

ADDITIONAL PROOF OF CLAIM INSTRUCTION LETTER

IN THE SUPREME COURT OF BRITISH COLUMBIA

**IN THE MATTER OF THE *LAW AND EQUITY ACT*, R.S.B.C. 1996, c. 253, AS
AMENDED**

**AND IN THE MATTER OF THE PROCEEDINGS OF SVC-MOUNTAININSIDE ULC
AND SHELL OWNERS ASSOCIATION – PACIFIC**

PETITIONERS

ADDITIONAL PROOF OF CLAIM INSTRUCTION LETTER

A. Member Claims Process

Pursuant to an Amended and Restated Appointment Order dated May 8, 2025 (the “**A&R Appointment Order**”), BDO Canada Limited was appointed as Receiver (in such capacity, the “**Receiver**”) of SVC-Mountaininside ULC and Shell Owners Association – Pacific (together, the “**Petitioners**”). This letter is being delivered pursuant to the Order of the British Columbia Supreme Court made on September 25, 2026 (the “**Member Claims Process Order**”). Capitalized terms used but not defined herein have the meaning given to them in the Member Claims Process Order.

A claims process is a structured procedure used to evaluate, validate, and resolve assertions that a claimant has an amount owing by a debtor. In these proceedings, Members² have lost their right-of-use access to the Shell Mountaininside Lodge as a result of the sale of the Petitioners’ interest in the strata lots and certain chattel property contained therein, which comprised the Shell

² Pursuant to the Member Claims Process Order:

- (3) A Member means an MLMA Member or a SOAP Member who, according to the books and records of the Petitioners, has a Member Claim against any of the Petitioners, according to the Petitioners’ books and records; and
- (4) A Member Claim means:
 - a. any right or claim of any MLMA Member against ULC, whether or not asserted, in connection with any indebtedness, liability or obligation of any kind whatsoever of ULC for damages or any other form of compensation arising from the effective termination of the MLMA Member’s Vacation Lease; and
 - b. any right or claim of any SOAP Member against SOAP, whether or not asserted, in connection with any indebtedness, liability or obligation of any kind whatsoever of SOAP for damages or any other form of compensation arising from the effective termination of the SOAP Member’s Timeshare Purchase Agreement.

Mountainside Lodge, to the purchaser, Executive Hotels (the “**Sale Transaction**”). Member Contracts have been effectively breached and, as a result, Members may be entitled to submit a damage claim in these proceedings as creditors.

The Receiver is undertaking the Member Claims Process in order to determine the claims of who is entitled to share in the proceeds of the assets of the Petitioners and the quantum of such claims. The Member Claims Process is intended for any party who held a Vacation Lease or Timeshare Purchase Agreement effective the date of the Sale Transaction. In order to be eligible to receive a distribution of the proceeds, the Claims Support Agent must **receive** your completed Member Claim Form on or before **5:00 p.m. (Vancouver time) on January 15, 2027** in accordance with the Member Claims Process Order.

You may submit an Additional Proof of Claim if you believe that you are entitled to a Member Claim, but you have not received a Member Claim Package.

This letter provides instructions for completing the enclosed Additional Proof of Claim in writing or by using the online Claims Portal. **The Receiver encourages all Members to use the online Claims Portal to support the efficiency of the Member Claims Process.**

The Member Claims Process is intended for any Member claiming an interest in the assets of the Petitioners by virtue of their interest under a Timeshare Purchase Agreement or Vacation Lease. In order to have a Member Claim, the Member must have been a party to an active Timeshare Purchase Agreement or Vacation Lease as of May 27, 2025.

Pursuant to the Member Claims Process Order, failure to submit a completed Member Claim Form in the online Claims Portal or in writing such that it is **received** by the Claims Support Agent on or before **5:00 p.m. (Vancouver time) on January 15, 2027** will result in your Member Claim being forever barred and extinguished and you will be prohibited from making or enforcing a Member Claim against the Petitioners, shall not be entitled to further notice or distribution, if any, and shall not be entitled to participate as a Member Claimant in these proceedings.

B. General Instructions for Submitting a Member Claim

To be eligible to receive a distribution of the proceeds under the Member Claims Process, Members must submit either:

- a completed Acknowledgement Form; or
- an Additional Proof of Claim.

This letter provides instructions for completing an Additional Proof of Claim, either in writing or using the online Claims Portal.

C. Submitting an Additional Proof of Claim

You are required to include all particulars of your Member Contract when completing your Additional Proof of Claim. You will also be required to submit supporting documentation to

support your Member Claim (at minimum, a copy of the Vacation Lease or Timeshare Purchase Agreement).

You are not required to provide a calculation of your Member Claim. The amount of your Member Claim will be determined pursuant to a methodology developed by the Receiver, which will be subject to Court approval at a later date.

Online Claims Portal Submissions

Members may submit an Additional Proof of Claim through the online Claims Portal accessed by using the following link: www.mountainsidelodgememberclaims.ca. Members should select, "I don't have login information.", and follow the instructions to complete and submit the Additional Proof of Claim.

Supporting documents can be uploaded and attached to your claim in the Claims Portal.

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

In-Writing Paper Submissions

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

Paper versions of your supporting documents must be attached to your Additional Proof of Claim.

D. Non-Member Proof of Claim

The Additional Proof of Claim is only intended for Members Claims (i.e. in relation to Member Contracts). In the event a Member believes they have a claim separate and apart from their Member Contract, a Member should complete and submit a Non-Member Proof of Claim.

A blank Non-Member Proof of Claim may be obtained by contacting the Claims Support Agent or by accessing the Receiver's website at: www.bdo.ca/mountainsidelodge.

E. Important Submission Deadlines

Pursuant to the Member Claims Process Order, Acknowledgement Forms and Additional Proof of Claims must be completed and submitted so that they are **received** by the Claims Support Agent by **5:00 p.m. (Vancouver Time) on January 15, 2027** (the "**Member Claims Bar Date**"). **FAILURE TO SUBMIT AN ADDITIONAL PROOF OF CLAIM BY THE CLAIMS BAR DATE WILL RESULT IN SUCH CLAIM BEING BARRED AND EXTINGUISHED, RELEASED AND DISCHARGED FOREVER.**

F. Questions

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

Shell Mountainside Lodge Claims Processing Center
c/o BDO Canada LLP
222 Bay Street, Suite 2200
Toronto, ON M5K 1H1

Attention: Shell Mountainside Lodge Claims

Email: bdo-mountainsideclaims@bdo.ca

Telephone (Toll Free): 1-877-236-2792 (Canada)
1-855-236-2795 (United States)

Copies of the Member Claims Process Order and other documents pertaining to the Receivership Proceedings can be found on the Receiver's case website at: www.bdo.ca/mountainsidelodge.