

VANCOUVER

AUG 20 2015

**COURT OF APPEAL
REGISTRY**

CA 43027

Court of Appeal File No. _____
Supreme Court File No. S134066
Supreme Court Registry: Vancouver

COURT OF APPEAL

BETWEEN:

NINA WATT AND JAMES HENSMAN

RESPONDENTS
(PLAINTIFFS)

AND:

HEALTH SCIENCES ASSOCIATION OF BRITISH COLUMBIA

(DEFENDANT)

AND:

REID JOHNSON, VALERIE AVERY AND BRUCE MACDONALD IN
THEIR CAPACITY AS THE TRUSTEES OF THE HEALTH SCIENCES
ASSOCIATION OF B.C. TRUST FUND,

REID JOHNSON, BRUCE MACDONALD AND MARG BEDDIS IN
THEIR CAPACITY AS THE TRUSTEES OF THE HSA LTD TRUST
NO. 2,

REID JOHNSON, BRUCE MACDONALD, VALERIE AVERY AND
MARG BEDDIS IN THEIR CAPACITY AS THE TRUSTEES OF THE
HSA LTD TRUST NO. 3, AND

REID JOHNSON, BRUCE MACDONALD, VALERIE AVERY AND
MARG BEDDIS

APPELLANTS
(DEFENDANTS)

NOTICE OF APPEAL

Take notice that the Defendants, Reid Johnson, Valerie Avery, Bruce MacDonald and Marg Beddis in their capacities as trustees of the Health Sciences Association of B.C. Trust Fund, of the HSA LTD Trust No. 2, of the HSA LTD Trust No. 3 and in their personal capacities, hereby appeal to the Court of Appeal for British Columbia from the order of the Honourable Mr. Justice Punnett of the Supreme Court of British Columbia pronounced the 24th day of July, 2015, at Vancouver, British Columbia.

1. The appeal is from a:

- | | |
|--|---|
| <input type="checkbox"/> Trial Judgment | <input type="checkbox"/> Summary Trial Judgment |
| <input type="checkbox"/> Order of a Statutory Body | <input checked="" type="checkbox"/> Chambers Judgment |

2. If the appeal is from an appeal under Rule 18-3 or 23-6(8) of the Supreme Court Civil Rules or Rule 18-3 or 22-7(8) of the Supreme Court Family Rules, name the maker of the original decision direction or order:

N/A

3. Please identify which of the following is involved in the appeal:

- Constitutional/Administrative Civil Procedure Commercial
- Family - Divorce Family Relations Act Corollary Relief in a
Divorce Proceeding
- Motor Vehicle Accidents Municipal Law Real Property
- Torts Equity
 Wills and Estates

And further take notice that the Court of Appeal will be moved at the hearing of this appeal for:

1. An Order allowing the appeal and setting aside the Order of the Honourable Mr. Justice Punnett pronounced July 24, 2015; and
2. Such further and other relief as this Honourable Court deems just.

The hearing of this proceeding occupied 4 days (December 8-11, 2014).

Dated at Vancouver, British Columbia, this 20th day of August, 2015.

"DLA Piper" (L.A. Blake)

DLA Piper (Canada) LLP (L.A. Blake)
Solicitor for the Appellants Reid Johnson,
Valerie Avery, Bruce MacDonald and Marg
Beddis in their capacities as trustees of the
Health Sciences Association of B.C. Trust
Fund, of the HSA LTD Trust No. 2, of the HSA
LTD Trust No. 3 and in their personal capacities

To: Nina Watt and James Hensman

And to Their Solicitors: Church & Company
#900 - 1040 West Georgia Street
Vancouver, BC V6E 4H1
Tel: (604) 408-8277
Fax: (604) 408-8278
Attention: David P. Church, Q.C. & I. Schildt

This Notice of Appeal is given by Lauren Blake of the firm DLA Piper (Canada) LLP, Barristers & Solicitors, whose address for service is 2800 Park Place, 666 Burrard Street, Vancouver, BC V6C 2Z7.

IF YOU INTEND TO PARTICIPATE in this appeal YOU MUST GIVE NOTICE of your intention by filing a form entitled "Notice of Appearance" (Form 2 of the Court of Appeal Rules) in a Court of Appeal registry and serve the notice of appearance on the appellants WITHIN 10 DAYS of receiving this Notice of Appeal.

IF YOU FAIL TO FILE A NOTICE OF APPEARANCE

- (a) you are deemed to take no position on the appeal, and
- (b) the parties are not obliged to serve any further documents on you.

The filing registries for the British Columbia Court of Appeal are as follows:

Central Registry:

B.C. Court of Appeal
The Law Courts
Suite 400, 800 Hornby Street
Vancouver, BC V6Z 2C5

Other Registries:

B.C. Court of Appeal
The Law Courts
P. O. Box 9248 STN PROV GOVT
850 Burdett Ave.
Victoria, BC V8W 1B4

B.C. Court of Appeal
223 - 455 Columbia Street
Kamloops, BC V2C 6K4

Inquiries should be addressed to: 604.660.2468
Fax filings: 604.660.1951

