

Entered on Docket Oct. 25, 2007

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THE HON. PHILIP H. BRANDT  
Chapter 15

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

In re:	}	NO. 05-30432	
IAN GREGORY THOW,		}	STIPULATED ORDER RE COURT
			ORDERED 2004 EXAMINATION AND
Debtor.		DOCUMENT PRODUCTION	

THIS MATTER having come before the Court upon the stipulation of the debtor and the Foreign Representative; and the Court being advised that an Order Granting Authority to Conduct 2004 Examinations (the "2004 Exam Order") was entered on or about December 22, 2006; and the Court being advised that a Subpoena Duces Tecum for Rule 2004 Examination and Inspections (the "Subpoena") was served on the debtor, pertinent excerpts of which are attached hereto as Exhibit "A"; and the Court being advised that the debtor filed a Motion to Vacate the 2004 Exam Order ("Motion to Vacate") on January 5, 2007, originally scheduled for hearing on January 25, 2007 and continued by the Court and the parties to February 26, 2007; and the parties stipulating to an examination and document production which the Court entered on February 21, 2007; and the debtor having refused to comply with the stipulated order the Foreign Representative filed a Motion to Enforce Stipulation and Compel

STIPULATED ORDER RE COURT ORDERED 2004  
EXAMINATION AND DOCUMENT PRODUCTION - 1  
No. 05-30432

121426.0001/1431839.4

LANE POWELL PC  
1420 FIFTH AVENUE, SUITE 4100  
SEATTLE, WASHINGTON 98101-2338  
206.223.7000 FAX: 206.223.7107

1 Discovery; and the Court entering an order on the Foreign Representative's Motion on June  
 2 19, 2007 compelling the debtor to provide the Foreign Representative with full and complete  
 3 substantive answers and responses to the written questions and to produce all documents  
 4 previously requested by subpoena; and the debtor having submitted unsatisfactory partial  
 5 answers to the written examination questions and having failed to produce any documents;  
 6 and the Supreme Court of British Columbia in Bankruptcy and Insolvency (the "Canadian  
 7 Court") entering an order on August 23, 2007 requesting the aid and assistance of this Court  
 8 in requiring the debtor to be examined under oath before this Court or nearby the Court and  
 9 requiring the debtor to produce the previously requested documents, a copy of which order is  
 10 attached hereto as Exhibit "B;" and the Court being advised that the debtor and Foreign  
 11 Representative request the relief set forth herein in an attempt to comply with the Canadian  
 12 Court's order and this Court's prior orders; and the parties' having stipulated to this order;  
 13  
 14 NOW, THEREFORE, IT IS HEREBY:  
 15

16 ORDERED that Ian Gregory Thow shall attend an examination conducted by the  
 17 Foreign Representative's counsel on Monday, October 29, 2007, commencing at 9:30 a.m., at  
 18 the Bankruptcy Court for the Western District Washington, Seattle, to answer under oath as  
 19 to the conduct of Mr. Thow and his business and financial affairs including, without  
 20 limitation: (a) the property of the debtor; (b) the debtor's income; (c) the debtor's expenses;  
 21 (d) the debtor's employment; (e) details of all premises leased by the debtor in Seattle or  
 22 elsewhere since the date of debtor's Canadian bankruptcy; (f) dispositions of property by the  
 23 debtor; (g) any monies paid to the debtor since the date of the debtor's Canadian bankruptcy;  
 24 (h) any property of the debtor located outside of Canada; and (j) those topics addressed in the  
 25 written questions attached to the Court's prior order; It is further  
 26

STIPULATED ORDER RE COURT ORDERED 2004  
 EXAMINATION AND DOCUMENT PRODUCTION - 2  
 No. 05-30432

121426.0001/1431839.4

LANE POWELL PC  
 1420 FIFTH AVENUE, SUITE 4100  
 SEATTLE, WASHINGTON 98101-2338  
 206.223.7000 FAX: 206.223.7107

1 ORDERED that, on or before Wednesday, October 24, 2007, the debtor shall produce  
 2 to the Foreign Representative through its counsel, Lane Powell PC, all of his employment  
 3 records, bank statements, leases, credit card statements, passport and other travel documents,  
 4 tax returns, and records dealing with his financial circumstances, as set forth in the Canadian  
 5 Court's order attached hereto, and all documents requested in the Subpoena attached hereto,  
 6 which was previously issued and served on the debtor; It is further  
 7

8 ORDERED that the parties may bring disputes at the examination to the attention of  
 9 the Court for resolution and/or sanctions, as necessary, including any refusal of the debtor to  
 10 answer questions relating to his dealings in connection with the National Bank of Jamaica.

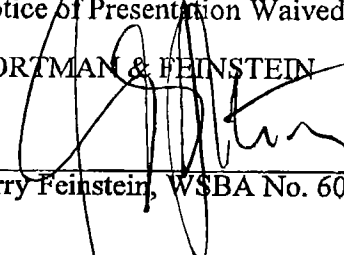
11 DATED this \_\_\_\_ day of October, 2007.

12 

13 Philip H. Brandt  
 14 United States Bankruptcy Judge  
 (Dated as of "Entered on Docket" date above)

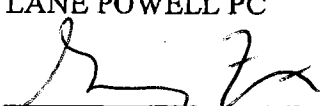
15 Stipulated and Agreed  
 16 Notice of Presentation Waived:

17 VORTMAN & FEINSTEIN

18   
 19 Larry Feinstein, WSBA No. 6074

20 Stipulated and Agreed  
 21 Presented By:

22 LANE POWELL PC

23   
 24 Bruce W. Leaverton, WSBA No. 15329  
 Gregory R. Fox, WSBA No. 30559

25 STIPULATED ORDER RE COURT ORDERED 2004  
 26 EXAMINATION AND DOCUMENT PRODUCTION - 3  
 No. 05-30432

121426.0001/1431839.4

LANE POWELL PC  
 1420 FIFTH AVENUE, SUITE 4100  
 SEATTLE, WASHINGTON 98101-2338  
 206.223.7000 FAX: 206.223.7107

1 Bruce W. Leaverton, WSBA No. 15329  
2 Gregory R. Fox, WSBA No. 30559  
3 Lane Powell PC  
4 1420 Fifth Ave., Ste. 4100  
5 Seattle, WA 98101  
6 (206) 223-7000  
7 (206) 223-7101 Facsimile  
8 Attorneys for Wolrige Mahon Ltd.

THE HON. PHILIP H. BRANDT  
Chapter 15

9 UNITED STATES BANKRUPTCY COURT  
10 WESTERN DISTRICT OF WASHINGTON  
11 AT SEATTLE

12 In re:

13 IAN GREGORY THOW,

14 Debtor.

NO. 05-30432

SUBPOENA DUCES TECUM FOR  
RULE 2004 EXAMINATION AND  
INSPECTIONS

15 TO: IAN GREGORY THOW

16 YOU ARE COMMANDED to appear and testify at an examination under Rule 2004,  
17 Fed. R. Bankr. P., at the place, date, and time specified below, and to permit a physical  
18 inspection of all real property in which you hold an interest within this district (including but not  
19 limited to leased apartments) and personal property located on such premises, immediately  
20 following the conclusion of your testimony. A copy of the Court order authorizing the  
21 examination and inspections is attached.

22 YOU ARE FURTHER COMMANDED to produce and permit inspection and copying  
23 of the following documents or objects at the place, date, and time specified below:

24 (1) Copies of records of any and all asset transfers from Ian Gregory Thow to  
25 anyone, whether business entity or individual;

26 (2) Copies of any and all income tax returns and tax records for the past four (4)  
years, including all income tax returns for any business interest in Ian Gregory Thow's name;

SUBPOENA DUCES TECUM FOR RULE 2004 EXAMINATION  
AND INSPECTIONS - 1

NO. 05-30432

121426.0001/1347380.2

**COPY**

LANE POWELL PC  
1420 FIFTH AVENUE, SUITE 4100  
SEATTLE, WASHINGTON 98101-2338  
206.223.7000 FAX: 206.223.7107

Exhibit     A

1 (3) Copies of any and all business documents and financial statements, and  
2 statements of income and expense of Ian Gregory Thow delivered to anyone during the last  
3 four (4) years. This is to include personal statements, financial statements, and statements of  
4 income and expense of any and all corporations, partnerships, or other entities in which Ian  
5 Gregory Thow has stock or an interest of any kind;

6 (4) Copies of any and all statements of income, wages, salary, fees, bonuses or  
7 commissions earned, including but not limited to wage stubs and/or payroll slips, W-2's, and  
8 any and all other proof of such income, that Ian Gregory Thow earned for the last four  
9 (4) years;

10 (5) Copies of any and all checking and savings statements, registers or bank  
11 books, including savings books and checking account records, for the last four (4) years in  
12 Ian Gregory Thow's name or in the name of any other entity or person that is holding any  
13 money on behalf of or for Ian Gregory Thow;

14 (6) Copies of wire transfer statements or any other document evidencing transfers  
15 from Ian Gregory Thow to third parties within the last four (4) years;

16 (7) Copies of all real property lease agreements entered into by Ian Gregory Thow  
17 or any other person or entity on Ian Gregory Thow's behalf in the last four (4) years;

18 (8) Copies of any appraisals of Ian Gregory Thow's real or personal property  
19 conducted within the last four (4) years;

20 (9) Any and all shares of stock and stock certificates owned by or registered in the  
21 name of Ian Gregory Thow, any and all deeds of real property assets owned by or registered  
22 in the name of Ian Gregory Thow and/or any and all titles to vehicles including boats owned  
23 by or registered in the name of Ian Gregory Thow, and/or any and all information related to  
24 any real and personal property assets in the possession of or under the control of Ian Gregory  
25 Thow, including any and all information relating to liens, encumbrances, location, titles,  
26 and value of real property and/or vehicles owned by Ian Gregory Thow.

(10) Copies of any and all employment agreements entered into by Ian Gregory  
Thow within the last four (4) years;

(11) Copies of any and all records in Ian Gregory Thow's possession or under his  
control, not specifically set forth above, that show ownership of, or interest in, any real or  
personal property that is not exempt by law;

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**Place:** Law offices of Lane Powell, PC  
1420 Fifth Ave., Ste. 4100  
Seattle, WA 98101

**Date and Time:** Tuesday, January 23, 2007 at 10:30 a.m.

DATED this 24<sup>th</sup> day of January, 2007.

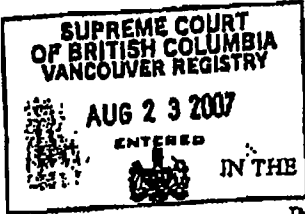
LANE POWELL PC

By 

Bruce W. Leaverton, WSBA No. 15329  
Gregory R. Fox, WSBA No. 30559  
Attorneys for Wolrige Mahon Ltd., foreign  
representative

SUBPOENA DUCES TECUM FOR RULE 2004 EXAMINATION  
AND INSPECTIONS - 3  
NO. 05-30432  
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206.223.7000 FAX: 206.223.7107



No. B051318  
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA  
IN BANKRUPTCY AND INSOLVENCY

IN THE MATTER OF THE BANKRUPTCY OF  
IAN GREGORY THOW

**ORDER**

BEFORE THE HONOURABLE ) WEDNESDAY, THE 22<sup>nd</sup> DAY OF  
MR. JUSTICE BURNYEAT ) AUGUST, 2007

THE APPLICATION of Wolrige Mahon Limited, Trustee in Bankruptcy of Ian Gregory Thow (the "Trustee") coming on for hearing before me this day at Vancouver, British Columbia; AND UPON HEARING John I. McLean, Counsel for the Trustee, and no one else appearing although duly served; AND UPON READING the Affidavit of Michael T. Cheevers #15, sworn August 2, 2007 and filed herein;

**THIS COURT REQUESTS:**


1. the aid and assistance of the United States Bankruptcy Court and, in particular, the aid and assistance of the United States Bankruptcy Court, Western District of Washington at Seattle (the "US Court");
2. that the bankrupt herein, Ian Gregory Thow, be examined under oath by counsel for the Trustee, Wolrige Mahon Limited, and that such examination deal with the conduct of the bankrupt and his business and financial affairs, including:
  - (a) the property of the bankrupt;

**Exhibit**     B

- (b) the bankrupt's income;
- (c) the bankrupt's expenses;
- (d) the bankrupt's employment;
- (e) details of all premises leased by the bankrupt in Seattle or elsewhere since the date of bankruptcy,
- (f) dispositions of property by the bankrupt;
- (g) any monies paid to the bankrupt since the date of bankruptcy;
- (h) any property of the bankrupt located outside of Canada;
- (i) all dealings of the bankrupt in connection with the National Commercial Bank of Jamaica;

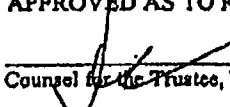
and that the bankrupt be required to produce to counsel for the Trustee at or before any such examination all of the bankrupt's records, employment records, bank statements, leases, credit cards and credit card statements, passport and other travel documents, tax returns and all other documents dealing with his financial circumstances;

3. that such examination be conducted in the presence of a US Court Judge or alternatively, at or nearby the courtroom of the Judge of the US Court presiding over the bankrupt's Chapter 15 case, such that the bankrupt may be brought before the Judge in person and the US Court can readily enforce this Order with appropriate sanctions, should the bankrupt fail or refuse to testify, produce documents or otherwise comply in any respect with this Order;
4. that the US Court cause or permit a transcript of any such examination together with a copy of all documents produced by the bankrupt be provided to the Trustee.

  
BURNYEAT, J.

BY THE COURT  
  
REGISTRAR

APPROVED AS TO FORM

  
Counsel for the Trustee, Wolrige Mahon Limited