

SUPREME COURT
 OF BRITISH COLUMBIA
 VANCOUVER REGISTRY

JUN 27 2017

ENTERED

BETWEEN:

No. S104460
 Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

JOSHUA PENG, an Infant by His Litigation Guardian,
 ZHEN PENG, also known as, MURRAY PENG

PLAINTIFF

AND:

FU DE REN, FENG YAN, CITY OF BURNABY and
 GUNN FIRE PREVENTION AND ELECTRIC LTD.

DEFENDANT

AND:

FU DE REN, FENG YAN, MURRAY PENG, IRENE PENG,
 CITY OF BURNABY and GUNN FIRE PREVENTION AND ELECTRIC LTD.

THIRD PARTIES

ORDER MADE AFTER APPLICATION

BEFORE)
)
)
)

~~THE HONOURABLE JUSTICE~~
~~or A JUDGE OF THE COURT~~
~~or~~
~~MASTER.....~~
~~or A MASTER OF THE COURT~~

MADAM
Russell

) JUN 23 2017)

ON THE APPLICATION of the Plaintiff, Joshua Peng, an infant by his Litigation Guardian, Zhen (Murray) Peng, coming on for hearing at Vancouver Courthouse on June 23/17 and on hearing David Doig, lawyer for the Plaintiff, and no one else appearing although duly serve with the notice of application.

THIS COURT ORDERS that:

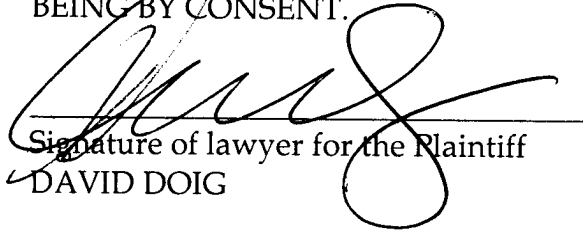
1. The claims of Joshua Peng, an Infant by his Guardian and Litigation Guardian, Zhen (Murray) Peng, be settled on the terms set out in this Order and Zhen (Murray) Peng, in his capacity of Litigation Guardian, be authorized to accept the proposed settlement and execute the necessary documentation to confirm settlement of this matter on behalf of the Plaintiff, under the terms and conditions contained in this Order;
2. The sum of \$2,720,000 be paid by the Defendants, Fu De Ren and Feng Yan, to David Doig + Associates Barristers and Solicitors in trust for the plaintiff, Joshua Peng (herein after referred to as "the law firm trust funds");
3. The sum of \$1,421,769.02 as adjusted for interest paid and appropriate reasonable expenses incurred on behalf of Joshua Peng be paid from the law firm trust funds

to the Public Guardian and Trustee in trust for Joshua Peng to be held until he attains the age of 19 subject to Section 14 of the *Infant Act RSBC 1996 c. 223*, at the Public Guardian and Trustee, 700 - 808 West Hastings Street, Vancouver, BC. These funds include the balance remaining in trust, **\$10,265.62**, from the \$77,500.00 advanced to cover the cost of Joshua Peng's ongoing treatment and rehabilitation needs;

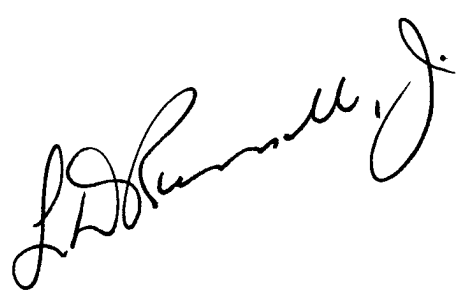
4. The sum of **\$45,000** be paid from the law firm trust funds to Zhen (Murray) Peng and Irene Peng for in trust voluntary services incurred on behalf of the Plaintiff;
5. The sum of **\$499,674.17** be paid from the law firm trust funds to David Doig + Associates, Barrister and Solicitors for legal fees incurred on behalf of the Plaintiff;
6. The sum of **\$24,983.71** be paid from the law firm trust funds to the Receiver General for GST on legal fees incurred on behalf of the Plaintiff;
7. The sum of **\$34,977.19** be paid from the law firm trust funds to the Ministry of Finance for PST on legal fees incurred on behalf of the Plaintiff;
8. The sum of **\$24,983.71** be paid from the law firm trust funds to the Receiver General for GST on legal fees incurred on behalf of the Plaintiff;
9. The sum of **\$34,977.19** be paid from the law firm trust funds to the Ministry of Finance for PST on legal fees incurred on behalf of the Plaintiff;
10. The sum of **\$97,729.62** be paid from the law firm trust funds to David Doig + Associates for disbursements incurred on behalf of the Plaintiff;
11. The sum of **\$4,807.60** be paid from the law firm trust funds to the Receiver General of Canada for GST on disbursements incurred on behalf of the Plaintiff;
12. The sum of **\$21.00** to be paid from the law firm trust funds to the Minister of Finance for PST on disbursements incurred on behalf of the Plaintiff;
13. The sum of **\$500,284.34** be paid from the law firm trust funds to the Ministry of Health (HCCRA) for fees incurred on behalf of the Plaintiff;
14. The sum of **\$90,195.50** be paid from the law firm trust funds to David Doig + Associates, Barrister and Solicitors for legal fees incurred on behalf of the Ministry of Health (HCCRA);
15. The sum of **\$4,509.78** be paid from the law firm trust funds to the Receiver General for GST on legal fees incurred on behalf of the Ministry of Health (HCCRA);
16. The sum of **\$6,313.69** be paid from the law firm trust funds to the Ministry of Finance for PST on fees incurred on behalf of the Ministry of Finance (HCCRA);

17. The Release when executed by Zhen (Murray) Peng, Guardian and Litigation Guardian of Joshua Peng, shall be good and sufficient discharge for all purposes and shall operate as an agreement of Zhen (Murray) Peng and Joshua Peng and their respective heirs, executors, administrators, successors and assigns, as full and effectively as if Joshua Peng was of full age, and had himself entered into this agreement of settlement and release; and
18. Upon execution of the release by Zhen (Murray) Peng as Guardian and Litigation Guardian of Joshua Peng and payment of the \$2,720,000, this action be dismissed without costs.


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.



Signature of lawyer for the Plaintiff
DAVID DOIG



By the Court



Registrar

CHECKED
