

IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY

BETWEEN:

HEIKE ENTICKNAP, as Representative Plaintiff

Plaintiff

-and-

H M S FINANCIAL INC., SKYWARD MANAGEMENT INC., GARTH S. BAILEY, GARTH S. BAILEY PROFESSIONAL CORPORATION, 990137 ALBERTA LTD., 1037149 ALBERTA LTD., operating as CEDAR MANAGEMENT, 1053382 ALBERTA INC., 1070199 ALBERTA LTD., 1079373 ALBERTA LTD., A-Z INVESTMENT GROUP, ABBA RESOURCES UNLIMITED, ACADEMY FINANCIAL INC., ACADEMY FINANCIAL PLANNERS & CONSULTANTS INC., ALTRUISTIC HOLDINGS LTD., ASPIRE GROUP INTERNATIONAL REALTY INC., BAILEY DAWS LLP, BOGNER INDUSTRIES LTD., THE CARPENTER'S SHOP CORPORATION, CEDAR POINTE CONSULTING GROUP INC., CHASE FORBES TRUST LTD., COMMONWEALTH MARKETING GROUP LTD., COMMUNITY CREDIT UNION LTD., COMPANIONS INC., D. K. DEFREITAS PROFESSIONAL CORPORATION, THE DAKOTA CORPORATION, DANA I. CARLSON, DATAS CONSULTING, DEFREITAS & ASSOCIATES, DESMOND K. DEFREITAS, DIVERSE EQUITIES INC., ETHAN EQUITIES INC., FIRST NATIONAL BANK OF SAN DIEGO, FIVE CONTINENTS CONSULTING CORPORATION, THE HILLPRO GROUP INC., HORIZON BANK INTERNATIONAL LIMITED, HORIZON FIDUCIARY INC., JESCO INC., KELSO ENTERPRISES INC., KIRBY AUDIT SERVICES INC., KLASS "A" STRATEGIES INC., LABALTA LTD., M & M INVESTMENTS 101 LTD., MAGELLAN MORANDA INVESTMENTS, MARCOL MANAGEMENT LTD., MCCARTHY TETRAULT LLP, MCCULLOUGH FINANCIAL CORPORATION, MICHAEL GROSH PROFESSIONAL CORPORATION, MOUNTAIN STAR CAPITAL CORP., MOUNTAIN VIEW CREDIT UNION LIMITED, NUMA LTD., PAGET CAPITAL LTD., PARADISE BAY HOLDINGS INC., PHOENIX GLOBAL RESOURCES LTD., PINE GROVE MANAGEMENT INC., SELLARS FINANCIAL INC., TALISMAN FINANCIAL INVESTMENTS INC., TAMIKA ENTERPRISES INC., THOR EMPIRE TRUST, TITANIA CONSULTING INC., TRANSMAX TECHNOLOGIES LTD., TRIPLE-SSS HOLDINGS INC., VITRON CONSULTING INC., ZINGER BROTHERS HOLDINGS, ZURICH VENTURES INC., GUY BAILEY, ALFRED BARNFIELD, CONNIE BARTEL, ROBERT BARTEL, VICTOR BAUMAN, NANCY BUFORD, CAMERON CAMPBELL, RICK CHILDERS, BLAINE A. CISNA, DOUGLAS A. COWAN, STANLEY DEFREITAS, EUGENE LEROY DUCE, ARNOLD DYCK, ALFREDO FARPON, RAY FISHER, JACK FOLSOM, JIM FOLSOM, RICHARD FOWLKS, BARIE FRITZ, ROBERT E. FYN, ALLAN A. GRAY, MICHAEL GROSH, KENDRA HASKETT, ARNOLD HENRY, DAVID HENRY, SAMUEL HIGGINS, WINSTON INDARSINGH, COLLEEN JESPERSEN, JAMES JESPERSEN, MARK JESPERSEN, SHARRELL JESPERSEN, WAYNE JOHNSON, BARBARA L.

KING, ARTHUR KLASSEN, RUBY LEACHMAN, GEORGE LENNOX,
WILLIAM LENZ, DANIEL LESCAMELA, DANNY R. MACNAUGHTON,
NORMA A. MACNAUGHTON, PETER MANOUSOS, MICHAEL
MCCULLOUGH, DAVE MILLER, MOHAN MAHARAJ, PETER MOL, BRAD
MOONEY, TOM OLDRIDGE, GERTRUDE M. PRETE, DONALD RABBY,
AMIN RAMJI, BILKISH RAMJI, STAN W. REMIN, KATHERINE RODRIGUE-
BAILEY, JOHN ROMERO, OREST RUSNAK, ARIE SCHALK, RANDALL
SEABROOK, ROBERT J. SELLARS, WILLIAM SEREDIUK, PETER L.
SHERIDAN, MURRAY STARK, DELMER STROBEL, VERNA STROBEL,
MILTON TEIBE, ENRIQUE TOSCANO, LEE-ANNA TOSCANO, JOHN
WILLOCK, JOHN W. WILLOCK, MARGARET WRIGHT, STAN WRIGHT,
CLAUDE ZINGER, JOHN DOE, RICHARD DOE and XYZ CORP.


PARTIAL DISCONTINUANCE OF ACTION

TAKE NOTICE that the within action is hereby discontinued by the Plaintiff against the Defendants, D.K. DeFreitas Professional Corporation and Desmond K. DeFreitas.

DATED at the City of Calgary in the Province of Alberta, this ²⁰ day of January, 2006.

McNally Cuming Raymaker


Per:


William E. McNally
Solicitor for the Plaintiff

CONSENTED TO:

GOWLING LAFLEUR HENDERSON LLP

Per:


Gordon E. Desautels
Solicitor for the Defendants,
D.K. DeFreitas Professional Corporation
and Desmond K. DeFreitas

TO: Clerk of the Court

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HEIKE ENTICKNAP, as Representative Plaintiff

Plaintiff

-and-

H M S FINANCIAL INC., SKYWARD MANAGEMENT INC., GARTH S. BAILEY, GARTH S. BAILEY PROFESSIONAL CORPORATION, 990137 ALBERTA LTD., 1037149 ALBERTA LTD., operating as CEDAR MANAGEMENT, 1053382 ALBERTA INC., 1070199 ALBERTA LTD., 1079373 ALBERTA LTD., A-Z INVESTMENT GROUP, ABBA RESOURCES UNLIMITED, ACADEMY FINANCIAL INC., ACADEMY FINANCIAL PLANNERS & CONSULTANTS INC., ALTRUISTIC HOLDINGS LTD., ASPIRE GROUP INTERNATIONAL REALTY INC., BAILEY DAWS LLP, BOGNER INDUSTRIES LTD., THE CARPENTER'S SHOP CORPORATION, CEDAR POINTE CONSULTING GROUP INC., CHASE FORBES TRUST LTD., COMMONWEALTH MARKETING GROUP LTD., COMMUNITY CREDIT UNION LTD., COMPANIONS INC., D. K. DEFREITAS PROFESSIONAL CORPORATION, THE DAKOTA CORPORATION, DANA I. CARLSON, DATAS CONSULTING, DEFREITAS & ASSOCIATES, DESMOND K. DEFREITAS, DIVERSE EQUITIES INC., ETHAN EQUITIES INC., FIRST NATIONAL BANK OF SAN DIEGO, FIVE CONTINENTS CONSULTING CORPORATION, THE HILLPRO GROUP INC., HORIZON BANK INTERNATIONAL LIMITED, HORIZON FIDUCIARY INC., JESCO INC., KELSO ENTERPRISES INC., KIRBY AUDIT SERVICES INC., KLASS "A" STRATEGIES INC., LABALTA LTD., M & M INVESTMENTS 101 LTD., MAGELLAN MORANDA INVESTMENTS, MARCOL MANAGEMENT LTD., MCCARTHY TETRAULT LLP, MCCULLOUGH FINANCIAL CORPORATION, MICHAEL GROSH PROFESSIONAL CORPORATION, MOUNTAIN STAR CAPITAL CORP., MOUNTAIN VIEW CREDIT UNION LIMITED, NUMA LTD., PAGET CAPITAL LTD., PARADISE BAY HOLDINGS INC., PHOENIX GLOBAL RESOURCES LTD., PINE GROVE MANAGEMENT INC., SELLARS FINANCIAL INC., TALISMAN FINANCIAL INVESTMENTS INC., TAMIKA ENTERPRISES INC., THOR EMPIRE TRUST, TITANIA CONSULTING INC., TRANSMAX TECHNOLOGIES LTD., TRIPLE-SSS HOLDINGS INC., VITRON CONSULTING INC., ZINGER BROTHERS HOLDINGS, ZURICH VENTURES INC., GUY BAILEY, ALFRED BARNFIELD, CONNIE BARTEL, ROBERT BARTEL, VICTOR BAUMAN, NANCY BUFORD, CAMERON CAMPBELL, RICK CHILDERS, BLAINE A. CISNA, DOUGLAS A. COWAN, STANLEY DEFREITAS, EUGENE LEROY DUCE, ARNOLD DYCK, ALFREDO FARPON, RAY FISHER, JACK FOLSOM, JIM FOLSOM, RICHARD FOWLKS, BARIE FRITZ, ROBERT E. FYN, ALLAN A. GRAY, MICHAEL GROSH, KENDRA HASKETT, ARNOLD HENRY, DAVID HENRY, SAMUEL HIGGINS, WINSTON INDARSINGH, COLLEEN JESPERSEN, JAMES JESPERSEN, MARK JESPERSEN, SHARRELL JESPERSEN, WAYNE JOHNSON, BARBARA L. KING, ARTHUR KLASSEN, RUBY LEACHMAN, GEORGE LENNOX, WILLIAM LENZ, DANIEL LESCAMELA, DANNY R. MACNAUGHTON, NORMA A. MACNAUGHTON, PETER MANOUSOS, MICHAEL MCCULLOUGH, DAVE MILLER, MOHAN MAHARAJ, PETER MOL, BRAD MOONEY, TOM OLDRIDGE, GERTRUDE M. PRETE, DONALD RABBY, AMIN RAMJI, BILKISH RAMJI, STAN W. REMIN, KATHERINE RODRIGUE-BAILEY, JOHN ROMERO, OREST RUSNAK, ARIE SCHALK, RANDALL SEABROOK, ROBERT J. SELLARS, WILLIAM SEREDIUK, PETER L. SHERIDAN, MURRAY STARK, DELMER STROBEL, VERNA STROBEL, MILTON TEIBE, ENRIQUE TOSCANO, LEE-ANNA TOSCANO, JOHN WILLOCK, JOHN W. WILLOCK, MARGARET WRIGHT, STAN WRIGHT, CLAUDE ZINGER, JOHN DOE, RICHARD DOE and XYZ CORP.

Defendants

PARTIAL DISCONTINUANCE OF ACTION

McNALLY CUMING RAYMAKER
Barristers & Solicitors
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William E. McNally
File: 11516 WEM

CLERK OF THE COURT
FEB - 3 2006
CALGARY, ALBERTA