

ONTARIO SUPERIOR COURT OF JUSTICE
(Commercial List)

IN THE MATTER OF THE *SECURITIES ACT*,
R.S.O. 1990, C. s.5, As Amended

B E T W E E N:

ONTARIO SECURITIES COMMISSION

Applicant

- and -

BUCKINGHAM SECURITIES CORPORATION

Respondent

NOTICE OF MOTION

BDO Dunwoody Limited (the “Receiver”), in its capacity as Receiver and Manager of Buckingham Securities Corporation (“Buckingham”) will make a motion to a Judge presiding over the Commercial List on Monday, May 27, 2002 at 10:00 a.m. or as soon thereafter as the motion can be heard, at 393 University Avenue, Toronto.

THE PROPOSED METHOD OF HEARING:

The motion is to be heard orally.

1. **THE MOTION IS FOR AN ORDER:**

- (a) abridging the time for service of the Notice of Motion and Motion Record herein, if necessary, validating and approving the manner of service thereof, and declaring that all parties entitled to notice of this motion have been properly served and that any further service be dispensed with;
- (b) approving the proposed release by the Receiver of certain parties in connection with the collection of approximately \$286,000.00 owing by South Florida Enterprises Corp. to Buckingham; and
- (c) such further and other relief as to this Honourable Court may seem just.

2. **THE GROUNDS FOR THE MOTION ARE:**

- (a) South Florida Enterprises Corp., a company incorporated in the Commonwealth of the Bahamas, is indebted to Buckingham in the amount of CDN\$640,587 and US\$168,199, for a total of approximately CDN\$897,090;
- (b) the Receiver has sought collection of that indebtedness from South Florida Enterprises Corp. and has determined that South Florida Enterprises Corp., is in possession of cash balances of CDN\$80,904 and US\$79,627, and anticipates receiving further cash of approximately US\$20,000 in respect of an advance payment made to a credit card company;
- (c) South Florida Enterprises Corp. is prepared to pay the foregoing amounts to the Receiver, together with the additional amount of CDN\$46,363 to be advanced by companies related to South Florida Enterprises Corp.;
- (d) the Receiver proposes to accept these payments on account of the indebtedness of South Florida Enterprises Corp. to Buckingham, and retain all of its rights to

pursue collection of the balance of the indebtedness from South Florida Enterprises Corp. and its beneficial owners;

- (e) in exchange, the Receiver proposes to release Platinum Management Ltd., and Vulcan Management Ltd., the directors of South Florida Enterprises Corp., and three individuals who are authorized signatories of South Florida Enterprises Corp., each of whom have informed the Receiver that they have no beneficial ownership interest in South Florida Enterprises Corp.; and
- (f) such further and other grounds of counsel may advise.

3. THE FOLLOWING DOCUMENTARY EVIDENCE WILL BE USED AT THE HEARING OF THE MOTION:

- (g) the Tenth Report of the Receiver dated May 17, 2002; and
- (h) such further and other material as counsel may advise and this Honourable Court permit.

May 17, 2002

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Solicitors for BDO Dunwoody Limited
in its capacity as Receiver and Manager of
Buckingham Securities Corporation

TO: Attached Service List

ONTARIO SECURITIES COMMISSION v. BUCKINGHAM SECURITIES CORPORATION

ONTARIO SUPERIOR COURT OF JUSTICE
(Commercial List)

Proceeding Commenced at Toronto

NOTICE OF MOTION

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