Request for Amendment or Owner Proof of Claim.

37. **THIS COURT ORDERS** that at any time, the Receiver may: (i) request additional information with respect to any Claim, and may request that an Owner file a revised Request for Amendment or Owner Proof of Claim, (ii) attempt to consensually resolve the amount or any other aspect of a Claim, or (iii) revise or disallow a Claim.

38. **THIS COURT ORDERS** that where a Claim is revised or disallowed pursuant to paragraph 35 of this Order, the Claims Agent shall deliver to the Claimant a Notice of Revision or Disallowance and attach the form of Dispute Notice.

39. **THIS COURT ORDERS** that where a Claim has been revised or disallowed (in whole or in part) by a Notice of Revision or Disallowance, the revised or disallowed portion of that Claim shall not establish a Proven Claim unless the Owner has disputed the revision or disallowance and proven the revised or disallowed Claim (or portion thereof).

40. **THIS COURT ORDERS** that where a Claim has been accepted by the Receiver such Claim shall constitute a Proven Claim for the purposes of the Claims Process. The acceptance of any Claim or other determination of same in accordance with this Order, in whole or in part, shall not constitute an admission of any fact, thing, obligation, or quantum of any Claim by any Person, save and except in the context of the Claims Process.

**DISPUTE NOTICE**

41. **THIS COURT ORDERS** that a Claimant who intends to dispute a Notice of Revision or Disallowance shall deliver a Dispute Notice to the Claims Agent by ordinary mail, courier, personal delivery or electronic or digital transmission so that such Dispute Notice is actually received by the Claims Agent by no later than 5:00 p.m. (Toronto time) on the day which is thirty

(30) days after the date of the Notice of Revision or Disallowance or such later date as the Receiver may agree to in writing or the Court may order. The receipt of a Dispute Notice by the Claims Agent within the time allowed shall constitute an application to have the amount of such Claim determined pursuant to the Claims Process.

42. **THIS COURT ORDERS** that where a Claimant fails to deliver a Dispute Notice in accordance with paragraph 40 of this Order, the amount of such Claimant's Claim shall be deemed to be as set out in the Notice of Revision or Disallowance. Such amount, if any, shall constitute such Claimant's Proven Claim, and the balance of such Claimant's Claim, if any, shall be forever barred and extinguished.

43. **THIS COURT ORDERS** that where a Claim has been revised or disallowed pursuant to paragraph 35 of this Order, the revised or disallowed Claim (or revised or disallowed portion thereof) shall not be a Proven Claim until determined otherwise in accordance with the Claims Process or as otherwise ordered by the Court.

#### **RESOLUTION OF CLAIMS**

44. **THIS COURT ORDERS** that as soon as practicable after a Dispute Notice is received by the Receiver in accordance with this Order, the Receiver may attempt to resolve and settle a disputed Claim with the Claimant.

45. **THIS COURT ORDERS** that following the expiration of the time required to file a Dispute Notice for all Notices of Revision or Disallowance delivered by the Receiver, and in the event that a dispute raised in a Dispute Notice cannot be consensually resolved within a reasonable time period, the Receiver shall file a report with the Court summarizing all unresolved Dispute Notices and shall bring a motion for advice and directions from the Court in respect of the resolution of the outstanding Dispute Notices. In the report of the Receiver, the Receiver shall suggest an appropriate procedure to deal with any outstanding Dispute Notices fairly and efficiently.

**NOTICE OF TRANSFEREES**

46. **THIS COURT ORDERS** that the Receiver shall not be obligated to send notice to or otherwise deal with a transferee or assignee of a Claim as the Claimant in respect thereof unless and until: (i) actual written notice of transfer or assignment, together with satisfactory evidence of such transfer or assignment, shall have been received by the Claims Agent on or before the Claims Bar Date, and (ii) the Claims Agent has acknowledged in writing such transfer or assignment, and thereafter such transferee or assignee shall for all purposes hereof constitute the “Claimant” in respect of such Claim. Any such transferee or assignee of a Claim, and such Claim, shall be bound by the consequences of any omission or failure to act on the part of the transferor or assignor and by all notices given or steps taken in respect of such Claim, in accordance with this Order prior to the written acknowledgment by the Claims Agent of such transfer or assignment.

47. **THIS COURT ORDERS** that if the holder of a Claim has transferred or assigned the whole of such Claim to more than one Person or part of such Claim to another Person or Persons, such transfer or assignment shall not create a separate Claim, and such Claim shall continue to constitute and be dealt with as a single Claim notwithstanding such transfer or assignment, and the Claims Agent shall not be bound to acknowledge or recognize any such transfer or assignment and shall be entitled to send notice to and to otherwise deal with such Claim only as a whole, and then only to and with the Person last holding such Claim in whole as the Claimant in respect of such Claim. Provided that a transfer or assignment of the Claim has taken place in accordance with this Order and the Claims Agent has acknowledged in writing such transfer or assignment, the Person last holding such Claim in whole as the Claimant in respect of such Claim may by notice to the Claims Agent, in writing, direct that subsequent dealings in respect of such Claim, but only as a whole, shall be with a specified Person and, in such event, such Claimant, transferee or assignee of the Claim shall be bound by any notices given or steps taken in respect of such Claim by or with respect to such Person in accordance with this Order.

**DEATH OR INCAPACITY**

48. **THIS COURT ORDERS** that if any Claimant has deceased, the Receiver may accept a Claim on such deceased Person’s behalf from the duly appointed legal representative or estate trustee of such deceased Person.

49. **THIS COURT ORDERS** that if any Claimant has deceased or become incapacitated, and no legal representative has been appointed or otherwise has authority to act on behalf of such Person, the Receiver shall have the discretion to allow such Person's surviving spouse, survivor, or next-of-kin to act on such Person's behalf.

50. **THIS COURT ORDERS** that before allowing a person to act on behalf of a deceased or incapacitated Person, the Receiver, acting reasonably, may require the person to execute a statutory declaration or provide some other similar form of document confirming the person's relationship to the deceased or incapacitated Person.

51. **THIS COURT ORDERS** that the Receiver shall incur no liability or obligation to any person for exercising its discretion to allow a third party to act on behalf of a deceased or incapacitated Person.

52. **THIS COURT ORDERS** that in exercising the discretion to allow a third party to confirm, dispute or file a Claim on behalf of a deceased or incapacitated Person or to receive funds otherwise payable to such Person, the Receiver shall consider:

- (a) if such Person is alive, whether it appears to the Receiver that the distribution of funds to such third party is in the best interests of the incapacitated Person; and
- (b) if such Person is deceased and intestate, the rules relating to the distribution of intestate estates, as set out in the *Estates Act*, R.S.O. 1990 c. E.21.

#### **DIRECTIONS**

53. **THIS COURT ORDERS** that the Receiver, the Claims Agent or any other Person with a material interest in this Claims Process may at any time, and with such notice as the Court may require, seek directions from the Court with respect to this Order and the Claims Process, including the forms attached as Schedules hereto.

#### **SERVICE AND NOTICE**

54. **THIS COURT ORDERS** that any service or notice by ordinary mail, courier, personal delivery or electronic or digital transmission shall be deemed to have been received: (i) if sent by

ordinary mail, on the third (3rd) Business Day after mailing within Ontario, the fifth (5th) Business Day after mailing within Canada (other than within Ontario), and the tenth (10th) Business Day after mailing internationally; (ii) if sent by courier or personal delivery, on the next Business Day following dispatch; and (iii) if delivered by electronic or digital transmission by 5:00 p.m. on a Business Day, on such Business Day, and if delivered after 5:00 p.m. or other than on a Business Day, on the following Business Day. Notwithstanding anything to the contrary in this Order, Notices of Revision or Disallowance shall be sent only by (i) electronic transmission to an email address that has been provided in writing by the Claimant, or (ii) courier.

55. **THIS COURT ORDERS** that any notice or other communication (including Proofs of Claim and Dispute Notices) to be given under this Order by any Person to the Claims Agent shall be in writing in substantially the form, if any, provided for in this Order and will be sufficiently given only if delivered by ordinary mail, courier, personal delivery or electronic or digital transmission addressed to:

For submission by mail within Canada:

Carriage Hills and Ridge Claims Processing Center  
c/o Prime Clerk LLC  
PO Box 338 Station A  
Etobicoke ON M9C 4V3  
Canada

For submission by mail outside of Canada, overnight delivery, or personal delivery:

Carriage Hills and Ridge Claims Processing Center  
c/o Prime Clerk LLC  
850 Third Avenue, Suite 412  
Brooklyn, NY 11232  
USA

For submission by email:

[carriageinfo@primeclerk.com](mailto:carriageinfo@primeclerk.com)

56. **THIS COURT ORDERS** that if during any period during which notices or other communications are being given pursuant to this Order, a postal strike or postal work stoppage of general application should occur, such notices or other communications sent by ordinary mail and

then not received shall not, absent further Order of the Court, be effective and notices and other communications given hereunder during the course of any such postal strike or work stoppage of general application shall only be effective if given by courier, personal delivery or electronic or digital transmission in accordance with this Order.

### MISCELLANEOUS

57. **THIS COURT ORDERS** that nothing in this Order shall constitute or be deemed to constitute an allocation or assignment of a Claim and for greater certainty, this Order does not provide for distribution of the estate of the Applicant and is intended only to commence the Claims Process for the submission and adjudication of the Claims.

58. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or the United States to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order.

59. **THIS COURT ORDERS** that the Receiver is at liberty, and is hereby authorized and empowered, to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order, and that the Receiver is authorized and empowered to act as a representative in respect of the within proceedings for the purpose of having the Receivership Proceedings recognized in a jurisdiction outside Ontario or Canada.

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**SCHEDULE “A”  
DEFINED TERMS**

“**Acknowledgment Form**” means the form delivered in accordance with this Claims Process in writing or digitally via the Claims Portal to each Owner by which they may confirm their Owner Claim, substantially in the form attached as **Schedule “D”** hereto;

“**Acknowledgment Form Instruction Letter**” means a letter to Owners regarding the Claims Process and instructions in respect thereto, substantially in the form attached as **Schedule “H”** hereto;

“**Additional Proof of Claim**” means the proof of claim to be completed and filed by an Owner setting forth their Claim based on facts other than those set out in the Owner Information, substantially in the form attached as **Schedule “G”** hereto;

“**Administration Proceedings**” means the proceedings commenced pursuant to the Order of Madam Justice Conway dated May 15, 2020;

“**Approval and Vesting Order**” means the Order of Madam Justice Conway dated May 27, 2021;

“**Business Day**” means a day, other than a Saturday or a Sunday, on which banks are generally open for business in Toronto, Ontario;

“**Claim**” means the right of any Owner to an interest in the assets of the Applicant;

“**Claims Process**” means the procedures outlined in this Order, including the Schedules to this Order;

“**Claimant**” means any Person asserting a Claim, and includes the transferee or assignee of a Claim, transferred and recognized as a Claimant in accordance with paragraphs 45 and 46 hereof, or a trustee, executor, or other Person acting on behalf of or through such Person;

“**Claims Agent**” means Prime Clerk LLC in accordance with the Engagement Letter;

“**Claims Bar Date**” is as defined in paragraph 34 of this Order;



“**Claims Package**” means a package of information to be provided by the Claims Agent, in writing or digitally, which package shall include a copy of this Order without schedules, an Owner Proof of Claim Instruction Letter, an Owner Proof of Claim and such other materials as the Receiver may consider appropriate or desirable;

“**Claims Portal**” means the website established and maintained by the Claims Agent for the purpose of facilitating the Claims Process;

“**Claims Process**” means the process set out in this Order to determine the Claims asserted by the Owners in the assets of the Applicant;

“**Court**” means the Ontario Superior Court of Justice (Commercial List);

“**Dispute Notice**” means a written notice delivered to the Claims Agent by a Claimant who has received a Notice of Revision or Disallowance of that Person’s intention to dispute such Notice of Revision or Disallowance and the reasons for the dispute, substantially in the form attached as **Schedule “K”** hereto;

“**Engagement Letter**” means the agreement dated October 21, 2021 pursuant to which the Receiver has retained the Claims Agent, a copy of which is attached as Exhibit “G” to the Sixth Report;

“**Interval**” means the certain period of time purchased by an Owner to use the Ridge Resort;

“**Mortgagee**” means Carriage Hills Resort Corporation;

“**Mortgage Amendment**” means an Owner’s request for an amendment to the Mortgage Information;

“**Mortgage Information**” means a written or digital statement of the details relating to, and any amounts outstanding to, the Mortgagee as provided to the Claims Agent by the Mortgagee, as such information may be amended by a Mortgage Amendment, substantially in the form attached as **Schedule “E”** hereto;

“**Mortgage Package**” means a package containing the Mortgage Information and Mortgage Amendment;

“**Notice to Owners**” means a notice, substantially in the form attached as **Schedule “C”**, delivered in writing or digitally by the Claims Agent to each Owner providing the details of the Claims Portal and notifying the Owner that the Owner will have until the Claims Bar Date to confirm their Claim;

“**Notice of Revision or Disallowance**” means a notice informing a Claimant that the Receiver has revised or disallowed all or part of such Claimant’s Claim set out in such Claimant's Request for Amendment or Owner Proof of Claim, as the case may be, substantially in the form attached as **Schedule “K”**;

“**Owner**” means a Person having an ownership interest in the Real Property immediately prior to the closing of the transaction contemplated by the Approval and Vesting Order;

“**Owner Claim**” means the Claim asserted by an Owner;

“**Owner Information**” means a written or digital statement of the ownership interest of an Owner in the Real Property, as such information may be amended by (i) a Request for Amendment that is accepted by the Receiver and/or the Claims Agent in accordance with paragraph 35 of this Order, or (ii) a resolution or determination in accordance with paragraphs 43 of this Order;

“**Owner Package**” means a copy of the Notice to Owners, the Acknowledgment Form Instruction Letter, Acknowledgment Form and Request for Amendment;

“**Owner Outreach**” means the process conducted by the Claims Agent to obtain the contact information for Owners prior to the commencement of the Claims Process.

“**Owner Proof of Claim**” means the proof of claim to be completed and filed by a Person claiming to be an Owner but who was not entitled to receive an Owner Package, substantially in the form attached as **Schedule “F”** hereto;

**“Owner Proof of Claim Instruction Letter”** means a letter to Claimants not entitled to receive the Owners Package regarding the Claims Process and instructions in respect thereto, substantially in the form attached as **Schedule “I”** hereto;

**“Person”** is to be broadly interpreted and includes any individual, firm, corporation, limited or unlimited liability company, general or limited partnership, association, trust, unincorporated organization, joint venture, government authority or any agency, regulatory body, officer or instrumentality thereof or any other entity, wherever situate or domiciled, and whether or not having legal status, and whether acting on their own or in a representative capacity;

**“Proceedings”** means the Administration Proceedings together with the Receivership Proceedings;

**“Proofs of Claim”** means Additional Proofs of Claim together with Owner Proofs of Claim;

**“Proven Claim”** means the amount of a Claim, as finally determined under the Claims Process;

**“Public Notice to Claimants”** means the notice publicizing the Claims Process and published under authority of this Order, substantially in the form of notice attached hereto as **Schedule “B”**;

**“Real Property”** means the real property described in Schedule “B” of the Approval and Vesting Order;

**“Receivership Order”** means the Amended and Restated Order of Madam Justice Conway dated December 11, 2020, with effect as of January 6, 2021, appointing the Receiver and granting the Receiver certain powers;

**“Receivership Proceedings”** means the proceedings commenced pursuant to the Receivership Order;

**“Receiver’s Website”** means [www.bdo.ca/en-ca/extranets/carriage](http://www.bdo.ca/en-ca/extranets/carriage); and

**“Request for Amendment”** means an Owner’s request for an amendment to the Owner Information.

## SCHEDULE "B"

### PUBLIC NOTICE TO CLAIMANTS

IN THE MATTER OF THE *COURTS OF JUSTICE ACT*, R.S.O.  
1990, c. C.43, AS AMENDED

AND IN THE MATTER OF THE ADMINISTRATION  
PROCEEDINGS OF CARRIAGE HILLS VACATION OWNERS  
ASSOCIATION

AND IN THE MATTER OF THE ADMINISTRATION  
PROCEEDINGS OF CARRIAGE RIDGE OWNERS  
ASSOCIATION

### RE: NOTICE OF CLAIMS PROCESS

This notice is being published pursuant to Orders of the Ontario Superior Court of Justice (Commercial List) (the "**Court**") made December 17, 2021 (the "**Claims Process Order**"). Effective as of January 6, 2021, BDO Canada Limited was appointed by the Ontario Superior Court of Justice (Commercial List) (the "**Court**") as receiver (the "**Receiver**") of the assets, properties and undertakings of the Carriage Hills Vacation Owners Association and the Carriage Ridge Owners Association (collectively, the "**Applicants**") and all the lands and premises on which the Applicants operated the Carriage Hills Resort and the Carriage Ridge Resort (the "**Real Property**").

The owners of the Real Property (the "**Owners**") should receive a claims package by email or regular mail from Prime Clerk LLC (the "**Claims Agent**"), if those Owners and their current addresses are known to the Receiver. Owners may also obtain the Claims Process Order and a claims package by contacting the Claims Agent at [carriageinfo@primeclerk.com](mailto:carriageinfo@primeclerk.com) or by telephone at (844) 205-4338 (Toll Free in Canada and the United States), (312) 345-0605 (Outside Canada and the United States) or by downloading it from the Receiver's website at <https://www.bdo.ca/en-ca/extranets/carriage/>. Acknowledgment Forms, Requests for Amendment and Proofs of Claim must be received by the Claims Agent in the prescribed form by **5:00 p.m. (Toronto time) on April 11, 2021** (the "**Claims Bar Date**"). It is your responsibility to complete the appropriate documents and ensure that the Claims Agent receives your completed documents by the Claims Bar Date. IF THE APPROPRIATE DOCUMENTS ARE NOT **RECEIVED** BY THE CLAIMS AGENT BY THE CLAIMS BAR DATE, YOU WILL NOT BE ENTITLED TO RECEIVE A DISTRIBUTION. DISTRIBUTIONS WILL BE DETERMINED BY THE COURT AT A LATER DATE.

CLAIMS WHICH ARE NOT **RECEIVED** BY THE CLAIMS BAR DATE WILL BE BARRED AND EXTINGUISHED FOREVER.

DATED at Toronto this ► day of January, 2022

**SCHEDULE “C”**

**NOTICE TO OWNERS**

IN THE MATTER OF THE *COURTS OF JUSTICE ACT*, R.S.O.  
1990, c. C.43, AS AMENDED

AND IN THE MATTER OF THE ADMINISTRATION  
PROCEEDINGS OF CARRIAGE HILLS VACATION OWNERS  
ASSOCIATION

AND IN THE MATTER OF THE ADMINISTRATION  
PROCEEDINGS OF CARRIAGE RIDGE OWNERS  
ASSOCIATION

**RE: NOTICE OF CLAIMS PROCESS**

Effective as of January 6, 2021, BDO Canada Limited was appointed by the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) as receiver (the “**Receiver**”) of the assets, properties and undertakings of the Carriage Hills Vacation Owners Association and the Carriage Ridge Owners Association (collectively, the “**Applicants**”) and all the lands and premises on which the Applicants operated the Carriage Hills Resort and the Carriage Ridge Resort (the “**Real Property**”). This notice is being delivered pursuant to Orders of the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) made December 17, 2021 (the “**Claims Process Order**”).

The records of the Applicant(s) indicate that you are a partial owner of the Real Property. The Real Property was sold pursuant to Orders of the Court dated May 27, 2021. The Receiver obtained the Claims Process Orders to determine who is entitled to share in the proceeds of the sale of the Real Property and the other assets of the Applicants. In order to receive a distribution of the proceeds, the Claims Agent **MUST receive** your acknowledgment or dispute of your ownership interest **on or before 5:00 p.m. (Toronto Time) on April 11, 2022** in accordance with the Claims Process Order.

**Please read the enclosed Acknowledgment Form - Instruction Letter carefully for instructions on how to participate in the claims process.**

To access the online claims portal (the “**Claims Portal**”) established by the Receiver and managed by Prime Clerk LLC, please use the following link: [www.carriageclaims.com](http://www.carriageclaims.com)

IF THE CLAIMS AGENT DOES NOT **RECEIVE** YOUR ACKNOWLEDGMENT OR DISPUTE OF YOUR OWNERSHIP INTEREST BY **5:00 p.m. (TORONTO TIME) ON APRIL 11, 2022** THROUGH THE CLAIMS PORTAL OR IN WRITING, YOU WILL **NOT** BE ENTITLED TO RECEIVE ANY DISTRIBUTION OF THE ASSETS OF THE APPLICANTS.

DATED at Toronto this ► day of January, 2022

**SCHEDULE “D”**

**ACKNOWLEDGMENT FORM**

[Owner Name]  
[Address]

The Receiver encourages all Owners to use the online Claims Portal [www.carriageclaims.com](http://www.carriageclaims.com) to submit the information contained in this form instead of this paper version. This form should only be completed and returned by mail if you are unable to access the online Claims Portal.

Please read the enclosed **Acknowledgment Form - Instruction Letter** carefully prior to completing this Acknowledgment Form.

**Acknowledgment Form Unique ID:** [Number]

**EACH AND EVERY CO-OWNER MUST SEPARATELY ACKNOWLEDGE THEIR OWNERSHIP INTEREST FOR EACH EQUIANT ACCOUNT.**

If you do not utilize the online Claims Portal, you **must** complete Section 1 or Section 2 of this form, but not both. Everyone must complete Section 3. **If Section 3 is not completed, this form will be disregarded for the purposes of distribution.** Once completed, return a copy of this document, together with any required supporting documentation, by ordinary mail, courier, personal delivery or electronic or digital transmission. Any such submission must be **received** by the Claims Agent by 5:00 p.m. (Toronto time) on April 11, 2022 (the “**Claims Bar Date**”) at the following address:

**Within Canada:**

Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
PO Box 338 Station A  
Etobicoke ON M9C 4V3  
Canada

**Outside of Canada:**

Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
850 Third Avenue, Suite 412  
Brooklyn, NY 11232  
USA

**Via email:** [carriageinfo@primeclerk.com](mailto:carriageinfo@primeclerk.com)

If you do not return this form or complete the online Claims Portal by the Claims Bar Date, you will be barred from making any claim for a distribution in this proceeding.

**Please type your response or print legibly.**

Contact Information for Owner Submitting Acknowledgment Form		Adjusted Contact Information for Owner Submitting Acknowledgment Form (where applicable)
Owner		

<b>Owner Mailing Address</b>		
<b>Owner Email Address</b>		
<b>Owner Phone Number</b>		

**\*\*Please correct any errors in the information above in the boxes provided. If more substantial changes are required (ie your name has legally changed from that noted above), please complete the Request for Amendment form provided.**

<b>Equiant Account Information</b>	
<b>Resort Name</b>	
<b>Equiant Account Number</b>	
<b>Contract Number</b>	

**PARTICULARS OF YOUR CLAIM:**

<b>Interval 1 Details</b>	
<b>Unit Number</b>	
<b>Week</b>	
<b>Every / Even / Odd Year</b>	
<b>Percentage Ownership</b>	
<b>Joint Owner(s)</b>	

**PARTICULARS OF YOUR CLAIM (Continued):**

<b>Interval 2 Details (where applicable)</b>	
<b>Unit Number</b>	
<b>Week</b>	
<b>Every / Even / Odd Year</b>	
<b>Percentage Ownership</b>	
<b>Joint Owner(s)</b>	

<b>Interval 3 Details (where applicable)</b>	
<b>Unit Number</b>	
<b>Week</b>	
<b>Every / Even / Odd Year</b>	
<b>Percentage Ownership</b>	
<b>Joint Owner(s)</b>	

<b>Interval 4 Details (where applicable)</b>	
<b>Unit Number</b>	
<b>Week</b>	
<b>Every / Even / Odd Year</b>	
<b>Percentage Ownership</b>	
<b>Joint Owner(s)</b>	

<b>Interval 5 Details (where applicable)</b>	
<b>Unit Number</b>	
<b>Week</b>	
<b>Every / Even / Odd Year</b>	
<b>Percentage Ownership</b>	
<b>Joint Owner(s)</b>	



**SECTION ONE**

**ACKNOWLEDGMENT**

If you agree with all of the information set out above in the PARTICULARS OF YOUR CLAIM section, you must acknowledge same by checking the box and signing below. If, however, you disagree with this information in any respect, then you must complete Section Two, the Request for Amendment.

I hereby confirm that the above information is true and correct in every respect.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

**SECTION TWO – REQUEST FOR AMENDMENT**

I, [name of Owner or Representative of the Owner], do hereby request that the information provided in this Acknowledgment Form be amended as follows.

WE DO NOT REQUIRE YOU TO COMPLETE FIELDS FOR WHICH THERE IS NO DISPUTE.

PLEASE INDICATE ONLY THE SPECIFIC AMENDMENTS REQUESTED AND PROVIDE SUPPORTING DOCUMENTATION FOR THOSE REQUESTED AMENDMENTS.

<b>Possible Reasons for Requested Amendments</b>
Owner Name Change – Marriage / Divorce / Deceased Owner / Transfer of Ownership Interest / Other
Incorrect Resort Name
Incorrect Equiant Account Number
Incorrect Unit Number
Incorrect Week
Incorrect Type of Year Interval Designation [Every / Even / Odd]
Incorrect Percentage Ownership
Incorrect Co-Owner(s) – Marriage / Divorce / Deceased Co-Owner / Transfer of Co-Ownership Interest / Other
Other

**\*\*In the below table(s) please specify the amendment requested and the reason for such amendment. Supporting documentation is also required to illustrate the need for any amendment. For example, if your name has legally changed, government issued proof to substantiate such change is required to be sent together with this completed form.**

<b>Equiant Account Information</b>		<b>Amended Information (where applicable)</b>	<b>Reason for Requested Amendment (where applicable)</b>
<b>Owner</b>			
<b>Resort Name</b>			
<b>Equiant Account Number</b>			
<b>Contract Number</b>			

**REQUEST FOR AMENDMENT (CONTINUED)**

<b>Interval 1</b>		<b>Amended Information (where applicable)</b>	<b>Reason for Requested Amendment (where applicable)</b>
<b>Unit Number</b>			
<b>Week</b>			
<b>Every/Even/Odd Year</b>			
<b>Percentage Ownership</b>			
<b>Joint Owner(s)</b>			
<b>Other</b>			

<b>Interval 2 (where applicable)</b>		<b>Amended Information (where applicable)</b>	<b>Reason for Requested Amendment (where applicable)</b>
<b>Unit Number</b>			
<b>Week</b>			
<b>Every/Even/Odd Year</b>			
<b>Percentage Ownership</b>			
<b>Joint Owner(s)</b>			
<b>Other</b>			

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**REQUEST FOR AMENDMENT (CONTINUED)**

<b>Interval 3 (where applicable)</b>		<b>Amended Information (where applicable)</b>	<b>Reason for Requested Amendment (where applicable)</b>
<b>Unit Number</b>			
<b>Week</b>			
<b>Every/Even/Odd Year</b>			
<b>Percentage Ownership</b>			
<b>Joint Owner(s)</b>			
<b>Other</b>			

<b>Interval 4 (where applicable)</b>		<b>Amended Information (where applicable)</b>	<b>Reason for Requested Amendment (where applicable)</b>
<b>Unit Number</b>			
<b>Week</b>			
<b>Every/Even/Odd Year</b>			
<b>Percentage Ownership</b>			
<b>Joint Owner(s)</b>			

<b>Other</b>	
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**REQUEST FOR AMENDMENT (CONTINUED)**

<b>Interval 5 (where applicable)</b>	<b>Amended Information (where applicable)</b>	<b>Reason for Requested Amendment (where applicable)</b>
<b>Unit Number</b>		
<b>Week</b>		
<b>Every/Even/Odd Year</b>		
<b>Percentage Ownership</b>		
<b>Joint Owner(s)</b>		
<b>Other</b>		

I hereby confirm that the above information is true and correct in every respect.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

**SECTION THREE**

**DECLARATION OF RESIDENCY:**

**Everyone must complete this section.**

**If Section 3 is not completed, this form will be disregarded for the purposes of distribution.**

Please check the box that applies.

I am a tax resident of Canada.

I am a tax resident of a jurisdiction other than Canada.

I certify that the above information is true.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

**SCHEDULE "E"**

**MORTGAGE INFORMATION**

You are receiving this form because the records of Carriage Hills Resort Corporation (the "Mortgagee") indicate that you have a mortgage outstanding to the Mortgagee. Please review this information carefully. **If you do not utilize the online Claims Portal or complete the Mortgage Amendment below, you will be deemed to acknowledge and agree to the Mortgage Information noted below.**

The Receiver encourages all Owners to use the online Claims Portal [www.carriageclaims.com](http://www.carriageclaims.com). This form should only be completed and returned by mail if you dispute the Mortgage Information noted below and are unable to access the online Claims Portal.

Please read the enclosed **Acknowledgment Form - Instruction Letter** carefully prior to completing this Mortgage Information form.

**Acknowledgment Form Unique ID:** [Number]

Contact Information for Owner Submitting Mortgage Information Form	
Owner Name	
Owner Mailing Address	
Owner Email Address	
Owner Phone Number	

Equiant Account Information	
Resort Name	
Equiant Account Number	
Contract Number	

The Mortgagee has advised the Receiver that you owe the following amounts to the Mortgagee as of [DATE]:

Mortgage Information			
Loan Origination Date	Principal Amount Due	Interest Due	Total Amount Due

**MORTGAGE AMENDMENT:**

**This form should only be completed if you disagree with the Mortgage Information contained above and you cannot access the online Claims Portal. Please type your response or print legibly.**

I, [name of Owner or Representative of the Owner], of do hereby dispute the information provided in this Mortgage Information in the following respect:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLEASE INDICATE THE REASON FOR THE DISPUTE WITH THE ABOVE STATED MORTGAGE INFORMATION AND PROVIDE SUPPORTING DOCUMENTATION.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

In the event that the **Mortgage Amendment** section is completed, if you do not utilize the online Claims Portal, you must return a copy of this document, together with any required supporting documentation, by ordinary mail, courier, personal delivery or electronic or digital transmission. Any such submission must be **received** by the Claims Agent by 5:00 p.m. (Toronto time) on April 11, 2022 (the “**Claims Bar Date**”) at the following address:

**Within Canada:**  
Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
PO Box 338 Station A  
Etobicoke ON M9C 4V3  
Canada

**Outside of Canada:**  
Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
850 Third Avenue, Suite 412  
Brooklyn, NY 11232  
USA

**Via email:** [carriageinfo@primeclerk.com](mailto:carriageinfo@primeclerk.com)



## SCHEDULE “F”

### OWNER PROOF OF CLAIM

Effective as of January 6, 2021, BDO Canada Limited was appointed by the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) as receiver (the “**Receiver**”) of the assets, properties and undertakings of the Carriage Hills Vacation Owners Association and the Carriage Ridge Owners Association (collectively, the “**Applicants**”) and all the lands and premises on which the Applicants operated the Carriage Hills Resort and the Carriage Ridge Resort (the “**Real Property**”). This notice is being delivered pursuant to Orders of the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) made December 17, 2021 (the “**Claims Process Order**”).

The Real Property was sold pursuant to Orders of the Court dated May 27, 2021. The Receiver obtained the Claims Process Orders to determine who is entitled to share in the proceeds of the sale of the Real Property and the other assets of the Applicants. **You are receiving this Owner Proof of Claim form because the Receiver could not reconcile your ownership interest in the Real Property with the records of the Applicant(s).** As a result, you are required to provide the information and documentation necessary to prove your ownership interest in the Real Property

Defined terms not defined within this Owner Proof of Claim form shall have the meaning ascribed thereto in the order dated December 17, 2021, as may be amended from time to time (the “**Claims Process Order**”). **Please type your response or print legibly. An electronic copy of this form may be accessed at <https://www.bdo.ca/en-ca/extranets/carriage/>.**

### PARTICULARS OF OWNERSHIP INTEREST CLAIMED

**Please provide as much information as you have available.**

(a) Full legal name:

---

(b) Full mailing address:

---

(c) Other contact information of the Owner:

Telephone number: \_\_\_\_\_

Email address: \_\_\_\_\_

(d) Ownership is being claimed in which resort:

- Carriage Hills
- Carriage Ridge
- Both

(e) Equiant Account Number(s): \_\_\_\_\_

(f) Contract Number(s): \_\_\_\_\_

(g) Week(s) Purchased: \_\_\_\_\_

(h) Unit(s) Purchased: \_\_\_\_\_

(i) Percentage of Interval(s) Owned: \_\_\_\_\_

(j) Details of additional Co-Owner(s): \_\_\_\_\_

(k) Please check the box that applies.

- My Interval is subject to a Mortgage.
- My Interval is NOT subject to a Mortgage..

**DECLARATION OF RESIDENCY:**

**Everyone must complete this section.**

**If this section is not completed, this form will be disregarded for the purposes of distribution.**

Please check the box that applies.

- I am a tax resident of Canada.
- I am a tax resident of a jurisdiction other than Canada.

I certify that the above information is true.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

This Owner Proof of Claim form must be **received** by the Claims Agent by no later than **5:00 p.m. (Toronto time) on the Claims Bar Date of April 11, 2022**, by either ordinary mail, personal delivery, courier or electronic or digital transmission at the following address:

**Within Canada:**

Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
PO Box 338 Station A  
Etobicoke ON M9C 4V3  
Canada

**Outside of Canada:**

Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
850 Third Avenue, Suite 412  
Brooklyn, NY 11232  
USA

**Via email:** [carriageinfo@primeclerk.com](mailto:carriageinfo@primeclerk.com)

If the Claims Agent **does not receive** your Owner Proof of Claim and any documentation necessary to support your Claim by **5:00 p.m. (Toronto time) on April 11, 2022**, your claim will be forever barred and extinguished and you will be prohibited from making or enforcing a Claim against the Applicant and shall not be entitled to further notice or distribution, if any, and shall not be entitled to participate as a creditor in these proceedings.

## SCHEDULE "G"

### ADDITIONAL PROOF OF CLAIM

This Additional Proof of Claim form should only be completed by an Owner who wishes to assert a Claim on the basis of facts and circumstances other than those set out in the Owner Information.

Defined terms not defined within this Additional Proof of Claim form shall have the meaning ascribed thereto in the order dated December 17, 2021, as may be amended from time to time (the "Claims Process Order"). **Please type your response or print legibly. An electronic copy of this form may be accessed at <https://www.bdo.ca/en-ca/extranets/carriage/>.**

#### 1. PARTICULARS OF OWNER

(a) Full legal name of Owner:

---

(b) Equiant Account Number(s):

---

(c) Full mailing address of the Owner:

---

(d) Other contact information of the Owner:

Telephone number: \_\_\_\_\_

Email address: \_\_\_\_\_

#### 3. CERTIFICATION

##### THE UNDERSIGNED HEREBY CERTIFIES AS FOLLOWS:

- (a) That I am an Owner or assignee of the Real Property of the Carriage Hills Vacation Owners Association and/or Carriage Ridge Owners Association;
- (b) That I have knowledge of all the circumstances connected with the Claim described and set out herein; and
- (c) That Carriage Hills Vacation Owners Association and/or Carriage Ridge Owners Association was and still is indebted to me as follows (*include all Claims that you assert against the Applicants*):

\$ \_\_\_\_\_ [Insert \$ value of Claim against Carriage Hills] CAD

\$ \_\_\_\_\_ [Insert \$ value of Claim against Carriage Ridge] CAD

*Note: Claims in a foreign currency are to be converted to Canadian Dollars at the Bank of Canada noon spot rate as of December 17, 2021.*

**4. PARTICULARS OF CLAIM**

Other than as already set out herein, the particulars of the undersigned's total Claim against the Applicants are attached on a separate sheet.

*Provide all particulars of the Claim and supporting documentation, amount owed and a description of the particulars giving rise to the Claim.*

**5. FILING OF CLAIM**

This Additional Proof of Claim form must be **received** by the Claims Agent by no later than **5:00 p.m. (Toronto time) on the Claims Bar Date of April 11, 2022**, by either ordinary mail, personal delivery, courier or electronic or digital transmission at the following address:

**Within Canada:**

Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
PO Box 338 Station A  
Etobicoke ON M9C 4V3  
Canada

**Outside of Canada:**

Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
850 Third Avenue, Suite 412  
Brooklyn, NY 11232  
USA

**Via email:** [carriageinfo@primeclerk.com](mailto:carriageinfo@primeclerk.com)

If the Claims Agent **does not receive** your Additional Proof of Claim and any required documentation necessary to substantiate your Claim by **5:00 p.m. (Toronto time) on April 11, 2022**, your claim will be forever barred and extinguished and you will be prohibited from making or enforcing a Claim against the Applicant and shall not be entitled to further notice or distribution, if any, and shall not be entitled to participate as a creditor in these proceedings.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

**SCHEDULE “H”****ACKNOWLEDGMENT FORM - INSTRUCTION LETTER****A. Claims Process**

Effective as of January 6, 2021, BDO Canada Limited was appointed by the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) as receiver (the “**Receiver**”) of the assets, properties and undertakings of the Carriage Hills Vacation Owners Association and Carriage Ridge Owners Association (collectively, the “**Applicants**”) and all the lands and premises on which the Applicants operated the Carriage Hills Resort and the Carriage Ridge Resort (the “**Real Property**”). This notice is being delivered pursuant to Orders of the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) made December 17, 2021 (the “**Claims Process Order**”). Copies of the Claims Process Orders can be found on the Receiver’s case website at: <https://www.bdo.ca/en-ca/extranets/carriage/>. Any capitalized terms not defined herein shall have the meaning ascribed thereto in the Claims Process Orders.

The Real Property was sold pursuant to Orders of the Court dated May 27, 2021. The Receiver obtained the Claims Process Orders to determine who is entitled to share in the proceeds of the assets of the Applicants. In order to be eligible to receive a distribution of the proceeds, the Claims Agent must **receive** your acknowledgment or dispute of your ownership interest by **5:00 p.m. (Toronto Time) on April 11, 2022** in accordance with the Claims Process Orders.

This letter provides instructions for completing the enclosed Acknowledgment Form in writing or by using the online Claims Portal. **The Receiver encourages all Owners to use the online Claims Portal to ensure the efficiency of the process.**

The Claims Process is intended for any Owner claiming an interest in the assets of the Applicants. In order to claim an interest in the assets of the Applicants, you must have been an Owner of the Real Property at the time of its sale on May 27, 2021.

**Each co-Owner of an Interval is required to individually submit an Acknowledgment Form in respect of their interest in the online Claims Portal or by returning the written Acknowledgment Form. This includes all parties living at the same address or having the same email address.**

Pursuant to the Claims Process Order, failure to submit an Acknowledgment Form in the online Claims Portal or by returning the written Acknowledgment Form such that it is **received** by the Claims Agent by **5:00 p.m. (Toronto Time) on April 11, 2022** will result in your Claim being forever barred and extinguished and you will be prohibited from making or enforcing a Claim against the Applicants and shall not be entitled to further notice or distribution, if any, and shall not be entitled to participate as a creditor in these proceedings.

## **B. Additional Proof of Claim**

If you believe that you have a Claim in addition to the Claim set out in the Owner Information (for example, a Claim for damages), then you must also file an Additional Proof of Claim for that additional Claim. **Your Additional Proof of Claim must be received by the Claims Agent by 5:00 p.m. (Toronto time) on April 11, 2022, the Claims Bar Date.** Pursuant to the Claims Process Order, failure to submit an Additional Proof of Claim which is received by the Claims Agent by the Claims Bar Date will result in such Claim being barred and extinguished, released and discharged forever. An Additional Proof of Claim form may be obtained by contacting the Claims Agent or by accessing the Receiver's website at <https://www.bdo.ca/en-ca/extranets/carriage/>.

## **C. Claims Portal**

The Receiver engaged the Claims Agent to prepare and maintain an online Claims Portal to facilitate the Claims Process. Owners may access the online Claims Portal by using the following link: [www.carriageclaims.com](http://www.carriageclaims.com) **Each co-Owner of an Interval is required to individually submit an Acknowledgment Form in respect of their interest. This includes all parties living at the same address or having the same email address.** Please follow the instructions provided in the online Claims Portal to submit your Acknowledgment Form.

If you complete your **Acknowledgment Form** in the online Claims Portal, you are **not** required to complete and return any of the written forms provided.

## **D. General Instructions for Completing the Written Acknowledgment Form**

If you choose **not** to use the online Claims Portal, you are required to complete and submit the paper version of the Acknowledgment Form. All Acknowledgment Forms must be signed and dated.

The Acknowledgment Form is pre-populated with your personal information (ie legal name, address) that the Receiver has and contains an acknowledgment by the Receiver of your ownership interest(s) in the Real Property (the "**Owner Information**"). This information was derived through a reconciliation by the Receiver of the records maintained by Equiant with those registered against title to the Real Property.

If you **agree** with the Owner Information, you are required to complete Section One of the Acknowledgment Form.

If you **do not agree** with the Owner Information, you are required to complete Section Two of the Acknowledgment Form entitled "Request for Amendment". If you are requesting an amendment to any of the Owner Information, you are also required to provide copies of the documentation to support your requested amendment(s).

**All Owners must complete Section Three of the Acknowledgment Form in respect of your residency status for tax purposes. In the event that this section is not completed, your claim will not be accepted, and your Acknowledgment Form will be discarded.**

#### **D. Mortgage Information**

Only Owners having outstanding mortgages will receive a Mortgage Information statement. In the event that you receive a Mortgage Information statement, you must review the statement of indebtedness contained therein. If you agree with the Mortgage Information, you are not required to do anything further with the Mortgage Information form. If you disagree with the Mortgage Information, you are required to complete the Mortgage Amendment section of the Mortgage Information form and return it to the Claims Agent together with copies of the documentation required to support the reason for your dispute.

#### **E. Questions**

If you have any questions regarding the Claims Process, please contact the Claims Agent at the address provided below. All notices and enquiries with respect to the Claims Process should be addressed to:

**Within Canada:**

Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
PO Box 338 Station A  
Etobicoke ON M9C 4V3  
Canada

**Outside of Canada:**

Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
850 Third Avenue, Suite 412  
Brooklyn, NY 11232  
USA

**Via email:** [carriageinfo@primeclerk.com](mailto:carriageinfo@primeclerk.com)

**Via Telephone:** (844) 205-4338 (Toll Free in Canada and the United States),  
(312) 345-0605 (Outside Canada and the United States)



**SCHEDULE “I”****OWNER PROOF OF CLAIM - INSTRUCTION LETTER****A. Claims Process**

Effective as of January 6, 2021, BDO Canada Limited was appointed by the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) as receiver (the “**Receiver**”) of the assets, properties and undertakings of the Carriage Hills Vacation Owners Association and Carriage Ridge Owners Association (collectively, the “**Applicants**”) and all the lands and premises on which the Applicants operated the Carriage Hills Resort and the Carriage Ridge Resort (the “**Real Property**”). This notice is being delivered pursuant to Orders of the Ontario Superior Court of Justice (Commercial List) (the “**Court**”) made December 17, 2021 (the “**Claims Process Order**”). Copies of the Claims Process Orders can be found on the Receiver’s case website at: <https://www.bdo.ca/en-ca/extranets/carriage/>. Any capitalized terms not defined herein shall have the meaning ascribed thereto in the Claims Process Orders.

The Real Property was sold pursuant to the Orders of the Court dated May 27, 2021. The Receiver obtained the Claims Process Orders to determine who is entitled to share in the proceeds of the assets of the Applicants. **You are receiving this Owner Proof of Claim form because the Receiver could not reconcile your ownership interest in the Real Property with the records of the Applicant(s).** As a result, you are required to provide the information and documentation necessary to prove your ownership interest in the Real Property.

In order to be eligible to receive a distribution of the proceeds from the sale of the Real Property, the Claims Agent must **receive** your completed Owner Proof of Claim form by **5:00 p.m. (Toronto Time) on April 11, 2022** in accordance with the Claims Process Orders.

This letter provides instructions for completing the enclosed Owner Proof of Claim form in writing or by using the online Claims Portal. **The Receiver encourages all parties to use the online Claims Portal to ensure the efficiency of the process.**

The Claims Process is intended for any Owner claiming an interest in the assets of the Applicants. In order to claim an interest in the assets of the Applicants, you must have been an Owner of the Real Property at the time of its sale on May 27, 2021.

**Each co-Owner of your Interval is required to individually submit an Owner Proof of Claim in respect of their interest in the online Claims Portal. This includes all parties living at the same address or having the same email address.**

Pursuant to the Claims Process Order, failure to submit an Owner Proof of Claim in the online Claims Portal or by returning the written Owner Proof of Claim form such that it is **received** by the Claims Agent by **5:00 p.m. (Toronto Time) on April 11, 2022** will result in your Claim being forever barred and extinguished and you will be prohibited from making or enforcing a Claim

against the Applicants and shall not be entitled to further notice or distribution, if any, and shall not be entitled to participate as a creditor in these proceedings.

## **B. Claims Portal**

The Receiver engaged the Claims Agent to prepare and maintain an online Claims Portal to facilitate the Claims Process. Owners may access the online Claims Portal by using the following link: [www.carriageclaims.com](http://www.carriageclaims.com). **Each co-Owner of your Interval is required to individually submit an Owner Proof of Claim form in respect of their interest. This includes all parties living at the same address or having the same email address.** Please follow the instructions provided in the online Claims Portal to submit your Owner Proof of Claim.

If you complete your **Owner Proof of Claim** in the online Claims Portal, you are **not** required to complete and return any of the written forms provided.

## **C. General Instructions for Completing the Owner Proof of Claim**

If you choose **not** to use the online Claims Portal, you are required to complete and submit the paper version of the Owner Proof of Claim. All Owner Proof of Claim forms must be signed and dated.

The Owner Proof of Claim requires you to provide as much information and documentation as you can in respect of the Interval over which you are claiming ownership. This information will be used by the Receiver, together with the records maintained by Equiant and those registered against title to the Real Property to verify your ownership.

**You are required and must complete the Declaration of Residency section of the Owner Proof of Claim in respect of your residency status for tax purposes. In the event that this section is not completed, your claim will not be accepted, and your Owner Proof of Claim will be discarded.**

## **D. Mortgage Information**

Only Claimants having outstanding mortgages will receive a Mortgage Information statement. In the event that you receive a Mortgage Information statement, you must review the statement of indebtedness contained therein. If you agree with the Mortgage Information, you are not required to do anything further with the Mortgage Information form. If you disagree with the Mortgage Information, you are required to complete the Mortgage Amendment section of the Mortgage Information form and return it to the Claims Agent together with copies of the documentation required to support the reason for your dispute.

**E. Questions**

If you have any questions regarding the Claims Process, please contact the Claims Agent at the address provided below. All notices and enquiries with respect to the Claims Process should be addressed to:

**Within Canada:**

Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
PO Box 338 Station A  
Etobicoke ON M9C 4V3  
Canada

**Outside of Canada:**

Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
850 Third Avenue, Suite 412  
Brooklyn, NY 11232  
USA

**Via email:** [carriageinfo@primeclerk.com](mailto:carriageinfo@primeclerk.com)

**Via Telephone:** (844) 205-4338 (Toll Free in Canada and the United States), (312) 345-0605 (Outside Canada and the United States)

**SCHEDULE “J”****NOTICE OF REVISION OR DISALLOWANCE OF CLAIM**

Name of Owner: \_\_\_\_\_

Equiant # (if applicable): \_\_\_\_\_

Defined terms not defined within this Notice of Revision or Disallowance form have the meaning ascribed thereto in the Claims Process Order dated December 17, 2021. Pursuant to paragraph 35 of the Claims Process Order, the Receiver, hereby gives you notice that it has reviewed your [Request for Amendment/Owner Proof of Claim/Additional Proof of Claim] and has revised or rejected your Claim as follows:

(A) Revisions or Disallowance:

<b>Recorded Ownership Interest</b>	<b>Requested Amendment</b>	<b>Accepted Claim</b>

(B) Reason for the Revision or Disallowance:

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**IF YOU DO NOT AGREE WITH THIS NOTICE OF REVISION OR DISALLOWANCE, PLEASE TAKE NOTICE OF THE FOLLOWING:**

1. If you intend to dispute this Notice of Revision or Disallowance you must, in relation to an Acknowledgment Form, Owner Proof of Claim or Additional Proof of Claim, ***no later than 5:00 p.m. (Toronto time) on the day which is thirty (30) days after the date of the Notice of Revision or Disallowance***, deliver a Dispute Notice by ordinary mail, personal service, courier or electronic or digital transmission to the addresses indicated hereon. The form of Dispute Notice is attached to this Notice.
2. If you do not deliver a Dispute Notice by the applicable deadline, the amount of your Claim shall be deemed to be as set out in this Notice of Revision or Disallowance.

*Address for Service of Dispute Notices:*

**Within Canada:**

Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
PO Box 338 Station A  
Etobicoke ON M9C 4V3  
Canada

**Outside of Canada:**

Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
850 Third Avenue, Suite 412  
Brooklyn, NY 11232  
USA

**Via email:** [carriageinfo@primeclerk.com](mailto:carriageinfo@primeclerk.com)

***IF YOU FAIL TO TAKE ACTION WITHIN THE PRESCRIBED TIME PERIODS, THIS NOTICE OF REVISION OR DISALLOWANCE WILL BE BINDING UPON YOU.***

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**BDO CANADA LIMITED**, in its capacity as  
Court-appointed Receiver of Carriage Hills  
Vacation Owners Association and the Carriage  
Hills Resort and Carriage Ridge Owners  
Association and Carriage Ridge Resort,  
and not in its corporate or personal capacity

**SCHEDULE “K”**

**DISPUTE NOTICE**

Defined terms not defined within this Dispute Notice form have the meaning ascribed thereto in the Claims Process Order dated December 17, 2021. Pursuant to paragraph 40 of the Claims Process Order, we hereby give you notice of our intention to dispute the Notice of Revision or Disallowance bearing Equiant Number \_\_\_\_\_ and dated \_\_\_\_\_ issued by the Receiver in respect of my Claim.

Name of Owner: \_\_\_\_\_

Reasons for Dispute (attach additional sheet and copies of all supporting documentation where necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

(Please print name) \_\_\_\_\_

Date: \_\_\_\_\_

Telephone Number: ( ) \_\_\_\_\_

Email: \_\_\_\_\_

Full Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

*THIS FORM AND SUPPORTING DOCUMENTATION MUST BE RETURNED BY ORDINARY MAIL, PERSONAL SERVICE, COURIER OR ELECTRONIC OR DIGITAL TRANSMISSION TO THE ADDRESS INDICATED HEREIN AND MUST BE **RECEIVED** BY NO LATER THAN 5:00 P.M. (TORONTO TIME) ON THE DAY WHICH IS THIRTY (30) DAYS AFTER THE DATE OF THE NOTICE OF REVISION OR DISALLOWANCE.*

*Address for Service of Dispute Notices:*

**Within Canada:**

Carriage Hills and Ridge Claims  
Processing Center  
c/o Prime Clerk LLC  
PO Box 338 Station A  
Etobicoke ON M9C 4V3  
Canada

**Outside of Canada:**

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Brooklyn, NY 11232  
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**Via email:** [carriageinfo@primeclerk.com](mailto:carriageinfo@primeclerk.com)