

COURT FILE NUMBER 1701-10806
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF ILAN HANDELSMAN
DEFENDANTS

ALI GHANI, ALI GHANI AS LITIGATION REPRESENTATIVE FOR THE ESTATE OF ABDUL GHANI, BROADMOOR COMMERCIAL PLAZA DEVELOPMENT CORP., HORIZON COMMERCIAL DEVELOPMENT CORP., HERITAGE PLAZA DEVELOPMENTS INC., PRISM PLACE DEVELOPMENT LTD., PRISM REAL ESTATE INVESTMENT CORPORATION, SUMMERSIDE DEVELOPMENT TRUST, SUMMERSIDE COMMERCIAL TRUST, PRISM SUMMERSIDE LIMITED PARTNERSHIP, PRISM SUMMERSIDE DEVELOPMENT CORP., JANE DOE, JOHN DOE, and ABC CORP.



DOCUMENT **AMENDING ORDER re: LITIGATION FUNDING APPROVAL**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT Matthew J. Epp / Robyn Gurofsky / Jack R. Maslen
Borden Ladner Gervais LLP
1900, 520 3rd Ave. S.W.
Calgary, AB T2P 0R3
Telephone: (403) 232-9712 / (403) 232-9774 / (403) 232-9790
Facsimile: (403) 266-1395
Email: mepp@blg.com / rgurofsky@blg.com / jmaslen@blg.com
File No. 444097-000001

DATE ON WHICH ORDER WAS PRONOUNCED: Dec 2, 2020

NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Associate Chief Justice J.D. Rooke

LOCATION OF HEARING: Calgary, Alberta

UPON the application by the Plaintiff, Ilan Handelsman, re: Litigation Funding Approval submitted on February 28, 2020 and filed on April 21, 2020; AND UPON reading the Affidavit for Litigation Funding Approval of Handelsman, sworn on February 27, 2020 and filed on April 21, 2020 (the "Funding Affidavit"), submitted in support of the Application; AND UPON noting that this Court certified this Action as a class proceeding pursuant to the *Class Proceedings Act*, SA 2003, c C-16.5 (the "CPA") on March 9, 2020; AND UPON noting that this Court granted an Order re: Litigation Funding Approval on May 7, 2020 (the "Funding Order"); AND UPON determining that it was necessary and just to amend the Funding Order in the manner requested by the Plaintiff;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. Paragraph 8 of the Funding Order is hereby deleted and replaced with the following:

"Any class member wishing to invest as a Shareholder in 227 shall do so by no later than the Opt-Out Deadline as defined in the Certification Order. For the avoidance of doubt, any class member who has invested in 227 prior to or on the Opt-Out Deadline may continue to advance additional principal investments to 227 after the Opt-Out Deadline."

2. Except as amended by paragraph 1 hereof, the Funding Order shall continue and remain in full force and effect.
3. Service of this Amending Order shall be effected in the manner contemplated by the Funding Order.


A.C.J.C.Q.B.A.