

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

ALI GHANI, 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.



901119

DOCUMENT **ORDER re: ESTATE OF ABDUL GHANI**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT  
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File No. 444097-000001

DATE ON WHICH ORDER WAS PRONOUNCED: September 9, 2020

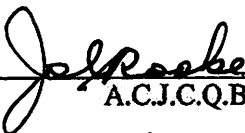
NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Associate Chief Justice J.D. Rooke

LOCATION OF HEARING: Calgary, Alberta

UPON the application by the Plaintiff, Ilan Handelsman (“Handelsman”), for Advice and Direction, re: Estate of Abdul Ghani, filed (the “Application”); AND UPON noting that the Defendant, Abdul Ghani, has died; AND UPON reading such materials and pleadings filed in this Action, including, *inter alia*, the Amended Statement of Claim filed on April 30, 2019 (the “Amended Statement of Claim”), and the Affidavit for Certification of Handelsman sworn on June 27, 2019 (filed on June 28, 2019) (the “Certification Affidavit”); 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”) at a hearing on March 9, 2020; AND UPON hearing from counsel;

**IT IS HEREBY ORDERED AND DECLARED THAT:**

1. Service of the Application, and any supporting materials, is hereby deemed good and sufficient and there is no other person with an interest in the subject matter of this Application to whom notice should have been given.
2. The Defendant, Ali Ghani, is hereby appointed as the litigation representative for the estate of the Defendant, Abdul Ghani (the “Estate”), pursuant to Rule 2.15 of the *Alberta Rules of Court*, Alta Reg 124/2010 (the “Rules”).
3. The Plaintiff is hereby granted permission to amend the Amended Statement of Claim, including without limitation, the cause of action for this Action, to reflect that (i) Abdul Ghani has died, and (ii) Ali Ghani has been appointed as the litigation representative for the Estate.
4. The automatic stay of proceedings pursuant to Rule 4.34 of the *Rules*, arising from the death of Abdul Ghani, is hereby lifted *nunc pro tunc*.

  
A.C.J.C.Q.B.A.  
Sept 10/20

APPROVED AS TO ORDER GRANTED:


**BENNETT JONES LLP**

Per:

  
Blair C. Yorke-Slader, Q.C.  
Counsel for the Defendant, Ali Ghani

**BORDEN LADNER GERVAIS LLP**

Per:

  
Matthew J. Epp / Jack R. Maslen  
Counsel for the Plaintiff, Ilan  
Handelsman